

Draft - Salient features of National Level Wildlife Protection Legislation across Snow Leopard Range Countries

SNOW LEOPARD RANGE COUNTRIES

Afghanistan

Bhutan

China

India

Kazakhstan

Kyrgyzstan

Mongolia

Nepal

Pakistan

Russia

Tajikistan

Uzbekistan

LIST OF PRINCIPAL WILDLIFE PROTECTION LEGISLATION ACROSS SNOW LEOPARD RANGE COUNTRIES

COUNTRY	NATIONAL LEVEL ACT/LAW NAME	Year	SALIENT FEATURES
Afghanistan	ENVIRONMENTAL LAW OF AFGHANISTAN	2007	Provides for the management of issues relating to rehabilitation of the environment and the conservation and sustainable use of natural resources, living organisms and non-living organisms.
Bhutan	FOREST AND NATURE CONSERVATION ACT OF BHUTAN	1995	Protection and sustainable use of forest, wildlife and related natural resources.
China	LAW OF THE PEOPLE'S REPUBLIC OF CHINA ON THE PROTECTION OF WILDLIFE	1989	Protecting and saving the species of wildlife, developing and rationally utilizing wildlife resources and maintaining ecological balances.
India	WILDLIFE (PROTECTION) ACT	1972	Provides for the protection of 1 [wild animals, birds and plants and form matters connected therewith or ancillary or incidental thereto.
Kazakhstan	THE LAW OF REPUBLIC KAZAKHSTAN ABOUT PROTECTION, REPRODUCTION AND USE OF WILDLIFE	2004	Directed on maintenance of conditions of preservation of fauna and biological variety, steady use of objects of fauna with a view of satisfaction of

			ecological, economic, aesthetic and other needs(requirements) of the person in view of interests present and the future generations
Nepal	NATIONAL PARKS AND WILDLIFE CONSERVATION ACT	1973	Management of national Parks, conservation of wildlife and their habitat.
Pakistan	PAKISTAN TRADE CONTROL OF WILD FAUNA AND FLORA ACT, 2012. Note: NATIONAL LEVEL WILDLIFE LAW IS CURRENTLY BEING FORMULATED	2012	
Russia	FEDERAL LAW OF THE RUSSIAN FEDERATION ON WILDLIFE	1995	Provides for management in the sphere of protection and sustainable use of the objects of wildlife
Mongolia	Law on Fauna and Mongolian Law on Hunting	2000	Law on Fauna – provides for regulation with regard to protection and breeding of fauna permanently or temporarily residing in the soil, water or on land within the territory of Mongolia Mongolian Law on Hunting – Regulation on Hunting and Trapping of Animals

Tajikistan	<p>- LAW ON THE PROTECTION AND USE OF WILDLIFE</p> <p>- LAW ON THE ENVIROMENTAL PROTECTION</p>	<p>- 1994</p> <p>- 2011</p>	<p>-This law regulates the protection and use of wildlife, hunting and liability for violations and compensation for damage.</p> <p>- This law regulates the issues of environmental protection, provides concepts and principles, creates special funds for the restoration of losses, and the order of protection of endangered species of animals and plants.</p>
Uzbekistan	<p>- LAW ON THE PROTECTION AND USE OF WILDLIFE</p> <p>- LAW ON NATURE PROTECTION</p>	<p>- 2016</p> <p>- 1992</p>	<p>- This law gives the concept of the animal world, the procedure for monitoring, and the basic requirements for the protection and use of wildlife and its habitat, as well as measures of responsibility.</p> <p>- This Law establishes the legal, economic and organizational basis for preserving the conditions of the natural environment, rational use of natural resources.</p>
Kyrgyzstan	<p>- LAW ON ANIMAL WORLD</p> <p>- LAW ON HUNTING</p>	<p>- 1999</p> <p>- 2014</p>	<p>- This Law establishes legal relations in the field of protection, use and reproduction of wildlife objects.</p> <p>- The subject of</p>

	- ENVIROMENTAL LAW	- 1999	<p>regulation of this Law and other normative legal acts of the Kyrgyz Republic adopted in accordance with it are relations in the sphere of conservation, reproduction and use of hunting resources and their habitat arising during hunting and hunting activities (hereinafter referred as hunting).</p> <p>- This Law determines the policy and regulates legal relations in the field of nature management and environmental protection in the Kyrgyz Republic.</p>
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SALIENT FEATURES OF MAJOR NATIONAL LEVEL WILDLIFE LEGISLATIONS IN SNOW LEOPARD RANGE COUNTRIES:

AFGHANISTAN

ENVIRONMENTAL LAW OF AFGHANISTAN (2007)

GENERAL PROVISIONS

- **Article 3. *Implementing agency*** - The National Environmental Protection Agency, as an independent institutional entity, is responsible for coordinating and monitoring conservation and rehabilitation of the environment, and for implementing this Act. The functions of NEPA are specified in Article 9.
- **Article 13. Prohibited activities**
 1. No person may undertake an activity or implement a project, plan or policy that is likely to have a significant adverse effect on the environment unless the provisions of Article 16 of this Act have been complied with.
 2. No ministry or national authority may grant an authorisation for the execution of an activity or implementation of a project, plan or policy that is likely to have a significant adverse effect on the environment unless the provisions of Article 16 of this Act have been complied with.
- **Article 38. National protected areas system**
The national protected areas system of the Islamic Republic of Afghanistan is hereby established for the following objectives:
 1. conserve the natural and cultural heritage;
 2. preserve present and future sustainable development options by conserving, and where necessary restoring, representative ecosystems, habitats, and natural and cultural features and integrating their management into local and national land use plans;
 3. ensure sustainable use of natural resources by involving local communities in all activities related to protected areas, including designating and delimiting areas, developing integrated management plans, and managing protected areas.
- **Article 40. Categories of protected areas**
 1. The following categories of protected areas are established:
 - (1) strict nature reserve;
 - (2) national park;
 - (3) natural monument;
 - (4) habitat/ species management area;
 - (5) protected landscape;

(6) managed resource protected area

- **Article 42. Designating protected areas**

1. Protected areas shall be selected and delimited in consultation with the local communities involved.
2. The National Environmental Protection Agency shall, in coordination with relevant ministries and Provincial Councils and District and Village Councils, conduct all surveys and studies required to prepare a proposal for designating a protected area, which proposal shall include at least the following:
 - (1) justification for establishment of the area and the category of protection proposed, which takes into account the objectives for the national protected areas system and includes an evaluation of the advantages and disadvantages of establishing the protected area;
 - (2) a physical survey of the proposed protected area;
 - (3) a socio-economic impact survey of the local human population with a description of traditional uses of natural resources in the area proposed for designation and the potential effect of each category of protection provided in Article 43 of this Act;
 - (4) a report on collaboration with Provincial Councils and District and Village Councils and local communities in determining the boundaries and category of the area proposed for designation;
 - (5) comments received from Provincial Councils and District and Village Councils and local communities concerning the proposed designation of the protected area and the category of protection to be declared;
 - (6) a description of any compensatory measures that may need to be taken as a result of establishment of the area.

Prohibitory Regulations

- **Article 57. Domestic possession and trade**

1. No person shall possess, transport, sell, offer for sale or purchase any specimen of any species listed under Article 47 or product made from any specimen of any species listed under Article 47 which has been illegally imported, taken from the wild, or otherwise not lawfully acquired without a valid permit.
2. An authorisation referred to in sub-article 1 shall not be granted with respect to any species whose trade is prohibited pursuant to any international conventions.
3. A possessor or trader shall hold a valid permit proving that a specimen was lawfully obtained or imported into the country.

