

Party	
Period covered in this report	
Department or agency preparing this report	
Contributing departments, agencies and organizations	

GOAL 1 ENSURE COMPLIANCE WITH AND IMPLEMENTATION AND ENFORCEMENT OF THE CONVENTION

Objective 1.1 Parties comply with their obligations under the Convention through appropriate policies, legislation and procedures.

All Aichi Targets relevant to CITES, particularly Aichi Target 2, Target 6, Target 9, Target 12, Target 17 and Target 18.

Indicator 1.1.1: The number of Parties that are in category 1 under the national legislation project.

1.1.1a	Have any CITES relevant policies or legislation been developed during the period covered in this report? Yes <input type="checkbox"/> No <input type="checkbox"/> If 'Yes', have you shared information with the Secretariat? Yes <input type="checkbox"/> No <input type="checkbox"/> Not Applicable <input type="checkbox"/> If 'No', please provide details to the Secretariat with this report:
1.1.1b	Does your legislation or legislative process allow easy amendment of your national law(s) to reflect changes in the CITES Appendices (e.g. to meet the 90 day implementation guidelines)? Yes <input type="checkbox"/> No <input type="checkbox"/> If 'No', please provide details of the constraints faced:

Objective 1.2 Parties have in place administrative procedures that are transparent, practical, coherent and user-friendly, and reduce unnecessary administrative burdens.

Aichi Target 3.

Indicator 1.2.1: The number of Parties that have adopted standard transparent procedures for the timely issuance of permits in accordance with Article VI of the Convention.

		Yes	No	No information
1.2.1a	Do you have standard operating procedures for application for and issuance of permits? Are the procedures publicly available?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2.1b	Do you have: Electronic data management and a paper-based permit issuance system?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Electronic permit information exchange between Management Authorities of some countries If 'Yes', please list countries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Electronic permit information exchange to Management Authorities of all countries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Electronic permit data exchange between Management Authorities and customs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Electronic permit used to cross border with electronic validation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

by customs?			
If 'Yes' to any of the above, please provide information on challenges faced or issues overcome:			
If 'No', do you have any plans to move towards e-permitting ¹ ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If you are planning to move towards e-permitting, please explain what might help you to do so:			

Indicator 1.2.2: The number of Parties making use of the simplified procedures provided for in [Resolution Conf. 12.3 \(Rev. CoP16\)](#).

1.2.2a	Has your country developed simplified procedures for any of the following?	Tick all applicable		
		Yes	No	No information
	Where biological samples of the type and size specified in Annex 4 of Resolution Conf. 12.3 (Rev. CoP16) are urgently required.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	For the issuance of pre-Convention certificates or equivalent documents in accordance with Article VII , paragraph 2.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	For the issuance of certificates of captive breeding or artificial propagation in accordance with Article VII, paragraph 5.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	For the issuance of export permits or re-export certificates in accordance with Article IV for specimens referred to in Article VII, paragraph 4.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Are there other cases judged by a Management Authority to merit the use of simplified procedures? If 'Yes', please provide details:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Objective 1.3 Implementation of the Convention at the national level is consistent with decisions adopted by the Conference of the Parties.
All Aichi targets relevant to CITES, particularly Target 9, Target 14 and Target 18.

Indicator 1.3.1: The number of Parties that have implemented relevant reporting under Resolutions and Decisions of the Conference of the Parties and/or Standing Committee recommendations.

1.3.1a	<p>Has your country responded to all relevant special reporting requirements that are active during the period covered in this report, including those in the Resolutions and Decisions of the Conference of the Parties, Standing Committee recommendations, and Notifications issued by the Secretariat (see link to location on the CITES website where the reporting requirements are listed)?</p> <p>Responses provided to ALL relevant reporting requirements <input type="checkbox"/></p> <p>Responses provided to SOME of the relevant reporting requirements <input type="checkbox"/></p> <p>Responses provided to NONE of the relevant reporting requirements <input type="checkbox"/></p> <p>No special reporting requirements applicable <input type="checkbox"/></p>
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¹ e-permitting refers to the electronic (paperless) management of the permit business process, including permit application, Management Authority – Scientific Authority consultations, permit issuance, notification to customs and reporting.

1.3.1b	<p>Were any difficulties encountered during the period covered in this report in implementing specific Resolutions or Decisions adopted by the Conference of the Parties? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If 'Yes', please provide details of which Resolution(s) or Decision(s), and, for each, what difficulties were / are being encountered?</p>
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Objective 1.4 The Appendices correctly reflect the conservation needs of species.
[Aichi Target 1](#), [Target12](#), [Target 14](#) and [Target 19](#).

1.4.1: The number and proportion of species that have been found to meet the criteria contained in Resolution Conf. 9.24 or its successors. This includes both the periodic review and amendment proposals.

1.4.1a	<p>Have you undertaken any reviews of whether species would benefit from listing on the CITES Appendices? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If 'Yes', please provide a summary here, or a link to the report of the work (or a copy of that report to the Secretariat if the work is not available online):</p>
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Objective 1.5 Best available scientific information is the basis for non-detriment findings.
[Aichi Target 2](#), [Target 4](#), [Target 5](#), [Target 6](#), [Target 7](#), [Target 9](#), [Target 12](#) and [Target 14](#).

Indicator 1.5.1: The number of surveys, studies or other analyses undertaken by exporting countries based on the sources of information cited in Resolution Conf. 16.7 on Non-detriment findings related to:

- a) the population status of Appendix-II species;
- b) the trends and impact of trade upon Appendix-II species; and
- c) the status of and trend in naturally-occurring Appendix I species and the impact of any recovery plans.

1.5.1a	Have any surveys, studies or other analyses been undertaken <u>in your country</u> in relation to:	Yes	No	Not Applicable	If Yes, How many?
	- the population status of Appendix II species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	- the trends and impact of trade on Appendix II species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	- the status of and trend in naturally-occurring Appendix I species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	- the impact of any recovery plans on Appendix I species?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Have the surveys, studies or analyses integrated relevant knowledge and expertise of local and indigenous communities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	<p>If there are such studies that you are willing to share, please provide:</p> <p>Species name (scientific)</p> <p>A brief summary of the results of the survey, study or other analysis (e.g. population status, decline / stable / increase, off-take levels etc), or provide links to published reference material.</p>																					
1.5.1b	<p>How are the results of such surveys, studies or other analyses used in making non-detriment findings (NDFs)?</p> <p>Please tick all that apply</p> <p>Revised harvest or export quotas <input type="checkbox"/></p> <p>Banning export <input type="checkbox"/></p> <p>Stricter domestic measures <input type="checkbox"/></p> <p>Changed management of the species <input type="checkbox"/></p> <p>Discussion with Management Authorities <input type="checkbox"/></p> <p>Discussion with other stakeholders? <input type="checkbox"/></p> <p>Other (please provide a short summary):</p>																					
1.5.1c	<p>Do you have specific conservation measures or recovery plans for naturally occurring Appendix-I listed species?</p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Not Applicable <input type="checkbox"/></p> <p>No information <input type="checkbox"/></p> <p>If 'Yes', please provide a brief summary, including, if possible, an evaluation of their impact:</p>																					
1.5.1d	<p>Have you published any non-detriment findings that can be shared? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If 'Yes', please provide links or examples to the Secretariat within this report:</p>																					
1.5.1e	<table border="0"> <thead> <tr> <th data-bbox="274 1346 1197 1411">Which of the following (A to F of paragraph a) x) of Resolution Conf. 16.7) do you use in making non-detriment findings?</th> <th data-bbox="1197 1346 1276 1411">Yes</th> <th data-bbox="1276 1346 1442 1411">No</th> </tr> </thead> <tbody> <tr> <td data-bbox="274 1411 1197 1489">A. relevant scientific literature concerning species biology, life history, distribution and population trends.</td> <td data-bbox="1197 1411 1276 1489"><input type="checkbox"/></td> <td data-bbox="1276 1411 1442 1489"><input type="checkbox"/></td> </tr> <tr> <td data-bbox="274 1489 1197 1534">B. details of any ecological risk assessments conducted.</td> <td data-bbox="1197 1489 1276 1534"><input type="checkbox"/></td> <td data-bbox="1276 1489 1442 1534"><input type="checkbox"/></td> </tr> <tr> <td data-bbox="274 1534 1197 1601">C. scientific surveys conducted at harvest locations and at sites protected from harvest and other impacts.</td> <td data-bbox="1197 1534 1276 1601"><input type="checkbox"/></td> <td data-bbox="1276 1534 1442 1601"><input type="checkbox"/></td> </tr> <tr> <td data-bbox="274 1601 1197 1646">D. relevant knowledge and expertise of local and indigenous communities.</td> <td data-bbox="1197 1601 1276 1646"><input type="checkbox"/></td> <td data-bbox="1276 1601 1442 1646"><input type="checkbox"/></td> </tr> <tr> <td data-bbox="274 1646 1197 1691">E. consultations with relevant local, regional and international experts.</td> <td data-bbox="1197 1646 1276 1691"><input type="checkbox"/></td> <td data-bbox="1276 1646 1442 1691"><input type="checkbox"/></td> </tr> <tr> <td data-bbox="274 1691 1197 1852">F. national and international trade information such as that available via the CITES trade database maintained by UNEP World Conservation Monitoring Centre (UNEP-WCMC), publications on trade, local knowledge on trade and investigations of sales at markets or through the Internet for example.</td> <td data-bbox="1197 1691 1276 1852"><input type="checkbox"/></td> <td data-bbox="1276 1691 1442 1852"><input type="checkbox"/></td> </tr> </tbody> </table>	Which of the following (A to F of paragraph a) x) of Resolution Conf. 16.7) do you use in making non-detriment findings?	Yes	No	A. relevant scientific literature concerning species biology, life history, distribution and population trends.	<input type="checkbox"/>	<input type="checkbox"/>	B. details of any ecological risk assessments conducted.	<input type="checkbox"/>	<input type="checkbox"/>	C. scientific surveys conducted at harvest locations and at sites protected from harvest and other impacts.	<input type="checkbox"/>	<input type="checkbox"/>	D. relevant knowledge and expertise of local and indigenous communities.	<input type="checkbox"/>	<input type="checkbox"/>	E. consultations with relevant local, regional and international experts.	<input type="checkbox"/>	<input type="checkbox"/>	F. national and international trade information such as that available via the CITES trade database maintained by UNEP World Conservation Monitoring Centre (UNEP-WCMC), publications on trade, local knowledge on trade and investigations of sales at markets or through the Internet for example.	<input type="checkbox"/>	<input type="checkbox"/>
Which of the following (A to F of paragraph a) x) of Resolution Conf. 16.7) do you use in making non-detriment findings?	Yes	No																				
A. relevant scientific literature concerning species biology, life history, distribution and population trends.	<input type="checkbox"/>	<input type="checkbox"/>																				
B. details of any ecological risk assessments conducted.	<input type="checkbox"/>	<input type="checkbox"/>																				
C. scientific surveys conducted at harvest locations and at sites protected from harvest and other impacts.	<input type="checkbox"/>	<input type="checkbox"/>																				
D. relevant knowledge and expertise of local and indigenous communities.	<input type="checkbox"/>	<input type="checkbox"/>																				
E. consultations with relevant local, regional and international experts.	<input type="checkbox"/>	<input type="checkbox"/>																				
F. national and international trade information such as that available via the CITES trade database maintained by UNEP World Conservation Monitoring Centre (UNEP-WCMC), publications on trade, local knowledge on trade and investigations of sales at markets or through the Internet for example.	<input type="checkbox"/>	<input type="checkbox"/>																				

Indicator 1.5.2: The number of Parties that have adopted standard procedures for making non-detriment findings.

1.5.2a	<p>Do you have standard procedures for making non-detriment findings in line with Resolution Conf. 16.7? Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/></p> <p>If 'Yes', please briefly describe your procedures for making non-detriment findings, or attach as an annex to this report, or provide a link to where the information can be found on the internet:</p>
1.5.2b	<p>When establishing non-detriment findings, have any of the following guidance been used? Please tick all that apply</p> <p style="text-align: right;">Virtual College <input type="checkbox"/></p> <p style="text-align: right;">IUCN Checklist <input type="checkbox"/></p> <p style="text-align: right;">Resolution Conf. 16.7 <input type="checkbox"/></p> <p style="text-align: right;">2008 NDF workshop <input type="checkbox"/></p> <p style="text-align: right;">Species specific guidance <input type="checkbox"/></p> <p style="text-align: right;">Other <input type="checkbox"/></p> <p>If 'Other' or 'Species specific guidance', please specify details:</p>
1.5.2c	<p>How often do you review and/or change your non-detriment findings? Case by case <input type="checkbox"/></p> <p style="text-align: right;">Annually <input type="checkbox"/></p> <p style="text-align: right;">Every two years <input type="checkbox"/></p> <p style="text-align: right;">Less frequently <input type="checkbox"/></p> <p style="text-align: right;">A mix of the above <input type="checkbox"/></p> <p>Please describe the circumstances under which non-detriment findings would be changed:</p>

Indicator 1.5.3: The number and proportion of annual export quotas based on population surveys.

1.5.3a	<p>Do you set annual export quotas? Yes <input type="checkbox"/></p> <p style="text-align: right;">No <input type="checkbox"/></p> <p>If 'Yes', do you set quotas based on population survey, or by other means? Please specify, for each species, how quotas are set:</p> <p>Species Name (scientific) Population Survey? <input type="checkbox"/></p> <p style="text-align: right;"><input type="checkbox"/></p> <p style="text-align: right;"><input type="checkbox"/></p> <p style="text-align: right;"><input type="checkbox"/></p> <p style="text-align: right;">Other, please specify</p>
1.5.3b	<p>Have annual export quotas been set at levels which will ensure sustainable production and consumption? Yes <input type="checkbox"/></p> <p style="text-align: right;">No <input type="checkbox"/></p> <p>If 'Yes', please describe how this fits into your non-detriment finding process:</p>

Objective 1.6 Parties cooperate in managing shared wildlife resources.
 Aichi Target 4, Target 5, Target 6, Target 7, Target 10, Target 12 and Target 19.

Indicator 1.6.1: The number of bilateral and multilateral agreements that specifically provide for co-management of shared CITES listed species by range States.

1.6.1a	Is your country a signatory to any bilateral and/or multilateral agreements for co-management of shared species? Yes <input type="checkbox"/> No <input type="checkbox"/> If 'Yes', please provide brief details, including the names of the agreements, and which other countries are involved:
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Indicator 1.6.2: The number of cooperative management plans, including recovery plans, in place for shared populations of CITES-listed species.

1.6.2a	Do you have any cooperative management plans, including recovery plans, in place for shared populations of CITES-listed species? Yes <input type="checkbox"/> No <input type="checkbox"/> If 'Yes', please list the species for which these plans are in place and provide a link or reference to a published plan for each species. Species Name (scientific) Link or reference to a published plan
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Indicator 1.6.3: The number of workshops and other capacity-building activities that bring range States together to address the conservation and management needs of shared, CITES listed, species.

1.6.3a	Have the CITES authorities <i>received or benefited</i> from any of the following capacity-building activities provided by external sources?						
Please tick boxes to indicate which target group and which activity.		Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	What were the external sources ² ?
Target group							
Staff of Management Authority		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Staff of Scientific Authority		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Staff of enforcement authorities		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Traders		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
NGOs		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Public		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Other (please specify):		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

² Please provide the names of Parties, and any non-Parties, involved.

1.6.3b	Have the CITES authorities been the <i>providers</i> of any of the following capacity-building activities to other range States?						Details
	Please tick boxes to indicate which target group and which activity.						
	Target group	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	
	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Traders	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	NGOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
1.6.3c	In what ways do you collaborate with other CITES Parties?						Further detail / examples
		Never	Rarely	Sometimes	Very Often	Always	
	Information exchange	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Monitoring / survey	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Habitat management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Species management	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Law enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Capacity building	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Other (please provide details)						

Objective 1.7 Parties are enforcing the Convention to reduce illegal wildlife trade.
 Aichi Target 4, Target 5, Target 6, Target 7, Target 9, Target 10, Target 12 and Target 19.

Indicator 1.7.1: The number of Parties that have, are covered by, or engaged with:

- an international enforcement strategy and/or action plan;
- formal international cooperation, such as an international enforcement network;
- a national enforcement strategy and/or action plan; and
- formal national interagency cooperation, such as a national interagency enforcement committee.

1.7.1a	Do you have, are you engaged in, or covered by:	Yes	No	No Information
	– an international enforcement strategy and/or action plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	– formal international cooperation, such as an international enforcement network?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	– a national enforcement strategy and/or action plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

– formal national interagency cooperation, such as a national interagency enforcement committee?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If 'Yes' to any of the above, please specify the level of engagement and provide additional details:			

Indicator 1.7.2: The number of Parties with a process or mechanism for reviewing their enforcement strategies, and the activities taken to implement their strategies.

1.7.2a	Do you have a process or mechanism for reviewing your enforcement strategy(ies) and the activities taken to implement your strategy(ies)?	Yes <input type="checkbox"/>	
		No, but review is under consideration <input type="checkbox"/>	
		No <input type="checkbox"/>	
		No information <input type="checkbox"/>	
	If 'Yes', what do you do?		
	If 'Yes' or 'No, but review is under consideration', which tools do you find of value?		
1.7.2b	Have you used the International Consortium on Combating Wildlife Crime (ICWC) Wildlife and Forest Crime Analytic Toolkit, or equivalent tools?	Yes <input type="checkbox"/>	
		No, but toolkit use is under consideration <input type="checkbox"/>	
		No <input type="checkbox"/>	
		No information <input type="checkbox"/>	
	If 'Yes', please provide feedback on the parts of the toolkit used and how useful the toolkit or equivalent tools have been. Please specify improvements that could be made:		
	If 'No', please provide feedback on why not or what is needed to make the toolkit or equivalent tools useful to you:		

Indicator 1.7.3: The number of Parties that have criminal (penal) law and procedures, capacity to use forensic technology, and capacity to use specialized investigation techniques, for investigating, prosecuting, and penalizing CITES offences..

1.7.3a	Do you have law and procedures in place for investigating, prosecuting, and penalizing CITES offences as a crime?	Yes <input type="checkbox"/>	
		No <input type="checkbox"/>	
		No information <input type="checkbox"/>	
	If 'Yes', please provide the title of the legislation and a summary of the penalties available		
1.7.3b	Are criminal offences such as poaching and wildlife trafficking recognized as serious crime ³ in your country?	Yes <input type="checkbox"/>	
		No <input type="checkbox"/>	
		No information <input type="checkbox"/>	
	If 'Yes', please explain what criteria must be met for poaching or wildlife trafficking offences to be treated as serious crimes:		

³ The United Nations Convention against Transnational Organized Crime defines serious crime as conduct constituting an offence punishable by imprisonment for at least four years or a more serious penalty.

1.7.3c	Do you have capacity to use forensic technology ⁴ to support the investigation of CITES offences? If 'Yes', please provide a brief summary of any samples from CITES-listed species that were collected and submitted to an appropriate forensic analysis facility (located in your country and/or another country) during the period covered in this report: If 'Yes', and your country has an appropriate forensic analysis facility for CITES-listed species, please indicate which species it applies to:	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>																												
1.7.3d	Did your authorities participate in or initiate any multi-disciplinary ⁵ law enforcement operation(s) targeting CITES-listed species during the period covered in this report? If 'Yes', please provide a brief summary, including any lessons learned which might be helpful for other Parties:	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>																												
1.7.3e	Do you have a standard operating procedure among relevant agencies for submitting information related to CITES offences to INTERPOL and/or the World Customs Organization?	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>																												
1.7.3f	Do you have legislative provisions for any of the following that can be applied to the investigation, prosecution and/or sentencing of CITES offences as appropriate?	<table border="1"> <thead> <tr> <th data-bbox="890 891 970 1061">Yes</th> <th data-bbox="970 891 1043 1061">No</th> <th data-bbox="1043 891 1219 1061">No information</th> <th data-bbox="1219 891 1442 1061">If yes, how many times was this used during the period covered by this report?</th> </tr> </thead> <tbody> <tr> <td data-bbox="890 1061 970 1106"><input type="checkbox"/></td> <td data-bbox="970 1061 1043 1106"><input type="checkbox"/></td> <td data-bbox="1043 1061 1219 1106"><input type="checkbox"/></td> <td data-bbox="1219 1061 1442 1106"></td> </tr> <tr> <td data-bbox="890 1106 970 1151"><input type="checkbox"/></td> <td data-bbox="970 1106 1043 1151"><input type="checkbox"/></td> <td data-bbox="1043 1106 1219 1151"><input type="checkbox"/></td> <td data-bbox="1219 1106 1442 1151"></td> </tr> <tr> <td data-bbox="890 1151 970 1196"><input type="checkbox"/></td> <td data-bbox="970 1151 1043 1196"><input type="checkbox"/></td> <td data-bbox="1043 1151 1219 1196"><input type="checkbox"/></td> <td data-bbox="1219 1151 1442 1196"></td> </tr> <tr> <td data-bbox="890 1196 970 1240"><input type="checkbox"/></td> <td data-bbox="970 1196 1043 1240"><input type="checkbox"/></td> <td data-bbox="1043 1196 1219 1240"><input type="checkbox"/></td> <td data-bbox="1219 1196 1442 1240"></td> </tr> <tr> <td data-bbox="890 1240 970 1285"><input type="checkbox"/></td> <td data-bbox="970 1240 1043 1285"><input type="checkbox"/></td> <td data-bbox="1043 1240 1219 1285"><input type="checkbox"/></td> <td data-bbox="1219 1240 1442 1285"></td> </tr> <tr> <td data-bbox="890 1285 970 1330"><input type="checkbox"/></td> <td data-bbox="970 1285 1043 1330"><input type="checkbox"/></td> <td data-bbox="1043 1285 1219 1330"><input type="checkbox"/></td> <td data-bbox="1219 1285 1442 1330"></td> </tr> </tbody> </table>	Yes	No	No information	If yes, how many times was this used during the period covered by this report?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>																												

⁴ Capacity to use forensic technology means the ability to collect, handle and submit samples from crime scenes involving CITES-listed species to an appropriate forensic analysis facility, located either in your country or in another country(ies).

⁵ A multi-disciplinary law enforcement operation is one that involves officers from all relevant enforcement disciplines as appropriate, for example officers from Police, Customs and the wildlife regulatory authority. It could be either sub-national, national or international in scope.

⁶ General crime laws relate to offences such as fraud, conspiracy, possession of weapons, and other matters as set out in the national criminal code.

⁷ Article 2, paragraph (h) of the United Nations Convention against Transnational Organized Crime defines a predicate offence is an offence whose proceeds may become the subject of any of the money-laundering offences established under the Convention.

⁸ Asset forfeiture is the seizure and confiscation of assets obtained from criminal activities to ensure that criminals do not benefit from the proceeds of their crimes.

⁹ Provisions against corruption include national laws to implement the United Nations Convention against Corruption covering offences such as bribery of officials, embezzlement or misappropriation of public funds, trading in influence and abuse of functions by public officials.

¹⁰ International cooperation in criminal matters includes legislation through which a formal request for mutual legal assistance and/or extradition of a person for criminal prosecution can be forwarded to another country.

¹¹ Article 2, paragraph (a) of the United Nations Convention against Transnational Organized Crime defines an organized criminal group as a structured group of three or more persons, existing for a period of time and acting in concert with the aim of committing one or more serious crimes or offences established in accordance with the Convention, in order to obtain, directly or indirectly, a financial or other material benefit.

	If 'Yes' to any of the above, please explain how each is used for CITES offences? Please provide a brief summary, including any lessons learned which might be helpful for other Parties:	
1.7.3g	Do you have institutional capacity to implement the legislative provisions listed in question 1.7.3f against CITES offences?	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
	If 'No', please provide a brief summary of your major capacity-building needs:	

Indicator 1.7.4: The number of Parties using risk assessment and intelligence to combat illegal trade in CITES-listed species.

1.7.4a	Do you use risk assessment to target CITES enforcement effort?	Always <input type="checkbox"/> Very often <input type="checkbox"/> Sometimes <input type="checkbox"/> Rarely <input type="checkbox"/> Never <input type="checkbox"/> No information <input type="checkbox"/>
1.7.4b	Do you have capacity to analyse information gathered on illegal trade in CITES-listed species?	Yes <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
1.7.4c	Do you use criminal intelligence ¹³ to inform investigations into illegal trade in CITES-listed species?	Always <input type="checkbox"/> Very often <input type="checkbox"/> Sometimes <input type="checkbox"/> Rarely <input type="checkbox"/> Never <input type="checkbox"/> No information <input type="checkbox"/>
1.7.4d	Have you implemented any supply-side activities to address illegal trade in CITES-listed species during the period covered in this report?	Yes <input type="checkbox"/> No, but activities are under development <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>
1.7.4e	Have you implemented any demand-side activities to address illegal trade in CITES-listed species during the period covered in this report?	Yes <input type="checkbox"/> No, but activities are under development <input type="checkbox"/> No <input type="checkbox"/> No information <input type="checkbox"/>

¹² Specialized investigation techniques are techniques that are deployed against serious and/or organized crime when conventional law enforcement techniques fail to adequately address the activities of crime groups. Examples include controlled deliveries and covert operations.

¹³ Criminal intelligence is information that is compiled, analyzed and disseminated in an effort to anticipate, prevent and/or monitor criminal activity. Examples include information on potential suspects held in a secure database and inferences about the methods, capabilities and intentions of specific criminal networks or individuals that are used to support effective law enforcement action.

Indicator 1.7.5: The number of administrative measures, criminal prosecutions and other court actions for CITES-related offences.

During the period covered in this report:		Yes	No	No Information
1.7.5a	Have any administrative measures (e.g. fines, bans, suspensions) been imposed for CITES-related offences? If 'Yes', please indicate how many and for what types of offences. If available, please attach details:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.7.5b	Have there been any criminal prosecutions of CITES-related offences? If 'Yes', how many and for what types of offences? If available, please attach details:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.7.5c	Have there been any other court actions against CITES-related offences? If 'Yes', what were the offences involved and what were the results? Please attach details:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.7.5d	How were any confiscated specimens disposed of? – Return to country of export – Public zoos or botanical gardens – Designated rescue centres – Approved private facilities – Euthanasia – Other (please specify): Have you encountered any challenges in disposing of confiscated specimens? Do you have good practice that you would like to share with other Parties?	Tick all that apply		
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

Objective 1.8 Parties and the Secretariat have adequate capacity-building programmes in place.
[Aichi Target 1, Target 12 and Target 19.](#)

Indicator 1.8.1: The number of Parties with national and regional training programmes and information resources in place to implement CITES including the making of non-detriment findings, issuance of permits and enforcement.

1.8.1a	Do you have information resources or training in place to support: The making of non-detriment findings? Permit officers? Enforcement officers?	Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
1.8.1b	Is the CITES Virtual College used as part of your capacity building work? What improvements could be made in using the Virtual College for capacity building?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
1.8.1c	Is the ICCWC Wildlife and Forest Crime Toolkit used in the development of capacity-building programmes, or does it form part of the curriculum of such programmes? What improvements could be made in using the ICCWC Toolkit for capacity building?	Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

GOAL 2 SECURE THE NECESSARY FINANCIAL RESOURCES AND MEANS FOR THE OPERATION AND IMPLEMENTATION OF THE CONVENTION

Objective 2.1 Financial resources are sufficient to ensure operation of the Convention.

Information to be provided through records held by the Secretariat on financial management of the Convention.

Objective 2.2 Sufficient resources are secured at the national and international levels to ensure compliance with and implementation and enforcement of the Convention.

[Aichi Target 1](#), [Target 2](#), [Target 3](#), [Target 12](#), [Target 19](#) and [Target 20](#).

Indicator 2.2.1: The number of Parties with dedicated staff and funding for Management Authorities, Scientific Authorities and wildlife trade enforcement agencies.

2.2.1a	<p>Do you have an approved service standard(s)¹⁴ for your Management Authority(ies)?</p> <p>If 'No', please go to Question 2.2.1d.</p> <p>If 'Yes', for which services are there standards, and what are those standards?</p> <p>If 'Yes', do you have performance targets for these standards¹⁵?</p> <p>If 'Yes', what are your performance targets?</p> <p>Do you publish your performance against service standard targets?</p> <p>If possible, please provide your performance against service standards during the period covered in this report:</p> <p>If you did not meet your performance targets then was this shortfall a result of:</p> <ul style="list-style-type: none"> - availability of funding? - number of staff? - a shortage of skills? <p>If 'Yes' to a shortage of skills, which skills do you need more of?</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>
2.2.1b	<p>Do you have an approved service standard(s)⁴⁷ for your Scientific Authority(ies)?</p> <p>If 'No', please go to Question 2.2.1d.</p> <p>If 'Yes', for which services are there standards, and what are those standards?</p> <p>If 'Yes', do you have performance targets for these standards⁴⁸?</p> <p>If 'Yes', what are your performance targets?</p> <p>If possible, please provide your performance against service standards during the period covered in this report:</p> <p>If you did not meet your performance targets then was this shortfall a result of:</p> <ul style="list-style-type: none"> - availability of funding? 	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>

¹⁴ For example, a time frame in which you are required to provide a response on a decision to issue or not issue a permit, certificate, or re-export certificate.

¹⁵ For example, 85% of all decisions will take place within the service standard.

	– number of staff? <input type="checkbox"/> <input type="checkbox"/> – a shortage of skills? <input type="checkbox"/> <input type="checkbox"/> If 'Yes' to a shortage of skills, which skills do you need more of?		
2.2.1c	Do you have an approved service standard(s) ⁴⁷ for your enforcement authority(ies)? If 'No', please go to Question 2.2.1d. If 'Yes', for which services are there standards, and what are those standards? If 'Yes', do you have performance targets for these standards ⁴⁸ ? If 'Yes', what are your performance targets? If possible, please provide your performance against service standards during the period covered in this report: If you did not meet your performance targets then was this shortfall a result of:	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
2.2.1d	Please only complete this question if you answered 'No' to the first part of question 2.2.1a, 2.2.1b, or 2.2.1c, relating to the existence of approved service standards for your authorities: Do you have sufficient of the following for your authorities to function effectively?		
		Management Authority(ies)	Scientific Authority(ies)
	Funding?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Staff?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
	Skills?	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>

Indicator 2.2.2: The number of Parties that have undertaken one or more of the following activities:

- changed the budget for activities;
- hired more staff;
- developed implementation tools;
- purchased technical equipment for implementation, monitoring or enforcement.

2.2.2a	Have any of the following activities been undertaken during the period covered in this report to enhance the effectiveness of CITES implementation at the national level?	Tick if applicable
	Hiring of more staff	<input type="checkbox"/>
	Development of implementation tools	<input type="checkbox"/>
	Purchase of technical equipment for implementation, monitoring or enforcement	<input type="checkbox"/>
	Other (please specify):	

2.2.2b	During the period covered in this report, was the budget for your:	Increased	Stable	Decreased	
	Management Authority(ies)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Scientific Authority(ies)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.2.2c	Have you been able to use international development funding assistance to increase the level of implementation of your	Yes	No	Not applicable	
	Management Authority(ies)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Scientific Authority(ies)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Enforcement authorities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
2.2.2d	What is the respective level of priority for enhancing the effectiveness of CITES implementation at the national level through the following activities?				
	Activity	High	Medium	Low	Not a Priority
	Hiring of more staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Development of implementation tools	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Purchase of new technical equipment for implementation, monitoring or enforcement	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	e-permitting	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Other (please specify):	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.2.2e	Do you have a operational system (e.g. electronic database) for managing	Yes	Under development	No	
	Species information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Trade information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Non-detriment findings	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

Indicator 2.2.3: The number of Parties raising funds for CITES implementation through user fees or other mechanisms.

2.2.3a	Does the Management Authority charge fees for:	Tick all that are applicable	
	– Administrative procedures	<input type="checkbox"/>	
	– Issuance of CITES documents (e.g. for import, exports, re-export, or introduction from the sea)	<input type="checkbox"/>	
	– Shipment clearance (e.g. for the import, export, re-export, or introduction from the sea of CITES-listed species)	<input type="checkbox"/>	
	– Licensing or registration of operations that produce CITES species	<input type="checkbox"/>	
	– Harvesting of CITES-listed species	<input type="checkbox"/>	
	– Use of CITES-listed species	<input type="checkbox"/>	
	– Assignment of quotas for CITES-listed species	<input type="checkbox"/>	
– Other (please specify):	<input type="checkbox"/>		
2.2.3b	Is a fee schedule publicly available?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
	If 'Yes', please provide an internet link, or a copy of the schedule to the Secretariat:		

2.2.3c	Have revenues from fees been used for the implementation of CITES or wildlife conservation? Entirely <input type="checkbox"/> Partly <input type="checkbox"/> Not at all <input type="checkbox"/> Not relevant <input type="checkbox"/>																					
2.2.3d	<table border="0"> <tr> <td></td> <td style="text-align: right;">Yes</td> <td style="text-align: right;">No</td> </tr> <tr> <td>Do you raise funds for CITES management through charging user fees?</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Do your fees recover the full economic cost of issuing permits?</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Do you have case studies on charging or using fees?</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td colspan="3">If 'Yes' to any of the above, please provide brief details:</td> </tr> <tr> <td>Do you use innovative financial mechanisms to raise funds for CITES implementation?</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td colspan="3">If 'Yes', please provide brief details:</td> </tr> </table>		Yes	No	Do you raise funds for CITES management through charging user fees?	<input type="checkbox"/>	<input type="checkbox"/>	Do your fees recover the full economic cost of issuing permits?	<input type="checkbox"/>	<input type="checkbox"/>	Do you have case studies on charging or using fees?	<input type="checkbox"/>	<input type="checkbox"/>	If 'Yes' to any of the above, please provide brief details:			Do you use innovative financial mechanisms to raise funds for CITES implementation?	<input type="checkbox"/>	<input type="checkbox"/>	If 'Yes', please provide brief details:		
	Yes	No																				
Do you raise funds for CITES management through charging user fees?	<input type="checkbox"/>	<input type="checkbox"/>																				
Do your fees recover the full economic cost of issuing permits?	<input type="checkbox"/>	<input type="checkbox"/>																				
Do you have case studies on charging or using fees?	<input type="checkbox"/>	<input type="checkbox"/>																				
If 'Yes' to any of the above, please provide brief details:																						
Do you use innovative financial mechanisms to raise funds for CITES implementation?	<input type="checkbox"/>	<input type="checkbox"/>																				
If 'Yes', please provide brief details:																						

Indicator 2.2.4: The number of Parties using incentive measures as part of their implementation of the Convention.

2.2.4a	Do you use incentive measures ¹⁶ such as those described in CoP14 Doc 14.32 to implement the Convention? <table border="0"> <tr> <td></td> <td style="text-align: right;">Yes</td> <td style="text-align: right;">No</td> </tr> <tr> <td>Due diligence</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Compensatory mechanisms</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Certification</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Communal property rights</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Auctioning of quotas</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Cost recovery or environmental charges</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> <tr> <td>Enforcement incentives</td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> If 'Yes' to any of the above, or if you use other measures, please provide a summary or link to further information:		Yes	No	Due diligence	<input type="checkbox"/>	<input type="checkbox"/>	Compensatory mechanisms	<input type="checkbox"/>	<input type="checkbox"/>	Certification	<input type="checkbox"/>	<input type="checkbox"/>	Communal property rights	<input type="checkbox"/>	<input type="checkbox"/>	Auctioning of quotas	<input type="checkbox"/>	<input type="checkbox"/>	Cost recovery or environmental charges	<input type="checkbox"/>	<input type="checkbox"/>	Enforcement incentives	<input type="checkbox"/>	<input type="checkbox"/>
	Yes	No																							
Due diligence	<input type="checkbox"/>	<input type="checkbox"/>																							
Compensatory mechanisms	<input type="checkbox"/>	<input type="checkbox"/>																							
Certification	<input type="checkbox"/>	<input type="checkbox"/>																							
Communal property rights	<input type="checkbox"/>	<input type="checkbox"/>																							
Auctioning of quotas	<input type="checkbox"/>	<input type="checkbox"/>																							
Cost recovery or environmental charges	<input type="checkbox"/>	<input type="checkbox"/>																							
Enforcement incentives	<input type="checkbox"/>	<input type="checkbox"/>																							
2.2.4b	Have incentives harmful to biodiversity been eliminated? Not at all <input type="checkbox"/> Very little <input type="checkbox"/> Somewhat <input type="checkbox"/> Completely <input type="checkbox"/>																								

¹⁶ Defined as 'Social and economic incentives that promote and regulate sustainable management of and responsible trade in, wild flora and fauna and promote effective enforcement of the Convention'. The intent of such measures is not to promote wildlife trade as such, but rather to ensure that any wildlife trade undertaken is conducted in a sustainable manner.

Objective 2.3 Sufficient resources are secured at the national and international levels to implement capacity-building programmes.
 Aichi Target 12, Target 19 and Target 20.

Indicator 2.3.1: The number of capacity building activities mandated by Resolutions and Decisions that are fully funded.

2.3.1a	How many training and capacity building activities ¹⁷ have you run during the period covered in this report?	Without assistance from the Secretariat	Conducted or assisted by the Secretariat				
	None	<input type="checkbox"/>	<input type="checkbox"/>				
	1	<input type="checkbox"/>	<input type="checkbox"/>				
	2-5	<input type="checkbox"/>	<input type="checkbox"/>				
	6-10	<input type="checkbox"/>	<input type="checkbox"/>				
	11-20	<input type="checkbox"/>	<input type="checkbox"/>				
	More than 20	<input type="checkbox"/>	<input type="checkbox"/>				
Please list the Resolutions or Decisions involved:							
2.3.1b	What sorts of capacity building activities have taken place?						
2.3.1c	What capacity building needs do you have?						
Please tick all boxes which apply to indicate which target group and which activity.							
	Target group	Oral or written advice/guidance	Technical assistance	Financial assistance	Training	Other (specify)	Details
	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Staff of enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Traders / other user groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	NGOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Public	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

¹⁷ An activity might be a single day training e.g. for a group of staff from the Management Authority, or a longer course / project undertaken by an individual.

GOAL 3 CONTRIBUTE TO SIGNIFICANTLY REDUCING THE RATE OF BIODIVERSITY LOSS AND TO ACHIEVING RELEVANT GLOBALLY-AGREED GOALS AND TARGETS BY ENSURING THAT CITES AND OTHER MULTILATERAL INSTRUMENTS AND PROCESSES ARE COHERENT AND MUTUALLY SUPPORTIVE

Objective 3.1 Cooperation between CITES and international financial mechanisms and other related institutions is enhanced in order to support CITES-related conservation and sustainable development projects, without diminishing funding for currently prioritized activities.
[Aichi Target 2 and Target 20.](#)

Indicator 3.1.1: The number of Parties funded by international financial mechanisms and other related institutions to develop activities that include CITES-related conservation and sustainable development elements.

3.1.1a	Has funding from international financial mechanisms and other related institutions been used to develop activities that include CITES-related conservation and sustainable development elements? If 'Yes', please provide brief details:	Yes No Not applicable No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
3.1.1b	During the period covered in this report, has funding for your country from international funding mechanisms and other related institutions:	Increased Remained stable Decreased	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

Indicator 3.1.2: The number of countries and institutions that have provided additional funding from CITES Authorities to another country or activity for conservation and sustainable development projects in order to further the objectives of the Convention.

3.1.2a	Have you provided technical or financial assistance to another country or countries in relation to CITES?						Yes No No information	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
	If 'Yes', please tick boxes to indicate type of assistance provided							
	Country(ies)	Species Management ¹⁸	Habitat Management ¹⁹	Sustainable use	Law Enforcement	Livelihoods	Other (specify)	Details (provide more information in an Appendix if necessary)
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

¹⁸ Use species conservation column for work directly related to species – e.g. population surveys, education programmes, conflict resolution, etc.

¹⁹ Use habitat conservation column for work that will indirectly support species conservation – e.g. habitat management, development of policy frameworks for how land is managed, etc.

Objective 3.2 Awareness of the role and purpose of CITES is increased globally.
 Aichi Target 1, Target 4, Target 12 and Target 18.

Indicator 3.2.1: The number of Parties that have been involved in CITES awareness raising activities to bring about better awareness by the wider public and relevant user groups of the Convention requirements.

3.2.1a	Have CITES authorities been involved in any of the following activities to bring about better awareness of the Convention's requirements by the wider public and relevant user groups?	Wider public	Relevant User Groups
	- Press conferences	<input type="checkbox"/>	<input type="checkbox"/>
	- Press releases	<input type="checkbox"/>	<input type="checkbox"/>
	- Newspaper articles, brochures, leaflets	<input type="checkbox"/>	<input type="checkbox"/>
	- Television appearances	<input type="checkbox"/>	<input type="checkbox"/>
	- Radio appearances	<input type="checkbox"/>	<input type="checkbox"/>
	- Presentations	<input type="checkbox"/>	<input type="checkbox"/>
	- Public consultations / meetings	<input type="checkbox"/>	<input type="checkbox"/>
	- Market surveys	<input type="checkbox"/>	<input type="checkbox"/>
	- Displays	<input type="checkbox"/>	<input type="checkbox"/>
	- Information at border crossing points	<input type="checkbox"/>	<input type="checkbox"/>
	- Telephone hotline	<input type="checkbox"/>	<input type="checkbox"/>
	- Website(s) – if so please provide link(s)	<input type="checkbox"/>	<input type="checkbox"/>
	- Other (specify):	<input type="checkbox"/>	<input type="checkbox"/>
Please attach copies of any items or describe examples:			

Indicator 3.2.2: The number of visits to the CITES website.

3.2.2a	How regularly do your Authorities consult the CITES website?					
	Please tick boxes to indicate the most frequent usage (decide on an average amongst staff if necessary).					
	Target group	Daily	Weekly	Monthly	Less frequently	Not known
	Staff of Management Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Staff of Scientific Authority	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Staff of enforcement authorities	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.2.2b	What has been your experience with using the CITES website?	Excellent	<input type="checkbox"/>			
		Good	<input type="checkbox"/>			
		Average	<input type="checkbox"/>			
		Poor	<input type="checkbox"/>			
		Very Poor	<input type="checkbox"/>			
		No information	<input type="checkbox"/>			
Any further comments on the CITES Website? (e.g. useful aspects, any difficulties encountered, which authorities find which functions/tools most useful, what is missing, etc):						

Indicator 3.2.3: The number of Parties with web pages on CITES and its requirements.

A question relating to this indicator is within question 3.2.1a.

Objective 3.3 Cooperation with relevant international environmental, trade and development organizations is enhanced.

Indicator 3.3.1 The number of Parties which report that they have achieved synergies in their implementation of CITES, other biodiversity-related conventions and other relevant multilateral environmental, trade and development agreements.

3.3.1a	Have measures been taken to achieve coordination and reduce duplication of activities between the national CITES authorities and national focal points for other multilateral environmental agreements (e.g. the other biodiversity-related conventions: CBD, CMS, ITPGR, Ramsar, WHC) ²⁰ to which your country is party? If 'Yes', please give a brief description:	Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
		No information	<input type="checkbox"/>

Indicator 3.3.2: The number of biodiversity conservation or sustainable use projects, trade and development goals, or scientific and technical programmes that integrate CITES requirements.

3.3.2a	How many international projects which integrate CITES issues has your country contributed towards?		
3.3.2b	In addition to 3.2.2a, how many national level projects has your country implemented which integrate CITES issues?		
3.3.2c	Have there been any efforts at a national scale for your CITES Management or Scientific Authorities to collaborate with:	Yes	No
	Agencies for development?	<input type="checkbox"/>	<input type="checkbox"/>
	Agencies for trade?	<input type="checkbox"/>	<input type="checkbox"/>
	Provincial, state or territorial authorities?	<input type="checkbox"/>	<input type="checkbox"/>
	Local authorities or communities?	<input type="checkbox"/>	<input type="checkbox"/>
	Indigenous or local peoples?	<input type="checkbox"/>	<input type="checkbox"/>
	Trade or other private sector associations?	<input type="checkbox"/>	<input type="checkbox"/>
	NGOs?	<input type="checkbox"/>	<input type="checkbox"/>
3.3.2d	Other (please specify)	<input type="checkbox"/>	<input type="checkbox"/>
	Are CITES requirements integrated into?	Yes	No
	National and local development strategies?	<input type="checkbox"/>	<input type="checkbox"/>
	National and local poverty reduction strategies?	<input type="checkbox"/>	<input type="checkbox"/>
	Planning processes?	<input type="checkbox"/>	<input type="checkbox"/>
	National accounting?	<input type="checkbox"/>	<input type="checkbox"/>

²⁰ CBD = Convention on Biological Diversity; CMS = Convention on the Conservation of Migratory Species of Wild Animals, ITPGR = International Treaty on Plant Genetic Resources for Food and Agriculture, Ramsar = The Convention on Wetlands of International Importance, WHC = World Heritage Convention.

Indicator 3.3.3: The number of Parties cooperating / collaborating with intergovernmental and non-governmental organizations to participate in and/or fund CITES workshops and other training and capacity-building activities.

3.3.3a	Has funding been provided or received to facilitate CITES workshops, training or other capacity building activities to / from:		Which organizations?
		Tick if applicable	
	Inter-governmental organizations?	<input type="checkbox"/>	
	Non-governmental organizations?	<input type="checkbox"/>	

Objective 3.4 The contribution of CITES to the relevant Millennium Development Goals, the sustainable development goals set at WSSD, the *Strategic Plan for Biodiversity 2011-2020* and the relevant *Aichi Biodiversity Targets*, and the relevant outcomes of the United Nations Conference on Sustainable Development is strengthened by ensuring that international trade in wild fauna and flora is conducted at sustainable levels.

This objective may also be assessed by a variety of means beyond the reporting format, including action taken to implement many of the CITES resolutions and decisions.

[Aichi Target 1](#), [Target 2](#), [Target 3](#), [Target 4](#), [Target 5](#), [Target 6](#), [Target 7](#), [Target 12](#), [Target 14](#), [Target 17](#), [Target 18](#) and [Target 19](#).

Indicator 3.4.1: The conservation status of species listed on the CITES Appendices has stabilized or improved.

3.4.1a	Do you have data which shows that the conservation status of naturally occurring species in your country listed on the CITES Appendices has stabilized or improved?	Yes	No	Not Applicable	
		Appendix I	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Appendix II	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
		Appendix III	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
If there are such studies that you are willing to share, please provide: Species name (scientific) Link to the data, or a brief summary					
3.4.1b	Do you have examples of specific examples of success stories or emerging problems with any CITES listed species?	Yes		<input type="checkbox"/>	
		No		<input type="checkbox"/>	
		No information		<input type="checkbox"/>	
If 'Yes', please provide details:					

Indicator 3.4.2: The number of Parties incorporating CITES into their National Biodiversity Strategy and Action Plan (NBSAP).

3.4.2a	Has CITES been incorporated into your country's National Biodiversity Strategy and Action Plan (NBSAP)?	Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
		No information	<input type="checkbox"/>
3.4.2b	Have you been able to obtain funds from the Global Environment Facility (GEF) or other sources to support CITES aspects of NBSAP implementation?	Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
		No information	<input type="checkbox"/>

Objective 3.5 Parties and the Secretariat cooperate with other relevant international organizations and agreements dealing with natural resources, as appropriate, in order to achieve a coherent and collaborative approach to species which can be endangered by unsustainable trade, including those which are commercially exploited.

[Aichi Target 2](#), [Target 4](#), [Target 5](#), [Target 6](#), [Target 7](#), [Target 10](#), [Target 12](#), [Target 14](#) and [Target 19](#).

Indicator 3.5.1: The number of cooperative actions taken under established bilateral or multilateral agreements to prevent species from being unsustainably exploited through international trade.

3.5.1a	Has your country taken action under established bilateral or multilateral agreements other than CITES to prevent species from being unsustainably exploited through international trade? If 'Yes', please provide details:	Yes	<input type="checkbox"/>
		No	<input type="checkbox"/>
		No information	<input type="checkbox"/>

Indicator 3.5.2: The number of times other relevant international organizations and agreements dealing with natural resources are consulted on issues relevant to species subject to unsustainable trade.

3.5.2a	Average number of times per year that international organizations or agreements have been consulted by CITES Authorities	Once	2-5 times	6-20 times	More than 20 times	No consultation	Optional comment about which organizations and issues consulted on
	Management Authority(ies)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Scientific Authority(ies)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
	Enforcement Authority(ies)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

General feedback

Please provide any additional comments you would like to make, including comments on this format.

Item	
Copy of full text of CITES-relevant legislation if changed	Enclosed <input type="checkbox"/>
Web link(s)	Not available <input type="checkbox"/>
	Previously provided <input type="checkbox"/>
Please list any materials annexed to the report, e.g. fee schedules, awareness raising materials, etc:	
Have any constraints to implementation of the Convention arisen in your country requiring attention or assistance?	Yes <input type="checkbox"/>
	No <input type="checkbox"/>
	No Information <input type="checkbox"/>
If 'Yes', please describe the constraint and the type of attention or assistance that is required.	
Are there examples of good practice you would like to share with other Parties?	Yes <input type="checkbox"/>
	No <input type="checkbox"/>
	No Information <input type="checkbox"/>
If 'Yes' please provide details / links:	
How could this report format be improved?	

Thank you for completing the report. Please remember to include relevant attachments referred to in the report when it is submitted to the Secretariat.

Republic of Serbia 2015-2017 Implementation Report Annex: Seizures/Confiscations Summary Table

2015														
Date of seizure	Scientific name of species	Description of specimen	Quantity	Unit	Location of incident	Detecting agency	Reason for seizure	Method of concealment	Alleged country of origin	Nationality of offenders	Law under which charges were brought	Sanction	Disposal of confiscated specimens	Remarks
03.03.2015	<i>Xenochrophis piscator</i>	BOD	1	No	Belgrade International Airport	Customs	No CITES documents	Personal luggage	CN	RS	Customs Law	Permanent confiscation Fine unknown	CITES MA and SA	Environmental inspectors did not inform the Ministry of the epilogue, final court ruling.
11.03.2015	<i>Xenochrophis piscator</i>	BOD	5	No	Belgrade International Airport	Customs	No CITES documents	Personal luggage	VT	RS	Law on Nature Protection	Permanent confiscation Fine unknown	CITES MA and SA	Environmental inspectors did not inform the Ministry of the epilogue, final court ruling.
19.03.2015	<i>Xenochrophis piscator</i>	BOD	1	No	Belgrade International Airport	Customs	No CITES documents	Personal luggage	KH	RS	Customs Law	Permanent confiscation Fine unknown	CITES MA and SA	Customs did not inform the Ministry of the epilogue, final court ruling.
25.03.2015	<i>Xenochrophis piscator</i>	BOD	4	No	Belgrade International Airport	Customs/Border Police	No CITES documents	Personal luggage	KH	RS	Customs Law	Permanent confiscation Fine unknown	CITES MA and SA	Customs did not inform the Ministry of the epilogue, final court ruling.
03.04.2015	<i>Bubo bubo</i>	BOD	1	No.	BIP Kelebija (Land border crossing with Hungary)	Customs	No CITES documents	In passenger vehicle	RS	AT/RS	Customs Law	Permanent confiscation ~50 EUR fine	CITES SA	
05.04.2015	<i>Amazona aestiva, Ara chloroptera, Ara macao, Psittacus erithacus, Trichoglossus haematodus</i>	LIV	2,1,2,1,2 Total: 8	No	BIP Batrovci (Land Border crossing with Croatia)	Customs	No CITES documents	In passenger vehicle	ES, PT	BG	Penal Code	Permanent confiscation of specimens Conditional imprisonment (details unknown)	Zoological garden	The Public Prosecutor and the Police did not officially inform the CITES MA of the epilogue

Republic of Serbia 2015-2017 Implementation Report Annex: Seizures/Confiscations Summary Table

												Monetary fine (amount unknown)		(court ruling).
19.05.2015	<i>Asio otus</i> , <i>Buteo buteo</i> , <i>Falco vespertinus</i> , <i>Falco tinnunculus</i>	LIV	1,2,2,2	No.	Vrbica (Internal)	Police	No proof of legal origin	In private residence	RS	RS	Penal Code	Unknown at the time of completion of this report	Zoological garden	The Public Prosecutor and the Police did not officially inform the CITES MA of the epilogue (court ruling)
01.06.2015	<i>Stigmochelys pardalis</i>	LIV	1	No	BIP Batrovci (Land Border crossing with Croatia)	Customs	No CITES documents	In passenger vehicle	UK	CY	Penal Code	~ 500 EUR fine As offender was unable to pay, the sentence was converted to incarceration until the amount per day met the abovementioned amount.	Zoological garden	The Public Prosecutor and the Police did not officially inform the CITES MA of the epilogue (court ruling).
28.12.2015	<i>Asio otus</i>	LIV	1	No	Belgrade (Internal)	Environmental Inspektion	Illegal possession	In shop	RS	RS	Law on Nature Protection	Unknown at the time of completion of this report	Zoological garden	Environmental inspectors did not inform the Ministry of the epilogue, final court ruling.

Republic of Serbia 2015-2017 Implementation Report Annex: Seizures/Confiscations Summary Table

2016														
Date of seizure	Scientific name of species	Description of specimen	Quantity	Unit	Location of incident	Detecting agency	Reason for seizure	Method of concealment	Alleged country of origin	Nationality of offenders	Law under which charges were brought	Sanction	Disposal of confiscated specimens	Remarks
11.01.2016	<i>Xenochrophis piscator</i>	BOD	1	No	Belgrade International Airport	Customs	No CITES documents	Personal luggage	VN	HR	Law on Nature Protection	Permanent confiscation ~ 85 EUR fine	CITES SA	
10.02.2016	<i>Heliaeetus albicilla</i>	BOD	1	No	Bačka Palanka (Internal)	Provincial Environmental Inspection	Illegal possession	In private residence	RS	RS	Law on Nature Protection	Permanent confiscation ~ 420 EUR fine	CITES SA	
13.02.2016	<i>Ursus arctos</i>	SKI	1	No	BIP Bački Breg (Border Crossing with Hungary)	Customs	No declaration of specimens to customs	In passenger vehicle	HU	RS	Customs Law	Permanent confiscation ~ 420 EUR fine	CITES SA	
17.02.2016	<i>Accipiter nisus, Asio otus, Aquila chrysaetos, Buteo buteo, Falco peregrinus, Lutra lutra, Otus scops, Strix aluco,</i>	BOD	2, 1, 1, 3, 1, 2, 1, 1 Total: 12	No	Užice (Internal)	Environmental Inspection	Illegal possession	In private residence	RS	RS	Law on Nature Protection	Permanent confiscation Only a warning issued in court ruling only based on Law on Administrative offences	CITES SA	14
14.07.2016	<i>Psittacus erithacus</i>	LIV	2	No	Belgrade International Airport	Customs	No CITES documents	Personal luggage – in small animal transporter	AO	RS	Law on Nature Protection	Temporary seizure – awaiting court decision	Zoological garden	Environmental Inspection did not inform CITES MA of court ruling at the time of writing of this report
20.07.2016	<i>Psittacus erithacus</i>	LIV	2	No	BIP Batrovci (Land Border crossing with Croatia)	Customs	No CITES documents	In passenger vehicle	TR	DE/TR	Law on Nature Protection	Permanent confiscation ~ 85 EUR fine	Zoological garden	

Republic of Serbia 2015-2017 Implementation Report Annex: Seizures/Confiscations Summary Table

21.07.2016	<i>Falco tinnunculus</i>	LIV	1	LIV	Internet sale – Novi Sad	Provincial Environmental Inspection	Illegal commercial activity – offer for sale	None	RS	RS	Law on Nature Protection	~ 420 EUR fine	No specimen confiscated	Only offer for sale of protected species sanctioned as no specimen was discovered/seized
19.08.2016	<i>Canis lupus</i>	TRO	1	No	Belgrade International Airport	Customs	No CITES documents	Personal luggage	RU	RU	Law on Nature Protection	Permanent confiscation ~ 210 EUR fine	CITES SA	
31.10.2016	<i>Ursus arctos</i> , <i>Ursus arctos x Ursus maritimus</i>	LIV	2,1 Total : 3	No	Srbobran (Internal)	Provincial Environmental Inspection	Violation of keeping conditions	On private property	RS	RS	Law on Nature Protection	Permanent confiscation ~ 420 EUR fine	Zoological garden / Specialized rescue centers	
09.11.2016	<i>Macaca sp.</i>	LIV	1	No	Belgrade (Internal)	Environmental Inspection	Illegal keeping	In a circus (despite ban on wild animals in circuses)	RS	RS	Law on Nature Protection	Permanent confiscation ~ 130 EUR fine	Zoological garden	
28.12.2015	<i>Asio otus</i>	LIV	1	No	Belgrade (Internal)	Environmental Inspection	Illegal keeping	In private residence	RS	RS	Law on Nature Protection	Temporary seizure – awaiting court decision	Zoological garden	Environmental Inspection did not inform CITES MA of court ruling at the time of writing of this report

Republic of Serbia 2015-2017 Implementation Report Annex: Seizures/Confiscations Summary Table

2017														
Date of seizure	Scientific name of species	Description of specimen	Quantity	Unit	Location of incident	Detecting agency	Reason for seizure	Method of concealment	Alleged country of origin	Nationality of offenders	Law under which charges were brought	Sanction	Disposal of confiscated specimens	Remarks
26.01.2017	<i>Accipiter nisus</i>	LIV	1	No	Sombor (Internal)	Provincial Environmental Inspection	Illegal possession and trade	In private residence	RS	RS	Law on Nature Protection	Permanent confiscation ~ 635 EUR fine	Zoological garden	
27.02.2017	<i>Chlorocebus aethiops</i>	LIV	1	No	Šabac (Internal)	Environmental Inspection	Illegal possession and trade	In private residence	RS	RS	Law on Nature Protection	~ 170 EUR fine	Specimen was not seized as it was removed by the offender before environmental inspectors could secure it.	Environmental Inspection filed additional charges for illegal removal of evidence based on the Penal Code.
02.03.2017	<i>Falco cherrug</i>	LIV	4	No	Ruma (Internal)	Provincial Environmental Inspection	Illegal possession	In private residence	RS	RS	Law on Nature Protection	Permanent confiscation ~ 85 EUR fine	Two in zoological garden Two released into the wild	
19.04.2017	<i>Felidae sp.</i>	SKI	1	No.	Belgrade (Internal)	Environmental Inspection	Illegal trade	In shop	RS	RS	Law on Nature Protection	Unknown at the time of completion of this report	CITES SA	Environmental inspectors did not inform the Ministry of the epilogue, final court ruling.
12.04.2017	<i>Testudo hermanni</i>	LIV	8	No	Zrenjanin (Internal)	Provincial Environmental Inspection	Illegal possession and trade	In private residence	RS	RS	Law on Nature Protection	Permanent confiscation ~ 550 EUR fine	Zoological garden	
15.05.2017	<i>Ursus arctos</i>	SKI	1	No	Belgrade (Internal)	Environmental Inspection	No proof of legal origin	In shop	RS	RS	Law on Nature Protection	Temporarily seized until final court ruling. CITES MA has no information on a court ruling at the time of reporting.	CITES SA	

Republic of Serbia 2015-2017 Implementation Report Annex: Seizures/Confiscations Summary Table

19.05.2017	<i>Heliaeetus albicilla</i>	BOD	1	No	Bačka Palanka (Internal)	Provincial Environmental Inspection	Illegal possession and trade	In private residence	RS	RS	Law on Nature Protection	Permanent confiscation ~ 210 EUR fine	CITES SA	
30.05.2017	<i>Buteo buteo</i> , <i>Felis silvestris</i>	TRO	2, 2 Total: 4	No	Belgrade (Internal)	Environmental Inspection	No proof of legal origin	In private residence	RS	RS	Law on Nature Protection	Temporarily seized until final court ruling. CITES MA has no information on a court ruling at the time of reporting.	CITES SA	
11.06.2017	<i>Python bivittatus</i>	LIV	2	No	Novi Sad (Internal)	Provincial Environmental Inspection	Illegal commercial activity	In public	RS	RS	Law on Nature Protection	Permanent confiscation of specimens 170 EUR fine	Zoological garden	
19.06.2017	<i>Python bivittatus</i>	LIV	1	No	Belgrade (Internal)	Environmental Inspection	Illegal commercial activity	In public	RS	RS	Law on Nature Protection	Permanent confiscation of specimens ~ 420 EUR	Zoological garden Note: Specimen stolen by offender from zoo	
12.07.2017	<i>Testudo hermanni</i>	LIV	39	No	BIP Subotica Railway Station (Land border with Hungary)	Police	Smuggling	Concealed in luggage	Unknown – possibly RS or other neighbouring countries	Unknown	No offender identified	Permanent confiscation	Zoological garden	No offender was identified as luggage with smuggled specimens was found abandoned in the train which was bound for Vienna (Austria).
28.07.2017	<i>Python bivittatus</i>	LIV	1	No	Belgrade (Internal)	Environmental Inspection	Illegal commercial activity	In public	RS	RS	Law on Nature Protection	Permanent confiscation of specimens 420 EUR fine	Zoological garden	
09.08.2017	<i>Scleractinia</i>	COR	Exact number is unknown as specimens are	No.	Belgrade (Internal)	Environmental Inspection	No proof of legal origin	In public	Unknown	RS	Law on Nature Protection	Temporarily seized (not physically removed) until final court ruling.	Temporarily seized (entrusted to offender until final court ruling)	

Republic of Serbia 2015-2017 Implementation Report Annex: Seizures/Confiscations Summary Table

			Live rock (approx. 46 pieces)									CITES MA has no information on a court ruling at the time of reporting.		
09.08.2017	<i>Accipenser baerii</i>	CSM	694	No.	Belgrade (Internal)	Environmental Inspektion	No import CITES documents	In shop	EE	RS	Law on Nature Protection	Permanent confiscation of specimens 3800 EUR fine	CITES MA	
10.08.2017	<i>Psittacus erithacus</i>	LIV	4	No.	BIP Kelebija (Land Border with Hungary)	Customs	Smuggling – No CITES documents	In private vehicle	HU (possibly other EU member state)	RS/HU	Customs Law	Permanent confiscation of specimens ~ 420 EUR	Zoological garden	
01.09.2017	<i>Hirudo verbana</i>	LIV	~ 200	No	Šabac (Internal)	Police / Environmental Inspection	Illegal possession	On private property	RS	RS	Law on Nature Protection	Permanent confiscation CITES MA has no information on a court ruling at the time of reporting.	Release to the wild	
12.09.2017	<i>Buteo buteo</i>	LIV	1	No	Žitorađa (Internal)	Environmental Inspektion	Illegal possession and sale	On private property	RS	RS	Law on Nature Protection	Permanent confiscation of specimens 170 EUR fine	Zoological garden	
01.12.2017	<i>Asio otus</i>	BOD	1	No	Temerin (Internal)	Provincial Environmental Inspekti	Illegal commercial activity – offer for sale	In private residence	RS	RS	Law on Nature Protection	Permanent confiscation ~ 85 EUR fine	CITES SA	
18.12.2017	<i>Amazona albifrons</i> , <i>Neopsephotus bourkii</i>	LIV	3,2 Total : 5	No	BIP Bački vinogradi (Land Border Crossing with Hungary)	Customs	Smuggling – No CITES documents	In passenger vehicle concealed in nylon mesh potato sacks	HU or other EU member states	RS	Penal Code	Permanent confiscation House confinement for 5 months Fine ~ 250 EUR	Zoological garden	

CITES ENFORCEMENT – THE REPUBLIC OF SERBIA 2015



Customs officers at Belgrade International airport have prevented two separate attempts to import bottles of snake wine from Asia without necessary CITES documents. One bottle was discovered on 03.03.2015, when the owner came to claim lost baggage. The owner came to Belgrade from Peking, via Abu Dhabi. Five additional bottles of snake wine were discovered on 11.03.2015 in the luggage of another passenger coming to Belgrade from Hanoi via Istanbul.

All the bottles were seized by the environmental inspectors as it was determined that the bottles contain a protected snake species: *Xenochrophis piscator* (CITES App III). The scorpion species in the bottle is not CITES protected. For the import of these souvenirs from Asia, a certificate of origin or CITES re-export certificates are required. We must mention that the PDF identification guide provided by colleagues from the Czech Environmental Inspectorate via EUTWIX some time ago was of great assistance in species identification.

In both cases the environmental inspectors filed a request for an administrative process/sanctioning.

For further details, please contact the CITES MA in Serbia:
Ministry of Agriculture and Environmental Protection - **Group for CITES implementation**
office@cites.gov.rs





On the morning of 03.05.2015, on the land border crossing Kelebija (between Serbia and Hungary), during a routine control of passenger traffic, Serbian customs officers discovered a stuffed Eurasian eagle owl (*Bubo bubo*) CITES App.II, EU Annex A and strictly protected in Serbia. The offender (Austrian national, of Serbian origin) had no CITES permits for transboundary movement. The specimen has been seized by the Serbian Customs Authority and an administrative offence charge will be brought against the offender.

For further details, please contact the CITES MA in Serbia:
Ministry of Agriculture and Environmental Protection - **Group for CITES implementation**
office@cites.gov.rs

CITES ENFORCEMENT – THE REPUBLIC OF SERBIA



On the evening of 04.04.2015, on the land border crossing Batrovci (between Serbia and Croatia), officers from the Serbian Customs authority anti-smuggling division prevented an attempt by a Bulgarian citizen to enter Serbia with 8 specimens of CITES Annex I and II parrot species. No CITES permits for transboundary movement of these specimens were acquired and the animals were not declared to the customs upon entry. After a detailed control of the vehicle the following specimens were discovered inside the car (on the passenger seats and in the trunk): 2 specimens of *Ara macao* (CITES I), 1 specimen of *Ara chloroptera* (CITES II), 2 specimens of *Amazona aestiva*, 1 specimen of *Psittacus erithacus* (CITES II) and 2 specimens of *Trichoglossus haematodus*.

The offender did possess a number of Spanish veterinary certificates, cession of ownership documents from Spanish breeders/previous owners for specimens on CITES App. II, as well as 2 EU certificates for the specimens of *Ara macao* (one Portuguese and one Spanish). Apart from the fact that though none of these documents were valid for transboundary movement of the specimens, the *Ara macao* specimen on the Portuguese EU certificate was issued to a Portuguese under the condition that no change of ownership is allowed. The specimens were seized and immediately transported and housed at Palić Zoo, with the assistance of Palić Zoo staff. The offender was forwarded to the police and public prosecutor for further processing and sanctioning.

For further details, please contact the CITES MA in Serbia:

Ministry of Agriculture and Environmental Protection - **Group for CITES implementation**
office@cites.gov.rs

CITES ENFORCEMENT – THE REPUBLIC OF SERBIA 2016



REPÚBLICA DE ANGOLA
MINISTÉRIO DA AGRICULTURA
INSTITUTO DE DESENVOLVIMENTO FLORESTAL

CONVENÇÃO SOBRE O COMÉRCIO INTERNACIONAL DAS ESPÉCIES DA FAUNA E FLORA SELVAGENS AMEAÇADAS DE EXTINÇÃO (C.I.T.E.S.)
CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA

Decreto Expositivo Conjunto n.º 3799 de 27 de Janeiro de 2016
1. Serviço Original n.º 13
2. Válido até 04.12.2016

3. Exportação 4. Importação 5. Reexportação
Exportation Importation Reexportation

6. Nome e endereço da autoridade administrativa
INSTITUTO DE DESENVOLVIMENTO FLORESTAL, RUA
COMANDANTE GIKA, C.X. POSTAL Nº74 - LUANDA - ANGOLA

7. Exportador (nome, endereço e país)
[Redacted]

8. Destinatário (nome, endereço e país)
[Redacted]

9. Condições especiais ANIMAIS DE ESTIMAÇÃO
Special conditions

10. Nome comum e nome científico (gêneros e espécies) do animal ou da planta. Common name and scientific name (genus and species) of the animal or plant.	11. Descrição dos animais ou plantas, número ou número de identificação (incluindo os anexos). Description of animal or plant (including annexes 1 and 2).	12. Anexo e personalidade (C.I.T.E.S. ou não). Annex and personality (C.I.T.E.S. or not).	13. Quantidade: número de espécimes e/ou peso de cada. Quantity: number of specimens and/or weight of each.
A PAPAGAIOS CINZENTOS (PSITTACUS ERYTHACUS)	VIVOS	II	Quantidade: (2) dois Peso líquido (kg):
		País de origem: ANGOLA Country of origin	Uso: s. Permit: no
		País de origem: [Redacted] Country of origin	Quantidade: Peso líquido (kg):
		País de origem: [Redacted] Country of origin	Quantidade: Peso líquido (kg):
		País de origem: [Redacted] Country of origin	Uso: s. Permit: no

14. Autoridade que emite o licenciamento
This permit is given by the following authority:
IDF/LUANDA 04.07.2016
Lugar — Place: Data — Date
TOMÁS PEDRO BRITANO
Eng. Agrônomo

15. A preencher pelo Afilhado
To be filled in by the holder:
Her rubrica / Signature: Quantidade: Data — Date



On 14.07.2016, customs officers at Belgrade International Airport stopped the attempt of a Serbian citizen resident in Angola to import 2 live specimens of *Psittacus erithacus* (CITES II) from Angola to Serbia. No import CITES permit was acquired for the specimens which were companion animals of wild origin from Angola. The offender was in possession of an Angolan CITES export document, which turned out to be invalid after direct consultations with the competent management authority in Luanda (Ministry of Environment). The said document was issued by another authority (Ministry of Agriculture), which is not stated on the official CITES website as one of the competent management authorities in Angola.

The specimens were temporarily seized and housed in Belgrade Zoo until the final court ruling in the administrative process which was initiated against the offender by the Environmental Inspectors.

For further details, please contact the CITES MA in Serbia:
Ministry of Agriculture and Environmental Protection - **Group for CITES implementation**
office@cites.gov.rs

CITES ENFORCEMENT – THE REPUBLIC OF SERBIA 2016



On 20.07.2016, customs officers at Batrovci Border Crossing (land border with Croatia), stopped upon entry into Serbia the attempt of a German national travelling to Turkey to transit with 2 live specimens of *Psittacus erithacus* (CITES II) without necessary the export CITES permit issued by the country of export. The specimens were seized, and an administrative process was filed by Environmental Inspectors against the offender.

The court delivered a guilty verdict (in case of foreign nationals the courts have to act within 48 hours), and the offender was fined with 10,000 RSD (~80Eur), which is below the prescribed minimal fine.

The court ruled that the specimens are to be confiscated. The animals were housed in Belgrade Zoo.

For further details, please contact the CITES MA in Serbia:

Ministry of Agriculture and Environmental Protection - **Group for CITES implementation**
office@cites.gov.rs



On 19.08.2016, the Serbian Customs officers at the Belgrade International Airport stopped a passanger (a Russian national) on arrival from Moscow and discovered a wolf (*Canis lupus* – CITES App. II, EU Annex a) head and neck mount in his luggage. The offender had no CITES permits (no Russian CITES export permit and no Serbian CITES import permit) for the specimen, only veterinary certificates and a receipt that the specimen was bought in Russia.

The customs officers contacted the CITES MA and the Environmental Inspectors who took over the case and filed administrative offence charges against the offender. Given that the offender is a foreign national, the case was processed by the administrative court immediately with a ruling stating a ~250EUR fine and the permanent confiscation of the specimen. The wolf head mount was given to the Natural History Museum in Belgrade.

For further details, please contact the CITES MA in Serbia:

Ministry of Agriculture and Environmental Protection - **Group for CITES implementation**
office@cites.gov.rs

CITES ENFORCEMENT – SERBIA (October 2016)



On 31.10.2016, the Serbian provincial environmental inspectors entered the property of a defunct circus in the town of Srbobran with police assistance and a court order to seize five live CITES listed wild animals (1 x *Panthera onca*, 2 x *Ursus arctos*, 1 x *Ursus martimus* x *Ursus arctos* and 1 x *Macaca* sp.) based on an offence under the Law on nature protection – keeping wild animals in captivity in improper conditions.