- **Article 70. Offences and penalties**

1. The holder of a licence, permit or authorisation shall be tried by a court of law if he or she commits any of the following offences:

- (1) breach of the conditions of a licence, permit, authorisation or order issued or made under this Act; the offender shall be sentenced to a mid-term imprisonment, or a fine payment, or both, as appropriate;
- (2) failure to comply with an abatement or compliance order; the offender shall be sentenced to a six-month imprisonment, or payment of a cash fine equivalent to the damage caused;
- (3) making a statement that is false or misleading in one of the following instances:
 - for the purposes of obtaining an authorisation under this Act; or
 - obstructing an inspector in the exercise or performance of powers or duties under this Act the offender shall be sentenced to a three-month imprisonment, or payment of a cash fine of 10,000 Afghanis, or both, as appropriate.

2. The National Environmental Protection Agency may require offenders under this Act to pay cash fine payments, the conditions and procedures of which shall be determined in regulations.

- Article 71. ***Legal action***

1. Legal action may be initiated by any person affected by damage or threatened by potential harm to natural resources or the environment or by violations of this Act and any regulations adopted pursuant to it, on that person's own behalf or on behalf of that person and other affected persons having similar or common interests in the proceedings.
2. Any person who intentionally or negligently commits any act or is responsible for an omission which damages, degrades, or threatens natural resources or the environment shall be liable for the costs of restoration and remediation.

INDIA

WILDLIFE (PROTECTION) ACT, 1972

The wildlife laws have a long history and are the cumulative result of an increasing awareness of the compelling need to restore the catastrophic ecological imbalances introduced by the depredations inflicted on nature by human being. It was not till late 1960's that the concern for the depleting wild finally aroused. The first comprehensive legislation relating to protection of wildlife was passed by the Parliament and it was assented by the President on 9th September, 1972 and came to be known as The Wild Life (Protection) Act, 1972 (53 of 1972).

GENERAL PROVISIONS

- Central government to appoint Director of Wildlife Preservation, Assistant Directors and other such employees.
- State Government to appoint Chief Wildlife Wardens, Wildlife Wardens and other such employees.
- A Wildlife Advisory Board is established for the smooth functioning of this act.
- Hunting of wildlife animals:-
No person shall hunt any wild animal specified in Schedule I, II, III and IV except as provided under section 11 and section 12
- **Sec. 11** hunting of wildlife animals to be permitted in certain cases:-
The Chief Wildlife Warden may, if he is satisfied that any wild animal specified in Schedule II,II,III & IV has become dangerous to human life or is so disabled or diseased as to be beyond recovery, by order in writing and stating the reasons therefore, permit any person to hunt such animal or cause such animal to be hunted
- grant of permit for special purposes:-
Any wild animal specified in such permit, for the purpose of,-
 - (a) Education;
 - 2(b) scientific research;
 - (Bb) scientific Management.
- possession, etc., of plants by license-
- **Declaration of sanctuary:-**
The State Government may, by notification, declare its intention to constitute any area comprised within any reserve forest or the territorial waters as a sanctuary if it considers that such area is of adequate ecological, faunal, floral, geomorphologic, natural or zoological significance, for the purpose of protecting, propagating or developing wild life or its environment.

- **Declaration of National Parks (Sec.35) -**

Whenever it appears to the State Government that an area, whether within a sanctuary or not, is, by reason of its ecological, faunal, floral, geomorphologic or zoological association or importance, needed to be constituted as National Park for the purpose of protecting, propagating or developing wildlife therein or its environment, it may, by notification, declare its intention to constitute such area as a National Park

- **Declaration of closed area (Sec.37) -**

(1) The State Government may, by notification, declare any area closed to hunting for such period as may be specified in the notification.

(2) No hunting of any wild animal shall be permitted in a closed area during the period specified in the notification referred to in sub-section (1).

Prohibitory Regulations (sec. 51) :-

- Any person who contravenes any provision of this Act 2[(except Chapter VA and section 38J)] or any rule order and made there under or who commits a breach of any of the conditions of any licence or permit granted under this Act, shall be guilty of an offence against this Act, and shall, on conviction, be punishable with imprisonment for a term which may extend to 3[three years] or with fine which may extend to 4[twenty-five thousand rupees] or with both: Provided that where the offence committed is in relation to any animal specified in Schedule I or part II or meat of any such animal or animal article, trophy or uncured trophy derived from such animal or where the offence 5[relates to hunting in, or altering the boundaries of] a sanctuary or a National Park, such offence shall be punishable with imprisonment for a term which shall not be less than 6[one year] but may extend to six years and also with fine which shall not be less than 7[five thousand rupees:] 8[Provided further that in the case of a second or subsequent offence of the nature mentioned in this sub-section, the term of imprisonment may extend to six years and shall not be less than two years and the amount of fine shall not be less than ten thousand rupees.] 9[(1A) Any person who contravenes any provisions of Chapter VA, shall be punishable with imprisonment for a term which shall not be less than one year but which may extend to seven years and also with fine which shall not be less than five thousand rupees.] 10[(1B) Any person who contravenes the provisions of section 38J shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two thousand rupees, or with both: Provided that in the case of a second or subsequent offence the term of imprisonment may extend to one year, or with fine which may extend to five thousand rupees.
- When any person is convicted of an offence against this Act, the court trying the offence may order that any captive animal, wild animal, animal article, trophy, 2[uncured trophy, meat, ivory imported into India or an article made from ivory, any specified plant, or part or derivative thereof] in respect of which the offence has been

committed, and any trap, tool, vehicle, vessel or weapon, used in the commission of the said offence be forfeited to the State Government and that any licence or permit, held by such person under the provisions of this Act, be cancelled.

- Such cancellation of licence or permit or such forfeiture shall be in addition to any other punishment that may be awarded for such offence.
- Where any person is convicted of an offence against this Act, the court may direct that the licence, if any, granted to such person under the Arms Act, 1959 (54 of 1954), for possession of any arm with which an offence against this Act has been committed, shall be cancelled and that such person shall not be eligible for a licence under the Arms Act, 1959 (54 of 1954), for a period of five years from the date of conviction.
- Nothing contained in section 360 of the Code of Criminal Procedure, 1973 (2 of 1974) or in the Probation of offenders Act, 1958 (20 of 1958) shall apply to a person convicted of an offence with respect to hunting in a sanctuary or a National Park or of an offence against any provision of Chapter VA unless such person is under eighteen years of age.

BHUTAN

FOREST AND NATURE CONSERVATION ACT OF BHUTAN, 1995

GENERAL PROVISIONS

1. Management of the forest

- Management of forest and regulation of forest produce

The department is given responsibility for sustainably managing government reserved forests, and for regulating the production, protection, transport and trade of timber, other forest produce and wildlife, whether or not located in government reserved forest, and as provided by rules for community or private forests or where responsibility for regulating a particular type of minor forest has been given to another agency or department of the royal government.

2. Management plans :-

1. The head of the department shall prepare plans for the management of the forests, wildlife and related natural resources of Bhutan. In the case of areas under private or community management, plans as required by rules under this act shall be prepared by the person or entity responsible for management. All such management plans shall be issued subject to the head of the ministry.
2. Each management plan shall describe the area and its resources, their uses and their role in the biological diversity of Bhutan; state the management regime required for the protection and sustainable utilization of the resources, including logging and reforestation requirements and designation of protected areas; and assess the environmental and socio economic impact of the proposed management regime.

Prohibitory Regulations

- Any person, who commits an offence which is punishable under more than one section of the act, or which is punishable under this act and also other laws, shall be liable for whichever punishment is greater.
- Any person who violates any prohibition of this act, or any rules or permit issued under this act, where no specific penalty is provided, is guilty of an offense punishable with a fine which may extend to an amount, prescribed in the rules which may be issued from time to time.
- The amounts of any fines under this act may be revised periodically by the royal government.
- Liability of forest officer

- No forest officer shall be liable for anything done by him in good faith for purposes of enforcing this act or otherwise acting in the course of the duty.
- Any forest officer who wrongfully and without good cause seizes any property or arrests any person is punishable in accordance with laws issued by the royal government.
- Penalty for counterfeiting or defacing registration marks and for altering boundary marks
 - Counterfeits, alters, defaces or obliterates any registration mark placed on a tree or on timber by or under the authority of a forest officer; or
 - Alters, moves, destroys or defaces any forest boundary pillar or other boundary mark placed by or under the authority of a forest officer;
 - Is involved in the forgery of documents and impersonation of any staff of the forest office.
- Is punishable for imprisonment which may extend to three months or a fine which may extend to an amount prescribed in the rules which may be issued from time to time, or both, in addition to payment of compensation for the cost of replacement, of any boundary pillar or other boundary mark altered, moved, destroyed or defaced.

DECLARATION OF PROTECTED AREAS

- Establishment of protected areas
 - The royal government may declare any land in the country to be a national park, wildlife sanctuary, wildlife reserve, nature reserve, strict nature reserve, protected forest, research forest, conservation forest, cultural or natural heritage site, biosphere reserve, critical watershed or other category of protected area for preservation of the area of natural beauty of national importance, protection of biological diversity, management of wildlife.
- The head of the department shall issue a management plan for each protected area duly approved by the head of the ministry.
- The ministry may issue rules to regulate or prohibit any activity within a protected area. Violation of such rules shall be an offence punishable with imprisonment which may extend to amount prescribed in the rules which may be issued from time to time, or both, in addition to either
 - (a) Confiscation of anything illegally taken or the proceeds from the sale thereof, or

(b) Payment of compensation at fair market value for anything illegally taken, damaged or destroyed.

➤ Government reserved forests

- All the forests are declared to be government reserved forests.
- A community forest established under section 17 shall cease to be government reserved forest, but if it shall cease to be community first, it shall automatically revert as government reserved forest.
- The national assembly or his majesty the king may direct that all or part of land declared as government reserved forest shall cease to be government reserved forest.

➤ Prohibited acts in government reserved forests

- Except pursuant to a permit or rules issued by the ministry, the following acts are prohibited in government reserved forests.
 1. Clearing or breaking up of any land for cultivation or any other purpose;
 2. Setting of fire, except controlled campfires, or leaving any fire including a campfire burning in such manner as to destroy, damage or endanger trees, any forest produce or wildlife;
 3. Blocking, storing or diverting any river, stream, irrigation channel, waterfall, underground water source or any other water source or water course;
 4. Hunting, fishing, taking, removing, destroying, poisoning, or injuring any wildlife, or setting traps or snares;
 5. Habitation either temporary or permanent;

➤ Any offence under this section is any offence punishable with imprisonment which may extend to 5 years, or a fine which may extend to an amount prescribed in the rules issued by the department.

- Confiscation of anything illegally taken or the proceeds from the sale thereof,
- Payment of compensation at fair market values for anything illegally taken, damaged, or destroyed, and
- Confiscation of any equipment, vehicle, and tools used to committing the offence.

NEPAL

NATIONAL PARKS AND WILDLIFE CONSERVATION ACT, 1973

This act was enacted to make expedient arrangement for the management of national parks, conservation of wildlife and their habitat, regulate hunting and to conserve, promote, develop, and make appropriate arrangements for and the use of places which are of special importance from the point of view of natural beauty and to maintain good manners and welfare of the general public.

GENERAL PROVISIONS

- **Government may declare national park, reserves or conservation area (sec.3)** - The Government may declare an area as a national park or reserve or conservation area by publishing a notice in the Nepal Gazette and indicating the boundary thereof; and may also transfer the ownership or alter the boundaries of an area, which has once been declared as a national park, reserve or conservation area by publishing a notification in the Nepal Gazette.
- **Buffer zone may be declared (sec.3a)** - The Government may declare any peripheral area of a national park or reserve as a buffer zone by publishing notification in the Nepal Gazette and indicating the boundaries thereof.
- **Restriction on entry into national park (sec.4)** - No person shall be allowed to enter into a national park or reserve without obtaining an entry permit as prescribed or a written permission from the authorized official. This section shall not be applied to government employees who are on deputation or to persons who have the privilege of right-of-way inside the national park or reserve.
- **Protected wildlife (sec.9)** - The wildlife mentioned in Schedule-1 of this Act shall be considered as the protected wildlife and their hunting is prohibited.
Provided that:
 - a. A rogue wild elephant, a man-eater tiger and wildlife that suffers from disease or have become disabled and may not survive, shall be killed or captured on the order of the prescribed officer.
 - b. In case it is deemed necessary to kill wildlife, which come out of the forested area and cause considerable loss to human beings or to domestic birds and animals, they may be killed, captured or chased on the order of the prescribed officer.
- **Prohibition to hunt without a license (sec.10)** - No person shall be permitted to hunt wildlife animals without obtaining a license. Any person who is desirous to obtain a license shall submit an application form to the prescribed officer as prescribed and, if such an application is received, the prescribed officer shall, after collecting the prescribed fees, issue a license in the prescribed model and type to hunt wildlife.

The person who obtains license shall hunt in accordance with the prescribed terms and conditions. The prescribed officer may refuse to issue a license with or without giving any reason.

- **Trophy will have to be produced before the licensing authority (sec.17)** - Any person who possesses a trophy under the license obtained by him shall have to produce it before the licensing authority or the officer designated by him within 24 hours excluding the time required for travelling.

The licensing authority shall maintain records of the trophies produced before him and hand over the whole body or part of such wildlife to the person who has submitted it before him along with a certificate in the prescribed form if the authority is satisfied that the trophy has been secured in accordance with the license.

Prohibitory Regulations

- Any person who illegally kills, sells, purchases or transfers or obtains rhinoceros, tiger, elephant, musk deer, clouded leopard, snow leopard or bison, or keeps, purchases or sells rhinoceros horn or musk-pods or the fur of snow leopard as well as trophies of any other protected wildlife, shall be punished with a fine ranging from fifty to one hundred thousand rupees or an imprisonment ranging from five years to fifteen years or both.
- Any person who kills or injures any other protected wildlife other than those mentioned above shall be punished with a fine ranging from forty to seventy five thousand rupees, or face an imprisonment ranging from one year to ten years or both
- Any person who hunts and kills wildlife other than birds and fish inside a national park, strict nature reserve or wildlife reserve without obtaining a license shall be punished with a fine ranging from one thousand rupees and ten thousand rupees or face imprisonment ranging from six months to two years or both.
- Any person who hunts and kills protected birds shall be punished with a fine ranging from five hundred rupees and ten thousand rupees or face imprisonment ranging from three months and two years or both.
- Any person who hunts and kills birds other than protected birds inside a national park, strict nature reserve or wildlife reserve without obtaining a license shall be punished with a fine ranging from two hundred rupees and ten thousand rupees, or face imprisonment ranging between three months and two years or both.
- Any person who commits any other offense other than those mentioned above, in contravention of this Act or the rules framed under the Act shall be punished with a fine up to ten thousand rupees or two years imprisonment or both depending on the nature of the case.

CHINA

LAW OF THE PEOPLE'S REPUBLIC OF CHINA ON THE PROTECTION OF WILDLIFE (2004 REVISION)

GENERAL PROVISIONS

PROTECTION OF WILDLIFE

- **Article 8.** The state shall protect wildlife and the environment for its survival, and shall prohibit the illegal hunting, catching or destruction of wildlife by any unit or individual.
- **Article 9.** The state shall give special protection to the species of wildlife which are rare or near extinction. The wildlife under special state protection shall consist of two classes: wildlife under first class protection and wildlife under second class protection. Lists or revised lists of wildlife under special state protection shall be drawn up by the department of wildlife administration under the State Council and announced after being submitted to and approved by the State Council.
- **Article 18.** Anyone who intends to hunt or catch wildlife that is not under special state protection must obtain a hunting license and observe the hunting quota assigned. Anyone who intends to hunt with a gun must obtain a gun license from the public security organ of the county or municipality concerned.
- **Article 19.** Anyone engaged in the hunting or catching of wildlife shall observe the prescriptions in his special hunting and catching license or his hunting license with respect to the species, quantity, area and time limit.
- **Article 20.** In nature reserves and areas closed to hunting, and during seasons closed to hunting, the hunting and catching of wildlife and other activities which are harmful to the living and breeding of wildlife shall be prohibited. The areas and seasons closed to hunting as well as the prohibited hunting gear and methods shall be specified by governments at or above the county level or by the departments of wildlife administration under them.
- **Article 21.** The hunting or catching of wildlife by the use of military weapons, poison or explosives shall be prohibited.