Three bears were seized with the assistance of the staff of the Serbian CITES MA, Palic Zoo, Belgrade Zoo and the expert bear rescue team from the international NGO Four Paws from Bulgaria.

The health of the bears was assessed by the vets and experts of the participating teams. Visible injuries due to neglect and improper keeping were noted and the animals only received emergency treatment. The animals were vaccinated against rabies and were microchipped.

Unfortunately, the jaguar and the macaque were not found during the search of the property, even though they were there at 10 days prior to the operation. The authorities will continue to search for them with the assistance of police and the prosecutor's office.



Two brown bears were temporarily relocated to Belgrade zoo, whereas the polar/brown bear hybrid has been housed within Palic zoo. Final placement of the animals will be in specialized rescue centers for bears in Germany and Bulgaria in the next few months.

For further details, please contact the CITES MA in Serbia:

Ministry of Agriculture and Environmental Protection - **Group for CITES implementation**

office@cites.gov.rs

CITES ENFORCEMENT – SERBIA (November 2016)



On 09.11.2016, Serbian Environmental Inspectors seized one specimen of *Macaca fuscata* (CITES App. II, EU Annex B) in Belgrade during an inspection of a circus. The animal was seized based on the breach of provisions of national legislation that regulates the keeping of wild animals in captivity. The Environmental Inspectors based on the provisions of the Law on Nature Protection, but it is important to note that the use of wild animals in circuses has been banned in Serbia since 2009 through the provisions of the Law on Animal Welfare, for which the veterinary inspectors have competences.

The specimen was seized with the assistance of the veterinarian from Belgrade Zoo, where the animal is being temporarily housed.

This specimen was a part of the same menagerie of wild animals kept in the town of Srbobran (see the Serbian EuTwix alert from 31.10.2016), where three bears were also seized due to inadequate keeping conditions while the authorities are still searching for one *Panthera onca* and one specimen of *Macaca fuscata*.

For further details, please contact the CITES MA in Serbia:
Ministry of Agriculture and Environmental Protection - **Group for CITES implementation**
office@cites.gov.rs

CITES ENFORCEMENT – SERBIA (December 2017)



On 29.11.2017, the Group for CITES Implementation of the Serbian Ministry of Environmental Protection, with the assistance from the NGO Vier Pfoten and their specialized brown bear transport team from Bulgaria, successfully placed 2 confiscated live brown bears (*Ursus arctos* – CITES App. II, EU Annex A) in a specialized rescue center for brown bears BÄRENWALD Müritz in Germany.

These two bears were among the animals seized from a defunct circus in late October 2016 in the town of Srbobran. The two brown bears were temporarily relocated to Belgrade zoo, awaiting a final court ruling. The Administrative Court ruling by which these animals were finally confiscated was brought in September 2017, and subsequently confirmed by the ruling of Court of Appeals in October 2017, as the offender filed a complaint on the initial ruling. The offender was charged with a fine of ~420 EUR, which is the legal minimum for the given offence.

The brown and polar bear hybrid (*U.arctos x U.maritimus*) that was also confiscated in 2016 is still temporarily housed in Palic Zoo, and is expected to be placed in a specialized rescue center for bears Belitza in Bulgaria next year. The macaque (*Macaca sp.*) and one jaguar (*Panthera onca*) that were also among the circus animals which were to be seized but were illegally removed prior to the arrival of enforcement authorities were not recovered. The court ruling did not hold the offender liable for the animals that were not found during the seizure action. There are indications that the jaguar was smuggled into Bosnia and Hercegovina in late September or early October of 2016 and that it is now held in a private zoo. The CITES MA of Bosnia and Hercegovina has been contacted regarding this specimen and hopefully this specimen will be recovered.

For further details, please contact the CITES MA in Serbia:

Ministry of Environmental Protection - **Group for CITES implementation** office@cites.gov.rs

CITES ENFORCEMENT – SERBIA 2017



Based on a tip on an offer for sale of a clothing article in a fur shop in the center of Belgrade that appears to be of a protected species of wild cat, on 19.04.2017 the state environmental inspectors conducted a control and discovered one article of clothing with parts of Felidae spp. fur sewn together.

The determination was not possible to a species level at the time of the control, but with the assistance of a mammal expert from the Natural History Museum in Belgrade and the staff from the Group for CITES implementation, it was confirmed that the fur is real and of a wild cat species belonging to the family Felidae, therefore CITES listed. The fur shop had no documents on the legality of origin of the specimen.

An administrative process will be filed against the store owner and the specimen was temporarily seized and has been entrusted to the Natural History Museum until a final court ruling.

For further details, please contact the CITES MA in Serbia: Ministry of Agriculture and Environmental Protection - **Group for CITES implementation** office@cites.gov.rs

CITES ENFORCEMENT – SERBIA 2017



On 12.04.2017, based on a tip regarding an offer for sale of live specimens of *Testudo hermannii* (CITES App. II, EU Annex A) published on the internet, the Provincial environmental inspectors, assisted by police, discovered 3 adult and 5 juvenile unmarked specimens of *Testudo hermannii* in the town of Zrenjanin at a private person's residence, without any documentation for proving the legality of origin.

The specimens were seized and housed in Palić Zoo. An administrative process will be initiated against the person that was offering the animals for sale by the Provincial environmental inspection.

For further details, please contact the CITES MA in Serbia: Ministry of Agriculture and Environmental Protection - **Group for CITES implementation** office@cites.gov.rs

CITES ENFORCEMENT – SERBIA 2017



On 12.07.2017, during a routine search of a train travelling from Belgrade to Vienna, around midday border police officers discovered one abandoned suitcase in the train, and as no owner was found it was taken off the train and forwarded to the information desk of the train station in Subotica (town near the border with Hungary). After some time, in the evening hours an employee at the train station alerted the police to the fact that the contents of the suitcase appeared to be moving. Upon opening the suitcase, police discovered 39 live specimens of *Testudo hermannii* (CITES App. II, EU Annex A).

The animals were transferred in the morning hours of 13.07.2017 to Palić Zoo, where they were examined and microchipped. All parameters point to the wild origin of the specimens and hopefully future comparative DNA analysis with existing samples from the specimens from the wild in Serbia will allow for their return to the wild if the origin is determined.

The provincial inspectors will by default submit a file for instigating a criminal process for the smuggling attempt, even though no suspect was identified or detained in this particular case.

For further details, please contact the CITES MA in Serbia: Ministry of Environmental Protection - **Group for CITES implementation** office@cites.gov.rs

CITES ENFORCEMENT – SERBIA 2017



On 10.08.2017, shortly after midnight, at the border crossing Kelebija (corresponding Hungarian border crossing Tompa), Serbian customs officers from the anti-smuggling division conducted a physical search of an incoming passenger vehicle with Hungarian licence plates and discovered **four** live African grey parrots (*Psittacus erithacus* – CITES App. I, EU Annex A) in a wooden transport crate hidden under clothes in the car. The offender, a 51 year old male with dual citizenship (Serbian and Hungarian) did not claim to have anything to declare when initially questioned prior to the search. After the specimens were discovered, the offender had no CITES permits or any other documents for the specimens, stating that he received the birds as a gift in Hungary and was unaware of the obligation on obtaining CITES permits.

The customs seized the animals which were transported to the Palić Zoo for placement in quarantine. The Customs authority will file for an administrative sanctioning of the offence based on the violation of the Customs law. Upon initial inspection of the birds by Zoo Palić staff, the birds had rings that were either broken or not seamless at all with following markings: **A020-130, G256-4-10, JE0070009** and **JE0004-60**.

For further details, please contact the CITES MA in Serbia: Ministry of Environmental Protection - **Group for CITES implementation** office@cites.gov.rs

CITES ENFORCEMENT – SERBIA 2017



On 17.12.2017, at the border crossing Bački vinogradi (corresponding Hungarian side Àsotthalom Hatàràtkelõhely), Serbian customs officers prevented a smuggling attempt during a routine physical check of an incoming passenger vehicle, when 3 live specimens of *Amazona albifrons* and 2 live specimens of *Neopsephotus bourkii* (both listed on CITES App. II, EU Annex B), as well as 6 live specimens of non-CITES listed *Melopsittacus undulatus* were discovered with no documents whatsoever. The birds were immobilized and sealed in nylon potato sacks, and concealed in various parts of the vehicle (under the driver seat, car boot, in the spare tire compartment, inside a jacket pocket).

This particular offender, a parrot breeder, is known to the authorities as he was caught in an attempt to smuggle two live specimens of *Ara ararauna* 14.08.2013. Given the fact that the person is a repeat offender, the Public Prosecutor will file criminal charges and request imprisonment through Article 265 of the Criminal Code.

The seized animals were transported to the Palić Zoo for immediate recovery and placement in quarantine. Upon initial inspection of the birds by Zoo Palić staff, the three specimens of *Amazona albifrons* had leg rings that with following markings: **429-SK-17-29**, **0788-08-GZ** and **10-288-SK**.

For further details, please contact the CITES MA in Serbia: Ministry of Environmental Protection - **Group for CITES implementation** office@cites.gov.rs

LAW ON ENVIRONMENTAL PROTECTION

Official Gazette of Republic of Serbia No. 135/04 of 21 December 2004, 36/09 of 15 May 2009, 36/09 of 15 May 2009 (other law), 72/09 of 3 September 2009 (other law), 43/11 of 14 June 2011 (CC), 14/16 of 22 February 2016

NOTE: Only articles and parts thereof which are relevant for wildlife trade have been included here

Protection and Use of Flora and Fauna

Article 27

In order to protect biodiversity and biological resources, i.e. autochthonic plant and animal species and their spreading, the Ministry, other competent bodies and organizations shall control import and growth of plant and animal species of foreign origin.

It shall be prohibited to harass, abuse, hurt and destroy wild fauna and to demolish their habitats.

It shall be prohibited to destroy, tear or in any other manner devastate wild flora or to destroy and demolish their habitats.

Certain species of wild flora and fauna, their developed forms and parts may be collected and placed on the market in the manner and under the conditions determined in a license issued by the Ministry, upon previously obtained opinion of the organization responsible for nature protection.

Legal person or entrepreneur engaged in circulation of wild flora and fauna shall pay the charge.

The amount of the charge referred to in paragraph 5 of this Article shall be determined in the act on placing under control use and circulation of wild flora and fauna which shall be adopted by the Government.

The funds collected from the charge referred to in paragraph 6 of this Article shall be revenue of the budget of the Republic of Serbia and shall be used for environmental protection and enhancement purposes in accordance with this Law.

Movement and trade in specimens of wild flora and fauna

Article 28

Transboundary movement and trade in specimens of wild flora and fauna (import, export, introduction, shipment, re-export) and their developing forms and parts, shall be carried out under the condition that the import, i.e. export is not prohibited, and that the quantity or number of wild flora and fauna specimens transported across the border will not endanger the survival of that species, as well as under other conditions prescribed by law.

The transboundary movement and trade referred to in paragraph 1 of this Article shall be performed based on a permit and/or document issued by the Ministry as the state administration

authority competent for implementation of ratified international agreements on transboundary movement and trade of protected wild flora and fauna species.

The transit of specimens of wild flora and fauna species protected under an international agreement, their developing forms, parts and derivatives, shall be performed provided that the consignment is accompanied by a valid original export permit, i.e. certificate of re-export, issued by a competent authority in the state of export or re-export, which clearly states the final destination.

With the application for the permit and/or document referred to in paragraph 2 of this Article, the applicant shall submit:

(1) documentation proving that the specimens of wild flora and fauna were acquired in accordance with ratified international agreements and regulations governing the protection of certain species in the country of export or re-export;

(2) a statement from the importer, i.e. exporter on the purpose that the specimen will be used for;

(3) other required documentation.

In the procedure of issuing permits, i.e. documents referred to in paragraph 2 of this Article, the Ministry shall, through electronic means, forward the application and supporting documentation to an authorized scientific and professional organisation in order to obtain expert opinion.

The scientific and professional organisations referred to in paragraph 5 of this Article shall perform expert activities relating to:

1) establishing whether import, export, re-export or introduction from the sea endanger the survival of strictly protected, protected or other wild species;

2) the disposal of confiscated and seized specimens of wild species;

3) the conditions for keeping live specimens of wild species in captivity;

4) establishing whether the specimens were bred in captivity or were artificially propagated;

5) the marking of specimens of wild species;

6) establishing the origin of specimens of wild species;

7) provision of expert assistance to the Ministry and other competent authorities in taxonomic determination of wild species;

8) elaboration of draft measures to fight illegal transboundary movement and trade in wild species;

9) other expert activities relating to the implementation of ratified international agreements.

The Minister shall designate scientific and professional organisations to perform the expert activities referred to in paragraph 6 of this Article, and also the manner of obtaining and submitting expert opinion.

The Minister may establish a special body comprised of representatives of scientific and professional organisations referred to in paragraph 5 of this Article, i.e. scientists and professionals, to provide final assessment of certain issues relating to transboundary movement

and trade of wild species, conditions for keeping and breeding in captivity, marking, origin of specimens, taxonomic determination and other procedures involving wild species.

The Minister shall further prescribe the documentation to be submitted with the application referred to in paragraph 4 of this Article, the content and appearance of the permit.

The Ministry shall keep a register on issued permits in a prescribed manner.

IX PENAL PROVISIONS

1. Commercial Offences

Article 116

Legal person shall be fined in the amount ranging from 1,500,000 to 3,000,000 dinars for commercial offence if it:

4) collects or places on the market certain species of wild flora and fauna, their developed forms and parts without license of the Ministry and/or contrary to the conditions determined in the license (Article 27 (4));

5) carries out transboundary movement and trade in specimens of wild flora and fauna (import, export, taking in, taking out, re-export) and their developed forms and parts without a permit and/or document issued by the Ministry (Article 28 (2));

For the commercial offence referred to in paragraph 1 of this Article, the fine may be imposed in proportion to the level of the damage caused, unfulfilled obligation or value of goods or other items that are object of the commercial offence, but at the most up to twentyfold the amount of the damage caused, unfulfilled obligation or value of goods or other items that are object of the commercial offence.

For the commercial offence referred to in paragraph 1 of this Article, the responsible person within legal person shall also be fined in the amount ranging from 100,000 to 200,000 dinars.

2. Misdemeanours

Article 117a

An entrepreneur shall be fined in the amount ranging from 250,000 to 500,000 dinars for misdemeanour if it:

4) collects or places on the market certain species of wild flora and fauna, their developed forms and parts without license of the Ministry and/or contrary to the conditions determined in the license (Article 27 (4));

5) transboundary movement and trade in specimens of wild flora and fauna (import, export, taking in, taking out, re-export) and their developed forms and parts without a permit and/or document issued by the Ministry (Article 28 (2));

For the misdemeanour referred to in paragraph 1 of this Article, the protective measure of

prohibiting the performance of activity for the period of up to three years may also be imposed.

Article 118

Natural person shall be fined in the amount ranging from 5,000 to 50,000 dinars or punished with up to 30 days of imprisonment for the misdemeanour if it:

- 1) disturbs, maltreats, hurts and destroys wild fauna and/or destroys its habitats (Article 27 (2));
- 2) destroys, tears or in other manner devastates wild flora and/or destroys its habitats (Article 27 (3));
- 3) collects or places on the market certain species of wild flora and fauna, their developed forms and parts without license of the Ministry and/or contrary to the conditions determined in the license (Article 27 (4));
- 4) exports or imports protected species of wild flora and fauna, their developed forms and parts without license of the Ministry (Article 28 (1)).

Article 118a

Parent, guardian and/or responsible person within the guardianship authority shall be fined in the amount of 5,000 dinars for misdemeanour if a minor commits misdemeanour referred to in Article 118 paragraph 1 points 1, 2 and 3 of this Law because of the failure of due supervision of the minor.

LAW ON

NATURE PROTECTION

("Official Gazette of RS", no. 36/2009, 88/2010 and 91/2010 – corr. and 14/2016)

I. BASIC PROVISIONS

Subject of the Law

Article 1

This Law shall govern protection and conservation of nature and biological, geological and landscape diversity as part of the environment.

The nature, as an asset of general interest for the Republic of Serbia shall enjoy special protection in accordance with this Law and special laws.

Objectives of the Law

Article 2

The following objectives shall be achieved by this Law:

- 1) protection, conservation and improvement of biological (genetic, species and ecosystems), geological and landscape diversity;
- 2) harmonization of human activities, economic and social development plans, programmes, bases and projects with a sustainable use of renewable and non-renewable natural resources and long-term conservation of natural ecosystems and natural equilibrium;
- 3) sustainable use and/or management of natural resources and goods, securing their function along with the conservation of natural values and the equilibrium of natural ecosystems;
- 4) timely prevention of human activities and operations that can lead to permanent impoverishment of biological, geological and landscape diversity, as well as disturbances with negative consequences in the nature;
- 5) establishment and monitoring of the nature state;
- 6) improvement of the state of disturbed parts of nature and landscapes.

Application of the Law

Article 3

Provisions of this Law shall not apply in case of suppressing or preventing an immediate threat to human life or health or property, rescuing people and property, and this only in the duration of the said circumstances established by a special legal document by the competent authority.

Meaning of Expressions

Article 4

Certain expressions used in this Law have the following meaning:

- 1) *activity in the nature* is any temporary or permanent human impact on the nature which can disturb the natural equilibrium, unless that action has the purpose of protecting and conserving the nature;
- 2) *an allochthonous species* is a species that came into ecosystems on the territory of the Republic of Serbia by intentional or accidental introduction;
- 3) *an autochthonous species* is a species that is naturally present in ecosystems within the territory of the Republic of Serbia;
- 4) *biological diversity (biodiversity)* is the total amount of genes, species and ecosystems on the Earth or within a clearly defined area;
- 5) *a species* is a basic taxonomic category representing a group of reproductively isolated organisms (microorganisms, algae, fungi, lichen, plants and animals), i.e. populations that freely interbreed and produce fertile offspring, and, within the meaning of this Law, it also relates to lower systematic categories, unless stated otherwise.
- 6) *geological diversity (geodiversity)* is the presence or distribution of diverse geological elements and formations, geological structures and processes, geochronological units, rocks and minerals of different composition and origin and various paleoecosystems changed within an area under the impact of internal and external geodynamical factors during geological time;
- 7) *a geopark* is a geographical area with clearly established boundaries and covering sufficiently large area, which contains a great number of geological localities of special scientific, aesthetic and educational interest, where geological heritage is protected and promoted through sustainable development and exploitation;
 - 7a) *geoprotection (geoconservation)* is a collection of measures and activities implemented with the aim of protection, conservation, presentation and promotion of geodiversity and geoheritage;
 - 7b) *geoheritage objects* are rare, geologically representative, pedological and geomorphological formations, events and processes distinguished as special natural values of exceptional scientific, cultural, aesthetic, touristic and other importance;
 - 7c) *movable geoheritage objects (ex situ geoheritage objects)* are individual geological formations and events: samples of rocks, minerals and ores, fossil specimens (museums, exhibitions, workshops, lectures, collections, films etc.);
 - 7d) *immovable geoheritage objects (in situ geoheritage objects)* are part of an area with clearly distinct geological, geomorphological and pedological characteristics: geological profiles and outcrops, formations of surface and underground relief, types of soil (natural surroundings, natural monuments, phenomena and events);

8) *fossil genotype* is the typical species for certain fossil genus that all individuals within that type of genus belong to, and which corresponds to the holotype;

9) *genetic diversity* is the total number and the total diversity of genes, i.e. genetic information contained within each individual species of plants, animals, fungi and microorganisms;

10) a *gene pool* is a total number of genes or the volume of genetic information possessed by all members of a sexually or asexually reproducing organisms population;

11) *genetic material* is any material of plant, animal, microbe or other origin containing functional inheritance units;

12) a *derivative* is any processed part of an animal, plant, fungi, as well as their organic or inorganic product;

13) *wild species* are all species of animals, plants and fungi naturally evolved, including hybrids and all specimens bred in captivity or under artificial conditions, except domesticated breeds whose evolutionary process was influenced by man for his own needs;

14) *mineral druses* are the crystals that emerge as a group of the same or different species located on one base;

15) *registered natural goods* are areas, species and mobile natural documents of importance for protection, for which the protection procedure has still not been initiated or carried out;

16) *(deleted)*

16a) *important ecological areas of the European Union NATURA 2000* are special areas for conservation of habitats and species and areas of special protection for conservation of habitats and certain species of birds, in compliance with the EU regulations on habitat and birds protection;

17) *ecological corridor* is an ecological pathway and/or connection which enables movements of the population units and flow of genes between the protected areas and ecologically important areas from one locality to another and which represents part of the ecological network;

18) *(deleted)*

19) *ecosystem (biocenosis)* is a structurally, functionally and dynamically intricate and unique ecological system within which the impacts of biotopes and biocenosis (abiogenes and biogenes) permeate each other;

20) *endemic species* is a species whose range of distribution is limited to a particular, clearly defined geographic area;

21) *ex situ* conservation is conservation of components of biological and geological diversity outside their natural habitats;

22) *living community (biocenosis)* is the total number of all populations living together in the same habitat (biotope) that build functional communities;

23) *trap* is a device intended for detaining, catching or killing of animals;

24) *nature protection* is a set of measures and activities focused on prevention of damage to the nature, natural values and the natural equilibrium;

25) *protected species* are wild species protected by international agreements and/or this Law;

26) *protected areas* are the areas that have a distinguished geological, biological, ecosystem and/or landscape diversity and are therefore declared by a protection document to be protected areas of general interest;

26a) *protective zone* is the area outside the borders of protected area, important ecological area and/or ecological corridor which may be defined when such areas are established, in order to prevent, i.e. mitigate external impacts;

27) *protected natural resources* are protected areas, protected wild species and protected movable natural documents;

28) *a zoo* is any permanent institution in which wild animal species are kept to be exhibited to the public for seven or more days per year, with the exception of circuses, pet shops and the institutions which do not exhibit a significant number of animals or animal species to the public;

29) *an invasive allochthonous species* is an allochthonous or other species that endangers biological diversity and ecosystem services by its introduction and/or spreading into nature and in addition can endanger human health and cause material damage;

30) *indicator species* is a species sensitive to changes in environment conditions which can therefore be used to estimate the general situation in the nature and the environment;

31) *introduction* is intentional or accidental entering of a species in the territory and the ecosystems where it did not previously live;

32) *in situ protection* is an active protection measure which includes protection of a species in its natural habitat, conservation of natural ecosystems, conservation and recovery of populations in their natural habitats, as well as conservation of geodiversity at the site of formation or occurrence of rocks, ores, minerals, crystals and fossils;

33) *extinct species* is a species for which there is no doubt that even its last specimen has become extinct;

34) *extinct species in the nature* is the species that no longer exists in nature, but its units can be found in zoos, botanical gardens and other places, and which can be bred by *ex situ* methods, for the needs of reintroduction;

35) *umbrella species* are the species by whose protection we are at the same time protecting a larger number of other species in the same habitat, which are less known or it is difficult to protect them in another way;

36) *key species* are those species whose presence or absence is essential for the rest of the biocenosis (ecosystem);

37) *user of protected area* is a legal entity, entrepreneur, private or other entity who, within a protected natural area, performs activities or operations, i.e. uses the natural asset and/or its resources, benefits and properties;

38) *extremely endangered species* is a species that faces the highest probability of extinction in the nature in the foreseeable future, which is established in accordance with the internationally accepted criteria;

39) *crystal* is any mineral that has regular inner structure and outer shape and is distinguished by geometrically regular, smooth and shiny surfaces and/or flats;

40) *lectotype* is a specimen from the type series which represents a duplicate of the holotype, and has been collected at the same time as the holotype;

41) *local endemite* is a species distributed over a smaller extent of territory not exceeding the size of one biogeographical province;

42) *minerals* are indigenous homogenous chemical elements or compounds in the shape of crystalized or amorphous material of particular structure, form and composition, which are not mineral raw materials;

43) *sustainable use of natural goods and/or resources* is the use of components of biodiversity or geodiversity in the way and at a rate that does not lead to the long-term decline of biodiversity, i.e. geodiversity, thereby maintaining the potential to meet the needs and

aspirations of present and future generations;

43a) *appropriate assessment* is the procedure used to assess the likelihood that the implementation of plans, bases, programmes, projects, works and activities, which individually or in combination with other plans, bases, programmes, projects, works and activities, may significantly affect conservation objectives and the integrity of important ecological areas;

44) *nature conservation* is a set of measures and activities performed to protect or renew natural habitats and populations of wild species with the aim to preserve their favourable status, natural ecosystems and landscape diversity;

45) *damaging of nature* is a phenomenon that has occurred due to changing of natural processes to such extent that the natural equilibrium has been disturbed or the natural values have been destroyed. Damaging of nature can be caused by natural and artificial processes, phenomena and disasters (landslides, land slips, earthquakes, floods, fires etc.);

46) *paratype* is a specimen of the species which has been established prior to describing the nominal species;

47) *protected area management plan* is a document by which the subject in charge of the management of the protected area plans measures and activities on protection, conservation, improvement and usage of protected area;

48) *natural resources and goods management plan* make a basis in form of a plan or a programme to manage, run and use natural resources and goods for economic, social and ecological purposes and/or goals prescribed on the basis of special laws;

49) *cave ornaments* are different forms and phenomena of precipitation of natural calcium carbonate in speleological facilities (stalactites, helictites, stalagmites, pillars, salives, draperies, tubs, etc);

50) *cave sediment* is river material (sand, gravel), clay, crushed stone, rock blocks and tufa precipitated or in some other way deposited within the speleological objects;

51) *favourable state of species* is the state in which the species populations have a long-term perspective of survival as a life-capable part of the natural ecological system, and when the ecological distribution range of a species is not getting reduced nor there is a possibility that it will be reduced in the foreseeable future;

52) *favourable state of natural habitat type* is the state of natural habitat type in which its distribution range is stable or increasing, when a specific structure and functions necessary for long-term conservation are present or will be present in the foreseeable future and when the status of protecting their typical species is favourable. Natural habitat is endangered if it is not in favourable state and/or threatened by disappearance;

53) *mobile protected natural documents* are parts of geological, paleontological and biological heritage with exceptional scientific and educational importance;

54) *population* is a spatially and temporally integrated group of units of the same species which has at its disposal a common set of hereditary factors, inhabits certain area, belongs to certain ecosystem, and within which the units are interconnected primarily by reproduction relationships;

55) *follow-up of the state (monitoring)* is planned, systematic and continual following up of the state in nature, i.e. parts of biological, geological and landscape diversity, as part of a comprehensive system for following up the state of environment elements in space and time;

56) *landscape* is a certain territory whose character represents a specific blending of natural and created values characteristic for the given region;

57) *landscape element* is the smallest relatively homogenous ecological unit of the landscape structure, whether of natural or antropogenous origin;

58) *landscape diversity* is the space structure emerged in the interaction of natural and/or created space elements of certain biological, climate, geological, geomorphological, pedologic, hydrological, cultural and historical and sociological characteristics;

58a) *priority habitat types and priority species* are those types of habitats and species determined as such in the Republic of Serbia, in compliance with generally accepted international legal rules and ratified international agreements;

58b) *transboundary movement and trade* is the import, introduction, or introduction from the sea into the territory of the Republic of Serbia, the export or re-export from the territory of the Republic of Serbia or the transit through the territory of the Republic of Serbia of specimens of wild species, their parts and derivatives;

58c) a *specimen* is any animal, plant or fungus, regardless of being alive or dead, belonging to a wild species, and any part or derivative thereof;

58d) a *rescue center* is an area or space with capacity for temporary or permanent care of live wild animals which a veterinarian and/or expert has assessed as not capable of surviving on their own in the wild and/or are the object of seizure, confiscation or other measures according to the Law;

59) *nature* represents a unity of geosphere and biosphere, exposed to atmospheric changes and various influences and comprises natural goods and natural values expressed through biological, geological and landscape diversity;

60) *natural values* are parts of nature that deserve special protection, due to their sensitivity, endangerment or rarity, for the preservation of biological, geological and morphological, and landscape diversity, natural processes and ecosystem services or for serving scientific, cultural, educational, health and recreation, and other public interest;

61) *natural equilibrium* is a state of mutually balanced relationships and influences of living creatures among themselves and with their habitat. Natural equilibrium is disturbed when the quantitative or qualitative structure of living communities is disturbed, when a habitat is damaged or destroyed, when the functioning capability of ecological system is destroyed or changed, when interconnection between certain ecological systems is broken or when it causes significant isolation of certain populations;

62) *vulnerable species* is a species that faces a high possibility that it will disappear under natural conditions in the relatively near future;

63) *protection regime* is a set measures and conditions that determine the way and degree of protection, use, organization and development of a protected natural asset;

64) *reintroduction* is a method of protection and conservation of biological diversity by artificially returning the species to its former habitat from which it has disappeared or to habitats in which the numbers of its population have been drastically reduced;

65) *relict species* is the species which in the distant past had an extensive range of distribution, and whose present range (remainder) has been reduced to spatially small parts;

66) *nature rehabilitation* are the measures that are taken in order to stop damaging of the nature, to improve its state and functionality;

67) *fossil syntypes* are all specimens of one series for which there is no holotype;

68) *speleological object* is an underground cavity in the shape of channels,

corridors and halls with different dimensions, slopes and appearances emerged in natural processes primarily in limestone and dolomites, but also in other rocks as well;

69) *habitat* is geographically clearly defined area in which specific community of plants, animals, fungi and microorganisms (biocenosis) interacts with abiotic factors (soil, climate, water quantity and quality, etc.), forming one functional whole;

70) *species habitat* is such habitat in which populations of a specific species have conditions to survive in longer period of time, i.e. an area in which specific species realizes any stage of its life cycle;

71) *stenoendemite* is a species whose range of distribution is limited to a very small area, i.e. one locality (a mountain top, ridge, gorge etc.);

71a) *habitat type* is a set or group of habitats very similar in their biotic and abiotic characteristics;

72) *landscape types* are landscape categories whose uniqueness and quality are determined by ecological, structural, physiognomic, historical, socioeconomic and aesthetic features;

73) *endangered species* is the species that faces a high probability of extinction in natural conditions in the foreseeable future, which is established in accordance with generally accepted international criteria;

74) *nature improvement* is a set of measures and activities that are necessary for renewing the natural habitats and populations in order to bring them to a favourable natural state, as well as a set of activities on revitalization and rehabilitation of natural ecosystems and landscapes;

75) *fossils* are remnants, preserved fully or in segments, of plants and animals that had lived in the past, included traces of extinct organisms, and they serve as pieces of material evidence based on which geological past can be reliably reconstructed;

76) *fossil holotype* is a species that has been established and it serves as a calibrator for all other establishments and that one specimen is preserved in the Natural History Museum;

77) *holotype* is the original specimen used to describe and give name to a species;

78) *red book* is a specialized scientific study of endangered wild species organized by endangerment categories and factors;

79) *red list* is a list of endangered wild species organized by endangerment categories.

Nature Protection Principles

Article 5

The basic principles of nature protection shall be:

1) the principle of high degree nature protection everyone shall be obliged, taking over his/her duty or performing his/her activities, to contribute to protection and

improvement of the nature, biological, geological and landscape diversity, conservation of generally beneficial natural functions and natural equilibrium;

2) the principle of sustainable usage of natural resources can be carried out only to the degree and in the way that does not endanger the diversity and functioning of the natural systems and processes;

3) the principle of application of measures and conditions of nature protection the principles, measures and conditions of nature protection shall be applied in the usage of natural resources and protected natural goods, planning and spatial organisation;

4) the principle of integrated protection nature protection shall be an integrated part of the strategy of sustainable development, spatial and urban planning and other plans, programmes and bases;

5) the “user pays” principle the user of the natural resource and protected natural asset shall be obliged to pay charges for their usage and bear the costs of space rehabilitation and recultivation;

6) the cooperation principle state authorities, autonomous province authorities and the authorities of the local self-government unit, organizations and institutions, as well as other legal and private entities, when carrying out their operations and assignments shall be obliged to act in accordance with the principles, objectives, measures and conditions of protection and permanent conservation of nature and in that way carry out mutual and international cooperation;

7) the principle of direct application of international law state authorities, autonomous province authorities and the authorities of the local self-government unit, organizations and institutions, as well as other legal and private entities, when carrying out their operations and assignments shall directly apply the generally accepted rules of the international law and approved international agreements as an integral part of the legal system.

Also, the basic principles of environment protection are applied in the protection of nature, in compliance with law.

Subjects of Nature Protection

Article 6

The protection and conservation of nature shall be provided for by the following, within their respective competences:

- 1) the Republic of Serbia;
- 2) autonomous province;
- 3) municipality, city and the city of Belgrade (hereinafter referred to as: local self-government unit);
- 4) manager of the protected area;
- 5) legal entities, entrepreneurs and private entities which use natural resources and protected natural goods in carrying out their business and other activities;
- 6) professional and scientific organizations and other public services;
- 7) citizen, groups of citizens, their associations, professional or other organizations.

II. NATURE PROTECTION

Nature Protection Measures

Article 7

Nature protection shall be carried out in the following ways, in particular:

- 1) establishing and evaluating the state, phenomena and processes in the nature and the landscape;

2) establishing and determining protected natural goods and the systems for the monitoring of their protection;

3) implementing the measures for protection of nature and landscapes;

4) establishing the conditions and measures for nature protection and protected natural goods and landscapes in the spatial and urban plans, project documentation,

bases and programmes for managing of natural resources in mining, energy, transportation, water management, agriculture, forestry, hunting, fishing, tourism and other industries that affect the nature;

5) by sustainable use of natural resources and protected natural goods and control of their use through establishment of the system for management of natural resources and protected natural goods;

6) drafting a nature performance report, by adopting and implementing strategies, programmes, action and rehabilitation plans and management plans;

7) alleviating the harmful effects caused by activities in nature, use of natural resources or natural disasters;

8) connecting and harmonising the national nature protection system with the international nature protection system;

9) encouraging scientific and professional work in the field of nature protection;

10) informing the public on the state of nature and through participation of the public in decision-making concerning the nature protection;

11) encouraging and promoting nature protection, by developing awareness of the need for nature protection in the upbringing and education process;

12) involving the local communities in the follow-up of the nature state, and nature protection and improvement.

1. Planning, Regulation and Use of Space, Natural Resources, Protected Areas and Ecological Network

Article 8

Planning, regulation and use of space, natural resources, protected areas and ecological network shall be implemented on the basis of spatial and urban development plans, planning and design documentation, bases and programmes for the management and use of natural resources and goods in mining, energy, transport, water management, agriculture, forestry, hunting, fisheries, tourism and other activities affecting the nature, in compliance with measures and conditions of nature protection.

Bases, plans and programmes referred to in paragraph 1 of this Article relating to a protected area or whose implementation may have a significant negative impact on the conservation objectives and integrity of an important ecological area shall be adopted with prior consent of the Ministry competent for environmental protection.

Bases, plans and programmes referred to in paragraph 1 of this Article must comply with an act on promulgation of a protected area, a management plan for the protected

area and management guidelines for important ecological areas.

Use of space, natural resources and protected areas shall be allowed in the manner prescribed by this and other laws.

Project proponent, i.e. legal entity, entrepreneur and private entity that uses natural resources, performs construction and other works, activities and interventions in nature shall act in compliance with measures for nature protection defined by plans, bases and programmes and in compliance with design-technical documentation, in the manner that shall ensure avoidance or minimization of endangerment and damaging of nature.

Legal entity, entrepreneur and private entity referred to in paragraph 3 of this Article shall carry out rehabilitation, i.e. recultivation upon the completion of their works and activities, in compliance with this Law and other regulations.

Conditions for Nature Protection **Article 9**

In the development of plans, bases, programmes, projects, works and activities referred to in Article 8 of this Law, nature protection conditions, issued by the competent institute for nature conservation (hereinafter referred to as: Institute), shall be obtained.

The document on nature protection conditions shall contain in particular:

- 1) Data on natural values, especially on plants and animals, geo-heritage objects and landscape within the spatial coverage of the document referred to in paragraph 1 of this Article and in spatial environment;
- 2) Data on protected natural resources, including natural resources planned for protection and in protection procedure;
- 3) Data on an important ecological area;
- 4) Data on the established regimes and measures of protection and use of natural resources and goods and important ecological areas;
- 5) Assessment whether planned works and activities can be implemented from the aspect of nature protection aims and adopted regulations and documents;
- 6) Conditions, i.e. prohibitions and restrictions under which planned works and activities may be implemented as well as the need for an appropriate assessment;
- 7) Biological, technical and technological measures of nature protection which should be applied;
- 8) Legal and expert grounds for the established conditions and measures, i.e. prohibitions and limitations;
- 9) Compensatory measures, if grounds exist, in accordance with this Law.