Prohibitory Regulations

- **Article 31.** Anyone who illegally catches or kills wildlife under special state protection shall be prosecuted for criminal responsibility in accordance with the supplementary provisions on punishing the crimes of catching or killing the species of wildlife under special state protection which are rare or near extinction.

- **Article 32.** If anyone, in violation of the provisions of this Law, hunts or catches wildlife in an area or during a season closed to hunting or uses prohibited hunting gear or methods for the purpose, his catch, hunting gear and unlawful income shall be confiscated and he shall be fined by the department of wildlife administration; if the circumstances are serious enough to constitute a crime, he shall be prosecuted for criminal responsibility in accordance with the provisions of Article 130 of the Criminal Law.
- **Article 33.** If anyone, in violation of the provisions of this Law, hunts or catches wildlife without a hunting license or in violation of the prescriptions of the hunting license, his catch and unlawful income shall be confiscated and he shall be fined by the department of wildlife administration and, in addition, his hunting gear may be confiscated and his hunting license revoked. If anyone, in violation of the provisions of this Law, hunts wildlife with a hunting rifle without a license for the rifle, he shall be punished by a public security organ by applying mutatis mutandis the provisions of the Regulations on Administrative Penalties for Public Security.
- **Article 34.** If anyone, in violation of the provisions of this Law, destroys in nature reserves or areas closed to hunting the main places where wildlife under special state or local protection lives and breeds, he shall be ordered by the department of wildlife administration to stop his destructive acts and restore these places to their original state within a prescribed time limit, and shall be fined.
- **Article 35.** If anyone, in violation of the provisions of this Law, sells, purchases, transports or carries wildlife under special state or local protection or the products thereof, such wildlife and products and his unlawful income shall be confiscated by the administrative authority for industry and commerce and he may concurrently be fined.
- If anyone, in violation of the provisions of this Law, sells or purchases wildlife under special state protection or the products thereof, and if the circumstances are serious enough to constitute a crime of speculation or smuggling, he shall be prosecuted for criminal responsibility according to the relevant provisions of the Criminal Law. The wildlife or the products thereof thus confiscated shall, in accordance with the relevant provisions, be disposed of by the relevant department of wildlife administration or by a unit authorized by the same department.
- **Article 36.** If anyone illegally imports or exports wildlife or the products thereof, he shall be punished by the Customs according to the Customs Law; if the circumstances are serious enough to constitute a crime, he shall be prosecuted for criminal responsibility in accordance with the provisions of the Criminal Law on the crimes of smuggling.

KAZAKHSTAN

The Law of Republic Kazakhstan about protection, reproduction and use of fauna (2004)

GENERAL PROVISIONS

- **Clause(Article) 6. Main principles of the government in the field of protection, reproduction and uses of fauna are:**
 - 1) Maintenance of protection, reproduction and steady use of fauna;
 - 2) Using fauna the ways which are not admitting cruel treatment with animals, according to principles of humanity;
 - 3) Inadmissibility of overlapping of activity on realization of the state control over use and protection of fauna with activity on use of objects of fauna;
 - 4) Branch of the right of use fauna from the right of use the ground, waters, flora and other natural resources;
 - 5) Chargeability of special using fauna;
 - 6) Inevitability of the responsibility for infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and uses of fauna;
 - 7) Participation of citizens and public associations in the decision of problems (tasks) in the field of protection, reproduction and steady use of objects of fauna.

Article 6. Wildlife in the Republic of Kazakhstan shall be exclusively in the state ownership.

- **Clause(Article) 13. Protection of fauna is carried out by way:**
 - 1) Establishments and observance of rules and norms on protection, reproduction and use of objects of fauna;
 - 2) Establishments of restrictions and interdictions on using fauna;
 - 3) Protection of kinds of animals rare and taking place under threat of disappearance;
 - 4) Prevention of infringements of the established instructions for use by fauna;
 - 5) The organizations of protection of an inhabitancy, conditions of duplication, ways of migration and places of concentration of animals;
 - 6) Fastenings territories, water areas to users fauna with putting on them of duties on protection of objects of fauna;
 - 7) Creations specially protect natural territories;
 - 8) Artificial animal husbandry;

- 9) Rendering assistance by an animal in case of diseases, threat of destruction at acts of nature and owing to other reasons;
 - 10) The organizations of scientific researches in the field of protection, reproduction and uses of fauna;
 - 11) Propagation of ideas of protection and steady use of objects of fauna;
 - 12) Stimulations of activity of physical and legal persons on protection of fauna;
 - 13) Education of citizens in spirit of the humane and careful attitude (relation) to fauna.
- **Clause (Article) 14.** An establishment of restrictions and interdictions on using fauna with a view of his (its) preservation and reproduction
 1. With a view of preservation and reproduction of objects of fauna can be established:
 - 1) Restrictions of terms of using by fauna;
 - 2) Interdictions of methods, ways and kinds of instruments of getting;
 - 3) Changes of norms of withdrawal;
 - 4) Restrictions of quantity (amount) of users by fauna.
 2. The basis for an establishment of restrictions and interdictions are:
 - 1) Infringement sex and age structures of a population of animals;
 - 2) Reduction of number of animals;
 - 3) Deterioration of an inhabitancy;
 - 4) Necessity of creation of zones of rest for places of a mass congestion of animals during migration and duplication.
 3. With a view of preservation of objects of fauna are forbidden:
 - 1) Destruction of vegetation and other actions worsening conditions of an inhabitancy of animals;
 - 2) Plowing the grounds with settlements of the animals, living colonies, is closer than twenty meters from the beginning of an arrangement of their holes on perimeter or without their preliminary resettlement in other place as agreed with the authorized body;
 - 3) Destruction and damage of dwellings and jacks of animals, gathering of eggs;

4) Driving on boats, motor boats and other floating means with the included motors in the designated places of mass nesting a waterfowl and spawning grounds fishes during their duplication;

5) Flight of planes, helicopters and other flying devices above territory of mass dwelling wild hoofed animal and colonial birds is lower than one kilometer without the coordination with the authorized body;

6) Destruction of an inhabitancy of animals, damage of crops of fodder plants, protective landings(plantings), feeding troughs for animals, index signs, the constructions intended for conducting of the hunting and fish facilities(economy);

7) Withdrawal of kinds of animals rare and taking place under threat of disappearance without the decision of the Government of Republic Kazakhstan;

8) Extraction of objects of fauna over the established limit and outside of the terms specified in sanctions to using by fauna;

9) Extraction of objects of fauna with application not stipulated by rules of hunting and fishery of kinds of instruments, methods and ways of getting of animals;

10) Extraction of objects of fauna with application of explosives, poison and chemical (except for application poison and chemical at destruction of field rodents, and also in cases furiousness and other illnesses of animals as agreed with the authorized body);

11) Manufacture without the permission of the authorized body introduction and hybridizations of animals, and also withdrawal of again acclimatized animals.

- **Clause(Article) 15.** Protection of kinds of animals rare and taking place under threat of disappearance

1. Kinds of animals rare and taking place under threat of disappearance will be worn out in the Red book of Republic Kazakhstan in the order established by the legislation of Republic Kazakhstan.

2. Protection of kinds of the animals brought in the Red book of Republic Kazakhstan, is carried out by the state. Physical and legal persons are obliged to take measures on protection of kinds of the animals brought in the Red book of Republic Kazakhstan.

3. Withdrawal of kinds of animals rare and taking place under threat of disappearance is supposed in unusual cases under the decision of the Government of Republic Kazakhstan for cultivation in specially created conditions and the subsequent release in an inhabitancy in the scientific and other purposes determined by the Government of Republic Kazakhstan.

4. Actions which can bring to ruin, to reduction of number or infringement of an inhabitancy of kinds of animals rare and taking place under threat of disappearance are not supposed.

5. The maintenance (contents), transportation, sale, exhibiting to sale and purchase of kinds of animals rare and taking place under threat of disappearance, and also their import and export without the permission of administrative body are forbidden.

- **Clause (Article) 32. Concept and kinds of hunting**

1. Hunting - a kind of special using fauna at which withdrawal of kinds of the animals being object of hunting is carried out, from an inhabitancy.

Search, tracing and prosecution with the purpose of getting, attempt of getting of objects of fauna, a presence (finding) in hunting ground persons with the uncovered hunting weapon and other instruments of hunting or extracted production of hunting, with the hunting dogs lowered with lead, and hunting birds are equated to hunting.

2. Hunting is subdivided into the following kinds:

1) Trade hunting;

2) Amateur (sports) hunting.

3. Trade hunting - getting of kinds of the animals being object of hunting, with a view of enterprise activity.

4. Amateur (sports) hunting - getting of kinds of the animals being object of hunting, with a view of satisfaction of sports, aesthetic needs (requirements) and for personal consumption of extracted production.

5. Hunting is made in fixed hunting ground if other is not established by the authorized body.

- **Clause (Article) 33. The right on hunting**

1. On hunting physical persons have the right under condition of:

1) Achievements of eighteen-year age if hunting is conducted with application of fire-arms;

2) Achievements of fourteen-year age if hunting is conducted with application of others resolved (allowed) by rules of hunting of kinds of instruments of getting, dogs and hunting birds;

3) Presence of the certificate of the hunter with a mark about passing an examination on hunting minimum and payments of a State Tax for delivery of the sanction to the right of the hunting established by the tax laws of Republic Kazakhstan;

4) Receptions of the sanction to using fauna.

2. The right on hunting for foreigners in territory of Republic Kazakhstan arises on the basis of the contract on the organization of hunting with hunting economic the organization and the document certifying their right on hunting, the residing given in the country, and reception of the sanction to using fauna.

Prohibitory Regulations

- **Clause(Article) 55. The state protection of fauna**

1. The state protection of fauna of Republic Kazakhstan (further - the state protection of fauna) will consist of workers of official bodies on protection of the fauna, knowing questions of protection, reproduction and use of fauna.

2. For performance of the duties assigned to it(her) the right is given the state protection of fauna:

1) To check at physical and legal persons documents on the right of hunting and (or) fisheries;

2) To make reports on administrative offences in the field of protection, reproduction and uses of fauna according to the Code of Republic Kazakhstan about administrative offences;

3) To detain and deliver in law enforcement bodies of the persons who have made offences in the field of protection, reproduction and use of fauna;

4) To make according to the legislation of Republic Kazakhstan examination of vehicles, other objects and places, and if necessary - personal inspection of the detained persons;

5) To withdraw at physical and legal persons the fire-arms used with infringement of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of the fauna, illegally extracted production of hunting and the fishery, the forbidden kinds of instruments of getting and to solve the problem on their further accessory(belonging) in the order established by the legislation of Republic Kazakhstan;

6) On carrying of uniform and a fire-arms in the order established by the legislation of Republic Kazakhstan.

3. The state protection of fauna is obliged:

1) To prevent and stop offences in the field of protection, reproduction and uses of fauna;

- 2) To direct in authorized and law enforcement bodies, court the information, claim requirements and other materials on the facts of infringements of the legislation of Republic Kazakhstan in the field of protection, reproduction and use of fauna.
4. To officials of the state protection of fauna storage, carrying and application of special means and the service weapon in the order established by the legislation of Republic Kazakhstan are resolved.
5. Officials of the state protection of fauna in the order established by the legislation of Republic Kazakhstan, are provided with uniform (without shoulder strap) and the service weapon.
6. Activity of the state protection of fauna is defined(determined) by Regulations about to the state protection of the fauna, the authorized Government of Republic Kazakhstan.

RUSSIA

FEDERAL LAW OF THE RUSSIAN FEDERATION ON WILDLIFE (1995)

GENERAL PROVISIONS

- **ARTICLE 3. LEGAL REGULATION OF PROTECTION AND USE OF THE WILDLIFE AND ITS NATURAL HABITAT** - Legislation of the Russian Federation in the sphere of protection and use of the wildlife and its natural environment is based upon the provisions of the Constitution of the Russian Federation, the federal laws on environmental protection and it consists of this Federal law, laws and other normative legal acts of the Russian Federation adopted in relation thereto, and also by laws and other normative legal acts of the subjects of the Russian Federation on protection and use of the wildlife.

Legislation of the Russian Federation on protection and use of the wildlife regulates relations in the sphere of protection and use of the objects of wildlife living in the state of natural freedom. Relations in the sphere of protection and use of the objects of wildlife kept in the state of semi-freedom or in the environment artificially created for the purpose of conservation the resource and genetic fund of the objects of wildlife, and also for other scientific research and educational purposes, shall be regulated by this Federal law, other federal laws and other normative legal acts of the Russian Federation, and also by laws and normative legal acts of the subjects of the Russian Federation.

Relations in the sphere of protection and use of agricultural and other domesticated animals, and also wild animals kept in captivity, shall be regulated by other federal laws and other normative legal acts of the Russian Federation.

Relations in the sphere of protection and use of natural habitat of the objects of wildlife shall be regulated by this Federal law, other laws and normative legal acts of the Russian Federation, laws and other normative legal acts of the subjects of the Russian Federation.

Relations in the sphere of protection and use of the objects of wildlife of the continental shelf and the exclusive economic zone of the Russian Federation shall be regulated by this Federal law inasmuch as it is conceded by the federal laws and by the rules of international law.

Property relations in the sphere of protection and use of the wildlife shall be regulated by civil legislation if not otherwise stated by this Federal law, other federal laws and other normative legal acts of the Russian Federation.

- **ARTICLE 7. DELINEATION OF AUTHORITY BETWEEN GOVERNMENT BODIES OF THE RUSSIAN FEDERATION AND GOVERNMENT BODIES OF THE SUBJECTS OF THE RUSSIAN FEDERATION** - Pursuant to the Constitution of the Russian Federation the delineation of authority between government bodies of

the Russian Federation and government bodies of the subjects of the Russian Federation in the sphere of protection and use of the wildlife and natural habitat thereof shall be established by this Federal law.

- **ARTICLE 12. BASIC PRINCIPLES OF STATE MANAGEMENT IN THE SPHERE OF PROTECTION AND SUSTAINABLE USE OF THE OBJECTS OF WILDLIFE** - Basic principles in the sphere of protection and use of the wildlife, conservation and restoration of natural habitat thereof shall be: ensuring sustainable existence and sustainable use of the wildlife; supporting activity aimed at protection of the wildlife and natural habitat thereof; use of the wildlife by methods precluding cruel treatment of animals in accordance with common principles of humanism; inadmissibility of the combination of state supervision over use and protection of the wildlife and natural habitat thereof and use of the objects of wildlife; involvement of citizens and social associations in problem solution related to protection, reproduction and sustainable use of the objects of wildlife; separation of the right of use of the wildlife from the right of use of land and other natural resources; fee-based use of the wildlife; priority of the international law in the sphere of use and protection of the wildlife, protection and restoration of natural habitat thereof.