If, during the procedure for issuing a document on conditions for nature protection, the need for initiating the appropriate assessment procedure is identified, the Institute shall issue an opinion on the need for an appropriate assessment instead of the nature protection conditions.

The application for issuance of nature protection conditions shall be accompanied by the following:

- 1) Data on type and developer of the document referred to in paragraph 1 of this Article and on the investor;

- 2) Data on location and spatial coverage with appropriate mapping and graphic appendices, and for designs with a copy of the cadaster plan;
- 3) Short description of goals for which the document is being developed, intended activities at its implementation and main expected results, and for the design, a preliminary concept as well.

The Institute shall, by virtue of a decision, issue the document on nature protection conditions.

In case that applicant does not start works and activities which were the reason for issuance of the document on nature protection conditions within two years from the delivery of the document, the applicant is obliged to obtain a new document.

A fee shall be paid for the collection and evaluation of information needed for issuance of the document on nature protection conditions.

The amount and manner of calculation and collection of the fee referred to in paragraph 7 of this Article, fee payers and exemption or deduction in the fee payment is determined by the Institute with the consent of the Ministry competent for finances.

A complaint may be lodged for the document on conditions for nature protection to the ministry responsible for environmental protection affairs (hereinafter referred to as: Ministry) within 15 days, in the autonomous province to competent authority responsible for environmental protection affairs of the autonomous province.

The authority competent for passing, i.e. adoption of the document referred to in paragraph 1 of this Article shall obtain an opinion from the Institute on the fulfilment of the nature protection conditions referred to in paragraph 2 of this Article.

Appropriate Assessment

Article 10

An appropriate assessment for the ecological network (hereinafter: appropriate assessment) is a procedure assessing the potential impact of a strategy, plan, basis, programme, project, works or activities on conservation objectives and the integrity of the ecological network.

An appropriate assessment procedure is carried out by the Ministry, the authority competent for environmental protection in the autonomous province and/or an authority competent for environmental protection in a local government unit for strategy, plan, programme, project, works or activities which alone or with another strategy, plan, programme, project, works or activities may have significant negative impact on the conservation objectives and the integrity of the important ecological area with previously obtained conditions from the Institute.

The appropriate assessment procedure referred to in par. 2 of this Article shall include:

- 1) Previous assessment, and
- 2) Main assessment.

For strategies, plans, bases and programmes for which, in accordance with a special law, strategic impact assessment is performed, and for projects, for which, in compliance with a special law, environmental impact assessment is performed, an appropriate assessment shall be carried out within those processes.

In case of conducting applied geological researches of the mineral and other geological resources and active mining facilities which, at the time of entry into force of this Law, have been approved by the competent authority, the need for carrying out an appropriate assessment procedure shall not be considered.

For works and activities for which the need for an Appropriate Assessment procedure was identified, the competent authority shall implement the procedure in accordance with this Law.

An Appropriate Assessment Study shall be a special document accompanying the Strategic Environmental Impact Assessment Report, i.e. Elaboration of Environmental Impact Assessment Study of the project. For other works and activities referred to in paragraph 6 of this Article, this study shall be attached as a separate document.

When, based on the appropriate assessment, it is found that plans, bases, programmes, projects, works and activities may have significant negative impact on the conservation objectives and the integrity of the important ecological area, competent authority shall reject to give consent.

In cases of doubt, it shall be deemed that plans, bases, programmes, projects, works and activities may have significant negative impact on the conservation objectives and the integrity of the important ecological area.

When based on the appropriate assessment, it has been established that plans, bases, programmes, projects, works and activities may have significant negative impact on the conservation objectives and the integrity of important ecological area, the competent authority shall give consent if:

- 1) There is no other alternative solution;
- 2) With respect to important ecological areas with at least one priority habitat type and/or priority species, only if there are imperative reasons of overriding public interest, relating to human health and public safety, useful effects of primary importance for the environment, and if there are other prevailing reasons of public interest, with previously obtained opinion from the European Commission. With respect to all other parts of the ecological network, only if there are other imperative reasons of public interest, including interest of social and

economic nature, which prevail in comparison to the interest of conservation of these areas;

3) it is possible to carry out the compensation measures referred to in Article 12 of this Law, necessary for the conservation of overall coherence of the ecological network, before giving consent to plans, bases, programmes, projects, works and activities.

The authority responsible for carrying out the appropriate assessment procedure may establish an expert commission, i.e. authorise an expert to evaluate the appropriate assessment study with previously obtained opinion from the Institute on the fulfillment of nature protection conditions referred to in Article 9 of this Law.

The Government shall closely prescribe the procedure, contents, deadlines, manner of carrying out an appropriate assessment, with consideration of the goals of conservation of the important ecological area, as well as a manner of providing information to the public, establishment of prevailing public interest and compensatory measures.

Limitations or Termination of Use Article 11

If the mode or scope of using the natural resources directly endangers survival of certain species, its habitat or natural ecosystem, the Minister in charge of environment protection activities (hereinafter: the Minister) can issue an order and limit, temporarily or permanently stop the using according to the previously acquired opinion by the Ministry competent for the activities in agriculture, forestry and water management, the Ministry competent for the activities in mining and energy and the Ministry competent for the infrastructure operations.

For the limitations they have been subjected to, under the order referred to in paragraph 1 of this Article, the owners or users of natural resources have the right to compensation proportional to their reduced income.

The amount of compensation shall be established by mutual consent, and in case of dispute, the court of law shall determine the amount of compensation.

The compensation referred to in paragraph 3 of this Article shall be paid from the goods in the budget of the Republic of Serbia.

The owner or user of natural resources which does not act in conformity with the order referred to in paragraph 1 of this Article shall be deemed responsible for the damage to the species, habitat or natural ecosystem, which occurred after the enactment of the order.

Alleviation of the Consequences Damaging to the Nature Article 12

In order to alleviate harmful consequences to nature, which may occur or have occurred due to implementation of plans, bases, programmes, projects, works or activities in the protected area or ecological network area, legal entity, entrepreneur and private

entity, i.e. project proponent, shall implement compensatory measures in compliance with the decision issued by the Ministry at the Institute's proposal.

Compensatory measures are ordered depending on the expected or caused damages to the nature, in the following manner:

- 1) by establishing a new locality which has the same or similar properties as the damaged locality;

2) by establishing another locality significant for the conservation of biological and landscape diversity, and/or protection of the natural asset;

3) by a compensation in money in the value of the caused damage to the locality in case it is not possible to implement compensation or rehabilitation measures.

Criteria, procedure and manner of the establishment of compensatory measures shall be prescribed by the Minister.

When establishing the compensatory measures, advantage is given to the compensation by a new locality which has the same or similar properties as the damaged locality.

The only compensatory measure for important ecological areas of the European Union, NATURA 2000, shall be the establishment of new locality in terms of paragraph 2, point 1) of this Article.

The European Commission shall be informed about the compensatory measures pertaining to important ecological area of the European Union NATURA 2000.

The amount in money toward the compensatory measures, shall be paid on the account designated for paying-in of public revenues to the budget of the Republic of Serbia and is used through the Green Fund of the Republic of Serbia exclusively for financing of nature protection projects.

Repairing the Damaging Consequences

Article 13

If the projects or activities in the nature have been carried out without established conditions for nature protection or contrary to the given conditions for nature protection, which has caused damage to the nature and protected natural goods, the leader of the project or activities and/or the user of natural resources, is obliged to repair the damaging consequences of his acts without delay and at his own expense, according to the principles of objective responsibility.

If the leader of project activities referred to in paragraph 1 of this Article does not repair damaging consequences of such activity of theirs, or if they do not act in compliance with Article 12 of this Law which provides for compensatory measures, the Ministry shall implement such reparation at the expense of leader of the activities, and shall issue a decision stating the obligation for compensation of damages and the amount of the incurred costs.

The assessment of the occurred damage, as well as the manner of repair of damaging consequences, shall be proposed to the Ministry by the Institute.

2. Subject of Protection

Protection of Biological Diversity

Article 14

The protection of biological diversity shall be accomplished by carrying out measures for protection and improvement of species, their populations, natural habitats and ecosystems.

Protection of Species

Article 15

Protection of species shall be accomplished by carrying out measures and activities on the preservation of species themselves, their populations and habitats, ecosystems and the corridors connecting them.

Protection of birds and migratory species shall be established through implementation of measures needed for conservation, maintenance and recovery of enough diversity and extension of their habitats, avoidance of pollution or disturbance of habitat quality and encouragement of research and management.

In order to conserve small biotopes and habitats, measures shall be undertaken which will include creation of protected areas, maintenance and management of habitats within protected areas, recovery of destroyed biotopes and creation of new biotopes.

Habitats of species important for survival of populations within the area referred to in paragraph 1 of this Article are documented by a habitat map developed on the basis of a GIS database on the distribution of certain habitats of species in the Republic of Serbia which are made available on the web page of the Ministry and the Institute for Nature Conservation of Serbia.

Data collection and continuous updating of the GIS database shall be assured by the Institute for Nature Conservation of Serbia in collaboration with other authorized expert and scientific institutions.

A map of habitats of species shall be a constituent part of plans, bases and programmes referred to in Article 8 of this Law.

Conservation of Habitat Types

Article 16

Conservation of habitat types shall be achieved through implementation of measures and activities for the protection and conservation of habitat types in order to prevent or reduce negative impact on the habitat types in accordance with the law and international agreements.

The Minister shall prescribe criteria for distinguishing endangered, rare, and sensitive habitat types and for the protection of priority habitat types, as well as protective measures for their conservation and a list of habitat types.

Habitat types referred to in paragraph 2 of this Article shall be documented by habitat maps developed on the basis of the GIS database on the distribution of certain types of habitats in the Republic of Serbia which shall be available on the web pages of the Ministry and the Institute for Nature Conservation of Serbia.

Data collection and continuous updating of the GIS database shall be assured by institutes and other expert and scientific institutions authorized by the Minister.

A map of habitat types shall be a constituent part of plans, bases and programmes referred to in Article 8 of this Law.

Protection of Ecosystems

Article 17

Protection of ecosystems (forest, alpine, water and wet, sensitive, agricultural and other ecosystems) is accomplished through the conservation of their natural composition, structure, function, integrity and equilibrium by carrying out appropriate measures and activities for their protection, improvement and sustainable use.

Protection of Forest, Wet and Water Ecosystems and Habitats within Agroecosystems

Article 18

Conservation of biological diversity of forest ecosystems shall be carried out with purpose of strengthening the generally beneficial functions of forests, in accordance with the law.

Forest management must be based on the principles of sustainable development and conservation of biological diversity, conservation of natural composition, structure

and function of forest ecosystems, in conformity with the conditions for nature protection that are an integral part of forest bases.

With purpose of enriching the biological and landscape diversity in forest management, the forests shall be treated in such way so as to preserve forest openings (meadows, pastures etc.) and forest outskirts as much as possible.

Within the wet and aquatic ecosystems with the shore, any acts, activities and operations endangering a hydrological phenomenon or survival and conservation of biological diversity are prohibited.

Quantity of water in wet and aquatic ecosystems, outside of protected areas, which is essential for conservation of hydrological phenomenon and survival of biological diversity shall be determined by the ministry responsible for agriculture, forestry and water management, upon the obtainment of the opinion from the Ministry, while in protected areas and ecologic network areas this shall be determined by the Ministry upon the obtainment of the opinion from ministry responsible for agriculture, forestry and water management.

Conservation of biological and landscape diversity of habitats within agroecosystems and other non-autonomous and semiautonomous ecosystems shall be carried out mainly through the conservation and protection of marginal habitats, hedges, borders, individual trees, groups of trees, ponds and meadow belts, as well as other ecosystems with preserved or partially changed woody, bushy, meadow or swamp vegetation.

When joining plots of agricultural land into larger wholes, care must be taken to conserve the present and create new marginal habitats, in order to secure biological and landscape diversity of ecosystems.

Use of Biological, Biotechnical and Chemical Agents

in the Protection of Ecosystems and Protected Areas

Article 19

In order to protect ecosystem, it shall be allowed to use biological, biotechnical and chemical agents in compliance with law.

Biological and biotechnical agents can be used in protected areas with purpose of conserving biological diversity.

Chemical in protected areas may be used in compliance with prescribed protection regimes with the approval given by the ministry responsible for agriculture, forestry and water management, with the consent of the Ministry.

Conservation of Genetic Diversity

Article 20

Genetic material shall be used in compliance with this Law and special regulations.

Collection of genetic material from the nature for use must not endanger the survival of ecosystems or the population of wild plant, animal and fungi species in their habitats.

Access to the Sources of Genetic Material
Article 21

Genetic material from the nature can be used in compliance with this Law.

No material gain can be achieved on the genetic material created from the genetic material of wild plant, animal and fungi species.

Gene Bank

Article 22

Gene bank shall be established with purpose of conserving genetical diversity of wild plants, animals and fungi.

Biological material of a supervised or bred population, parts of plants, animals and fungi, seeds, spores, sex cells and other biological materials which are used with purpose of conserving species, i.e. their genetic fund and potential shall be kept in gene banks.

Gene bank referred to in paragraph 1 of this Article can be established by a legal entity or an entrepreneur which meets the requirements concerning the personnel, equipment and space.

The Ministry shall establish whether all the requirements referred to in paragraph 3 of this Article are met, in a permit which is issued in the form of a decision.

The permit referred to in paragraph 4 of this Article shall be issued at the request of legal or private entity.

The decision referred to in paragraph 4 of this Article shall be final, and administrative dispute can be instituted against it.

More detailed requirements referred to in paragraph 3 of this Article, as well as the operating mode of the gene bank, the way of treating the biological material, contents of the application and the documentation which is submitted along with the request for issuance of permit shall be prescribed by the Ministry, with prior consent by the Ministry in charge of agriculture, forestry and water management activities.

Protection of Geological Diversity

Article 23

Protection of geological diversity when using and organizing space shall be accomplished by carrying out measures for the protection of nature, geological and paleontological documents, as well as geo heritage objects in conditions of *in situ* and *ex situ* protection.

Geopark

Article 23a

A Geopark is a clearly defined area where geoheritage objects and other natural, cultural and historical values important for science, education, culture and economy are protected, presented and promoted with a clearly defined management structure.

A Geopark referred to in paragraph (1) of this Article shall cover a certain number of geoheritage objects of particular importance, in the sense of their scientific value, rarity, aesthetics or educational value, and objects of archaeological, biological, historical or cultural heritage.

A Geopark territory may cover several protected areas with different protection arrangements.

The potential of an area for the establishment of a geopark shall be evaluated in accordance with geotectonic categorisation respecting geological and other characteristics on the basis of criteria prescribed by the Minister.

Protection of Speleological Objects

Article 24

Speleological objects shall be public assets owned by the Republic of Serbia.

Speleological objects, because of their natural and cultural values, shall enjoy protection and are used in accordance with this Law and other regulations.

A cadastre of speleological objects shall be developed for the speleological objects, as a digital geographical information system (hereinafter: cadastre).

Protection and Use of Speleological Objects

Article 25

It shall be prohibited to do the following in the speleological objects and in their vicinity:

- 1) to pollute watercourses and springs, sink, bring in and leave behind poisonous materials, solid waste and dead animals or deposit any kind of waste in such places and in such way that they can enter the speleological object by running water or by free movements;
- 2) to destroy, damage or carry away parts of cave ornaments, cave sediments, fossil remains and artefacts;
- 3) destroy or carry away specimens of fauna and flora and disturb conditions in their habitats;
- 4) carry out construction works which can cause significant unfavourable and permanent changes of geo-morphological and hydrological characteristics.

The Government shall prescribe the mode and conditions for management, use and exploration of speleological objects, as well as development and maintenance of the cadastre referred to in Article 24, paragraph 3 of this Law.

Protection of Landscapes

Article 26

According to their natural and created characteristics, landscapes shall be divided into landscape types which express the diversity of natural and cultural heritage.

Protection of landscapes shall imply planning and implementation of measures which prevent unwanted changes, disturbances or destruction of significant landscape characteristics, their diversity, uniqueness and aesthetical values and enable the traditional way of using the landscape.

Conservation of significant and characteristic features of the landscape must be provided for when planning and organizing space and when planning and using natural resources.

Protection, management and planning of landscapes shall be based on identification of landscapes and assessment of their significant and characteristic marks.

The Minister shall prescribe criteria for identification of landscapes and manner of assessment of their significant and characteristic marks.

III. PROTECTED NATURAL GOODS

Protected Natural Goods

Article 27

Protected natural goods shall be:

1) protected landscapes

- strict natural reserve,

- special natural reserve,

- national park,
 - natural monument,
 - protected habitat,
 - landscape of exceptional characteristics,
 - natural park;
- 2) protected species
- strictly protected wild species,
 - protected wild species;
- 3) mobile protected natural documents.

1. Protected Areas

Article 28

Areas that have a substantial geological, biological, ecosystem and/or landscape diversity and that are significant as habitats of bird species and other migratory species relevant according to international regulations may be declared as protected areas of general interest.

Protected areas can border protected areas of neighboring countries.

A management plan and measures to protect the protected area bordering a neighboring country's protected area shall be determined through an agreement with competent authorities of that country and based on an approval from the Ministry.

Strict and Special Natural Reserves

Article 29

Strict natural reserve shall be an area of unchanged natural characteristics with representative natural ecosystems, intended exclusively for conservation of the original nature, gene fund, ecologic equilibrium, following natural phenomena and processes, scientific research which does not damage the natural characteristics, values, phenomena and processes.

Special natural reserve shall be an area of unchanged or insignificantly changed nature, of particular importance due to its uniqueness, rareness or representativeness, and which includes a habitat of an endangered wild plant, animal and fungi species, without settlements or with scarce settlements in which humans live in harmony with the nature, intended for conservation of the existing nature characteristics, gene fund, ecological equilibrium, following of natural phenomena and processes, scientific research and education, controlled visits and preservation of traditional way of life.

Special natural reserve can be floristic, mycological, or with forest and other vegetation, zoological (ornitological, ichtiological and other), geological, paleontological, hydrogeological, hydrological and others.

Within the strict and the special natural reserve it shall be prohibited to carry out operations and activities and perform actions which can impair the features due to which they have been declared as protected natural asset (picking and destroying of plants,

disturbing, catching and killing of animals, introducing new biological species, melioration works, various forms of economical and other usage etc.).

Visiting of strict and special natural reserves with education purpose can be carried out on the basis of permit issued by the manager of protected area (hereinafter: the Manager).

Measures for protection of strict and special natural reserve shall be closely determined by the decision on the proclamation of protected area.

The following of natural phenomena and processes and scientific research shall be carried out on the basis of a permit issued by the Ministry and in presence of the Manager.

All economic and other activities shall be prohibited in the strict natural reserve.

National Park

Article 30

National park shall be an area with a large number of diverse natural ecosystems of national importance, with distinguished landscape characteristics and cultural heritage in which man lives in harmony with the nature, intended for conservation of the existing natural values and resources, with overall landscape, geological and biological diversity, as well as for meeting of scientific, educational, spiritual, aesthetical, cultural, touristic and health and recreational needs and other activities in accordance with the principles of nature protection and sustainable development.

Activities and operations that do not disturb the original state of nature shall be allowed in the national park, as well as carrying out activities that have the function within education, health and recreational and touristic needs, continuation of the traditional way of life of local communities, and in the way that does not jeopardize the survival of species of the natural ecosystems and landscapes, in accordance with this Law and the management plan adopted by the Manager.

The activities referred to in paragraph 2 of this Article can be limited with purpose of preserving the original state of nature in the national park.

The forests within the national park shall be managed by the legal entity that manages the national park.

The forests referred to in paragraph 4 of this Article shall not be included in the forest landscape.

The measures for protection of the national park and the mode of its use shall be determined in detail by a special law.

Natural Monument

Article 31

Natural monument shall be a smaller unchanged or partially changed natural spatial entity, object or phenomenon, physically clearly distinguished, recognizable and/or

unique, with representative geomorphological, geological, hydrographical, botanical and/or other characteristics, as well as a botanical value of scientific, aesthetic, cultural or educational significance, created by human labour.

Natural monument can be geological (historical and geological-stratigraphical, paleontological, petrological, sedimentological, mineralogical, structural-geological, hydrogeological and others), geo-morphological, speleological (cave, pit and others), hydrological (whole or part of a watercourse, waterfall, lake, moor and others), botanical (rare or significant specimens of herbal life, an individual tree or a group of trees, alleys, parks, arboreta, botanical gardens and others).

Any actions or activities on the natural monument that endanger its characteristics and values shall be prohibited.

Measures for protection of the natural monument and the mode for its use shall be defined in detail by the decision on proclamation of protected area.

Protected Habitat

Article 32

Protected habitat shall be an area which includes one or more types of natural habitats that are significant for conservation of one or more populations of wild species and their communities.

The objective of habitat protection shall be:

- 1) to protect endangered and rare types of habitats, ecosystems and/or autochthonous wild species on the national or international level;
- 2) to provide for favourable state of one or more autochthonous species populations;
- 3) to enable undisturbed development of some of stages in the life of autochthonous wild species (spawning, mating, building nests, raising the offspring, winter hibernation etc.);
- 4) to protect extremely endangered and vulnerable species;
- 5) to enable gene flow among the population species;
- 6) to provide for migratory routes and resting places;
- 7) to enable scientific research, population management and education.

The activities and operations which endanger or damage one or more habitat types shall be prohibited within the protected habitats.

The importance, purpose and protection measures of a protected habitat shall be closely established by the decision on proclamation of protected habitat.

Landscape of Exceptional Characteristics

Article 33

Landscape of exceptional characteristics shall be an area of recognizable

appearance with significant natural, biological-ecological, aesthetic and cultural-historical values, which developed in time as a result of interaction between the nature, natural potentials of the area and the traditional way of life of the local population.

Landscape of exceptional characteristics can be a natural landscape of exceptional characteristics and a cultural landscape of exceptional characteristics.

Natural landscape of exceptional characteristics shall be an area of significant biological-ecological and aesthetic value, in which the traditional way of life of the local population has not significantly disturbed the nature and natural ecosystems.

Cultural landscape of exceptional characteristics shall be an area of significant landscape, aesthetic and cultural-historical value, which developed in time as a result of interaction between the nature, natural potentials of the area and the traditional way of life of the local population

The activities and operations which disturb primary natural and created values and landscape character shall be prohibited within the landscape of exceptional characteristics.

Protection measures, the mode for carrying out economic and traditional activities and use of natural and created values within the landscape of exceptional characteristics shall be closely established in the formal decision on proclamation of protected area.

Natural Park

Article 34

Natural park shall be an area of well-conserved natural values with mostly conserved natural ecosystems and picturesque landscapes, intended for conservation of the overall geological, biological and landscape diversity, as well as meeting of scientific, educational, spiritual, aesthetic, cultural, touristic, health-recreational needs and other activities harmonized with the traditional way of life and principles of sustainable development.

Within the natural park, no economic or other activities which disturb its substantial characteristics and values shall be allowed.

Protection measures, the mode for carrying out economic activities and use of natural values within the natural park shall be closely established in the formal decision on proclamation of protected area.

Protection Regimes

Article 35

The following protection regimes shall be established in protected area:

- 1) 1st degree,
- 2) 2nd degree and/or
- 3) 3rd degree

1st degree protection regime – strict protection, shall be implemented in protected area or part thereof with original or slightly changed ecosystems of exceptional scientific and practical importance, which enables processes of natural succession and conservation of habitats and life communities in wilderness conditions.

1st degree protection regime shall:

- 1) Prohibit use of natural resources and construction of facilities;
- 2) Restrict works and activities to scientific research and monitoring of natural

resources, controlled visits for educational, recreational and cultural purposes, as well as implementation of protective, rehabilitation and other necessary measures in case of fire, natural disasters and accidents, occurrence of plant

and animal diseases and excessive propagation of pests, with the consent given by the Ministry.

2nd degree protection regime – active protection, shall be implemented in protected area or part thereof with partially changed ecosystems of high scientific and practical importance and particularly valuable landscapes and geo heritage objects.

2nd degree protection regime can include management interventions in order to restore, revitalize and generally improve protected area, without consequences to primary values of their natural habitats, populations, ecosystems, landscape characteristics and geo heritage objects, and can include traditional activities and restricted use of natural resources in sustainable and strictly controlled manner.

2nd degree protection regime shall:

- 1) Prohibit construction of industrial, metallurgical and mining facilities, asphalt bases, oil refineries, as well as facilities for storage and sale of oil and LPG derivatives, thermal power plants and wind generators, ports and trade centers, airports, service warehouses, storages and cooling plants, holiday houses and other family retreat houses, exploitation of mineral raw materials, peat and river and lake beds material, ploughing of natural lawns, commercial fishing, introduction of invasive allochthonous species, construction of facilities for waste recycling and incineration and formation of waste disposal sites;
- 2) Restrict regulation and baffling of watercourses, formation of water accumulations, melioration and other hydrotechnical activities, construction of hydro power plants, solar power plants and biogas power plants, touristic accommodation facilities, catering facilities, nautical tourism and touristic infrastructure and regulation of public ski resorts, construction of transport, energy, utility or other infrastructure, residential and economic facilities of agricultural husbandries, traditional use of stone, clay and other materials for local needs, construction of fisheries, facilities for conventional breeding of domestic animals and game, fishing, hunting, collection of fungi, wild plant and animal species, management of forests and forest land, establishment of forest and agricultural monocultures, introduction of species alien for plants and animals in the region where protected area is located, and application of chemicals.

3rd degree protection regime – proactive protection, shall be implemented in protected area or part thereof with partially changed and/or changed ecosystems, landscape and geo heritage objects of scientific and practical importance.

3rd degree protection regime can include management interventions in order to restore, revitalize and generally improve protected area, rural development and improvement of rural households, regulation of cultural-historic objects and objects of traditional civil engineering, conservation of traditional activities among local residents, selective and restricted use of natural resources and areas with necessary infrastructural and other construction.

3rd degree protection regime shall:

- 1) Prohibit construction of oil refineries and chemical industry, metallurgical and thermal energy facilities, oil tanks, oil derivative and natural gas tanks, introduction of invasive allochthonous species and formation of waste disposal sites;

- 2) Restrict construction of other industrial and energy facilities, asphalt bases, touristic accommodation facilities and public ski resorts, infrastructural facilities, storages for industrial goods and construction material, holiday houses, exploitation and primary processing of mineral raw materials, formation of waste

management facilities, construction of settlements and spreading of their construction sites, hunting and fishing, formation of forest and agricultural monocultures, application of chemicals and other works and activities that may have significant adverse effects to natural and other values in protected area.

Protection regimes and borders of parts of protected areas with different protection regimes shall be established by way of a decision on proclamation of protected area based on protection study.

Regime of protective zone of protected area shall prohibit and restrict works and activities for which it has been established (in the procedure prescribed by law and other regulations) that they may have significant adverse effects to biological diversity, geo heritage values and landscape of the protected area.

The Government shall prescribe in detail protection regimes, procedure for their designation and facilities, works and activities that are prohibited or restricted.

In compliance with special law, works and activities restricted by protection regimes referred to in this Article may be prohibited in national parks.

2. Strictly Protected and Protected Wild Species

Article 36

Wild species which are endangered or can become endangered, which have special significance from the genetic, ecological, ecosystem, scientific, health, economic and other aspects, shall be protected as strictly protected wild species or protected wild species.

The following wild species can be declared as strictly protected:

- 1) wild species extinct in the Republic of Serbia and returned through a reintroduction programme;
- 2) extremely endangered wild species;
- 3) endangered wild species;
- 4) relict species;
- 5) local endemite;
- 6) stenoendemite;
- 7) wild species subject to a ratified international agreement;
- 8) a species requiring strict protection for other reasons.

The following wild species can be declared as protected:

- 1) vulnerable wild species;

- 2) endemic species;
- 3) indicator, key and umbrella species;
- 4) relict species;

- 5) wild species subject to a ratified international agreement;

- 6) wild species not endangered, but, due to its appearance, can be easily confused with an endangered wild species;

- 7) wild species of economic importance which can be endangered by uncontrolled exploitation or destruction of the habitat.

Strictly protected and protected wild species within the meaning of this Law shall be determined on the basis of national and international red lists or red books, ratified international agreements, expert findings and/or scientific knowledge.

Red lists and red books of endangered wild species with their localities, strength of populations and level of endangerment are established by the Ministry on the proposal of the Institute.

Wild species protection which is not regulated by this Law shall be governed by special regulations.

3. Mobile Protected Natural Documents

Article 37

Parts of geological and paleontological heritage, as well as biological documents which have exceptional scientific, educational and cultural importance can be protected as mobile protected natural documents.

Mobile protected natural documents can be the following:

- 1) all specimens of holotypes, syntypes and genotypes of fossils, as well as typical kinds of fossils;
- 2) all individual minerals and/or crystals and mineral druses within the bed;
- 3) all holotypes and syntypes of fossils, typical kinds of fossils of individual minerals and crystals;
- 4) mycological, botanical and zoological collections, as well as individual conserved preparations of organic species, their holotypes and syntypes.

It shall be prohibited to collect and/or destroy mobile natural documents or destroy or damage sites of their occurrence.

Ecological Network

Article 38

The ecological network is established as a functionally and spatially connected entity in order to conserve habitat types of particular importance for the protection, renewal and/or improvement of degraded habitats and for the conservation of habitats of wild species of flora and fauna.

The ecological network shall be made up of important ecological areas and ecological corridors.

Important ecological areas are:

- (1) areas of national importance which by their bio-geographic presence and representativeness contribute to the conservation of biological diversity in the Republic of Serbia;
- (2) areas of international importance which by their bio-geographic presence and representativeness contribute to the conservation of habitat types and habitats of species

including birds in accordance with ratified international agreements and common rules of international Law.

The ecological network of the Republic of Serbia is established by the Government.

The Act referred to in paragraph (4) of this Article establishes the list of important ecological areas and list of species including birds and their habitats referred to in paragraph (3), point (2) of this Article, ecological corridors, criteria for determining parts of the ecological network, general management guidelines and the manner of financing.

In collaboration with other expert and scientific institutions, the Institute shall prepare documentation for the establishment of the ecological network in accordance with the law, common rules of international law, ratified international agreements and established criteria.

A digital database and map of an important ecological area shall be produced and updated by the Institute in collaboration with expert and scientific institutions on the basis of base maps provided by the Republic Geodetic Authority free of charge.

Ecological Network Protection

Article 39

Protection of the ecological network shall be ensured through the implementation of imposed protective measures for the conservation of habitat types and habitats of species for which separate important ecological areas were determined and through application of appropriate assessment.

Protective measures for the ecological network apply to legal persons, entrepreneurs and natural persons whose activities and operations could affect areas of the ecological network and ecological corridors.

Measures, methods and technical solutions shall be applied in the area of the ecological network with the aim of conserving the habitat and habitats of species.

Monitoring of ecological network status shall be performed by the Institute and/or other professional and scientific organizations, as authorized by the Ministry.

Works, activities and business that may lead to endangerment and disturbance of ecological network functions, disturbance or permanent damaging of characteristics and values of individual parts in ecological network shall be prohibited.

By way of exception to paragraph 5 of this Article, the Ministry may allow for performance of works, activities and business in compliance with Article 10 of this Law.

Ecological Network Management

Article 40

Ecological network area, at the same protected area as well, shall be managed by the protected area Manager.

For managing the important ecological area and ecological corridor which is not placed under the protection as protected area, the Government can designate or establish a legal entity, at the proposal made by the Ministry, or competent authority of autonomous province, or competent authority of local self-government unit at the territory of which part of ecological network is located.

Management plan may be adopted for ecological network area, or a set of

measures may be prescribed for conservation, renewal and improvement of these areas status.

The management plan referred to in paragraph 3 of this Article shall be adopted by legal entity entrusted with management of a part of ecological network.

Closer manner of ecological network management shall be determined through the document referred to in Article 14, paragraph 4 of this Law.

IV PROCEDURE OF PROCLAMATION OF PROTECTED NATURAL GOODS

Categorization of Protected Areas

Article 41

Protected areas, depending on their values and significance, shall be sorted into categories:

- 1) 1st category – protected area of international, national, i.e. exceptional significance;
- 2) 2nd category – protected area of provincial/regional, i.e. high significance;
- 3) 3rd category – protected area of local significance.

The Minister shall prescribe criteria of valuation and procedure for categorization of protected areas.

Proclamation of Protected Areas

Article 41a

National Park shall be proclaimed by law.

Protected area of 1st category shall be proclaimed by the Government at the proposal from the Ministry.

Protected area of 2nd category shall be proclaimed by the Government, i.e. competent authority of autonomous province, when protected area is located at the territory of autonomous province. When protected area is proclaimed by the competent authority of autonomous province, and when it includes land, other properties of the Republic of Serbia and goods of general interest, consent shall be obtained from the Ministry with previously obtained opinion from competent ministries, as a part of proclamation procedure.

Protected area of 3rd category shall be proclaimed by competent authority from local self-government unit, and if such protected area is located at the territories of two or more local self-government units, competent authorities of those local self-government units shall proclaim protected area in agreed manner. When protected area includes land and other properties owned by the Republic of Serbia, or autonomous province, and goods of general interest, consent shall be obtained from the Ministry, or authority of autonomous province responsible for environmental protection activities, with previously obtained opinion from competent ministries, i.e. competent authorities of autonomous province, as a part of proclamation procedure.

Protection Study

Article 42

The proposal for the formal decision on proclamation of the protected area has a scientific and/or professional basis – protection study, which shall establish values of the area whose protection is proposed, and the mode for managing the area.

The initiative for proclamation of the protected area can be submitted by the nature protection subjects referred to in Article 6 of this Law.

The protection study shall be drafted by the Institute, which shall inform the local population of the initiative and the study procedure, as well as the owners and users of the area which is the subject of the study and shall cooperate with them.

The protection study shall contain the rationale for the proposal for the protection procedure, description of the natural, created and landscape characteristics of the natural asset with thematic cartographic enclosures, ground values of the natural asset, assessment of the state of environment in the area, the proposed protection regimes, cartographic view containing the borders and protection regimes on the basis of data from the real estate cadaster, data from the cadaster of research and exploitation grounds and areas, mineral

resources and groundwaters, description of borders, the concept of protection and improvement, possible perspectives of sustainable development, stakeholder analysis, documentation on harmonization of needs for protection with stakeholders, management mode, assessment of socio-economic effects of protection, development and sustainable use, necessary personnel and technical equipment for the manager, possible proposal by the manager and other elements of importance for proclamation of the protected area.

Resources for drafting the protection study shall be provided from the budget of the Republic of Serbia, budget of the autonomous province, i.e. budget of the local self-government unit.

An area for which a conservation procedure has been initiated shall be deemed protected in accordance with this Law and measures proposed in the protection study referred to in paragraph 1 of this Article shall apply until the adoption of an act on promulgation.

Procedure of protection of a natural area shall be started when the Institute submits the protection study to the competent authority and the Ministry shall inform the public of the procedure of launching the protection of the natural area on the web page of the Ministry.

The Ministry shall inform the public on the procedure of launching the protection of the natural area of category I, II and III on the web page of the Ministry.

Public Participation

Article 43

The proponent of the decision on proclamation of the protected area shall inform the public about the proposal for decision.

The proponent shall provide public insight and shall organize public debate on the proposal for decision on proclamation of the protected area and its professional basis – the protection study with cartographic documentation.

The information referred to in paragraph 1 of this Article shall be published in at least one newspaper distributed in the whole territory of the Republic of Serbia and in the local magazine of the local self-government unit in whose territory the area whose protection is proposed is located, and shall contain information on the time and place of public display and public debate.

Presentation of the decision on proclamation of the protected area and the professional basis referred to in paragraph 2 of this Article for public insight shall last for at least 20 days from the date of issuing the information.

Contents of the Decision on Proclamation of the Protected Area

Article 44

The decision on proclamation of protected area shall contain in particular:

- 1) type, name and position of protected area;
- 2) basic aims of proclamation and values of protected area;
- 3) total coverage of the protected area and coverage of municipality areas, i.e. city territories included in protected area borders, with a list of cadastre municipalities;
- 4) basic ownership structure over the property;
- 5) description and layout of borders of protected area and borders of areas with prescribed protection regimes, as well as protected zone borderlines, in the manner that provides for identification of those borders in the field and in cadastre plan;
- 6) closer aims of protection and sustainable use of protected area expressed in areas with prescribed protection regimes and measures applied to achieve those aims;
- 7) name, legal/organizational status and head office of the Manager;
- 8) closer contents and manner of management plan adoption;
- 9) closer manner of provision of funds for implementation of decision on proclamation, i.e. management plan within legally determined sources of financing;
- 10) other elements of importance for protected area management

Necessary data referred to in points 3), 4) and 5) of this Article shall be provided for from database of the property cadaster issued by the Republic Geodetic Authority, free of charge, at the Institute's request.

Publishing of the Decision on Proclamation

Article 45

The decision on proclamation of the protected area referred to in Article 41, paragraphs 1 and 2 of this Law, shall be published in the "Official Gazette of the Republic of Serbia", the decision on proclamation referred to in Article 41, paragraph 3 of this Law in the official journal of the autonomous province, and the decision on the proclamation referred to in Article 41, paragraphs 4 and 5 of this Law in the official journal of the local self-government unit.

The authority that renders the decision on proclamation of the protected area shall deliver the same within 30 days from the enactment day to the following:

- 1) *(deleted)*;
- 2) to the Republic Geodetic Authority, i.e. authority competent for registration;
- 3) to the manager of the protected area;
- 4) to the Institute, with purpose of entering into the register of protected natural goods.

Decision on Termination of the Protection

Article 46

If an area has lost values for which it had been protected, the Institute shall propose the adoption of the decision on termination of the protection to the authority that has adopted the decision.

Within six months from the reception of the Institute's proposal, the authority referred to in paragraph 1 of this Article shall adopt the decision on termination of the protection and shall submit it to the Institute in order to provide deletion from the register of protected natural goods.

The decision referred to in paragraph 1 of this Article shall be submitted to the Republic Geodetic Authority, i.e. authority responsible for registration in order to provide for deletion of the entry in land register or property cadastre.

Within one month from the day of adoption of the decision on termination of the protection, the Institute shall delete the protected area from the register of protected natural goods.

Article 47

(Deleted)

2. Strictly Protected and Protected Wild Species

Article 48

On the basis of an estimate of endangerment for certain wild species, and the obligations arising from ratified international agreements, as well as on the basis of the national and international red lists and/or red books and/or other professional documentation, the Minister shall, by mutual agreement with the Minister competent for agriculture, forestry and water management, and at the proposal of the Institute and/or other authorized scientific or expert organisations, declare the wild species as strictly protected wild species or protected wild species.

The Institute shall take care of the species referred to in paragraph 1 of this Article, as well as holders of such species, protected areas managers, public enterprises for forest management, users of hunting and fishing areas who are obliged to plan and implement measures and activities of monitoring and management of strictly protected

and protected wild species populations within the management programmes and plans, in compliance with this and special laws.

The decision referred to in paragraph 1 of this Article shall establish the protection measures for the strictly protected and protected wild plant, animal and fungi species, as well as measures for protecting their habitats.

The decision referred to in paragraph 1 of this Article shall be published in the "Official Gazette of the Republic of Serbia".

3. Mobile Protected Natural Documents

Article 49

Geological, paleontological and biological documents which are endangered within the meaning of this Law, shall be, at the proposal by the Natural History Museum, upon the acquired opinion from the Institute, declared as protected natural goods by the Minister, by mutual consent with the minister competent for protection of cultural goods.

The decision referred to in paragraph 1 of this Article shall be published in the "Official Gazette of the Republic of Serbia".

Register of Protected Natural Goods

Article 50

Protected natural goods shall be registered into the register of protected natural goods.

The register of protected natural goods shall be an electronic database on protected areas, areas under previous protection, protected species and mobile protected natural documents, and shall be maintained as central and provincial ones.

Central register of protected natural goods for the territory of the Republic of Serbia shall be maintained by the Institute for Nature Conservation of Serbia.

Provincial register of protected natural goods for the territory of autonomous province shall be maintained by the Provincial Institute for Nature Conservation, which shall be obligated to submit data on changes in the register to the Institute for Nature Conservation of Serbia within 15 days from the day of change recording, so as to provide for registration in the central register.

The Minister shall prescribe type of data, manner of obtainment, maintenance, protection and use of data from the register of protected natural goods, as well as data from the register which are of public character.

V. MANAGEMENT AND USE OF PROTECTED AREA

Protected Area Management Planning

Article 51

Protection, management, use and improvement of protected areas shall be carried out on the basis of the decision on proclamation of the protected area and the plan for managing the protected area.

Plan for Managing the Protected Area

Article 52

The Manager shall adopt the management plan for the period of ten years.

For certain protected areas, a decision to declare a protected area may envisage that a management plan be adopted for a shorter period of time (individual trees, alleys, etc.).

The management plan shall establish the mode of carrying out protection, using and managing a protected area, guidelines and priorities for protection and conservation of natural values of the protected area, as well as development guidelines, taking into account the needs of the local population.

Legal entities, entrepreneurs and private entities shall be obliged to perform their activities within the protected area in accordance with the management plan.

Before the expiry of the time period designated by the plan, its implementation and the accomplished results shall be analyzed, and it can be revised if necessary.

The report on the accomplishment of the plan shall be delivered in the manner and according to the procedure prescribed for the drafting of the plan.

Contents of the Management Plan

Article 53

The management plan shall contain particularly the following:

- 1) layout of the main natural and created values, as well as natural resources;
- 2) assessment of the state of environment in the protected area;
- 3) overview of particular activities, operations and processes which represent the factor of endangerment for the protected area;
- 4) long-term objectives for protection, conservation and improvement and sustainable development;
- 5) analysis and assessment of conditions for the accomplishment of those objectives;
- 6) priority activities and measures for the protection, maintenance, monitoring of the state and improvement of the natural and created values;
- 7) priority tasks for scientific research and educational work;
- 8) planned activities on the sustainable use of natural values, development and spatial organization;

- 9) spatial identification of planned purposes and the regime for land use;
- 10) activities to promote the value of the protected area;
- 11) study (research), programme, planning and project documentation necessary to carry out the objectives and activities;
- 12) forms of cooperation and partnership with the local population and other owners and users of the property;

13) activities and measures to implement the plan with the progress rate and entities to implement the management plan and a method to evaluate success of its implementation;

14) financial means and other material prerequisites for performance of the conferred tasks related to protected area management and the mode of securing them.

A management plan for a protected area, which is at the same time an ecological network area in accordance with the Law, shall contain all management elements for this part of the ecological network.

Implementation of the Management Plan

Article 54

The Government shall give its consent to the plan for managing the national park, according to the previously acquired opinions from the competent ministries.

The Ministry shall give its consent to the plan for managing the protected area which has been declared through the Government decision, according to the previously acquired opinions of the competent ministries.

The authority competent for the activities of environment protection in the autonomous province, and/or local self-government units, upon previously acquired opinion from the Institute, shall give consent to the plan for managing the protected area which has been proclaimed as such by way of a decision of the competent authority of the autonomous province, and/or the competent authority of the local self-government unit.

The management plans referred to in paragraphs 1, 2 and 3 of this Article shall be achieved through the annual management programmes, which shall be subject to consent by the Ministry, the authority competent for the environment protection activities of the autonomous province, and/or the local self-government units.

By 15 December of the current year, the manager shall submit a report on completion of the previous year's annual programme to the competent authority, by 15 November of the current year the manager shall submit the next year's annual management programme to the competent authority, and, no later than 60 days before the expiry of the plan period he shall submit a report on the completion of the management plan referred to in Article 52 of this Law.

The Manager shall be obliged to inform the public on the proposal of the protected area management plan.

Informing the public shall imply a public display of the proposed plan.

The public display shall be organized and implemented by the Manager of the protected area and shall last for 30 days.

Spatial Plan of Special Purpose Area

Article 55

Organisation, use, spatial planning and building construction in the protected area shall be conducted on the basis of a spatial plan of special purpose area and/or urban planning, in compliance with law.

The plans referred to in paragraph 1 of this Article must be in accordance with the decision on the proclamation of the protected area and plan of the protected area management.

In the procedure of the design of the plans referred to in paragraph 1 of this Article, the competent authority responsible for the design of the plan shall be obliged to obtain the conditions for nature protection, in compliance with Article 9 of this Law.

Rulebook on Interior Order and Guarding Service

Article 56

The Manager shall be obliged to provide interior order and guarding of the protected area in accordance with the rulebook on interior order and guarding, which shall be adopted by the Manager with consent of the competent authorities.

The rulebook referred to in paragraph 1 of this Article, for a national park and protected areas for which the decision on protection has been made by the Government, shall be adopted by the Manager with consent of the Ministry.

The rulebook referred to in paragraph 1 of this Article, for the protected areas for which the decision on protection has been made by the competent authority of the autonomous province or local self-government unit, shall be adopted by the Manager with consent of the competent authority of the autonomous province and/or local self-government unit.

The rulebook referred to in paragraph 1 of this Article shall set forth rules for implementation of the prescribed protection regime, in particular: manner of visitors and other users' behaviour in circulation, stay and performance of activities in protected area; manner of doing business when using natural resources and areas for construction of buildings; places, areas and facilities where circulation is prohibited or restricted so as to enable conservation of wild plants and animals and other values, and where performance of certain activities is restricted, as well as duration of such measures; wild plant and animal species use of which, i.e. picking, collection and hunt of which is restricted, as well as manner and conditions for performance of such activities; conditions for protection in performance of scientific research and educational activities; places and conditions for waste disposal; manner of maintenance of tidiness and cleanliness of protected area; procedure for giving consent and other documents to users by managers; manner and organisation of guarding, guarding of protected area, equipment and means necessary for guarding and maintenance; manner of implementation of preventive measures related to protection against fire, other disasters and accidents.

The decision on proclamation of the protected area shall determine in more detail the contents, way of adoption and publication of the rulebook referred to in paragraph 1 of this Article.

Works and Activities in the Protected Area

Article 57

It shall be prohibited to perform works and activities in the protected area, i.e. implementation of projects which damage, disturb and change characteristics and values for which certain area is protected shall be prohibited.

The Government may, in compliance with law, allow works and activities, i.e. projects in the protected area, especially in the area of energy, transport infrastructure, water management, agriculture, tourism, sport, mining and nature and environmental protection, performance of which has been prohibited by the prescribed protection regimes, if these projects are of general interest and national importance.

For works and activities, i.e. implementation of projects in the protected area,

environmental impact assessment shall be implemented in compliance with law, with obligatory obtainment of the document on conditions and measures for nature protection.

For works and activities, i.e. projects for which environmental impact assessment is implemented, which may affect values and characteristics of protected goods, the contractor, i.e. project proponent shall obtain the document on conditions and measures for nature protection from the Institute, in compliance with this Law.

The project proponent shall notify the protected area manager in written form about the planned works and activities, i.e. implementation of project referred to in this Article, and the protected area manager shall familiarise the project proponent with the options for performance of mentioned works and activities, as well as with further procedure.

Use and Visiting of Protected Areas

Article 58

Protected areas may be used and visited in the manner that will not endanger their values and the implementation of protection.

Use and visiting the protected area shall be permitted to everyone under equivalent conditions in compliance with this Law and the decision on protection of stated protected natural good.

Should use and visiting of the protected area cause danger to its conservation, the use and visiting of the protected area can be prohibited or restricted.

Liabilities of the User or Owner of the Property

Article 59

The owner or the user of the property in the protected area shall be bound to permit access to a particular natural value, for the purpose of satisfying scientific, educational, aesthetic, cultural and recreational needs, in the manner and under the conditions stipulated by the decision on proclamation of the protected area.

Priority Purchase Right

Article 60

The owner of the property within a protected area intending to sell that property shall be obliged to offer the same first to the authority adopting the decision on protection, that is, the Republic of Serbia, autonomous province or local self-government unit in the territory of which the property is located.

The owner of the property within a protected area shall be obliged to quote the price and terms of sale.

The Republic of Serbia, autonomous province or local self-government unit shall be bound to accept or reject the offer within thirty days from the reception of the offer in writing.

Should the offer not be accepted within the specified time limit, the owner may sell the property under the conditions that are equal or more favourable for him than those contained in the offer.

Should the owner sell the property within the protected area failing to previously act in accordance with paragraphs 1 and 4 of this Article, the Republic of Serbia, autonomous province or local self-government unit shall be entitled to bring the legal action requiring the annulment of the sale contract, within ninety days after the conclusion of the contract has been made known to them, but not later than five years after the conclusion of the sales contract.

The procedure for the annulment of the contract pursuant to paragraph 5 of this Article can also be initiated in case of contract being concluded in the form of a donation or price or terms of sale being fictitious, or actual price lower and terms of contract more favourable for the buyer, in relation to the offer referred to in paragraph 1 of the present Article.

Acquisition of Property Right in Protected Areas

Article 61

The ownership of a property in protected areas may be acquired under the conditions laid down by the present Law and other laws.

Foreign legal or private entities may acquire property right to properties in protected areas, in accordance with law.

Expropriation and Restriction of Property Rights

Article 62

For the purpose of implementation of protection and conservation of protected areas, when there is the interest of the Republic of Serbia, a property may be expropriated or property rights and other actual rights to property may be restricted in the protected area.

The procedure of expropriation of property rights shall be conducted pursuant to special regulation.

Compensation for Prohibition or Restriction of Usage Rights

Article 63

A legal entity, entrepreneur or private entity who, due to restrictions and prohibitions under the present Law or decision on protection adopted, has suffered substantial deterioration of existing conditions for generation of income from activities executed at least five years prior to adoption of the decision on the prohibition, that is, restriction of usage, which cannot be compensated for by an authorised activity within the prescribed framework of protection in the protected area, shall be entitled to get compensation for the restrictions and prohibition imposed on him/her.

The entity referred to in paragraph 1 of this Article to whom damage is being made as a result of application of biological-technical protection and regulation aimed at sustainable use of the protected area, shall be entitled to get compensation for damages.

The compensation referred to in paragraphs 1 and 2 of this Article can be disbursed provided that the Ministry, the competent authority of the autonomous province and/or local self-government unit in cooperation with the manager of the protected area, has ascertained that the legal or private entity or entrepreneur implements prescribed measures and conditions for nature protection.

The amount of the compensation shall be established by mutual consent and in case of dispute the amount of the compensation shall be determined by the court of law.

The compensation referred to in paragraphs 1 and 2 of the present Article shall be paid from the budget of the Republic of Serbia, autonomous province or local self-government unit.

Liability for Damage Article 64

The Republic of Serbia shall not be liable for any damage caused by wild species, except in cases determined by this Law or other regulations.

A legal entity, entrepreneur or private entity to whom strictly protected or protected wild species may cause economic or any other damage (hereinafter: the damaged party) shall be obliged to duly and at his/her own expense undertake all authorized actions and activities in order to prevent the occurrence of damage.

Under the action or activity in terms of paragraph 1 of this Article the following shall be understood: fencing, safeguarding of goods and chasing out of strictly protected animal species, from the place wherein directly threaten the goods and in the manner not threatening for the survival of the species.

Should circumstances permit, the opinion of the Institute shall be required for the actions and activities referred to in paragraph 3 of this Article.

Right to Get Compensation for Damage Article 65

The damaged party shall be entitled to get compensation in the amount of actual damage inflicted by strictly protected and protected wild species if she/he has undertaken prescribed works and activities.

The damaged party shall be obliged to notify the Ministry, and/or the competent authority of the autonomous province and/or the manager of the protected area, about the occurrence of the damage without delay, and no later than eight days from the date of the occurrence of damage.

The damaged party and court expert shall establish facts that are important for the establishment of damage occurrence, cause and amount of damages on the spot, and the minutes shall be made.

Actions and activities referred to in Article 64 of this Law, manner of work and acting of court expert on the occasion of determination of damages, amount of compensation and criteria for calculation of damages shall be prescribed by the Minister.

The amount of compensation shall be established by mutual consent between the Ministry and/or the competent authority of the autonomous province and the damaged party, and in case of dispute the court of law shall determine the amount of compensation.

Compensation for Damages Caused by Illicit Action Article 66

Legal entities, entrepreneurs and private entities shall be obliged to compensate for any damage incurred by violations of this Law.

The amount of compensation for damage shall be established by mutual agreement between the Ministry and/or the competent authority of the autonomous province and the party referred to in paragraph 1 of this Article, and in case of dispute the

amount of the compensation shall be determined by the court of law.

The amount of compensation for damage caused by an illicit action in relation to particular specimens of strictly protected and protected wild species shall be determined

on the basis of compensation rates approved by the Minister in agreement with the minister responsible for agriculture, forestry and water management.

Funds raised by compensation for damages referred to in paragraphs 1,2 and 3 of the present Article shall constitute the revenue of the budget of the Republic of Serbia and/or the budget of the autonomous province and shall be used for the conservation and improvement of the protected area.

Protected Area Management

Article 67

Protected areas management shall be the activity of general interest.

Protected area shall be managed by legal entity (hereinafter referred to as: Manager), that fulfills professional, human resource and organizational conditions for the activities of conservation, improvement, promotion of natural and other values and sustainable use of protected area.

By way of exception to paragraph 2 of this Article, the Manager may be an entrepreneur and/or private entity, if protected area has smaller coverage and is mainly privately owned in terms of property.

The Manager shall be designated/appointed by the decision on proclamation. The authority competent for the adoption of the decision on proclamation may establish a public enterprise, public institution or commercial entity for management of one or more protected areas.

Fulfillment of conditions referred to in paragraph 2 of this Article shall be determined by the Ministry, i.e. authority responsible for environmental protection in the autonomous province, i.e. authority responsible for environmental protection in local self-government unit, in the procedure of preparation of proposal decision on proclamation.

The Minister shall prescribe closer conditions referred to in paragraph 2 of this Article.

In order to protect and present natural values of protected area, the Manager, when legal entity, may be granted publically owned properties for use, in compliance with law and regulations that pertain to use of assets owned by the Republic of Serbia and goods of general interest.

Liabilities of the Manager

Article 68

In the management of the protected area, the Manager shall be particularly obliged to:

- 1) guard the protected area and implement the prescribed protection

regimes;

- 2) improve and promote the protected area;
- 3) adopt the management plan and the Rulebook on Interior Order and Guarding, specified by the decision on protection;
- 4) mark the protected area, borders and protection regimes in conformity with a special rulebook on marking;
- 5) provide for free development of natural processes and sustainable use of the protected area;

5a) give consent for scientific research, performance of research activities, film shooting, mounting of temporary buildings on surfaces within the protected area and to give other approvals in compliance with law and rulebook on interior order and guarding service;

6) provide for monitoring of implementation of measures and conditions of nature protection;

7) monitor the movement and activities of visitors and provide trained guides for tourist visits;

8) keep records of natural values and submit the data thereof to the Institute;

9) keep records of human activities, operations and processes that represent the factor of endangerment and damage to the protected area and submit the data thereof to the Institute and the Ministry;

9a) keep records of immovable property with data of importance for protected area management;

10) prevent all activities and operations non-complying with the decision on protection and representing the factor of endangerment and devastation of the protected area, in cooperation with state and regional inspection and security officers;

11) adopt a rulebook on charges;

12) perform other activities specified by the law and decision on protection.

If the Manager, performing his/her duties re and 6) of this Article, establishes that offence has been committed or that there is reasonable doubt that criminal act or economic offence has been committed, he/she shall be authorized and obligated to file appropriate report or request for initiation of offence proceedings.

In order to inform, provide assistance and control visitors and collection of charges for use of motor vehicle in protected area, an entrance station may be established on the public road passing through the protected area, provided with appropriate facilities, equipment and staff, based on the spatial, i.e. urban development plan and protected area management plan, with the consent given by the public road manager.

The entrance station may have facilities, assets, equipment and personnel for maintenance of the public road and traffic safety.

When charges are collected at the entrance station, the protected area manager shall organise the collection so as to enable smooth passage of vehicles, with as few blocks as possible, in compliance with traffic-technical conditions, as established by the public road manager in the procedure of consent giving.

Should it be established during the procedure of work supervision by inspection of competent authorities that the manager fails to carry out the responsibilities stipulated by the decision on protection, the management of the protected area shall be assigned to another manager.

The Minister shall prescribe the manner of protected area marking referred to in paragraph 1, point 4) of this Article.

Financing of the Protected Area

Article 69

The funds for financing of the protected area shall be provided from:

- 1) The budget of the Republic of Serbia, autonomous province, i.e. local self-government unit;
- 2) Means of the Green Fund of the Republic of Serbia;
- 3) Charges for the protected area use;
- 4) Revenues from activities and management of the protected area;
- 5) Revenues for the implementation of programs, plans and projects in the field of nature protection;
- 6) Donations, gifts and aids;
- 7) Other sources in compliance with law.

The funds referred to in paragraph 1 of this Article may be used for purposes defined by this and other law.

The budget funds referred to in paragraph 1, point 1) of this Article shall be primarily used for financing of works and other costs pertaining to:

- 1) Guarding, maintenance and presentation of protected areas (establishment, equipping and training of guarding services, marking, maintenance of interior order, media and other public presentation of values, rehabilitation of degraded areas, waste management, information system development, etc.);
- 2) Visitors management (construction of entrance stations, educational and visitors centres, printing of materials intended for visitors, etc.);
- 3) Regulation of ownership-legal relations (purchase or change of land, charges for owners and users of immovable property for deprivation and restriction of utilization rights, the damages or other costs they suffered in relation to protection);
- 4) Monitoring and development of protected area status (monitoring, reintroduction, recultivation, etc.);
- 5) Spatial organization and sustainable use of natural resources (programmes, plans and projects for development of eco-tourism, organic agriculture, etc.).

Charges for the Use of the Protected Area

Article 70

Charges shall be paid to the Manager for use of protected area.

The Manager may prescribe and collect the charges referred to in paragraph 1 of this Article for the following:

- 1) Activities in the area of tourism, catering, trade, services, craftsmanship, industry, mining, energy, water management, civil engineering, transport, telecommunication, use of wild flora and fauna;
- 2) Holiday houses and other non-commercial facilities for rest in nature;

- 3) Motor vehicles in use in the protected area;
- 4) Touristic, recreational, sports and other manifestations and activities, advertisements, commercial film, photo and audio recordings;
- 5) Use of services, regulated fields, facilities and other property of the Manager and name and logo of the protected area;
- 6) Visit to the protected area, parts and facilities thereof.

The obligated entity shall be a user of the protected area, i.e. legal entity, entrepreneur or private entity who, with regard to the charge subject referred to in paragraph 2 of this Article, performs activities or has property and other possessions in the protected area, uses services and property of the Manager, visits the protected area for holiday, sport, recreation and similar needs, and otherwise uses its values and advantages.

The Manager shall prescribe the amount of charges depending on:

- 1) Degree of use of the protected area;
- 2) Degree of damages made to the protected area;
- 3) Degree of increased Manager's obligations in maintenance of tidiness and cleanliness, guarding and other activities related to conservation, improvement, presentation and development of the protected area;
- 4) Advantages and uses provided by the protected area for performance of allowed business and activities.

The Manager may prescribe reduction or relieve from payment for one or more subjects to the charge referred to in paragraph 2 of this Article, primarily for the following:

- 1) Residents and permanently employed, private entities who perform activities or official duties in the protected area, disabled persons and persons with special needs, children, pensioners, etc.;
- 2) Users whose activities directly contribute to improvement of the status, presentation and promotion of values in the protected area;
- 3) Users who suffered from natural disaster or other reasons which resulted in circumstances which significantly complicate working and business conditions.

The Government shall prescribe joint elements for determination of charges for use of the protected area, especially closer subject, bases, highest amounts and manner of calculation and collection of the charge referred to in paragraph 2, points 1), 2) and 3) of this Article, manner of calculation and collection of the charge for visit to the protected area referred to in paragraph 2, point 6) of this Article, closer criteria for determination of the amount for the charge referred to in paragraph 4 of this Article and closer conditions for reduction or relieve from payment referred to in paragraph 5 of this Article.

The Manager's decision which determines the amount, manner of calculation and payment of charges for use of protected area shall be approved by the Ministry for the National Park and protected area proclaimed on the basis of the Government's decision,

while the authority responsible for environmental protection in the autonomous province, i.e. authority responsible for environmental protection in local self-government unit shall adopt the Manager's decision for the protected area proclaimed on the basis of the decision made by the competent authority of autonomous province, i.e. by the competent authority of local self-government unit.

The Manager shall keep the funds collected from charges referred to in paragraph 1 of this Article at the special account and shall use those funds for

protection, development and improvement of the protected area, i.e. for the implementation of management programme and plan.

With regard to payment of charges referred to in paragraph 2, points 1) and 2) of this Article, interest for delay in payment, forced collection and everything else that has not been prescribed by this Law, provision of the law that regulates tax procedure and tax administration shall be applied accordingly.

VI PROTECTION AND CONSERVATION OF WILD SPECIES

Protection and Conservation of Wild Species

Article 71

Prevention of all activities that contribute to disturbance of favourable state of wild species populations, destruction or damage to their habitats, nests, litters or disruption of their life cycle and/or favourable state, shall be deemed as protection and conservation of wild species.

The favourable state of wild species shall be provided by the protection of their habitats and protection measures for particular species in compliance with this Law.

Protection of Wild Species Habitats

Article 72

During the execution of works and activities in nature and use of natural values in the wild species habitats, measures, methods and technical means that contribute to the conservation of favourable state of species and/or do not endanger wild species and/or disturb the habitats of their populations shall be applied, or these works and activities may be restricted in the period overlapping with significant stages of the life cycle of the species.

The conservation of wild species and their habitats referred to in paragraph 1 of this Article shall make an integrated part of the measures and conditions for nature protection referred to in Article 9 of this Law.

Strictly Protected Wild Species

Article 73

Strictly protected wild species can be protected in the entire territory of the Republic of Serbia, or in individual parts thereof.

If an area is the temporary habitat of a strictly protected wild species and its protection cannot be provided in some other way, the Ministry can, by a special decision, with prior opinion of the ministry responsible for agriculture and forestry, declare that area or the part thereof is temporarily protected as long as the need for protection exists.

Measures for Protection of Strictly Protected Wild Species

Article 74

It shall be prohibited to use, destroy, and execute other activities that could endanger strictly protected wild plant, animal including birds and fungi species and their habitats.

Pursuant to paragraph 1 of this Article, it shall be prohibited to:

1) destroy specimens of plant and fungi species and the development forms thereof by picking, collecting, cutting, or digging and uprooting in all stages of the biological cycle, and to endanger or destroy their habitats;

2) keep and trade in strictly protected plant and fungi species growing in the wild and their development forms thereof;

3) capture, keep and/or kill strictly protected wild animal species in all stages of the biological cycle, damage or destroy the development forms thereof, eggs, nests and litters, as well as the area of their breeding sites and resting places and to endanger or destroy their habitats;

4) significantly disturb these species, particularly during the period of breeding, rearing, hibernation and migration;

5) cut off migratory routes;

6) hide, keep, breed, trade in, export, transport and offer for sale or exchange or in any other way acquire or publicly expose animal species including all their derivatives and development forms.

The detailed conditions and protection measures for strictly protected wild species and measures for the protection of their habitats shall be specified by the decision referred to in Article 48 of this Law.

Permitted Activities with Strictly Protected Wild Species

Article 75

Notwithstanding the provisions of Article 74 of this Law, when there is no other satisfactory solution and the exemption is not damaging the survival of populations of strictly protected wild species at a favourable conservation status in their natural habitat, i.e. when there is no other satisfactory solution for wild bird species, the Ministry may allow activities that aim at:

1) research and education, recolonization, (repopulation), reintroduction and breeding operations in *in-situ* and *ex-situ* conditions;

2) prevention of serious damage to crops, livestock, forests, fishponds and water and other forms of property;

3) protection of public health and public safety and in case of birds the air safety as well, or for other reasons of predominant public interest, including reasons of social and economic nature and beneficial consequences of primary importance for the environment;

4) protection of wild plant and animal species and conservation of wild habitats;

5) allowing, under strictly controlled conditions and under limited scope, taking or keeping of certain specimens in limited quantity.

A permit for the situation referred to in paragraph 1 of this Article shall be issued by the Ministry upon previously obtained opinion of the Institute.

An application for the permit referred to in paragraph 2 of this Article shall contain scientific name of the species, reasons, purpose and aim of the use, i.e. performance of activities, elaboration/study on the manner, place, time, useful or harmful consequences and other proofs and relevant facts of importance for the specific case.

The permit referred to in paragraph 2 of this Article shall be issued by virtue of a decision.

The Ministry shall keep records of the issued permits referred to in paragraph 2 of this Article.

No claims shall be permitted against the decision referred to in paragraph 4, but an administrative dispute may be initiated.

Protected Wild Species

Article 76

Protected wild species can be protected in the entire territory of the Republic of Serbia, or in individual parts thereof.

The management of populations of protected wild species that is not regulated by rules concerning hunting and fisheries shall be implemented on the basis of a permit issued by the Ministry in accordance with law.

Protected wild species of fungi, lichen, plants, animals or their parts, can be collected for the purpose of processing, trading, transboundary trade, as well as cultivation and rearing, on the basis of a permit issued by the Ministry in accordance with law.

The detailed conditions and protection measures for protected wild species and measures for the protection of their habitats shall be specified by the decision referred to in Article 48 of this Law.

Permits referred to in paragraphs 2 and 4 of this Article shall be issued by the Ministry upon previously obtained opinion of the Institute.

Permits referred to in paragraph 2 and 4 of this Article shall be issued in the form of a decision and shall contain: name of the species, purpose and objective of population management, i.e. activities, place of activity performance, validity period of the permit, manner and conditions under which activities can be performed as well as the manner of delivering reports on the activities performed.

No claims shall be permitted against the decision referred to in paragraph 6 of this Article, but an administrative dispute may be initiated.

The Way of Use of Protected Wild Species

Article 77

The use and collecting of protected wild species shall be allowed exclusively in the way that does not endanger favourable status of the population.

The Minister shall prescribe in more detail the conditions and measures for the protection of protected wild species including the following:

- 1) Prohibition of use in terms of time;
- 2) Quantitative and qualitative restrictions in their use;
- 3) Prohibition of use in terms of space aiming at recovery of population to a

satisfactory level.

The institute shall register the manner and scope of usage of protected wild species for the purpose of determination and follow-up of population status including wild species whose usage is regulated by the Law on Hunting and the Law on Fishery.

Should it be established that due to usage a protected wild species is endangered, the Minister can prohibit or restrict the use of that species, previously acquiring the opinion of the Institute.

Permit to Research Strictly Protected and Protected Wild Species
Article 78

For the research of strictly protected and protected wild species that is performed by methods that could endanger the species (such as capturing, collecting, marking, sampling, etc.) the Ministry shall issue a permit for scientific-research and educational purposes, by way of a decision and with previously obtained opinion of the Institute.

Permitted activities referred to in paragraph 1 of this Article shall be performed in the protected area in compliance with the decision on interior order and guarding service.

The research reports referred to in paragraph 1 of this Article shall be submitted to the Ministry, the Institute and the manager of the protected area by the end of the calendar year.

Taking out of specimens of strictly protected and protected wild species referred to in paragraph 1 of this Article for scientific and research purposes shall be carried out on the basis of a permit issued by the Ministry, in accordance with Article 94 of this Law.

No claims shall be permitted against the decision referred to in paragraph 1, but an administrative dispute may be initiated.

Prohibited Means for Capturing and Killing of Wild Animals **Article 79**

The use of certain means for capturing and killing of wild animals, that endanger or disturb their populations and/or habitats, affect their welfare, and that can cause their local disappearance shall be prohibited.

The prohibited means shall be considered the following in particular:

- 1) Traps;
- 2) Adhesives;
- 3) Chemical means like attractants;
- 4) Live animals used as decoys in hunting of birds and game;
- 5) Crossbows, bows, arrows and/or other weapon with strings, that can fling an arrow or other projectile by pulling the string or some other elastic;
- 6) Bird hunting with nets;
- 7) Lethal or stunning electrical devices;
- 8) Luminous devices;
- 9) Mirrors and other dazzling devices;
- 10) Sound transmitters (tape recorders, cassette recorders, audio recorders and players etc.) that emit sound of calling, crying or responding;
- 11) Devices for illuminating targets;
- 12) Sighting devices for night shooting comprising an electronic image magnifier or image converter;
- 13) Explosives;
- 14) Poisons or anaesthetic baits;
- 15) Automatic weapons;
- 16) Aircrafts;
- 17) Motor-driven vehicles in motion used to hunt animals;

18) Other devices specified by other law and ratified international agreements.

Certain means referred to in paragraph 2 of this Article can be used exceptionally and restrictively for scientific and research purposes, aimed at implementation of reintroduction programme, parenting, monitoring of species, relocation of animals, implementation of protection and conservation programs, and other cases in accordance with special law.

The permit to use the means referred to in paragraph 3 of this Article shall be issued by the Ministry, by virtue of a decision, with the prior opinion of other competent authorities.

No claims shall be permitted against the decision referred to in paragraph 4, but an administrative dispute may be initiated.

Measures for Protection of Migratory Species Article 80

Public roads and other traffic routes, telecommunication and electric systems, waterworks and other buildings whose construction cuts off usual corridors for daily and seasonal migration of wild animals, causes habitat fragmentation or in some other way disturbs their normal life cycle, shall be constructed so as to reduce negative impacts with the application of special construction and technical solutions on the buildings and around them, during the periods of both construction and exploitation.

Special technological solutions enabling free and secure communication of wild animals (ecological bridges, passages and viaducts, tunnels, permeable tubes, pitches, secure and orientation objects, fish paths and lifts etc.) as well as protection measures and the methods of maintaining technological solutions shall be prescribed by the Minister with previous consent of the minister in charge of transport, mining and energy, agriculture, forestry and water management.

Measures for Protection of Birds and Bats Article 81

Towers and technical components of medium and high voltage ducts shall be so executed as to protect birds and bats against the electric shock and mechanical injury.

Locations of wind powered generators (windmills) shall be so determined as to avoid important habitats and migration routes thereof.

The provision of paragraph 1 of the present Article does not apply to railway overhead contact lines.

In construction of high facilities (wind generators, masts, towers, bridges etc.) in the vicinity of ecologically important areas, it shall be necessary to apply technical-technological measures, implying, first of all, lighting of facilities, to avoid adverse effects of such facilities.

Usage of strong light sources (advertising rotating reflectors, lasers and the like) pointed towards the sky shall not be allowed, unless when used for safety and air traffic control purposes.

Introduction of Allochthonous Wild Species into the Wild

Article 82

Introduction of allochthonous wild species and hybrids thereof into the wild on the territory of the Republic of Serbia shall be prohibited.

By way of exception, the introduction referred to in paragraph 1 of the present Article shall be permitted if scientifically and professionally proven and acceptable from the aspect of nature protection and sustainable management, that is, if such introduction

does not endanger populations or natural habitat of autochthonous wild species.

The Ministry shall issue the permit referred to in paragraph 2 of this Article based on the acceptability study, upon previously obtained opinion of the Institute and the nature impact assessment study, with approval of the Ministry in charge of agriculture, forestry and water management.

Introduction of allochthonous wild species in controlled conditions shall be possible based on the permit issued by the Ministry by way of a decision, upon obtaining an opinion from the Institute or other authorized scientific and expert organization, expressing that there is no danger for autochthonous species in case of accidental or intentional escape of specimens into the wild in the Republic of Serbia.

Allochthonous wild species that by introduction and/or spreading endanger other species and overall biodiversity on the territory of the Republic of Serbia shall be declared as invasive by the Ministry, based on acknowledged international criteria, scientific findings and obligations arising from international agreements and international documents, as per proposal of authorized scientific and expert organizations, upon previously obtained opinion of the ministry responsible for agriculture, forestry and water management.