- **ARTICLE 34. TYPES AND METHODS OF USE OF THE WILDLIFE**

Legal entities and citizens may carry out the following uses of the wildlife: hunting; fishery, including catch of aquatic invertebrates and marine mammals; procurement of the objects of wildlife that are not classified as the objects of hunting and fishery; use of useful properties of the vital functions of the objects of wildlife – soil-formers, natural environmental sanitary agents, pollinizers, filter-feeding animals, etc; study, research and other uses of the wildlife for scientific, cultural, educational, recreational and aesthetic goals without removal thereof from natural habitat thereof; extraction of useful properties of the vital functions of the objects of wildlife - oil-formers, natural environmental sanitary agents, pollinizers, filter-feeding animals, etc; recovery of the products of the vital functions of the objects of wildlife.

Laws and other normative legal acts of the Russian Federation, laws and other normative legal acts of the subjects of the Russian Federation may also envisage other uses of the wildlife.

Use of the wildlife shall be carried out with or without removal the objects of wildlife from natural habitat thereof.

List of the objects of wildlife, the removal of which from natural habitat thereof is prohibited without licence, shall be established by authorized state bodies competent

for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

Prohibitory Regulations

- **ARTICLE 47. GROUNDS FOR AND PROCEDURE OF CESSATION OF USE OF THE WILDLIFE**

Use of the wildlife shall cease completely or partially correspondingly in the following cases:

refusal of use; expiry of the established period of use; infringement of the legislation of the Russian Federation on environmental protection and terms and conditions of use of the wildlife specified in the licence for use of the wildlife; originating of the necessity of removal from use of the objects of wildlife for the purpose of protection thereof; use of the area, water area for public needs that excludes use of the wildlife; closing down of enterprise, institution, organization of use of the wildlife.

Right of use of the wildlife in cases envisaged by paragraphs 2, 3, 4 and 7 of the first part of this Article shall cease by means of cancellation of licences for use of the wildlife by the corresponding issuing bodies.

Right of use of the wildlife in cases envisaged by paragraphs 5 and 6 of the first part of this Article shall cease by means of cancellation of licence with consent of parties or in court case.

Decision on cessation of the right of use of the wildlife may be appealed in court in accordance with the established procedure.

REPUBLIC OF TAJIKISTAN

LAW ON THE PROTECTION AND USE OF WILDLIFE (1994)

GENERAL PROVISIONS

Article 9. Basic requirements for the protection and rational use of animals world

Rational use of wildlife must be following requirements: conservation of biological diversity of animals in condition of natural freedom; preservation of the integrity of populations of rare, endangered, endemic, migratory and other particularly valuable species of animals; protection of habitat, breeding conditions and migration of animals and their natural communities; scientifically grounded, complex, rational use objects of the animal world and stable reproduction of wild animals; maintenance and rational use of useful properties of vital functions animals; safe for the population, animal, flora and national economy use of wildlife objects and regulation of the distribution of numbers animals in their natural freedom in order to protect public health and damage to wildlife and the national economy.

HUNTING

Article 19. Types of hunting.

Trade obtaining of wild animals and birds, as well as amateur and sports hunting is carried out in the established order. When hunting is prohibited, the use of generally dangerous tools and methods of hunting is prohibited.

Article 20. Management of hunting facilities.

State, cooperative and other public enterprises, institutions and organizations can be granted the right to conduct hunting in hunting grounds. The specified enterprises, institutions and organizations are obliged implement measures to protect and reproduce wild animals in these lands.

Article 46. Protection of animals in reserves, forests and other specially protected areas.

Hunting, fishing, obtaining various types of invertebrates, as well as other types use of wildlife and other activities incompatible with the objectives reserve on the territory of reserves is prohibited. In the forests and other specially protected areas it can be completely prohibited or restricted to the use of certain types of animal use peace and other activities that are incompatible with the aims of protecting wildlife. The order of protection and implementation of the use of wildlife in the reserves and other specially protected areas is established legislation.

PROTECTION OF RARE AND BEING UNDER THE THREAT OF THE DISAPPEARANCE OF ANIMAL SPECIES

Article 47. The Red Book of the Republic of Tajikistan.

In accordance with this Law, endangered species animals are entered in the book of rare and endangered species animals - the Red Book of the Republic of Tajikistan. Regulations on the conduct of the Red book of the Republic of Tajikistan is approved in the manner determined by the Government Republic of Tajikistan. Actions that could lead to death, a reduction of number or a violation habitat of rare and endangered species of animals are not allowed.

Article 49. Procedure for obtaining rare and endangered species of animals.

Extraction of migratory, rare and endangered species animals for breeding under specially created conditions and subsequent release for freedom, as well as for research and other purposes is allowed for special permission issued by specially authorized state bodies for the protection and regulation of the use of wildlife according to established order.

Article 62. Monitoring of wildlife.

Monitoring of the animal world is a system of observations, assessments and forecasts of the condition of wildlife with the purpose of timely detection, prevention and elimination of negative consequences of economic human activity. Monitoring of the animal world is conducted at a specific level in the regions, Gorno-Badakhshan autonomous region and in the whole Republic. The information base for monitoring of fauna is information state cadastre of wildlife. Structure, content and order of monitoring of wildlife is established by the Government of the Republic of Tajikistan.

Article 70. Compensation for harm caused by violation of the legislation on protection and use of wildlife.

Enterprises, institutions, organizations, as well as citizens are obliged to compensate for damage, caused by violation of the legislation on the protection and use of animals in the amount and in the order established by the legislation of the Republic Tajikistan. Officials and other employees, through the fault of which enterprises, institutions and organizations incurred costs related to compensation for harm, carry material liability in accordance with the procedure established by law. Illegally extracted animals and products produced from them are subject to seizure in the procedure established by the legislation of the Republic of Tajikistan. If it is not possible to seize illegally extracted animals and the ones produced from them products are collected at their prices at the prices established by law Republic of Tajikistan.

ENVIROMENTAL LAW (2011)

GENERAL PROVISION

Article 1. Basic concepts

The following basic concepts are used in this Law:

- **Environment** - human habitat, a combination of components of the natural environment, natural and natural anthropogenic objects, as well as anthropogenic objects;

- **The Red Book** - a collection of information on rare, endangered species of plants and animals that are approved in accordance with the procedure established by the legislation of the Republic of Tajikistan with the aim of introducing a regime for their special protection and subsequent reproduction;

- **Environmental monitoring (ecological monitoring)** - an integrated system of observations, assessments and forecasts of changes in the state of the environment under the influence of natural and anthropogenic factors;

- **Specially protected natural areas** - parcels of land, water and water space above them, where there are natural complexes and objects, having a special environmental,

scientific, cultural, aesthetic, recreational and health value, and which, in the manner prescribed by law, are seized in whole or in part from economic use and for which a special protection regime has been established;

- **Environmental protection** - a system of state and public measures of a legal, economic, social, technological, educational and international nature, aimed at ensuring a harmonious interaction between society and nature based on the preservation and restoration of the natural environment, the rational use of natural resources, improving the quality of the human environment, preventing the negative impact of economic and other activities on the environment and the elimination of its consequences;

- **Natural landscape** - a territory that has not been changed as a result of economic and other activities and is characterized by a combination of certain types of terrain, soil, vegetation, formed in unified climatic conditions;

Article 5. Basic principles of environmental protection

Economic and other activities of public authorities of the Republic of Tajikistan, individuals and legal entities that have an impact on the environment, is carried out on the basis of the following principles;

- ensuring the supremacy of the Constitution and normative legal acts of the Republic of Tajikistan in the field of environmental protection;
- the priority of protecting human life and health, respecting its right to a favorable environment;
- restoration, conservation and rational use of the environment in order to improve living standards, provide an enabling environment for labor and recreation;
- scientifically grounded combination of legal, ecological, economic and social interests of a person, society and the state, taking effective measures to achieve sustainable development;
- payment for the use of natural resources and compensation for damage to the environment;
- independence of control in the field of environmental protection;
- presumption of ecological danger of the planned economic and other activity;
- Environmental Impact Assessment in taking decisions on the implementation of economic and other activities;
- priority of conservation of natural ecological systems, natural landscapes and natural complexes;