The document referred to in paragraph 5 of this Article shall stipulate actions to control and combat invasive species.

Unintentional Introduction of Allochthonous Wild Species

Article 83

In the event of unintentional introduction of allochthonous wild species and hybrids thereof into the wild on the territory of the Republic of Serbia, or if there is a reasonable doubt that such introduction will occur, the Minister shall stipulate actions to exterminate or prevent further spread of introduced allochthonous wild species and hybrids thereof.

Relocation of Live Specimens of Autochthonous Wild Species

Article 84

Relocation of live specimens of autochthonous wild species into the wild on the territory of the Republic of Serbia can be carried out based on researches and planning documents, in accordance with this and other laws.

The relocation referred to in the preceding paragraph can be carried out provided that research findings show that such action does not in any way endanger the favourable status of the species populations, i.e. welfare of animals, and in case of accidental occurrences (floods, fires, droughts, etc.).

Relocation of live specimens of autochthonous wild species into the wild shall be approved by the Ministry upon obtaining the opinion of the Institute.

Reintroduction of Wild Species

Article 85

Reintroduction of wild species into the wild on the territory of the Republic of Serbia can be carried out based on research, reintroduction programme and permit.

Feasibility Study and Environmental Impact Assessment Study should be done prior to any reintroduction.

Scope and contents of the studies referred to in paragraph 2 of the present Article shall be determined by the Ministry upon the proposal of the Institute.

Reintroduction of wild species can be carried out provided that research findings show that such action contributes to the favourable status of the species.

The permit referred to in paragraph 1 of the present Article shall be issued by the Ministry by way of a decision, upon previously obtained opinion of the Institute and the ministry responsible for agriculture and forestry.

No claims shall be permitted against the decision referred to in paragraph 5, but an administrative dispute may be initiated.

Conditions for Keeping and Marking Live Specimens of Wild Animal Species in Captivity

Article 86

Live specimens of wild animal species may be kept in captivity only if they are provided with living conditions in accordance with the law, well suited for the type, breed, gender, age, physical and biological specificities and ethological needs of the species.

Keeping live specimens of wild animal species in inappropriate conditions shall be prohibited.

Specimens of wild animal species referred to in paragraph 1 of this Article must be marked in the prescribed manner.

The Minister shall prescribe conditions that must be fulfilled by zoos and other facilities and/or spaces for keeping animals in the sense of paragraph 1 of this Article, the conditions for keeping, prohibition or restriction on keeping certain species, training and educational programmes and the manner of marking and recording specimens of wild animal species referred to in paragraph 1 of this Article.

Keeping live specimens of the wild animal species stipulated within a regulation referred to in paragraph 4 of this Article in captivity shall be prohibited, unless:

1) they are kept in suitable facilities within a zoo, rescue center and scientific institutions or other scientific organisations for the purpose of biomedical research or scientific research with the aim of species conservation;

2) they are kept in other facilities, when temporarily held for treatment, recovery and return to the wild and/or, when the objective is the welfare of animals, the specimens are kept under the prescribed conditions, given appropriate veterinary care and represent no danger for the health and safety of people and the environment.

A legal person, entrepreneur or natural person owning live specimens of wild animal species whose keeping is prohibited or restricted in accordance with this Law shall be obliged to report the specimens to the Ministry.

By way of a decision, the Ministry shall prohibit the trade, change in ownership, further reproduction of reported specimens and obtaining new specimens of wild animal species whose keeping is prohibited or restricted in accordance with this Law, to the persons referred to in paragraph 6 of this Article, except in cases to which the exception referred to in paragraph 5 of this Article applies.

Based on the decree referred to in paragraph 7 of this Article, the Ministry shall keep a register of legal persons, entrepreneurs and natural persons referred to in paragraph 6 of this Article.

The decree referred to in paragraph 7 of this Article is final and an administrative dispute may be filed against it.

Zoo

Article 86a

A legal person keeping wild animals within a zoo shall submit to the Ministry an application for a zoo licence.

The zoo licence is issued for a period of five years.

The licence referred to in paragraph 1 of this Article shall be issued provided that all conditions for keeping wild animals in the zoo are met in accordance with a regulation referred to in Article 86, paragraph 4 of this Law.

Six months before the expiry of the time-limit referred to in paragraph 2 of this Article, an application for the renewal of the licence shall be submitted in accordance with this Law.

The following documentation shall be submitted with the application for the licence, containing in particular:

- 1) the species and number of animals;
- 2) a detailed plan of facilities and spaces for keeping animals;
- 3) other evidence and documentation prescribed in accordance with this Law.

The Ministry shall evaluate the fulfilment of conditions for granting a licence on the basis of the submitted application and findings of the relevant inspection.

If a regular or extraordinary inspection determines that a zoo or part thereof does not fulfill the conditions for granting the licence, i.e. the conditions imposed by the licence issued or revised licence, the Ministry shall close:

- 1) to the public the part of the zoo that fails to fulfill conditions, or
- 2) to the public the whole zoo and revoke the licence.

By way of a decision, the Ministry may temporarily permit the operation of a zoo that was established or existed before the entry into force of this law and shall mandatorily prescribe the time limit, of maximum two years, for fulfillment of all conditions for obtaining a permit.

The licence conditions may be changed during the validity of the licence if:

- 1) there is a risk of damage or a damage to human health or the environment has occurred, if the law or other legislative act has been changed;

2) conditions related to occupational safety require a revision, i.e. modification of the licence.

The Ministry shall, ex officio, modify the licence conditions, i.e. perform the licence revision referred to in paragraph 9, points 1 and 2.

The Minister shall closely prescribe the content of the application, the documentation to be submitted with the application and the application form for the zoo licence.

Origin of Specimens of Strictly Protected and Protected Wild

Species

Article 87

Legal persons, entrepreneurs and natural persons keeping specimens of strictly protected and protected wild species shall keep evidence confirming that these are:

- (1) lawfully imported specimens;
- (2) lawfully acquired specimens before the species was protected by the Law;
- (3) specimens originating from breeding in accordance with this Law;
- (4) specimens or their offspring, that were in accordance with this Law reported to the Ministry by 1 June 2011.

The permits and certificates issued in accordance with this Law, the regulations adopted based on this Law or in accordance with the Law on the Ratification of the Convention on International Trade in Endangered Species of Wild Fauna and Flora („Official Gazette of FRY – International Agreements“, No. 11/01 - hereinafter: CITES Convention), as well as other substantiated evidence based on which the Ministry can determine the lawful acquisition of specimens, including the results of laboratory and other technical analysis carried out by institutions designated by the Ministry for determining the origin of specimens, shall be deemed proof of origin referred to in paragraph 1 of this Article.

For specimens referred to in paragraph 1, point 4 of this Article which their owners reported by 1 June 2011 without providing substantiated proof of origin, during the process of issuing certificates based on regulations governing transboundary movement and trade in protected species, the statements on origin of specimen shall be taken into consideration as proof of origin.

Based on opinions from authorised scientific or expert organisations, the Ministry shall authorise or reject certificate request applications based on regulations governing transboundary movement and trade in protected species .

Legal persons, entrepreneurs or natural persons owning dead specimens, parts and derivatives of certain animal species protected under the CITES convention shall notify the Ministry of the possession of these specimens in order to obtain the certificate referred to in paragraph 2 of this Article.

When legal persons, entrepreneurs or natural persons inherit a specimen of strictly protected or protected wild species they shall without delay notify the Ministry and obtain the appropriate certificate.

The Minister shall prescribe the conditions and manner of treating the specimens referred to in paragraph 3 of this Article and their offspring, manner of notification, species that should be notified, conditions and manner of treating dead specimens, parts and derivatives referred to in paragraph 5 of this Article.

Registering possession of specimens of strictly protected and protected wild animal species

Article 88

A legal person, entrepreneur or natural person keeping a specimen of strictly protected or protected wild species in captivity shall submit an application to the Ministry for a certificate, in accordance with the regulation governing transboundary movement and trade in wild flora and fauna species, except in cases when for the concerned species there is already a valid certificate issued by the ministry or when an exemption has been stipulated.

The certificate referred to in paragraph 1 of this Article shall be issued if the applicant proves that the conditions imposed by this Law and the regulation on transboundary movement and trade in wild flora and fauna species have been met.

The Ministry shall keep a register of specimens of strictly protected and protected wild animal species for which the certificates referred to in paragraph 1 of this Article have been issued.

Breeding of strictly protected and protected wild species

Article 89

A legal person, entrepreneur or natural person who intends to breed or artificially propagate specimens of strictly protected or protected wild species shall obtain a licence in accordance with this Law.

The Ministry shall prohibit the breeding if, on the basis of an opinion from a scientific or expert organisation, it establishes that breeding or artificial propagation of the strictly protected or protected wild species represents a danger to human health, welfare of animals or the environment.

If, during the validity of the license referred to in paragraph 1 of this Article, an inspection procedure in accordance with this Law determines that breeding or artificial propagation are performed contrary to conditions based on which the license was issued, the Ministry shall revoke the license.

The owner of specimens of strictly protected or protected wild animal species referred to in paragraph 1 of this Article shall ensure that those specimens do not escape into the wild and shall be responsible for damages caused by those animals if they escape.

Breeding places of specimens of strictly protected or protected wild species, in accordance with the CITES convention, can apply for permits for transboundary trade of these specimens for commercial purposes, only if the breeding place was registered with the CITES Secretariat.

Trade in strictly protected and protected wild animal species

Article 90

A legal person, entrepreneur or natural person engaged in trade in specimens of strictly protected, i.e. protected wild animal species shall keep live animals in accordance with Article 86 of this Law, shall treat specimens in accordance with Article 87 of this Law and shall conduct trade in accordance with regulation governing transboundary movement and trade in specimens of wild species.

The trade referred to in paragraph 1 of this Article shall cover the sale and purchase, acquisition for commercial purposes, presentation to the public for profit, use with the aim of acquiring profit, keeping for sale, offering for sale, requesting for purchase or transport for sale, rent, exchange or any other form of change in ownership.

When performing trade in specimens of strictly protected or protected wild animal species, the seller, i.e. owner shall provide the new owner with the proof of origin in accordance with Article 87 of this Law.

Certificates and other documents issued on the basis of this Law for the purpose of trade in strictly protected or protected wild animal species shall be used only for the specimens to which they relate.

Taking care of live specimens of wild animal species

Article 91

For the purpose of temporary and/or permanent care of live specimens of wild animal species, the Ministry shall establish rescue centers, zoos or other legal or natural persons.

The Minister, in consent with the minister responsible for veterinary activities, shall stipulate conditions to be met by the rescue centers referred to in paragraph 1 of the present Article.

The rescue center referred to in this Article shall be obliged to obtain an operating licence issued by the Ministry by virtue of a decision.

No claims shall be permitted against the decision referred to in paragraph 3 of this Article, but an administrative dispute may be initiated.

Financial means for the care of specimens of wild animal species shall be provided through:

- 1) the budget of the Republic of Serbia, autonomous province, i.e. local government unit;

- 2) funds of the Green Fund of the Republic of Serbia;
- 3) other sources in accordance with the law.

Handling of temporarily kept, temporarily confiscated, permanently confiscated and abandoned specimens of strictly protected, protected and allochthonous wild species

Article 92

Specimens of strictly protected, protected and allochthonous wild species that are handled contrary to provisions of this Law shall be confiscated in accordance with this Law and a notice of confiscation containing data on the confiscated specimens shall be issued.

The Ministry shall decide how the temporarily kept, temporarily confiscated, permanently confiscated and abandoned specimens of strictly protected, protected and allochthonous wild species are handled, in accordance with the regulation on transboundary movement and trade in wild flora and fauna species.

The temporarily kept, temporarily confiscated, permanently confiscated and abandoned live specimens are taken for further care by an authorized person from the Ministry, an inspector competent for environmental issues (hereinafter: inspector), an authorized scientific or expert organisation or a zoo, i.e. rescue center determined by the Ministry, if the authority that carried out the confiscation or seizure thereof is not able to transport them to a place of care.

The costs of taxonomic determination of species and/or identifying the species from which a part or derivative originates, of sampling, analysis, unharmed removal, transport, treatment, care, return into the wild and taking care of the confiscated specimens referred to in paragraph 1 of this Article, shall be borne by the legal person, entrepreneur or natural person from whom the specimens were confiscated.

In case transboundary movement is performed contrary to regulations and the consignee was not identified, all costs referred to in paragraph 5 of this Article shall be borne by the sender, carrier or ordering party, i.e. the state if the above persons are not identified.

The total amount of costs shall be determined by the Ministry based on reports on resources spent for the purpose of taking care of the specimens.

Reimbursement of costs is executed on the basis of a final court decision.

Mutual rights and obligations in connection with the provision of care services for confiscated specimens shall be regulated by an agreement concluded between the Ministry and the legal or natural person authorized to take care of the specimens.

The Minister shall prescribe the list of expenditures associated with the care of confiscated specimens of strictly protected, protected and allochthonous wild species.

Treatment of found specimens of strictly protected and protected wild animal species

Article 93

A person who finds a specimen of a strictly protected or protected wild animal species shall immediately notify the Ministry and the Institute of:

- (1) dead specimens found,
- (2) live specimens that are sick, injured or unable to survive in the wild by themselves.

The Ministry may establish a special team of experts - natural and/or legal persons for cases requiring intervention on living specimens of wild animals in the wilderness or in captivity.

Mutual rights and obligations shall be regulated by an agreement concluded between the Ministry and the persons referred to in paragraph 2 of this Article.

The Ministry or the Institute shall direct the specimens referred to in paragraph 1 point 2 of this Article, for treatment and recovery, to temporary care and after the recovery, if assessed that they are able to survive by themselves, the specimens shall be released back into their natural habitat.

Justifiable expenses for transport, care and treatment of animals shall be borne by the Ministry.

All specimens of strictly protected and protected wild animal species referred to in paragraph 1 of this Article shall be marked in a prescribed manner.

Killed specimens, or specimens that died otherwise, of strictly protected wild species found within the territory of the Republic of Serbia shall be handed over to the closest veterinary organisation, or other institution determined by the Ministry, for determining the cause of death.

Expenses for sample analysis and diagnostics for determining the cause of death of the specimens referred to in paragraph 7 of this Article shall be borne by the Ministry.

Dead specimens referred to in paragraph 1 of this Article shall be handed over to an authorized scientific or expert organisation for taxidermy, conservation and keeping by which they become protected movable natural resources as part of the biological heritage, which also have scientific, educational and cultural importance, when such handling does not pose danger for human health.

The authorised scientific or expert organisation that takes over the dead specimens referred to in paragraph 7 of this Article shall keep a register of those specimens and shall submit data from the register to the Ministry and the Institute.

Transboundary movement, trade in and breeding of strictly protected, protected and allochthonous wild species

Article 94

Based on the opinion of an authorized scientific or expert organisation, the Ministry shall issue permits and other documents (certificates, opinions, notifications etc.) authorizing the import, export, introduction and re-export of specimens of wild species and their parts and derivatives protected under the Law and ratified international agreements, and the import of live specimens of allochthonous wild species that are not protected.

The permit, i.e. certificate referred to in paragraph 1 of this Article shall be issued provided that:

- (1) the right to use a specimen of wild species of animal, fungi and plant was acquired in accordance with the law;
- (2) the animals or consignment are marked in a prescribed manner;
- (3) during transport, all measures for the welfare of animals have been taken;
- (4) other conditions imposed in accordance with this Law have been fulfilled.

Based on judgements sanctioning offences related to transboundary movement of wild species that are timely delivered to the Ministry by the relevant courts, the Ministry may reject an application for a permit and/or certificate submitted by persons punished for illegal transboundary movement of specimens of strictly protected or protected wild species:

- 1) for economic offence, i.e. infringement in a period of six months to two years from the final court decision; or
- 2) for criminal offence in a period of two to five years from the final court decision.

Transboundary movement of specimens of wild species shall be prohibited in case:

- (1) transboundary movement, including dispatch, transport and transit is performed without a permit or certificate;
- (2) it is performed contrary to the issued permit or certificate, or the permit or certificate is used for a specimen other than the one for which it was issued;
- (3) the permit or certificate used was invalidated or its validity has expired;
- (4) a false or falsified permit or certificate, including a document with unauthorized modifications is used.

The Ministry may declare the issued permits and certificates void or prohibit the issuance of permits and certificates during the year following the day a permit was invalidated.

The Ministry shall declare a permit or certificate void if:

- (1) after issuing the permit or certificate, the export, import or transit cannot be performed in accordance with the conditions stated in the certificate or permit due to unpredicted circumstances;
- (2) it is subsequently established that the decision to issue a permit or certificate was adopted on the basis of inaccurate data, falsified documents or documents with unauthorized modifications.

The Ministry shall not issue a permit or certificate to a person whose permit or certificate was declared void due to circumstances referred to in paragraph 6, point 2 of this Article while having been aware of the data accuracy, during a period of 12 months following the day a permit or certificate has been declared void.

Every consignment of strictly protected, protected and allochthonous wild species must be accompanied by an original permit or certificate.

During import, export, introduction, re-export and transit, live animals must be transported and kept in a manner that is not at all harmful or damaging to their health, nor should they be treated inhumanely, in accordance with special regulations.

The Minister may prohibit or restrict the import of certain allochthonous wild species on the basis of the opinion of an authorized scientific or expert organisation in accordance with imposed conditions and in particular if:

- (1) the import represents a danger for the autochthonous species or the health or safety of people;
- (2) the level of trade may endanger the survival of the population of given wild species in the wild;
- (3) the percentage of specimens of the wild species dying during transport is too high.

In accordance with ratified international agreements and with the aim of protecting the wild species referred to in paragraph 1 of this Article, the Minister shall prescribe:

- (1) conditions under which the import, export, introduction, re-export or transit, trade in and breeding of wild species referred to in paragraph 1 of this Article may be performed;
- (2) the issuance of permits and other documents (certificates, opinions and notifications, etc.);
- (3) lists of wild species, their parts and derivatives subject to permits, i.e. other documents;
- (4) wild species, their parts and derivatives whose import, i.e. export is prohibited, limited or suspended;
- (5) exemptions from issuance of permits and other documents;
- (6) the content, appearance and manner of maintaining the register of permits and other documents issued;
- (7) the manner of marking animals or consignments;
- (8) the manner of handling confiscated specimens;
- (9) the manner of conducting supervision and keeping records;
- (10) preparation of reports, etc.

No claims shall be permitted against the decision referred to in paragraph 1, but an administrative dispute may be initiated.

Notification of transboundary movement of strictly protected, protected and allochthonous wild species

Article 95

Transboundary movement of specimens of strictly protected or protected wild species, their parts and derivatives and the import or introduction of live specimens of allochthonous wild species must be notified to the customs service in accordance with provisions of this Law and other regulations.

An importer or exporter of specimens as well as a natural person who introduces or re-exports the specimens referred to in paragraph 1 of this Article shall notify the Ministry of the expected time of arrival or dispatch 48 hours before performing the import or export if this condition is stated in the permit or document referred to in Article 94, paragraph 1 of this Law.

A veterinary medical examination and phytosanitary examination of the consignments referred to in paragraph 1 of this Article, under the competence of the border veterinary and phytosanitary inspection, is performed in accordance with special regulations.

Border crossings where the import, export, introduction, re-export or transit of strictly protected or protected wild species, their parts or derivatives may be performed as well as conditions regarding their equipment and training for performing these activities shall be prescribed by the Minister.

At the border crossings, the Ministry shall make available to the public the information related to conditions and manner of conducting transboundary movement of strictly protected or protected wild species.

If the transboundary movement of specimens of strictly protected, protected or allochthonous wild species is performed contrary to the prescribed conditions, the specimens shall be temporarily kept by the customs authority and confiscated by the relevant inspector in accordance with Article 92 of this Law.

Obligations of the Customs Service

Article 96

The customs authority shall, within the limits of its competences, control the import, introduction, export, re-export and transit of specimens within the meaning of this Law.

The customs authority shall particularly check if valid permits, certificates or other documents issued in line with the regulation referred to in Article 94 of this Law, and/or the prescribed permits of another country issued in line with the CITES Convention, have been submitted with the specimens referred to in Article 95, paragraph 1 of this Law.

The customs authority shall handle the permits and certificates referred to in paragraph 2 of this Article in a manner prescribed within the regulation governing transboundary movement of protected wild species referred to in Article 94 of this Law.

The customs authority shall inform the Ministry in case expertise is required for examining the contents of the consignment being checked.

If the customs control shows that the specimens referred to in Article 94 of this Law are imported, introduced, exported, taken out, re-exported or are in transit in a manner contrary to provisions of this Law, the customs service shall temporarily keep them and immediately inform the Ministry in order to conduct further activities under the responsibility of the Ministry.

The temporarily detained specimens, until a decision from the Ministry is issued, that is by the end of court proceedings, the customs authority:

(1) may keep the specimens or entrust them to the Ministry for safekeeping in the case of parts and derivatives;

(2) entrust the dead or live specimens to the Ministry for the purpose of disposal in accordance with this Law.

The expenses generated during the procedure referred to in paragraph 6 of this Article shall be borne by the person whose specimens were temporarily kept, i.e. temporarily or permanently confiscated.

In case expertise is required for conducting controls referred to in paragraph 4 of this Article, the costs of the control shall be borne by the importer, i.e. exporter on the territory of the Republic of Serbia.

The Government shall determine the amount and manner of paying a tax for the expert control of the contents of the consignment referred to in paragraph 4 of this Article.

VII PROTECTION OF MOBILE PROTECTED NATURAL DOCUMENTS

Protection of Mobile Protected Natural Documents

Article 97

Protected geological, paleontological and biological documents shall be kept where found, and the finding site shall enjoy protection as a protected natural asset.

If certain protected geological and paleontological documents (fossils, minerals, crystals and others) cannot be protected at the finding site, they shall be given in custody of a legal entity (Natural History Museum, County Museum, museum within a faculty or collection) that shall ensure thereof competent museology protection (inventory, determination, preparation and conservation, constant maintenance and monitoring) and enable utilization thereof for educational, scientific and cultural purposes.

The Minister shall prescribe detailed conditions under which fossils, minerals and crystals can be given to a legal entity for protection and custody.

Botanical and zoological collections shall enjoy protection as protected natural goods. They can be a property of legal entity, entrepreneur or private entity, which shall ensure thereof competent museology protection (inventory, determination, preparation and conservation, constant maintenance and monitoring) and enable utilization thereof for educational, scientific and cultural purposes.

Restrictions and Bans

Article 98

It shall be prohibited to take from nature the geological and paleontological documents (fossils, minerals, crystals, cave ornaments and other) that are declared as protected natural goods or that are situated at geo heritage object and protected finding site.

As an exemption, the Ministry may allow fossils, minerals and crystals that are declared as protected natural goods or that are situated at geo heritage object and protected finding site to be taken from nature, for scientific and specialized research, education, display at exhibitions etc.

Handling Geological and Paleontological Material Documents

Article 99

The found geological and paleontological documents (fossils, minerals, crystals and others) that may represent protected natural value must be reported by the finder to the Ministry within eight days from the day of finding, and the finder must take measures to protect them against destruction, damage or theft.

The Ministry shall issue a decision on research of the finding site containing geological and paleontological documents, not later than thirty days from the day the finding is reported, by which it shall stipulate the conditions for nature protection.

Unless the Ministry stipulates otherwise, the finder cannot perform actions and

activities on the finding site that may result in destruction or damage of finding, except for taking protective measures.

The owner or user of right on land where geological and paleontological documents are found shall allow the research of finding in line with the decision issued by the Ministry.

Research of finding can be performed by a legal entity, entrepreneur or private entity based on the right to research.

The legal entity, entrepreneur or private entity shall provide, within thirty days from the performed research the Ministry with the report on research performed, containing data on state of finding, possible endangerment of the finding and on necessary further research and additional protective measures.

If the finding is a potential geo heritage object, legal entity, entrepreneur or private entity shall provide, within the same period of time, the Institute with the report on research performed, containing data on state of finding, possible endangerment of the finding and on necessary further research and additional protective measures.

Trade in Mobile Protected Natural Documents

Article 100

It shall be prohibited to export any of mobile protected natural documents that are declared as protected natural goods.

As an exemption, the Ministry may permit the import, export, i.e. carrying out of mobile protected natural goods for purposes of scientific research, education or exhibition.

The permit referred to in paragraph 2 of the present Article shall determine the conditions for export of mobile protected natural documents in line with their kind.

VIII ORGANISATION OF NATURE PROTECTION

Performance of Nature Protection Administrative Activities

Article 101

Nature protection administrative activities shall be performed by the Ministry, the competent authority of autonomous province and competent authority of local self-government unit.

State authorities, autonomous province authorities and authorities of local self-government unit shall, in line with the present Law, the Strategy, nature protection programmes and spatial planning documents:

- 1) take care of conservation of nature, natural values and landscape diversity on their territory;
- 2) declare protected natural goods from their area of competence;

3) provide conditions for protection and conservation of protected natural goods from their area of competence;

4) participate in the procedure for proclamation of protected area to be declared by the National Assembly or the Government or competent authority of autonomous province or competent authority of local self-government unit;

5) take part in preparation of plans for protected area management from their area of competence;

6) inform public of status of nature and natural values on their territory and of taking measures for protection and conservation;

7) provide necessary assistance to local self-government units in protecting nature on their territory;

8) perform other activities as stipulated by the present Law and regulations adopted pursuant hereto.

Professional Activities for Nature Protection Article 102

Professional activities for nature and natural goods protection shall be performed by competent nature protection organizations and such activities shall particularly refer to the following:

1) Collection and processing of data on nature and natural values;

2) Monitoring of performance and assessment of conservation of nature and level of endangerment of geo heritage objects, wild species and their habitats, habitat types, ecosystems, ecologically important areas, protected areas, ecological corridors, ecological networks and landscapes;

3) Preparation of protection studies determining the values of areas proposed to be protected and methodology for managing such areas;

4) *(deleted)*

5) Drafting of proposal for termination of area protection;

6) Drafting of proposal for prior area protection;

7) Providing conditions for works on protected natural goods, issuance of the opinion on plan for managing of protected area;

8) Performing competent supervision of protected natural goods with proposed measures;

9) Providing professional assistance to managers of protected natural goods, local self-government authorities, associations of citizens, groups of citizens and individuals in protecting nature, landscapes and natural goods;

10) Determining the conditions and measures for protection of nature and natural values in drafting and implementing spatial and town plans, designing documents, bases (forestry, hunting, fishing, water management and other), programmes and strategies in all industries that affect the nature;

11) Performing professional activities in drafting an appropriate assessment for works and activities in nature, preparation and implementation of projects and

programmes on protected area;

12) Proposing scope and contents of feasibility studies and environmental impact assessments in the process of reintroduction and inhabitation of wild species into the wild;

13) Maintaining records on method and scope of use, as well as on factors of endangerment of protected and strictly protected wild species to identify and monitor performance of their population;

14) Taking part in the procedure of public insight for proclamation of protected natural goods;

15) Organizing and implementing nature protection educational and promoting activities;

16) Participating in implementation of ratified international agreements on nature protection;

17) Maintaining registers of protected natural goods and other data significant to nature protection;

18) Inventory of individual elements of geological, biological and landscape diversity with statistical analyses and reports on thereof performance;

19) Maintaining nature protection database as a part of a single information system of the Environmental Protection Agency;

20) Informing public of natural values, nature protection, thereof endangerment, factors and consequences of endangerment;

21) Performing of other activities as determined by the present Law.

Nature Protection Organizations

Article 103

Activities for protection of nature and natural goods situated on the territory of the Republic of Serbia shall be performed by the Institute for Nature Conservation of Serbia.

The Institute for Nature Conservation of Serbia shall keep a register of protected natural goods and nature protection information system (databases on protected natural goods, habitats, protected species, ecological network area) for the territory of the Republic of Serbia; it shall also develop medium-term programme of natural goods protection, develop professional bases for the Strategy on Conservation of Nature and Natural Values of the Republic of Serbia and the State of Nature Report.

Activities of nature protection and protection of the natural goods that are partly or wholly located on the territory of AP Vojvodina shall be performed by the Provincial Institute for Nature Conservation.

Nature protection organizations are legal entities.

Nature protection organizations are institutions to whose establishment, organisation and operation public service regulations apply.

The rights, obligations and responsibilities of employees in organisations for nature

conservation shall be regulated in accordance with general labour rules while salaries are regulated in accordance with the regulation governing public sector salaries financed from the budget of the Republic of Serbia, the autonomous province and local government units.

In performing activities for protection of nature and natural goods, the nature protection organizations referred to in paragraphs 1 and 2 of the present Article shall establish cooperation through harmonization of programmes for protection of natural goods.

The Provincial Institute for Nature Conservation shall submit the medium-term and annual programme for natural goods protection and the report on their implementation to the Institute for Nature Conservation of Serbia.

Programmes for Protection of Natural Goods Article 104

Professional activities referred to in Article 102 of the present Law shall be performed on the basis of medium-term and annual programmes for protection of natural goods established by nature protection organizations, in line with the nature protection documents referred to in Article 111 of the present Law.

The medium-term programme for protection of natural goods shall be approved by the Government, and the annual programme for protection of natural goods shall be approved by the Ministry, i.e. by the competent authority of autonomous province.

Nature protection organizations shall submit the report on implementation of medium-term and annual programmes for protection of natural goods to the Ministry, i.e. to the competent authority of autonomous province.

Funds for performing activities of nature protection organization stipulated by the present Law and for operation of nature protection organization shall be provided from the budget of the Republic of Serbia, i.e. from the budget of autonomous province and from other sources of funds in line with the law.

In performing professional activities the nature protection organizations shall establish cooperation with scientific, cultural, educational and other organizations and shall organize activities to raise environmental awareness.

IX. NATURE PROTECTION SIGN

Nature Protection Sign

Article 105

In order to promote nature protection and in order to identify official person in charge of supervision and application of measures related to nature protection, nature protection sign shall be used.

Minister shall closely prescribe layout of the sign, as well as procedure and requirements for usage thereof.

Nature Protection Day

Article 106

In order to develop nature protection, Nature Protection Day shall be celebrated every year.

On the occasion of Nature Protection Day, upbringing, educational, recreational, professional and other activities will be organized which will suitably encourage and develop nature protection.

Nature Protection Day shall be celebrated every year, on 11 April.

X. FINANCING NATURE PROTECTION

Providing Funds for Nature Protection Article 107

Funds shall be allocated from the budget of the Republic of Serbia for protected areas, measures and activities stipulated in the document on protection, protection of natural values of republic and international importance, as well as for those natural values determined by the Ministry, for financial and other incentive measures prescribed in this Law, for compensation of damage done to protected wild species, for implementation of right on priority purchase, for compensation to owners and users of property rights to which they have been subjected in protected natural goods/resources which are of international and republic importance, as well as for other measures stipulated in this Law.

Funds shall be allocated from the budget of autonomous province and self-government unit for protection of natural resources which had been proclaimed as such by them, for measures and activities stipulated in the document on protection, for financial and other incentive measures prescribed in this Law, as well as for implementation of right on priority purchase and compensation to owners and users of property rights to which they have been subjected in protected those natural areas.

Funds intended for nature protection shall be provided through use of natural goods/resources and protected areas, if this or special Law has not prescribed otherwise, and from other sources established by Law or bylaws adopted on the basis of this Law.

Incentive Measures for Conservation and Protection of Biological and Landscape Diversity

Article 108

Conservation of endangered wild species, endangered habitat types, protected areas and other protected natural goods ecological network shall be encouraged through financial charges and soft loans intended for protective activities.

Incentive measures referred to in paragraph 1 of this Article are intended for protection and conservation of biological and landscape diversity, particularly for management which accepts and implements measures for conservation of biological and landscape diversity, and which is not harmful for nature, as well as for compensation given to legal entities, entrepreneurs and private entities that suffer certain limitations or damages due to protection of biological and landscape diversity.

Government shall establish financial incentive and charges referred to in paragraphs 1 and 2 of this Article.

XI. GUARDING OF PROTECTED AREAS

Guarding Service

Article 109

Direct supervision of the protected area shall be performed by the guarding service ensured by the Manager, through protected area guard (hereinafter referred to as: guard).

The guard shall control the implementation of interior order rules in the protected area and shall perform other activities in compliance with law and Manager's decision.

Rights and Duties of the Guard

Article 110

In performing the guarding activities, the guard shall in particular:

- 1) monitor movement and activities of visitors and other users in the protected area, especially the transport of construction material and construction of buildings, use of mineral raw materials, forests, flora and fauna, including game and fish, use of motor vehicles and vessels, installation of facilities on water, entrance into zones and facilities where visiting is prohibited or restricted, lighting fire in the open space, waste disposal, sport competitions and other manifestations;
- 2) monitor status of plant and animal species, as well as other values in the protected area;
- 3) provide assistance and cooperate with local authorities;
- 4) provide data, assistance and services to visitors and other persons visiting and sightseeing around the protected area, in scientific research and educational activities;
- 5) cooperate with users of natural resources in the protected area;
- 6) cooperate with holders of real rights on property in the protected area in order to protect nature;
- 7) cooperate with another guarding service, the inspection and the internal affairs authority.

When the guard establishes or reasonably assumes that a visitor, i.e. owner of the protected area has done something contrary to interior order rules or measures of nature protection prescribed in compliance with law, he shall be authorized to:

- 1) establish the identity of a person found in illicit activity, and bring person found without personal documents to the competent authority for interior affairs;
- 2) inspect all types of vehicles, boats and cargo;
- 3) temporary seize objects and assets used for the offence or criminal act and

objects generated or acquired in such act, as well as to deliver such objects, without delay, to the protected area Manager for custody;

- 4) require restitution of the previous status, i.e. order measures for prevention and removal of harmful consequences;
- 5) perform any inspection, except for apartments and other premises for which it is necessary to have warrant.

When performing his duty, the guard shall display their official identification cards.

The guard's identification card shall be issued by the protected area Manager on the template prescribed by the Minister.

The guard shall have at least secondary school education, one year of occupational work experience and certificate on passed professional exam, and shall

fulfill prescribed conditions to carry weapons and other conditions defined by the Manager's decision.

The Minister shall prescribe in more detail the conditions, programme and manner of taking the professional exam referred to in paragraph 5 of this Article.

During the service, the guard shall wear official clothes, nature protection mark and mark of the protected area being guarded, and can carry weapons as determined by the Manager, in compliance with law.

The official clothes, i.e. the guard's uniform in national parks and protected areas proclaimed by the Government decision, shall be prescribed by the Minister.

The guard shall have the status of an authorized officer.

The guard may simultaneously act as a fishery guard, forest guard and gamekeeper, if he/she fulfills conditions established by regulations governing the use of fish resources, forestry and hunting only in protected areas of less than 100 ha.

XII. NATURE PROTECTION DOCUMENTS

Key Nature Protection Documents

Article 111

Key nature protection documents are: Nature Conservation Strategy of the Republic of Serbia (hereinafter: the Strategy), nature conservation programmes of the autonomous province and local government units and state of nature reports.

The Strategy is a basic instrument for the implementation of ratified international agreements in the field of nature protection, establishing long-term objectives and measures for the conservation of biological and geological diversity and the manner of their implementation.

Nature Conservation Strategy

Article 112

The Strategy shall be adopted by the Government for the period of at least ten years.

The Strategy shall determine a long-term planning framework and policy of integrated nature protection including landscape biodiversity and geo-heritage conservation.

The Strategy shall in particular contain an analysis (assessment) of state, aims, main tasks, measures, activities and instruments for conservation and improvement of biological diversity, landscape and geo-heritage, development of protected areas network and development of ecological network.

In order to implement the Strategy, action plans shall be developed, which shall be adopted by the Government for the period not longer than five years.

The action plan referred to in paragraph 4 of this Article may be adopted as part of

the Strategy.

The Strategy shall be drafted on the basis of reports on the state of nature and contains in particular: principles and general objectives, assessment of the state, special objectives and activities for their implementation as well as possible sources of financing.

A report on the state of nature shall be prepared by the Nature Conservation Institute of Serbia in collaboration with other expert and scientific organisations and other public services.

If necessary, the Strategy may be revised before the expiry of the period for which it has been adopted.

The Strategy shall be published in the "Official Gazette of the Republic of Serbia.

Programme on Nature Protection
Article 113

Autonomous province and local self-government unit, within their competences defined by this and special law, and compliant with the Strategy and its specificities, shall adopt the Programme on Nature Protection for the period of ten years.

Two or more local self-government units may adopt a joint programme referred to in paragraph 1 of this Article.

Nature Status Report

Article 114

Once in five years, the Ministry shall submit the Nature Status Report for the Republic of Serbia, which shall particularly contain the following:

1) data on status of geological, biological and landscape diversity, protected natural areas, ecologically important areas, ecological corridors and ecological network with the analysis of degree of endangerment, endangerment factors and problems in protection and development;

2) data on impacts of utilization of natural values to geological, biological and landscape diversity, to protected natural goods and ecological network;

3) data on impact of certain projects and activities to nature and its values;

4) assessment of measures implemented with the aim to protect nature, its values and landscape diversity;

5) analysis of the Strategy implementation, as well as other documents important for nature protection;

6) assessment of implemented professional supervision performed by the Institute;

7) data on use of financial resources for nature protection;

8) assessment of needs for development of new or amendments of existing documents, as well as other data important for protection and conservation of nature.

Nature Status Report, as well as reports referred to in paragraph 1 of this Article shall be prepared by the Institute, in collaboration with Provincial Institute for Nature Conservation and other professional and scientific institutions.

Autonomous province, i.e. local self-government unit shall prepare nature status reports for their territories.

XIII. ACCESS TO INFORMATION AND PUBLIC PARTICIPATION

Access to Information
Article 115

State authorities, autonomous province authorities, local self-government unit authorities, Institute, protected areas managers, as well as authorized and other organizations, shall be obligated to provide public with information referring to nature performance and protection, unless confidentiality of data has been prescribed by special law or special regulations.

Public shall be entitled to access prescribed registers or records which contain information and data in compliance with this Law.

Information which pertains to nature protection shall be submitted to the applicant in compliance with law.

Public Participation in Decision-making Process

Article 116

During the development of regulations, i.e. decisions on proclamation of protected natural goods, plans on protected areas management and plans on utilization of natural resources, public participation shall be ensured in compliance with this Law.

Upbringing and Education on Nature Protection

Article 117

Ministry in charge of education shall ensure conditions for development of upbringing and education on nature protection.

Ministry, competent authority of autonomous province, Institute and legal entities

– holders of public empowerments, shall inform public about natural values, nature protection, its endangerment, factors and consequences of endangerment.

XIV. SUPERVISION

Supervision over Work and over the Application of Law

Article 118

Supervision over application of provisions contained in this Law and regulations adopted on the basis thereof shall be done by the Ministry, unless otherwise has been prescribed by this Law.

Supervision over legality of Institute's work shall be done by the Ministry, i.e. competent authority of autonomous province.

Ministry shall carry out supervision over work of managers of protected natural goods, Institute and holders of public empowerments in performance of entrusted activities.

Inspection supervision

Article 119

Inspection supervision shall be carried out by the Ministry through environmental inspector within the scope of competences established by this Law.

In performing the inspection supervision over transboundary movement and trade in strictly protected and protected species, and live specimens of wild animals, the relevant inspector shall cooperate with the person authorized for issuing the permits

referred to in Article 94 of this Law.

Autonomous province shall be entrusted with performance of inspection supervision over the application of provisions contained in this Law in protected areas located within the territory of the autonomous province.

Local self-government unit shall be entrusted with performance of inspection supervision over the application of provisions of this Law in the protected areas declared by the competent authority of the local self-government unit.

The inspection supervision referred to in paragraph 1 of this Article shall be performed without prior written notice to the inspected subject and without obtaining a written order to perform the inspection.

By way of exception, the inspector may notify the inspected subject of the start of the inspection if he assesses that such notification is necessary for carrying out the inspection.

Joint body for surveillance of transboundary movement and trade in wild species

Article 119a

In performing the surveillance of transboundary movement and trade in wild species the Ministry shall cooperate with the customs service, the police and the republic public prosecutor's office.

The Ministry shall establish a joint body for planning, monitoring, harmonizing and implementing joint measures and activities for conducting surveillance of transboundary movement and trade in wild species in accordance with regulations governing public administration.

A decision on the establishment of the joint body referred to in paragraph 1 of this Article shall regulate matters of programming and executing training, coordination of surveillance, reporting on the inspection of transboundary movement and trade in wild species and the sanctioning of illegal activities referred to in paragraph 2 of this Article.

Rights and Duties of the Inspector

Article 120

While performing activities of inspection supervision, inspector shall be entitled and obligated to determine the following:

- 1) utilization and use of protected natural values and other parts of nature;
- 2) implementation of conditions and measures for nature protection, other documents adopted on the basis of this Law and other regulations;
- 3) implementation of compensatory measures;
- 4) implementation of plans on natural goods/resources management in the part which pertains to measures and conditions of nature protection;
- 5) implementation of management plan and protection, conservation, utilization and development programmes pertaining to protected nature and its values;
- 6) implementation of management plan and other acts of protected area;
- 7) activities which may cause changes and damages in protected area or in other protected natural goods;
- 8) implementation of direct protection, conservation and utilization of natural goods;
- 9) implementation of protective measures and conditions of protected natural goods, protected plant and animal species and fungi;
- 10) wild species in transboundary movement and trade, i.e. whether the transboundary movement of strictly protected, protected and allochthonous wild species of plants, animals and fungi is conducted in accordance with this Law and regulations adopted on the basis of this Law;
- 11) whether introduction and re-introduction of wild species into the nature is done in compliance with provisions of this Law;
- 12) providing public with information about nature performance, management plans for protected areas;
- 13) implementation of other prescribed conditions and measures of biological and landscape diversity established by this Law and regulations adopted on the basis thereof;
- 14) whether monitoring of nature performance and state of its values is being implemented;
- 15) whether register on protected natural goods and other prescribed records are being maintained;
- 16) whether genetic material is used in compliance with this Law and special

regulations;

17) whether manager of protected area is performing their duties established by document on protection;

18) whether manager of protected area uses funds for operation and activities related to protection and development of protected area;

19) whether use of fossils, crystal minerals and *bigars* (chemical sediment rock which belongs to the group of sediment rocks) or researches of their deposits are done in compliance with this Law;

20) whether collection and trade of wildlife and fungi, their development forms and parts are done in compliance with prescribed conditions;

21) whether artificial relocation and settlement of populations or part of populations of autochthonous wild species is conducted in accordance with the provisions of this Law;

22) whether keeping, breeding, marking and trade in specimens of wild species is conducted in the prescribed manner;

22a) whether conditions for the operation of a zoo in accordance with this Law and regulations adopted on the basis of this Law are met.

Inspector Powers

Article 121

While performing activities of inspection supervision, inspector shall be empowered to:

1) ban utilization and use of protected natural values and other parts of nature without approval or contrary to the approval;

2) order implementation of conditions and measures for nature protection, other acts adopted on the basis of this Law and other regulations;

3) order implementation of compensation measures;

4) order implementation of plans on natural goods/resources management in the part which pertains to measures and conditions of nature protection;

5) order implementation of management plan and protection, conservation, utilization and development programme pertaining to protection of nature and its values;

6) order implementation of management plan and other acts of protected area and ecological networks;

7) ban activities which may cause changes and damages in protected area, ecological network or other protected natural goods;

7a) prohibit activities, i.e. works in the protected area, which are contrary to the document on protection and rulebook on interior order and guarding service;

8) order implementation of direct protection, conservation and utilization of protected natural values;

9) order the implementation of measures and conditions for the conservation of protected natural resources, protected wild plant and animal species and fungi;

10) control transboundary trade in specimens of strictly protected, protected and allochthonous wild species and prohibit the transboundary movement conducted contrary to the provisions of this Law and regulations adopted on the basis of this Law and/or

ratified international agreements;

11) ban introduction of wild species into the nature if such introduction is contrary to provisions of this Law;

12) order to provide public with information about nature performance, plans on protected area management;

13) order implementation of other prescribed conditions and measures for protection of biological and landscape diversity established in this Law and regulations adopted on the basis thereof;

14) order the Manager to monitor nature status and state of its values;

15) order maintenance of registers of protected natural goods and other prescribed records;

16) ban use of genetic material if such use is contrary to provisions of this Law and special regulations;

17) order protected area manager to fulfil obligations established in the document on protection;

18) order protected area manager to use funds for work and performance of activities pertaining to protection and development of protected area;

19) ban the use of fossils, crystal minerals and *bigars* or researches of their deposits if such actions are contrary to this Law;

20) ban the collection and trade in wildlife and fungi and their development forms and parts if collection and trade is performed without permit and contrary to prescribed conditions;

21) ban the artificial relocation and settlement of populations or parts of autochthonous wild species populations without a permit or contrary to prescribed conditions;

22) ban the keeping, breeding and trade in strictly protected, protected and allochthonous wild species that is conducted contrary to provisions of this Law and regulations adopted on the basis of this Law;

23) ban the damaging or destruction of habitats of strictly protected and protected wild species;

23a) control the keeping, breeding and trade in specimens of strictly protected, protected and allochthonous wild species;

24) ban other actions and activities which are contrary to provisions of this Law and regulations adopted on the basis thereof;

25) order the owner or holder of specimens of wild species to allow an inspector, a representative of an authorized scientific or expert organisation or a veterinarian an unimpeded access to a wild species specimen for physical examination and/or collection of samples of blood or other tissue from the specimen for the purpose of analysis;

25a) conduct inspection and verification of the location, premises, facilities, objects, vehicles and other means of transport in legal entities, entrepreneurs, natural and other persons in order to check compliance with provisions of this Law;

26) order the execution of other obligations prescribed by law within a specified time limit.

In order to prevent unrecoverable damage to protected natural good, biological and landscape diversity, reduce damage occurred due to illicit work, action or activity, i.e. take urgent protection measures or avoid immediate danger to human life and health or property, during the supervision, the inspector may issue an oral decision as well.

Statement on decision issued orally shall be entered into the minutes, noting that written decision will be issued within 8 days.

It shall be allowed to file an appeal against the inspector's decision referred to in paragraphs 1 and 2.

Inspector's decision referred to in paragraph 1, points 1), 7), 10), 11), 16), 19), 20), 21), 22), 23), 23a) and 24), 25), 25a) and 26) of this Article shall be final and an administrative dispute may be conducted against it.

Providing Information to Other Competent Authorities

Article 122

If during an inspection, the inspector finds that beside this Law, other laws and regulations governing issues relevant for nature protection or protection of certain part thereof have been violated too, he shall, besides taking actions he is empowered to, be obliged to inform other competent authority.

Other competent inspection body shall inform the inspector about the measures undertaken.

In cases when inspector finds the violations of law falling under the competence of other inspections too, the inspector shall inform the Minister thereof without

delay in order to enable joint supervision and appropriate measures to be undertaken.

Seizure of Objects and Protected Natural Goods

Article 123

While performing inspection supervision, the inspector shall have right and duty to temporarily confiscate:

1) objects, goods or devices whose use is prohibited or which were created, or used for illicit actions;

1a) specimens of strictly protected, protected and/or allochthonous wild species during their transboundary movement, trade and/or possession within the territory of the Republic of Serbia if contrary to this Law, regulations adopted on the basis of this Law and ratified international agreements, order their keeping but prohibit their use and request that the Ministry be urgently informed about possible changes concerning the specimens, and issue certificates on the confiscated specimens;

2) mobile protected natural documents or protected wild species and order their keeping.

The confiscated mobile protected natural documents and specimens of wild species referred to in paragraph 1 of this Article shall be treated in a manner appropriate in terms of their conservation and protection and upon suggestion from an authorized scientific or expert organisation for live specimens.

An appeal may be filed to the Minister against the inspector's decision referred to in paragraph 1 of this Article.

Protected wild species obtained in illegal action, which are perishable or which cannot be appropriately taken care of or if their keeping incurs substantial costs, shall be sold, and a decision on the selling, the manner and conditions of the sale shall be made by the Minister.

The acquired funds shall be kept at a public Ministry account until the court proceedings has ended.

XV. COMPETENCE OVER SETTLEMENT OF APPEALS

Article 124

Appeal filed against inspector's decision shall be settled by the Minister. Appeal is to be filed within 15 days upon receipt of the decision. Appeal to the decision shall not delay its execution.

First-degree appeal filed against decision issued by competent authority of autonomous province within performance of entrusted activities shall be decided upon by the Minister.

First-degree appeal filed against decision issued by competent authority of local self-government unit within performance of entrusted activities shall be decided upon by

the Minister.

XVI. PENALTY PROVISIONS

Economic Offences

Article 125

A legal entity shall be charged with an economic offence and assessed a fine of 1,500,000 to 3,000,000 RSD if they:

1) use an area, natural resources and protected areas in a manner that causes permanent degradation of biological, geological, hydrological, pedologic and landscape diversity (Article 8, paragraph 2);

2) fail to act in compliance with measures for nature protection established in plans, programmes, bases and project-technical documentation (Article 8, paragraph 3);

3) fail to carry out rehabilitation, i.e. recultivation (Article 8, paragraph 4);

4) without any delay and at their own expense do not eliminate the harmful effects on nature and protected natural goods arising from projects and activities executed without established nature protection conditions or contrary to given conditions (Article 13, paragraph 1);

5) perform or attempt to collect and/or use specimens of strictly protected or protected wild species without a permit, i.e. contrary to the prescribed conditions (Articles 75, 76 and 77);

5a) keep, trade or attempt to trade in specimens of strictly protected or protected wild species contrary to Articles 86a, 90 and 94 of this Law;

6) perform or attempt to perform transboundary movement, including dispatch, transport and transit of specimens of strictly protected, protected or allochthonous wild species without the appropriate permit or certificate issued by the Ministry, or use a permit or certificate that has been declared void or whose validity period has expired (Article 94, par. 4, points 1 and 3);

6a) perform or attempt to perform transboundary movement of wild species contrary to the issued permit or certificate, i.e. use a permit or certificate issued for the transboundary movement of a specimen other than the one for which it was issued (Article 94, par. 4, point 2);

6b) use a false, falsified permit or certificate for transboundary movement of strictly protected, protected or allochthonous wild species, including a document with unauthorized modifications (Article 94, par. 4, point 4);

7) fail to notify or they make a false report on the transboundary movement of strictly protected, protected or allochthonous wild species in accordance with Article 95 of this Law.

For the economic offence referred to in paragraph 1 of this Article, a fine proportionate to a damage incurred, an unexecuted obligation or the value of goods or other commodity which is subject of economic offence, may be pronounced, the maximum amount of which shall not exceed twentyfold amount of the damage incurred, unexecuted obligation or the value of goods or other commodity which is subject of economic offence.

For the economic offence referred to in paragraph 1 of this Article, a fine ranging from 100,000 and 200,000 RSD shall be imposed on the accountable officer of the legal entity.

For an economic offence referred to in paragraph 1 of this Article, and particularly in case of a repeated economic offence, in addition to the fine imposed upon a commercial company or other legal entity, they may be prohibited from performing certain

economic activities as a protective measure, whereas the accountable officer may be prohibited from performing certain duties during a period of up to ten years.

In case of the economic offence referred to in paragraph 1, points 5, 5a, 6, 6a, 6b and 7 of this Article, the penalty shall mandatorily be accompanied by a protective action of permanent confiscation of the specimens of strictly protected, protected and allochthonous species stated in invalidated permits and certificates as well as of objects used or intended for commitment of the offence, i.e. developed through that offence.

For the economic offence referred to in paragraph 1 of this Article, the penalty may be accompanied by a protective action of confiscation of objects which were used or intended for commitment of economic offence, i.e. which were created through commitment of economic offence.

Infringements

Article 126

A legal entity shall be charged with an infringement and assessed a fine of 500,000 to 2,000,000 RSD if they:

1) perform the planned projects and activities in nature, which themselves or combined with other projects or activities may affect an ecologically important area or a protected natural good, without consent (Article 10, paragraph 3);

2) perform actions, activities and operations which threaten a hydrological phenomenon or the maintenance and preservation of biological diversity (Article 18, paragraph 4);

3) *(deleted)*;

4) use chemical substances, without obtaining consent from the Ministry (Article 19, paragraph 3);

5) take genetic material from nature, contrary to Article 20, paragraph 2 of this Law;

6) perform or undertake activities and operations which may disturb characteristics of a protected area (Articles 29 to 35);

7) performs actions and/or activities which may lead to disturbance or destruction of ecologically important area (Article 39, paragraph 5);

8) perform an activity in protected area contrary to management plan (Article 52, paragraph 4);

9) perform works and activities, i.e. project implementation in the protected area without or contrary to the document on conditions and measures of nature protection, or fail to inform the Manager thereof (Article 57, paragraphs 3, 4 and 5);

10) do not undertake all permitted measures and activities to prevent a damage, in an appropriate manner and at their own expense (Article 64, paragraph 2);

11) undertake actions which may endanger strictly protected species of plants, animals, fungi and their habitats (Article 74);

12) fail to obtain the permit referred to in Article 75 of this Law;

13) collect and use protected wild species contrary to prescribed conditions (Article 77);

14) perform researches on protected species without the Ministry's consent or fail to submit results of such researches (Article 78);

15) use prohibited means to catch and kill wild animals contrary to Article 79 of this Law;

16) fail to undertake protective measures referred to in Article 81 of this Law;

17) introduce allochthonous wild species and their hybrids into the wild contrary to Article 82 of this Law;

18) perform relocation of live specimens of autochthonous wild species without the Ministry's consent (Article 84);

19) perform reintroduction of wild species without the Ministry's consent (Article 85);

20) keep specimens of strictly protected, protected or allochthonous wild animal species or either fail to mark or mark the specimens of strictly protected or protected wild species contrary to prescribed conditions (Art. 86, 86a);

20a) keep specimens of strictly protected or protected wild species for which the Ministry has rejected the certificate request application (Article 88);

21) possess specimens of strictly protected, protected or allochthonous wild species contrary to Article 87 of this Law;

22) breed wild species contrary to Article 89 of this Law;

23) perform activities of lodging without permit issued by the Ministry (Article 91);

24) handle found specimens of strictly protected and protected wild animal species contrary to Article 93 of this Law;

25) take geological and paleontological documents from nature, which have been proclaimed protected natural goods or are located in the object of geo heritage, protected site or deposit of mineral feedstock contrary to Article 98 of this Law;

26) perform researches in deposit sites of geological and paleontological documents contrary to Article 99 of this Law;

27) export movable protected natural documents contrary to Article 100 of this Law;

27a) fail to act in accordance with the inspector's decision referred to in Article 121 of this Law.

For the infringement referred to in paragraph 1 of this Article, a fine proportionate to a damage incurred, an unexecuted obligation or the value of goods or other commodity which is subject of the infringement, may be pronounced, the maximum amount of which shall not exceed twentyfold amount of the damage incurred, unexecuted obligation or the value of goods or other commodity which is subject of the infringement.

For the infringement referred to in paragraph 1 of this Article, accountable officer of the enterprise or other legal entity shall be assessed a fine of 25,000 to 150,000 RSD.

For the actions referred to in Article 125, paragraph 1, points 5), 5a), 6), 6a) and 7), as well as for actions referred to in paragraph 1 of this Article, an entrepreneur shall be charged with the infringement and assessed a fine of 250,000 to 500,000 RSD.

For the actions referred to in Article 125, paragraph 1, points 5), 5a), 6), 6a), 6b) and 7), as well as for actions referred to in paragraph 1 of this Article, a private entity shall be charged with the infringement and assessed a fine of 50,000 to 150,000 RSD or punished by imprisonment of up to 30 days.

For the infringement referred to in paragraph 1 of this Article, the penalty may be accompanied by a protective action of confiscation of objects which were used or intended for the infringement, i.e. which were created through the infringement.

For the infringement referred to in paragraphs 5 and 6 of this Article, together with the sanction, it is mandatory to impose a protective measure of permanent confiscation of specimens of strictly protected, protected and allochthonous species stated in invalidated permits and certificates, as well as of objects used for or intended for the infringement, i.e. created through the infringement.

For the infringement referred to in paragraph 1 of this Article, besides the fine imposed upon the legal person, i.e. entrepreneur may be prohibited from performing certain activity for up to 3 years, whereas the accountable officer may be prohibited from performing certain duties during a period of up to one year, as a protective measure.

**Infringement Committed by an Accountable Officer of State
Administration Body, Holder of Public Empowerments, i.e.
Authorized Legal Entity**

Article 127

An accountable officer of state administration body, territorial autonomy authority, local self-government unit authority and holder of public empowerments shall be charged with the infringement and assessed a fine of 25,000 to 150,000 RSD if they:

1) fail to obtain nature protection conditions in the procedure of plans and programmes adoption (Article 9, paragraphs 1 and 2);

2) fail to determine quantity of water in wet and water ecosystems which is essential for conservation of hydrological phenomenon and maintenance of biological diversity (Article 18, paragraph 5);

3) fail to monitor state of ecologically important areas, ecological corridors and whole ecological network (Article 39, paragraph 4);

4) fail to keep a register of protected natural goods (Article 50);

5) fail to submit management plans and reports on their implementation and fail to ensure information to public (Article 54);

6) fail to obtain nature protection conditions in the development of plan (Article 55, paragraph 3);

7) fail to adopt the Rulebook on Internal Order and Guarding Service (Article 56);

8) fail to manage a protected area in the prescribed manner (Article 68);

9) fail to use funds acquired on the basis of charges imposed for utilization of natural area for protection and development of protected area and if such funds are not kept in special account (Article 70, paragraph 8);

10) fail to perform professional tasks within the scope of their activity referred to in Article 102, paragraph 1, points 8, 13, 16 and 19 of this Law;

11) fail to obtain the competent authority's consent for the medium-term, i.e. annual conservation programme for natural goods (Article 104, paragraph 2).

Article 128

Fine ranging between 5,000 and 150,000 RSD shall be pronounced to private entity if such entity has not acted as instructed by the protected area guard or if such entity disrupts the guard in performance of his duties, or otherwise acts contrary to interior order rules (Article 56, paragraph 4).

Article 129

Fine of 5,000 RSD shall be pronounced for the offence to a parent, tutor or responsible person in tutorial institution, if due to failure to apply duly supervision over a juvenile, such juvenile has committed offence referred to in Article 126, paragraph 1, points 11), 15), 21), 22) and 24) and Article 128 of this Law.

XVII. TRANSITIONAL AND FINAL PROVISIONS

Article 130

Protected goods protected until this Law enters into force shall remain under protection, while managers, owners and users of such goods have rights and duties prescribed in this Law.

Ecological network shall be established and shall become part of the European Ecological Network Natura 2000 till the day when Republic of Serbia accesses to the European Union.

Article 131

Legal entities that manage forests, game and water shall harmonize forest, hunting, fishing and water management bases with provision of this Law on the occasion

of their renewal or first revision.

Legal entities, entrepreneurs and private entities that manage protected area shall harmonize protected area management plans to provisions of this Law within two years from the day when this Law enters into force.

Owners of towers and technical components constructed before this Law entered into force, which greatly endanger birds and bats, shall undertake measures of protection against electric shock in compliance with Article 81 of this Law, within five years from the day when this Law enters into force.

Legal entities, entrepreneurs and private entities that perform trading activities in terms of this Law, shall harmonize their business activities with provisions of this Law within thirty days from the day when this Law enters into force.

Legal entities, entrepreneurs and private entities that own or on any other base keep protected wildlife, for which according to this Law it is necessary to obtain permit, shall apply to the Ministry within three months from the day when this Law enters into force.

Protected areas managers shall harmonize protected area management with provisions of this Law within one year from the day when this Law enters into force.

Article 132

Institute shall harmonize its operation, business and general regulations with provisions of this Law within two years from the day when this Law enters into force.

Public enterprise "National Park of Djerdap", public enterprise "National Park of Sar planina", public enterprise "National Park of Kopaonik", public enterprise "National Park of Tara" and public enterprise "National Park of Fruska gora" shall harmonize their operation, business and general regulations with provisions of this Law within two years from the day when this Law enters into force.

Article 133

Government, i.e. competent authority of Autonomous Province of Vojvodina shall establish organizations referred to in Article 103 of this Law within six months from the day when this Law enters into force.

For the performance of activities referred to in Article 103 of this Law, funds, rights and duties for the operation of the Provincial Institute for Nature Conservation shall represent part of funds, rights and duties of the so far Institutes for Nature Protection of Serbia which are located at the territory of Autonomous Province of Vojvodina.

Allocation of funds, rights and duties originating from the time of so far operation of Institute for Nature Conservation of Serbia shall be determined through share balance of the so far Institute for Nature Conservation of Serbia.

Organizations referred to in paragraph 1 of this Article shall take over funds, rights and duties of Institutes referred to in paragraph 2 of this Article, as well as employees of those Institutes, on the first day of their operation.

Institute for Nature Conservation of Serbia cannot alienate property, perform status changes or employ new staff from the day when this Law enters into force till the establishment of Institutes referred to in paragraph 1 of Article.

Article 134

Bylaws for implementation of this Law shall be adopted within one year from the day when this Law enters into force.

Until the day when regulations established in this Law enter into force, regulation

adopted on the basis of Law on Environmental Protection ("Official Gazette of RS", no. 66/91, 83/92, 53/93-other law, 67/93-other law, 48/94-other law, 53/95 and 135/04) shall remain in force.

On the day when this Law enters into force, provisions which regulate nature protection, contained in the Law on Environmental Protection ("Official Gazette of RS", no. 66/91, 83/92, 53/93-other law, 67/93-other law, 48/94-other law, 53/95 and 135/04)

and Law on National Parks (“Official Gazette of RS”, no. 39/93) shall cease to be valid, except for provisions referred to in Articles 6 and 7 and description of national park areas, until the adoption of special laws.

Procedures started according to provisions of the Law on Environmental Protection (“Official Gazette of RS”, no. 66/91, 83/92, 53/93-other law, 67/93-other law, 48/94-other law, 53/95 and 135/04) shall be finalized according to provisions of this Law.

Article 135

This Law shall enter into force on the eighth day upon publication thereof in the “Official Gazette of the Republic of Serbia”.

Independent Articles of the Law on Amendments of the Law on Nature Protection

(“Official Gazette of RS”, no. 88/2010)

Article 55

Important ecological areas of the European Union NATURA 2000 shall be identified and shall become a part of the European ecological network NATURA 2000 on the day of the Republic of Serbia accession to the European Union.

Article 56

Legal entities, entrepreneurs and private entities who are owners or otherwise keepers of protected wild animals, for which permit is required compliant with this Law, shall report to the Ministry about keeping of those animals so as to enable recording thereof, within six months from the enactment of this Law.

Keepers of wild animals shall harmonize the conditions for keeping and acceptance of wild animals with the prescribed conditions within one year from the enactment of bylaw that regulates conditions for keeping, i.e. conditions for acceptance of animals.

Article 57

Provisions contained in the Law on Public Enterprises and Performance of the Activities of General Interest (“Official Gazette of RS”, no. 25/00, 25/02, 107/05, 108/05 – correction and 123/07-other laws) shall be applied to the function of public enterprises established for the management of national parks until the adoption of special laws.

Article 58

Bylaws for the implementation of this Law shall be adopted within one year from the enactment of this Law.

The decision referred to in Article 4, paragraph 6 of this Law shall be adopted by the Government within two years from the enactment of this Law.

Article 59

This Law shall enter into force on the eighth day from publication thereof in the "Official Gazette of the Republic of Serbia", while provisions referred to in Article 4, paragraph 5, point 2), which pertain to the opinion of the European Commission and Article 5, paragraph 3 of this Law shall start to be applied on the day of the Republic of Serbia accession to the European Union.

Independent Articles of the Law on Amendments of the Law on Nature Protection

("Official Gazette of RS", no. 14/2016)

Article 45

A legal person, entrepreneur or natural person owning live specimens of wild animals whose keeping is prohibited or restricted shall notify the Ministry thereof no later than 90 days from the day of entry into force of this Law.

Article 46

A legal person keeping wild animals within an existing zoo who has failed to notify the Ministry of the zoo until the day of entry into force of this Law shall submit a permit request application for the operation of the zoo to the Ministry within 90 days from the day of entry into force of this Law.

With the application referred to in paragraph 1 of this Article they shall also submit:

1. the Establishment Act;
2. an excerpt from the appropriate register;
3. evidence and documents concerning the zoo, the conditions for keeping animals, the species and numbers of animals, the equipment, working tools and other resources at their disposal.

Upon the expiry of the time-limit referred to in paragraph 1 of this Article, the Ministry shall, within the period of maximum 90 days, notify the applicant of the conditions for issuing the license in accordance with this Law.

The legal person referred to in paragraph 1 of this Article shall within 6 months from the receipt of the notification referred to in paragraph 3 of this Article submit to the Ministry a programme of measures and a schedule of adaptation of the zoo's operation to the prescribed conditions for the period until 31 December 2017.

Article 47

Legal persons, entrepreneurs and natural persons owning dead specimens, parts and derivatives of animal species strictly protected under the CITES convention shall provide notification of ownership thereof to the Ministry no later than 180 days after the day of entry into force of this Law.

Article 48

Bylaws for the implementation of this Law shall be adopted within a year of the day of entry into force of this Law.

Article 49

This Law shall enter into force on the eighth day following its publication in the Official Gazette of the Republic of Serbia.



КОНВЕНЦИЈА О МЕЂУНАРОДНОМ ПРОМЕТУ УГРОЖЕНИМ ВРСТАМА ДИВЉЕ ФАУНЕ И ФЛОРЕ (CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA)

Шта је CITES?

Конвенција о међународном промету угроженим врстама дивље фауне и флоре (CITES) је међународни уговор на основу ког државе потписнице контролишу међународну трговину и прекогранични промет више од **35,800** угрожених врста дивљих животиња и биљака, укључујући **живе** и **мртве примерке**, њихове **делове** и **деривате**, као и **производе** од истих. Главни циљ CITES Конвенције је да осигура да међународна трговина не угрози опстанак дивљих врста у природи.

CITES Конвенција је први пут ступила на снагу **1. јула 1975. године**. Данас овај међународни уговор има **183 потписнице**. **Република Србија** је ратификовала CITES Конвенцију **2001. године**.

Како функционише CITES?

Дивље врсте животиња и биљака заштићене CITES Конвенцијом сврстане су у три категорије на основу степена угрожености. Категоризацијом на основу спискова врста у **CITES Додацима I, II и III** одређују се и мере контроле које се примењују у међународном промету и трговини. Државе потписнице сваке три године доносе одлуке о садржају, односно изменама и допунама **CITES Додатака I и II** гласањем на састанцима **Конференција држава потписница Конвенције (CITES CoP)**.