- the permissibility of the impact of economic and other activities on the environment, based on environmental protection requirements;
- mandatory participation of public authorities, public and other non-profit associations, individuals and legal entities in environmental protection activities;
- observance of the right of everyone to receive reliable information on the state of the environment, as well as on the participation of citizens in making decisions concerning their rights to a favorable environment, in accordance with the legislation of the Republic of Tajikistan;
- encouragement and support of cooperation of public organizations and citizens with state authorities on issues of environmental protection and rational use of natural resources;
- the inevitability of liability for violation of legislation in the field of environmental protection;
- organization and development of the system of ecological education, education and the formation of ecological culture;
- international cooperation

Article 21. Funds for environmental protection

1. For unforeseen expenses related to the protection and improvement of the environment, restoration of losses in the environment and compensation for the damage caused to it, republican and local environmental protection funds are being created.
2. Specified funds are formed due to deductions from payments for the use of natural resources, payments for emissions (discharges, disposal) of harmful substances into the environment, voluntary donations of individuals and legal entities and other sources.
3. The procedure for the formation and use of environmental protection funds is determined by the Government of the Republic of Tajikistan.

SPECIALLY PROTECTED NATURAL ZONES AND OBJECTS

Article 62. Natural reserve fund of the Republic of Tajikistan;

1 State natural reserves, including biosphere reserves, nature reserves, national, nature parks, nature monuments, rare or endangered plants and animals classified as species listed in the Red Book of the Republic of Tajikistan, constitute the natural reserve fund of the Republic of Tajikistan and are provided with special protection of the state in the interests of present and future generations.

2 The nature reserve fund is in charge and management of the authorized state body of the Republic of Tajikistan in the field of environmental protection. The order of education, the modes of protection and use, the conditions for the operation of specially protected natural areas, as well as the conditions for economic activity of the population living in these territories, are established by the Law of the Republic of Tajikistan "On Specially Protected Natural Territories and Objects".

3. The seizure of the lands of the nature reserve fund is prohibited, except for cases stipulated by the legislation of the Republic of Tajikistan.

4. Lands on the territory of which natural objects are located that have a special nature protection, scientific, historical, cultural, aesthetic, recreational, health and other valuable value, are under special protection and cannot be transferred on a lease basis.

Article 63. Protection of rare and endangered plants and animals

1. The Red Book of the Republic of Tajikistan is established to protect rare and endangered plants and animals.

2. Plants and animals related to the species listed in the Red Book, without exception, are subject to withdrawal from economic and other uses.

3. Activities that lead to a reduction in the number of these plants and animals and which worsen the habitat are prohibited.

4. Enterprises, institutions, organizations, other land users, on the territory of which there are plants and animals belonging to the species listed in the Red Book, are obliged to take measures to protect and reproduce these species of plants and animals.

5. The procedure for the protection of rare and endangered plants, animals and other organisms, the procedure for keeping the Red Book of the Republic of Tajikistan, as well as the procedure for preserving their genetic fund, are determined by the regulatory legal acts of the Republic of Tajikistan in the field of protection and use of flora and fauna.

6. Importation to the Republic of Tajikistan, export from the Republic of Tajikistan and transit transportation through the Republic of Tajikistan, the turnover of rare and endangered plants, animals and other organisms, their particularly valuable species, as well as their parts, products of vital activity and recoverable useful properties, are regulated by legislation of the Republic of Tajikistan.

OBSERVING SYSTEM FOR THE STATE OF THE ENVIRONMENT

Article 65. State monitoring of the environment

1 State monitoring of the environment (state ecological monitoring) is carried out in accordance with the legislation of the Republic of Tajikistan for the purpose of monitoring the state of the environment, including the state of the environment in the

areas where anthropogenic sources are located and the impact of these sources on the environment, to ensure the needs of the state, individuals and legal entities in reliable information and advance planning of preventive measures prevention, and (or) reduction of adverse consequences of changes in the state of the environment.

2. The procedure for the organization and implementation of state environmental monitoring (state ecological monitoring) is established by the Government of the Republic of Tajikistan.

3. Information on the state of the environment, its change, obtained in the implementation of state environmental monitoring (state ecological monitoring), is used by central and local executive authorities of the Republic of Tajikistan to develop forecasts of social and economic development and adoption of relevant decisions, the development of state and targeted programs, concepts, strategies and action plans in the field of environmental protection.

Article 68. State control in the field of environmental protection

State control in the field of environmental protection is carried out by the authorized state body of the Republic of Tajikistan in the field of environmental protection and by local executive bodies of state power in the manner established by the legislation of the Republic of Tajikistan.

COMPENSATION OF ENVIRONMENTAL DAMAGE AND DISPUTE RESOLUTION IN THE FIELD OF ENVIRONMENTAL PROTECTION

Article 81. Procedure for the resolution of disputes in the field of environmental protection

Disputes in the field of environmental protection are resolved through the courts.

Article 82. International cooperation in the field of environmental protection

International cooperation in the field of environmental protection is carried out on the basis of the legislation of the Republic of Tajikistan and international legal acts recognized by Tajikistan.

Article 83. Responsibility for violation of this Law

Physical and legal persons are liable for violation of this Law in accordance with the legislation of the Republic of Tajikistan.

REPUBLIC OF UZBEKISTAN

LAW ON THE PROTECTION AND USE OF WILDLIFE (2016)

GENERAL PROVISIONS

Article 1. Purpose of this Law

The purpose of this Law is to regulate relations in the field of protection and use of wildlife.

PROTECTION OF THE ANIMAL WORLD

Article 15. Measures for the protection of wildlife

Protection of the animal world is carried out by:

- establishment of rules, norms and standards in the field of protection and use of wildlife;
- the establishment of restrictions and prohibitions on the use of objects of wildlife;
- suspension, termination, cancellation of the right of special use of objects of wildlife;

- prevention of unauthorized use and other violations of the established procedure for the use of wildlife;
- organization of habitat protection, breeding sites and migration routes for wild animals;
- entering rare and endangered species of wild animals in the Red Book of the Republic of Uzbekistan;
- prevention of the death of wild animals in the conduct of economic and other activities, the operation of vehicles;
- formation and development of protected natural areas;
- captive breeding rare and endangered species of wild animals;
- assistance to wild animals in the case of diseases, the threat of their death in natural disasters and other causes;
- carrying out of the state account of objects of fauna and the account of volumes of their use;
- maintenance of the state cadastre of objects of fauna and monitoring of the animal world;
- control in the field of protection and use of wildlife;
- regulation of importation into the Republic of Uzbekistan and export of objects of wildlife from the Republic of Uzbekistan;
- organization and conduct of scientific research in the field of protection and use of wildlife;
- carrying out state ecological expertise in the field of protection and use of wildlife;
- carrying out of biotechnical and other measures on protection and rational use of wildlife.

Article 17. Protection of rare and endangered species extinction of wildlife species

Rare and endangered species of wild animals are listed in the Red Book of the Republic of Uzbekistan.

Actions (inaction), which can lead to the death, reduction in the number or disturbance of the habitat of rare and endangered species of wild animals, are not allowed.

Article 19. Procedure for withdrawal from the natural habitat of rare and endangered species of wild animals

Withdrawal from the natural habitat of rare and endangered species of wild animals is allowed under a permit issued by the State Committee of the Republic of Uzbekistan for Ecology and Environmental Protection, taking into account the conclusion of the Academy of Sciences of the Republic of Uzbekistan and on the basis of a decision of the Cabinet of Ministers of the Republic of Uzbekistan:

- for the purpose of breeding them in specially created conditions and the subsequent resettlement into the natural habitat;
- for carrying out scientific and control work;
- in cases of special need in accordance with the law.