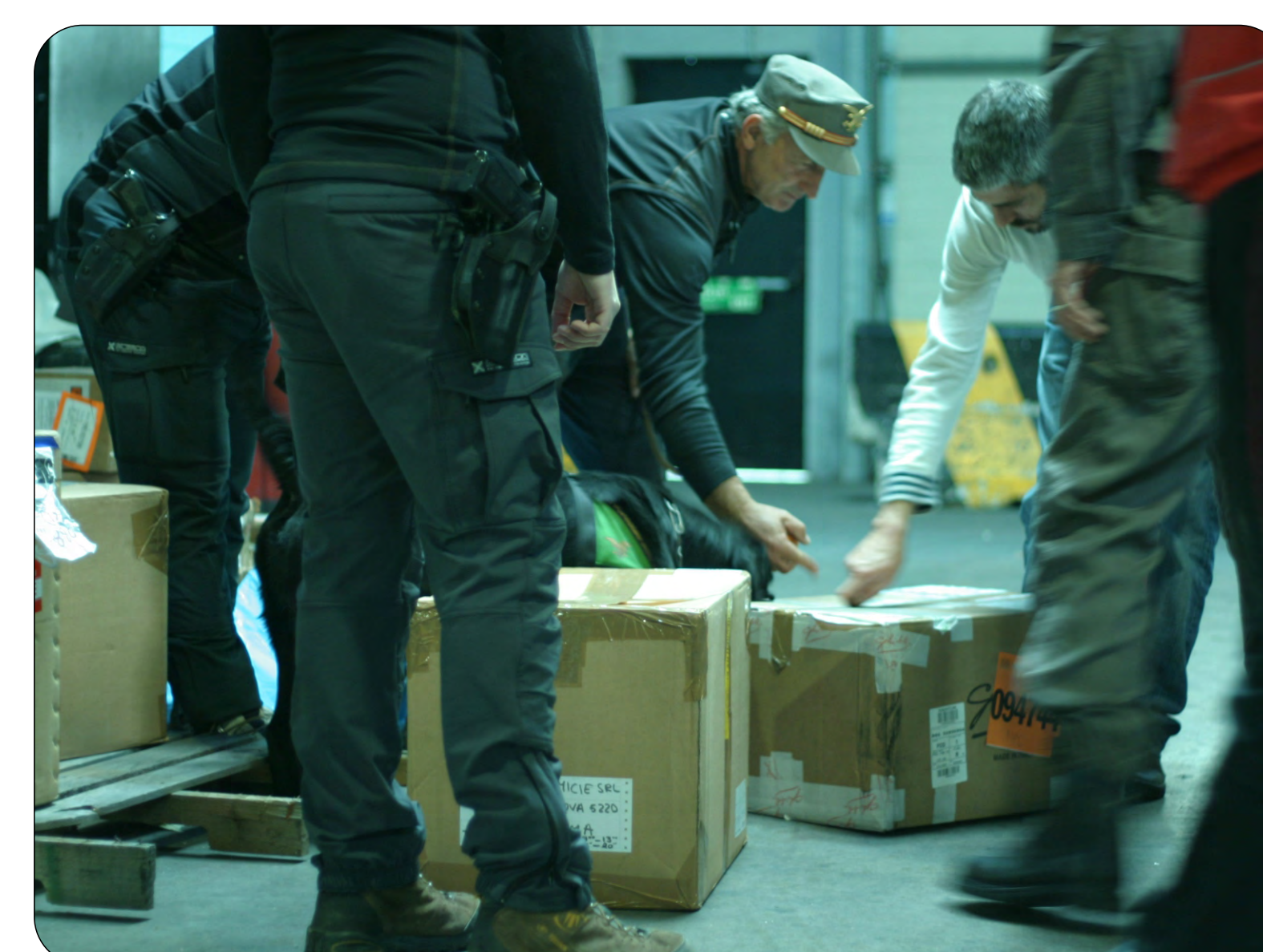
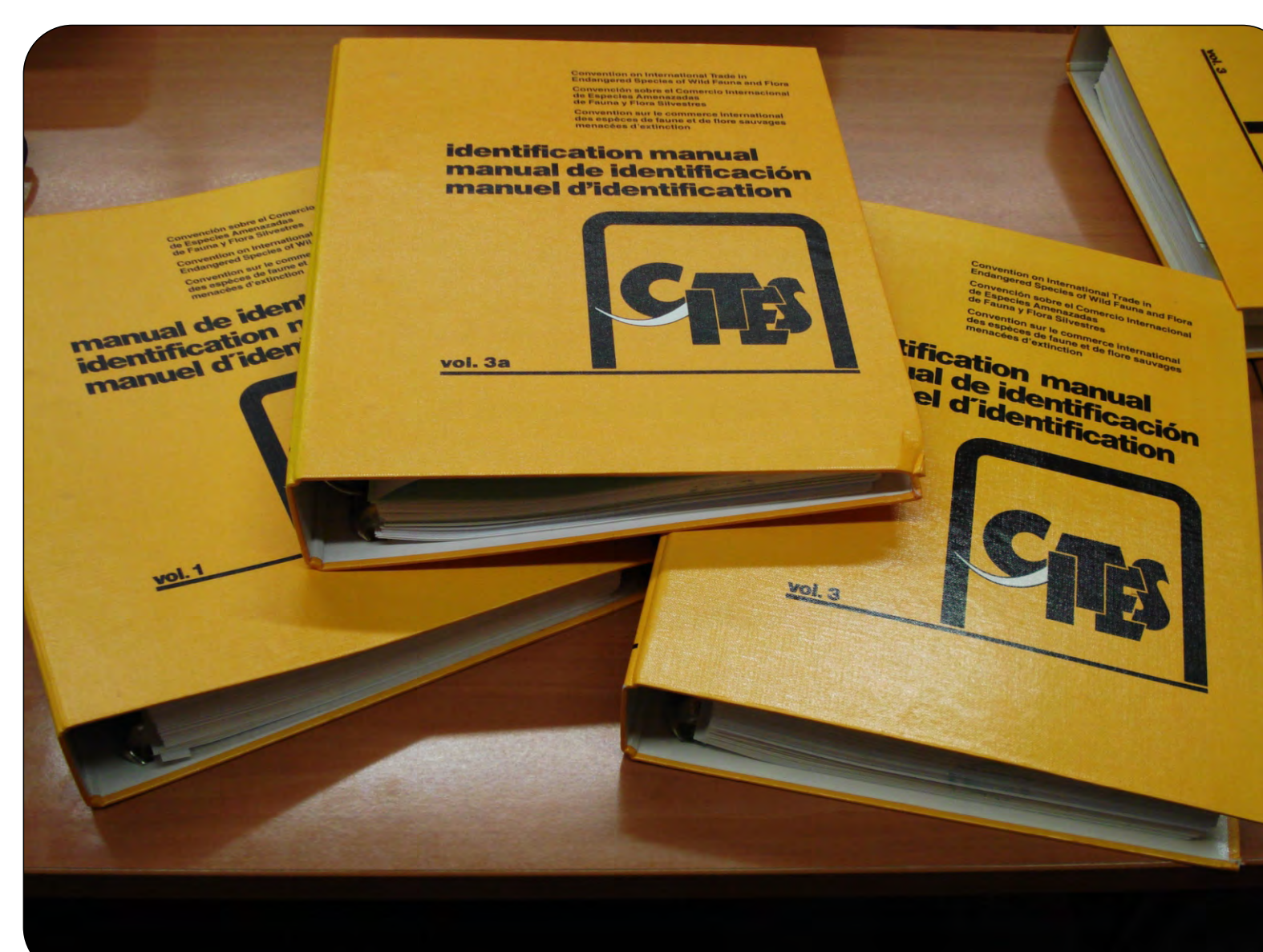
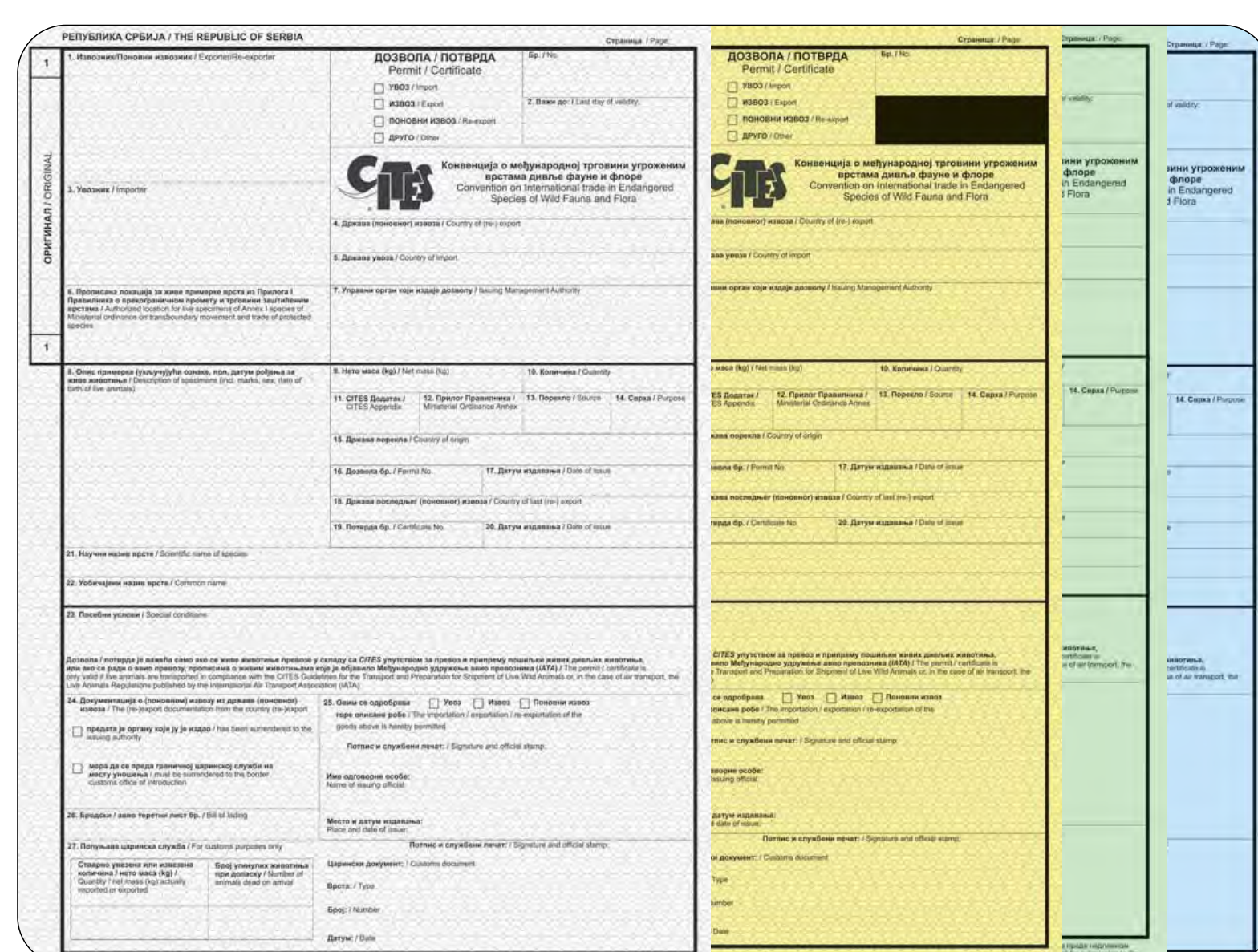
CITES Додатак I садржи најугроженије врсте којима прети истребљење и које су озбиљно угрожене међународном трговином. Није дозвољен међународни промет овим врстама, изузев у примарно некомерцијалне сврхе или када се ради о примерцима пореклом из контролисаног узгоја у заточеништву.

CITES Додатак II садржи угрожене врсте којима непосредно не прети истребљење али које морају да се прате у међународном промету како не би дошло до прекомерног коришћења којим би се угрозио њихов опстанак у природи.

CITES Додатак III садржи врсте за које поједине државе потписнице Конвенције сматрају да су потребне мере контроле у међународном промету.

Све државе потписнице CITES Конвенције су у обавези да усвоје **националне прописе** којима се између осталог одређују правила за међународни промет и трговину дивљим врстама, органи надлежни за контролу спровођења прописаних правила, као и казнене одредбе за санкционисање преступа везаних за CITES Конвенцију.

Увоз, извоз или било који други вид прекограничног промета примерака врста наведених у CITES Додацима могућ је искључиво на основу важећих **CITES дозвола и потврда**. Приликом преласка међународне границе надлежни органи за CITES сваке државе контролишу да ли животиње и биљке наведене у CITES Додацима увозе или извозе у складу са CITES Конвенцијом и националним прописима.



What is CITES?

The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) is an international agreement which obliges its signatories to control the international movement and trade of over **35,800** endangered species of wild fauna and flora, including **live** and **dead specimens**, their **parts**, **derivatives** and **products** thereof. The main goal of CITES is to ensure that international trade does not threaten the survival of species of wild fauna and flora in the wild.

CITES first entered into force on **1st July 1975**. Currently this international agreement has **183 signatories**. **Republic of Serbia** has ratified CITES in **2001**.

How does CITES work?

Species of wild fauna and flora which are protected by CITES are listed in three categories based on their endangered status. Control measures in international movement and trade depend on which **CITES Appendix** the species is listed under **I, II or III**.

CITES Appendix I contains the most endangered species which are threatened with extinction, and whose survival is seriously threatened by international trade. Trade is not allowed for specimens of these species and transboundary movement is allowed only for primarily non-commercial purposes or for specimens originating from controlled breeding in captivity.

CITES Appendix II contains protected species which are not directly threatened with extinction, but whose international trade must be monitored nonetheless so as to prevent overexploitation which would endanger their survival in the wild.

CITES Appendix III contains species for which individual countries parties to the Convention requested specific protection measures with respect to international trade to be put in place.

All states which are parties to the Convention are obliged to adopt **national legislation** which regulates international movement and trade in wildlife, designates national authorities for ensuring implementation and prescribes sanctions for offences related to CITES.

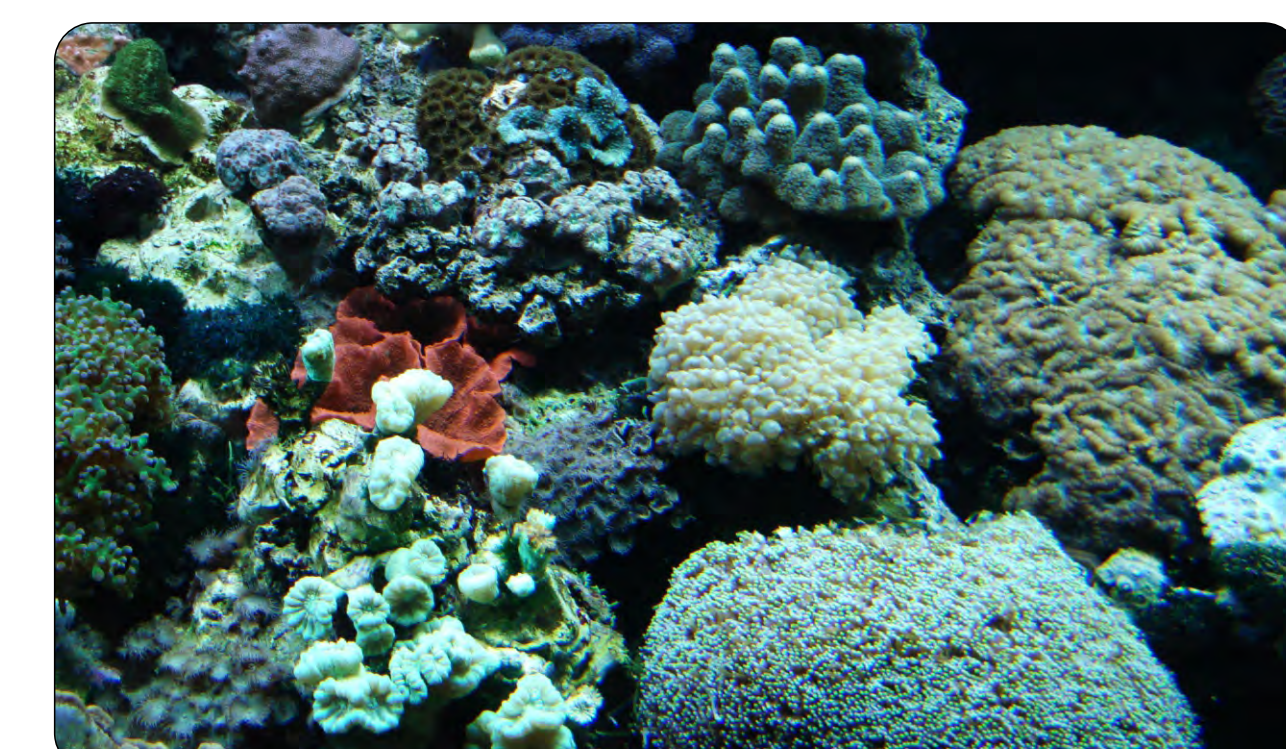
Import, export or any other form of transboundary movement of specimens listed in CITES Appendices is possible only based on valid **CITES permits**. Upon crossing of international borders, the competent national CITES authorities conduct controls to check if the specimens of species listed in CITES Appendices are being imported or exported in line with the regulations.

МЕЂУНАРОДНА ТРГОВИНА УГРОЖЕНИМ ВРСТАМА

Највећи део међународне трговине дивљим врстама животиња обухвата мање познате врсте попут камених корала, жаба и змија. Ипак, није незамарив ни део глобалне трговине који директно утиче на познате и харизматичне врсте попут слонова, носорога, китова и делфина, корњача, великих мачака, медведа, вукова, примата, птица грабљивица, папагаја и многих других. Само део међународне трговине је везан за живе примерке дивљих животиња, односно за тржишта кућних љубимаца, приватних колекција и зоолошких вртова. Највећи део међународне трговине дивљим врстама се односи на делове, деривате и производе, као што су слоновача, кавијар јесетровки, ловачки трофеји, одевни и други предмети од крзна и коже дивљих животиња, као и многобројни други производи који садрже делове и деривате дивљих животиња.

ENDANGERED SPECIES IN INTERNATIONAL TRADE

The biggest part of international trade in wildlife concerns wild animal species that are less known to the general public such as stony corals, frogs and snakes. However, one cannot overlook the part of the international trade involving well known and charismatic species such as elephants, rhinos, whales and dolphins, turtles, big cats, bears, wolves, primates, birds of prey, parrots and many other species. Only a part of this international trade involves live animals, be it for the purpose of companion animals, private collections or zoos. A much large part of the trade concerns parts, derivatives and products made from wildlife, such as ivory, sturgeon caviar, hunting trophies, clothing and other items made from fur and skin of wild animals, as well as numerous other products containing wild animal parts and derivatives.



Додатак I
Appendix I



Додатак II
Appendix II



Додатак III
Appendix III

Сисари Mammals

318 врста/species
20 подврста/subspecies

513 врста/species
7 подврста/subspecies

52 врсте/species
11 подврста/subspecies

Птице Birds

155 врста/species
8 подврста/subspecies

1278 врста/species
4 подврсте/subspecies

27 врста/species

Гмизавци Reptiles

87 врста/species
5 подврста/subspecies

749 врста/species

61 врста/species

Водоземци Amphibians

24 врсте/species

134 врсте/species

4 врсте/species

Рибе Fish

16 врста/species

107 врста/species

24 врсте/species

Бескичмењаци / Invertebrates

69 врста/species
5 подврста/subspecies

2171 врста/species
1 подврста/subspecies

22 врсте/species

Биљке/ Plants

334 врсте/species
4 подврсте/subspecies

29644 врсте/species

12 врста/species
1 варијетет/ variety

SPECIES +
(www.speciesplus.net)

SPECIES + је електронска база на интернету која садржи податке о статусу заштите дивљих врста по CITES Конвенцији и Уредбама Европске уније, као и многе друге релевантне податке везане за таксономију, природну распрострањеност врста и друго.

SPECIES+ is an online electronic database that contains data on protected status of species according to CITES and EU Wildlife Trade Regulations, as well as other relevant information on taxonomic classification, distribution of species and other data.



**WORLD
WILDLIFE DAY**
3 MARCH

На 68. заседању Генералне скупштине Организације уједињених нација, одржаном 20. децембра 2013. године, **3. март** је проглашен за **Светски дан дивљих врста**. Обележавње овог датума на глобалном нивоу има за циљ подизање јавне свести о претњама по опстанак све већег броја дивљих врста у природи због неконтролисаног коришћења природних ресурса и илегалне трговине.

At the 68th session of the United Nations General Assembly held on 20th December 2013, **3rd March** was officially proclaimed as the World Wildlife Day. This date is marked worldwide in order to raise public awareness on the threats to the survival of a growing number of species in the wild posed by uncontrolled use of natural resources and illegal wildlife trade.

ИЛЕГАЛНА ТРГОВИНА ДИВЉИМ ВРСТАМА И ЊЕНЕ ПОСЛЕДИЦЕ

Неодрживо и неконтролисано коришћење природних ресурса представља **други** по значају **фактор угрожавања опстанка дивљих врста у природи**, одмах после измене и уништавања природних станишта. Криволов, незаконито сакупљање из природе и илегална трговина директно утичу на опадање бројности популација дивљих врста у природи, до те мере да доводе до потпуног истребљења одређених врста.

Главни фактори који утичу на појаву илегалне трговине у одређеним подручјима јесу **висок степен биолошке разноврсности, општа лоша економска ситуација** у датом подручју и **неспремност држава** да се ефикасно боре против криволова и илегалне трговине.

Подсахарска Африка, јужна Америка и југоисточна Азија су главна подручја из којих се снабдева нелегално светско тржиште дивљим врстама. Са друге стране, непрестана потражња за примерцима дивљих врста на тржишту потрошача, од којих се она највећа налазе у **Европској унији, Сједињеним Америчким Државама и Кини**, стимулише илегалну трговину дивљим врстама и тако ствара притисак на дивље популације.

Међународна криминалистичка полицијска организација - **Интерпол**, проценила је укупан годишњи износ незаконито стеченог капитала од илегалне трговине заштићеним дивљим врстама на глобалном нивоу између **8 и 10 милијарди америчких долара**. Илегална трговина дивљим врстама спада међу **пет најпрофитабилнијих илегалних активности**, као што су кријумчарење и илегална трговина наркотицима, оружјем, људима и фалсификованом робом.

Кад је у питању илегална трговина дивљих врста обично важи правило да што је врста угроженија, односно ређа, то је и њена вредност на црном тржишту већа. Вредност примерака расте вишеструко од државе порекла до државе крајњег одредишта, што кријумчарима и криминалцима доноси огроман профит, док је ризик од откривања и затворске казне знатно мањи него у случају илегалне трговине наркотицима, људима и оружјем.

Иако илегална међународна трговина дивљим врстама већ деценијама има погубне последице по дивље врсте и економије великог броја држава, овом проблему је посвећена озбиљнија пажња тек последњих неколико година. Ова област представља приоритет за велики број држава обзиром да се илегална трговина дивљим врстама на глобалном нивоу доводи у директну везу са организованим криминалом, финансирањем тероризма и слично. Данас већина држава, укључујући и Републику Србију, инкриминише илегалан међународни промет и трговину угроженим дивљим врстама, што заправо значи да казне за преступнике сада више нису само новчане, него и затворске.

ILLEGAL WILDLIFE TRADE AND ITS CONSEQUENCES

*Unsustainable and uncontrolled use of natural resources is the **second** most damaging factor which **threatens the survival of wild species in nature**, right after the alteration and destruction of natural habitats. Poaching, illegal harvesting from the wild and illegal wildlife trade all directly contribute to the decrease of the size of wild populations of endangered species, even leading to extinction of entire species in some cases.*

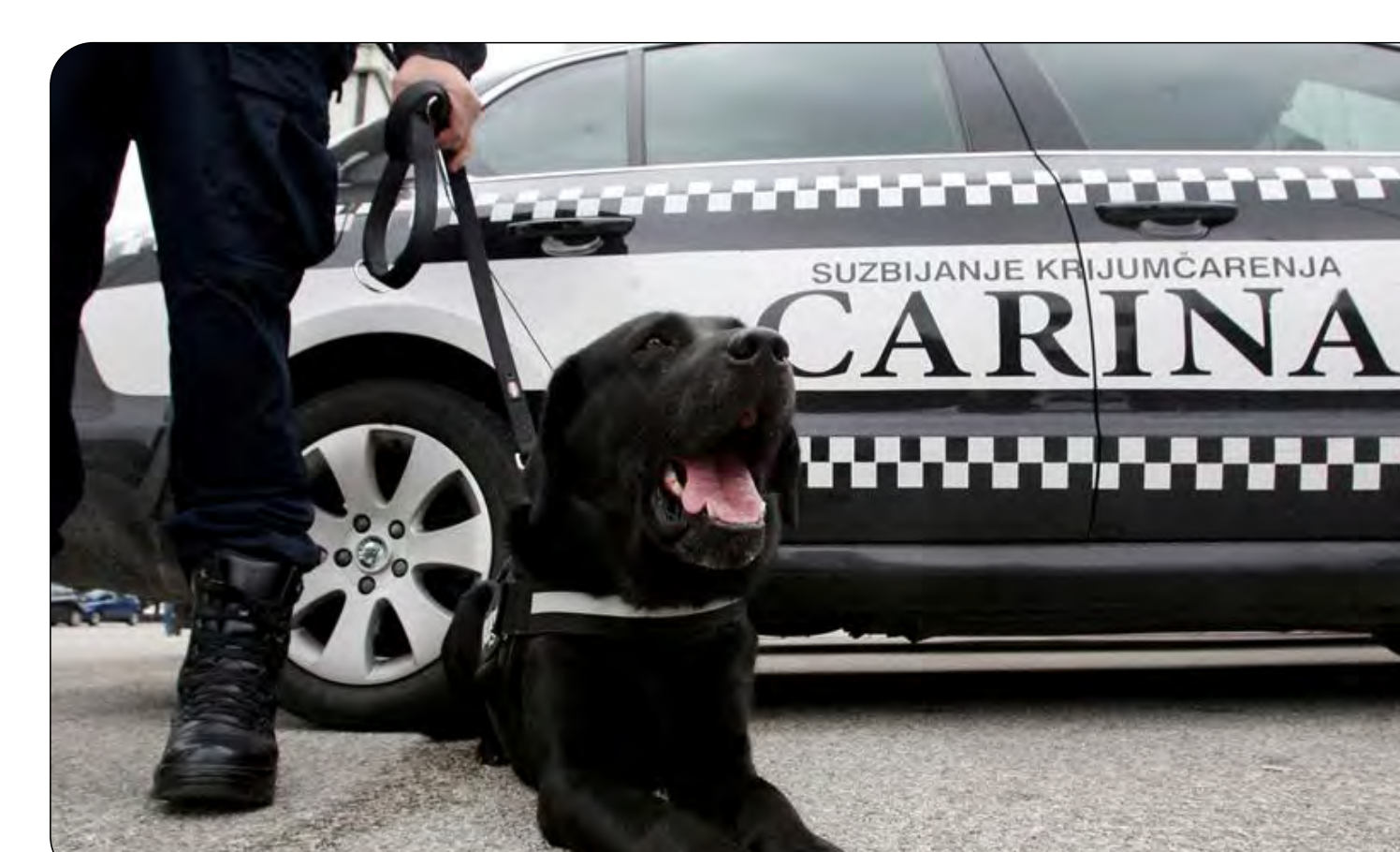
*The main factors which promote the establishment of illegal wildlife trade in a given region are **high levels of biological diversity**, a generally **poor economic situation** in the affected area and the **inability** of countries to effectively combat poaching and illegal wildlife trade.*

***Sub-Saharan Africa, South America and Southeast Asia** are the main regions from which the global black market is supplied with illegal wildlife. Continuous demand for wildlife exists on the consumer markets, the ones in the **European Union, United States of America** and in **China** being the biggest, further stimulating illegal wildlife trade and causing additional pressure on wild populations.*

*The International Criminal Police Organization - **INTERPOL** estimated the total annual illicit capital obtained from illegal wildlife trade on the global level to be between **8 and 10 billion US dollars**. Illegal wildlife trade is among the **five most profitable illegal activities**, such as drug smuggling, weapon smuggling, human trafficking and smuggling of counterfeit goods.*

In illegal wildlife trade the following rule generally applies, the more endangered or rare a species is, the higher the price is on the black market. The value of specimens rises exponentially from the country of origin to the country of final destination, bringing huge profits to smugglers and criminals, with the risk of being discovered and incarcerated often being much lower than in the case of smuggling drugs, weapons and human trafficking.

Even though illegal wildlife trade had devastating effects on wild species and adverse effects on the economies of many affected countries, this problem has been given attention only recently. This issue is now given priority in many countries as global illegal wildlife trade has been directly linked to organized crime, financing of terrorism and other similar activities. Today illegal wildlife trade is criminalized in the most of countries, as it is in the Republic of Serbia, meaning that it is now sanctioned not only through fines, but also through prison time.



МЕТОДЕ КРИЈУМЧАРЕЊА / SMUGGLING METHODS

Обрзиом да се кријумчари служе свим могућим средствима како би прокријумчарили што више робе у што мање покушаја, циљ надзорних органа је да открију све начине на које шверцери прикривају нелегалан товар. Живе животиње се кријумчаре на мноштво различитих начина, у зависности од врсте и величине самих примерака. Веће количине животиња се најчешће пакују заједно у џакове, кутије, кавезе и слично, а затим се прикривају у товарном делу возила или у посебним преградама за кријумчарење. Кријумчари врло често прибављају мешању и прикривању нелегалног товара у пошиљкама са декларисаном легалном робом. Понекад се шверцери опредељују и да сами кријумчаре мање количине живих животиња попут птица, гмизаваца, водоземаца и мањих сисара у свом личном пртљагу или чак на свом телу.

Због стреса, присилне имобилизације, недостатка ваздуха, вентилације, воде и хране, температурних екстрема, пренатрпавања, скученог простора и често врло дугог пута, највећи део животиња угине приликом кријумчарења.

Taking into consideration that smugglers use all means at their disposal to smuggle as much contraband in the least possible number of attempts, the goal of enforcement authorities is to discover as many concealment methods used by smugglers to hide their illegal cargo. Live animals are smuggled in a variety of different ways, all depending on the species and the size of the specimens. Larger quantities of animals are usually packed all together in burlap sacks, boxes, cages and similar containers, which are then hidden in the vehicle load compartment or specially designed smuggling compartments. Very often smugglers intentionally mix and conceal illegal cargo among declared shipments of legal goods. Smugglers sometimes chose to take smaller quantities of animals such as birds, reptiles, amphibians and smaller mammals in personal luggage or even attempt to carry them on their bodies.

Most smuggled animals die due to stress, forced immobilization, lack of air, ventilation, water and food, temperature extremes, overcrowding, tight space and often a very long journey.



ИЛЕГАЛНА ТРГОВИНА ДИВЉИМ ВРСТАМА У СРБИЈИ

Република Србија се налази на једном од најфреквентнијих коридора за промет робе у овом делу Европе, што је истовремено ставља на кључно место у борби против кријумчарења дивљих врста. Узевши у обзир чињеницу да се Србија граничи са јединственим тржиштем од преко 500 милиона људи у Европској унији, контрола границе и сузбијање кријумчарења, како људи, наркотика и оружја, тако и угрожених дивљих врста представља огроман изазов. Србија је држава порекла за одређене угрожене дивље врсте које се налазе у илегалној трговини. Поред тога, Србија представља транзитну државу преко које се кријумчаре угрожене дивље врсте из целог света намењене крајним купцима на црном тржишту у Европској Унији. У последњих неколико година Србија је све чешће и држава коначног одредишта за кријумчарене примерке угрожених дивљих врста.

Заплењени примерци дивљих врста

Од 2010. године, надлежни надзорни органи Републике Србије су запленили су више од 2,000 живих примерака дивљих врста животиња. Најбројнији су гмизавци и птице, али су и крупни сисари попут лавова, медведа, вукова и мајмуна понекад предмети заплена. Кријумчарене животиње често није могуће пустити у природу обзиром да њихово порекло није могуће утврдити или када је јасно да се ради о примерцима пореклом из заточеништва. Највећи део заплењених животиња се трајно збрињава у склопу зоолошких вртова или специјализованих прихватилишта за дивље врсте животиња. Мртви примерци дивљих врста, њихови делови, деривати и производи, такође су често предмет заплена, а након трајног одузимања они се најчешће уступају институцијама које у обављању својих делатности доприносе заштити природе.

Примери заплена живих примерака птица у Србији / Examples of live birds confiscated in Serbia



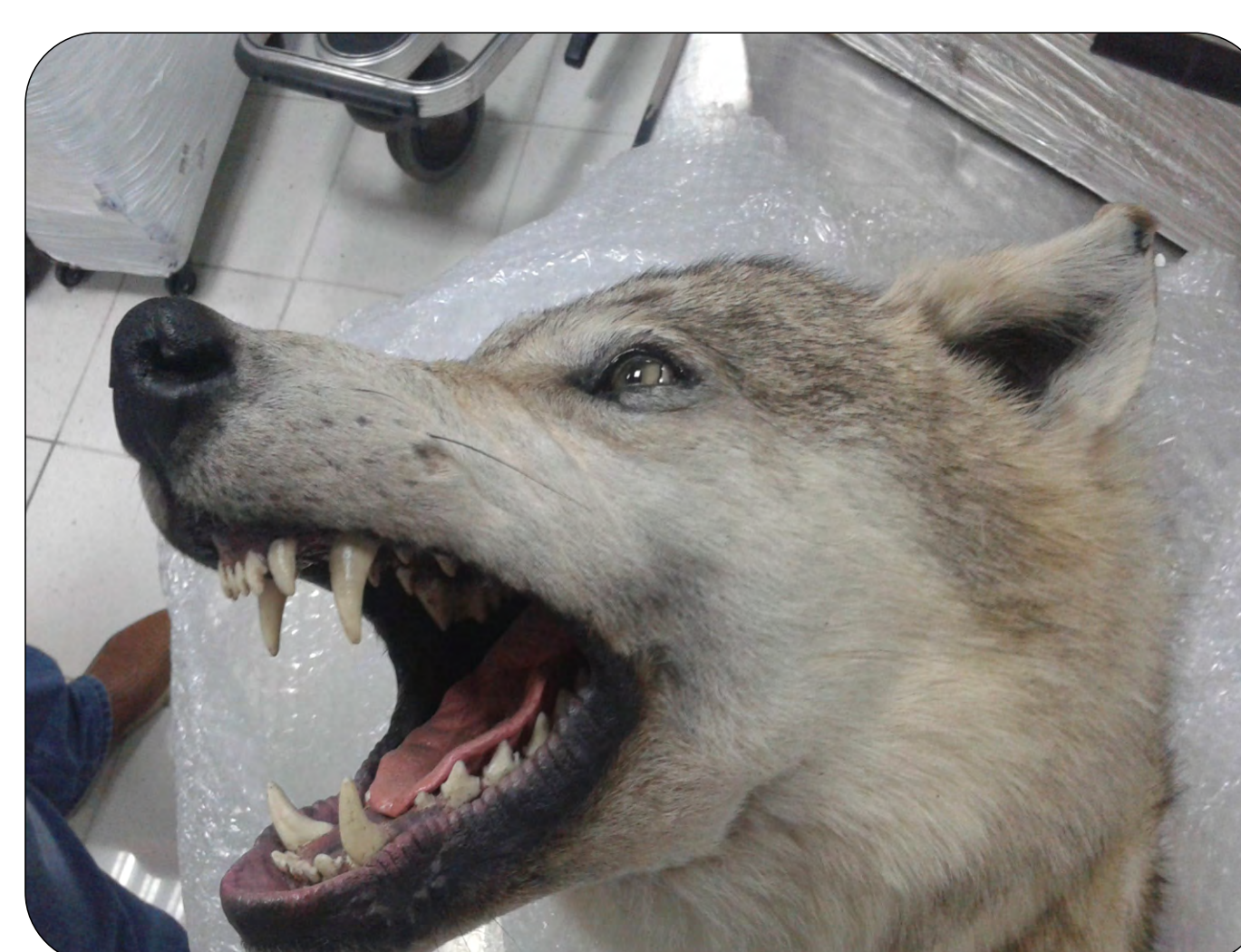
Примери заплена живих примерака гмизаваца у Србији / Examples of live reptiles confiscated in Serbia



Примери заплена живих примерака сисара у Србији / Examples of live mammals confiscated in Serbia



Примери заплена мртвих примерака, делова и деривата / Examples of confiscations of dead specimens, parts and derivatives



ILLEGAL WILDLIFE TRADE IN SERBIA

Republic of Serbia happens to be on one of the busiest corridors for the movement of goods in this part of Europe, making it a crucial state for combatting wildlife trafficking. Taking into account that Serbia borders the common market of more than 500 million people in the European Union, the control of borders and combatting human, drugs, weapons and wildlife smugglers presents a huge challenge. Serbia is the country of origin for some endangered species which appear in illegal trade. Apart from that, Serbia is a transit state for endangered wildlife smuggled from around the world for the buyers on the black market in the European Union. In the last few years however, Serbia has also become the country of final destination for trafficked wildlife.

Confiscated wildlife

Since 2010, Serbian enforcement authorities have confiscated more than 2000 live animals. Reptiles and birds were the most numerous, but in several cases large mammals such as lions, bears, wolves and monkeys have also been confiscated. Most of the time it is not possible to release the confiscated animals into the wild because their exact origin cannot be determined or because they in fact originate from captivity, making their release into the wild impossible. The largest part of confiscated animals is permanently housed in zoos or specialized wildlife rescue center facilities. Dead specimens, parts, derivatives and products thereof are also often confiscated and are entrusted to institutions which contribute to nature conservation through their work.

УЛОГА ЗООЛОШКИХ ВРТОВА У ЗАШТИТИ И ОЧУВАЊУ ДИВЉИХ ВРСТА

Зоолошки вртови данас играју много важнију улогу у заштити и очувању појединих дивљих врста него што је то био случај средином 20. века. Едукација посетилаца о заштити дивљих врста и потреби очувања њихових природних станишта данас је једна од главних улога зоолошких вртова. Активно учешће у заштити и очувању дивљих врста се такође захтева од зоолошких вртова кроз националне прописе, као и чланством у Европској асоцијацији зоолошких вртова и акваријума (EAZA). Ову обавезу зоолошки вртови могу да испуне на неколико различитих начина. Зоолошки вртови често учествују у посебним програмима размножавања угрожених врста у заточеништву, као и реинтродукцији појединих угрожених врста у природу. У сарадњи са зоолошким вртovima се спроводе истраживања која доприносе очувању врста, а неретко се прикупљају и средства за активне мере заштите угрожених врста у природи.



Једна од мера коју зоолошки вртови у Србији (Зоолошки врт Палић и Зоолошки врт града Београд) активно спроводе, а која доприноси заштити и очувању дивљих врста, јесте збрињавање, односно нега и рехабилитација дивљих животиња које су пронађене повређене или неспособне да самостално опстану у природи. Зоолошки вртови најчешће збрињавају и рехабилитују повређене, изнемогле или отроване птице грабљивице, али повремено рехабилитују и строго заштићене врсте сисара попут видре и мрког медведа. Много различитих фактора утиче на успех рехабилитације и могућност евентуалног враћања животиње у природу, с тим да је брзина реаговања при збрињавању пронађеног повређеног примерка кључна.

Државни органи се такође често ослањају на помоћ зоолошких вртова када је неопходно да се привремено или трајно збрину живи примерци дивљих животиња након спречавања покушаја кријумчарења, илегалне трговине или незаконитог држања у заточеништву. Обзиром да се често плене егзотичне дивље животиње, укључујући и опасне врсте, зоолошки вртови су често једина опција за њихово хитно збрињавање и негу, обзиром да зоолошки вртови имају запослена лица са искуством у раду са егзотичним врстама, као и одређен број објеката за хитно збрињавање дивљих животиња.



ROLE OF ZOOS IN SPECIES PROTECTION AND CONSERVATION

Zoos today play a much more important role in the protection and conservation of species than they did at the end of the 20th century. Education of visitors on species conservation and preservation of natural habitats is one of the main roles of zoos today. Active participation of zoos in species conservation is also required by national legislation or by membership in European Association of Zoos and Aquaria (EAZA). This obligation can be fulfilled in different ways. Zoos often participate in special programmes aimed at captive breeding of endangered species as well as in programmes involving reintroduction of endangered species into the wild. Research activities contributing to species conservation and fundraising activities for active conservation measures in the field are also conducted in cooperation with zoos.

One of the measures that zoos in Serbia (namely Palić Zoo and Belgrade Zoo) actively engage in is the rescue, care and rehabilitation of wild animals found injured or unfit to survive on their own in the wild. Zoos most often rescue and rehabilitate injured, exhausted or poisoned birds of prey, but from time to time they also attempt to rehabilitate strictly protected mammal species such as the Eurasian otter and the Brown bear. Many different factors affect the success of the rehabilitation process, as well as the possibility of eventual return to the wild, however the key factor is the timely reaction when the injured or distressed wild animal is discovered.

State authorities often have to rely on zoos for assistance in housing, care and rehabilitation of wild animals that have either been seized or confiscated from smugglers and illegal traders. Taking into consideration that exotic animals are also seized and confiscated quite often, including dangerous species, zoos are usually the only option for their immediate placement and care, given that the zoo staff have experience and expertise in working with exotic species and the fact that there are certain facilities available for urgent placement of confiscated wild animals in zoos.



Примери збрињавања и рехабилитације дивљих животиња у Зоолошком врту Палић и Зоолошком врту града Београда Examples of rescue and rehabilitation of wild animals in Palić Zoo and Belgrade Zoo