Article 21. Monitoring of wildlife

Monitoring of the animal world consists of specially organized systematic observations, identification of changes, assessment and prediction of the state of the animal world and its habitat and is an integral part of the State Environmental Monitoring.

Monitoring of fauna is carried out in the order established by the Cabinet of Ministers of the Republic

Article 32. Hunting

Hunting is the search, tracking and pursuit for the purpose of mining, attempting to extract or extract (shoot, capture) wild animals that live in a state of natural freedom. Hunting is also equivalent to being in hunting grounds with uncovered (ready-to-use, ready-made) hunting weapons and other hunting tools or hunting products, with hunting dogs that have been lowered from the leash and trapping birds.

Hunting can be athletic, amateur and commercial.

Article 33. Conditions for Hunting

Hunting is allowed in the time and place specified in permits for special use of objects of the animal world.

Permission for sports and amateur hunting for individuals is granted if there is a hunting ticket, permission to store and carry a firearm (if it is intended to be used).

Fishing hunting by legal entities is allowed in the order established by the Cabinet of Ministers of the Republic of Uzbekistan.

In implementing hunting is not allowed the use of tools and methods of hunting, prohibited by the rules in the field of protection and use of wildlife.

It is forbidden to hunt animals that are in distress and are in unnatural conditions for them.

It is forbidden to find persons in the land, closed for sport, amateur and commercial hunting, in protected natural areas with hunting weapons and other hunting tools, hunting products, with hunting dogs, demoted from the leash, hunting birds, as well as being on public roads with uncovered (assembled, ready to the use) of hunting weapons or hunting products, without documents certifying the legality of the extraction.

Article 49. Withdrawal of illegally extracted wild animals, products of their livelihoods, weapons and tools for their unlawful acquisition

Illegally extracted wild animals, products of their vital activity, weapons and tools for their unlawful extraction are subject to seizure or confiscation in accordance with the procedure established by law.

If it is impossible to withdraw illegally extracted wild animals, products of their life activity from the guilty persons their value is collected in the amount and in the manner prescribed by law.

LAW ON NATURE PROTECTION (1992)

GENERAL PROVISIONS

Article 28. Monitoring of the natural environment

In order to provide observations, accounting, assessment and forecast of the state of the environment and its resources in the territory The Republic of Uzbekistan a system of state monitoring of the environment system is being established.

Monitoring of the state of the natural environment, use of natural resources is carried out by specially authorized bodies, as well as by enterprises, organizations and institutions, the activities of which lead or may lead to a deterioration in the state of the natural environment.

Specially authorized bodies, as well as the specified enterprises, organizations and institutions are obliged to transfer to the appropriate state bodies the materials of their observations free of charge.

The structure, content and procedure for monitoring are developed by the State Committee of the Republic of Uzbekistan for Nature Protection and approved by the Cabinet of Ministers of the Republic of Uzbekistan.

Article 33. The economic mechanism for ensuring the protection of nature

The economic mechanism for ensuring the protection of nature provides for:

- charging for special use of natural resources, pollution of the environment (including disposal of waste) and other harmful effects on it;

- tax, credit and other benefits granted by enterprises, institutions and organizations, as well as individuals when introducing low-waste and resource-saving technologies, carrying out activities that provide environmental and nature-conservative effects;

- introduction of special taxation of enterprises, institutions, organizations for the application of environmentally hazardous technologies and implementation of other environmentally hazardous activities;

- obtaining licenses (permissions) for the right to release, discharge of polluting substances or to carry out other environmentally harmful activities;

- assigning responsibilities to enterprises, institutions, organizations and citizens on the restoration of the favorable state of the environment they have destroyed;

- collection in the prescribed manner of monetary compensation for damage caused as a result of damage or destruction of natural objects;

- full or partial deprivation of officials or other employees of bonuses and other remunerations issued on the basis of the results of the main production activities, in

cases of failure to implement plans and measures for nature protection, violations of regulatory and technical and other requirements of legislation in the field of nature protection;

- incentive prices and bonuses for environmentally friendly products;

- application to nature users of economic sanctions for extravagant, excessive use of natural resources and economic incentives for their economy and rational use;

- material encouragement of collectives and individual employees of state, cooperative, public and other enterprises, institutions and organizations, as well as individuals who have achieved the highest results in the field of environmental protection and in the production of environmentally friendly products.

Legislation of the Republic of Uzbekistan, decisions of local government bodies and management can be established other types of economic incentives for conservation activities.

The application of measures of economic stimulation of nature protection activities is carried out in the manner determined by the legislation of the Republic of Uzbekistan, as well as decisions of local government bodies and management.

Article 35. Funds for nature protection

To finance conservation activities on the protection of nature under the State Committee of the Republic of Uzbekistan for the protection of nature and its bodies in the field, the republican and local environmental protection funds are formed.

The procedure for the formation and use of conservation funds is established by the Regulations on Environmental Protection Funds, approved by the Cabinet of Ministers of the Republic of Uzbekistan.

Public funds for nature protection are established and implement their activities in accordance with the procedure established by law.

Article 47. Responsibility for violation of environmental legislation

People guilty in:

- violation of standards, norms, rules and other regulatory and technical requirements for environmental protection, including violations of the established ecological capacity of the territory, environmental norms, rules in the planning, construction, reconstruction, operation or liquidation of enterprises, structures, vehicles and other objects, export, import of environmentally hazardous products;

- unauthorized use of natural resources, non-compliance with the requirements of the state environmental expertise;
- refusal to pay a fixed fee for the use of natural resources, as well as compensation payments for pollution of the environment and other types of harmful effects on it;
- non-fulfillment of plans of the construction of nature protection facilities, other conservation measures;
- non-action on the restoration of the natural environment, the liquidation of the consequences of harmful impact on it and the reproduction of natural resources;
- non-compliance with the requirements of bodies exercising state control and supervision over nature protection;
- violation of the legal regime of objects of nature protection and protected natural areas;
- violation of the rules of accounting for harmful effects on the environment;
- violation of environmental requirements when storing, transporting, using, neutralizing and dumping waste, chemicals, as well as radioactive and harmful chemicals;
- interfere visits to sites by officials, carrying out state control and supervision in the field of environmental protection, and to individuals and public environmental organizations –in realization of their rights and obligations;
- refusal to provide timely and reliable information about the state of the environment and use of its resources bear disciplinary, administrative, criminal and other liability in accordance with the legislation of the Republic of Uzbekistan.

Article 49. Obligation to Compensate for Harm Caused by Violation of Environmental Legislation

Enterprises, institutions, organizations and individuals that caused damage to the environment are obliged to reimburse it, including lost profits, in accordance with legislation

Involving the perpetrators of the violation environmental requirements to administrative or criminal liability does not exempt them from the obligation to compensate for damage to the natural environment

Article 53. International treaties in the field of nature protection

In cases when an international treaty concluded by the Republic of Uzbekistan establishes other rules than those contained in this Law or other legislative act of the Republic of Uzbekistan on the protection of nature, the rules of the international treaty

are applied, except for cases when the legislation of the Republic of Uzbekistan establishes more stringent requirements.

KYRGYZ REPUBLIC

LAW ON ANIMAL WORLD (1999)

GENERAL PROVISIONS

Article 1. General provisions used in this Law

Animal world - is a natural object protected by law, including insects, reptiles, animals, birds, fish and other aquatic animals in a state of natural freedom and performing ecological, economic and cultural-recreational functions.

The Red book- is a collection of information about the biology, status of populations and habitats of rare, endangered or endangered wildlife and mushroom objects, existing and recommended measures for their conservation, restoration and sustainable use.

Objects of wildlife - wild mammals, birds, reptiles, amphibians, insects, fish, aquatic animals and aquatic invertebrates at all stages of development (egg, cocoon, chrysalis, juvenile, larva, etc.), parts and other products of these animals.

Protection of the animal world - activities aimed at preserving biological diversity and ensuring the sustainable existence and reproduction of wildlife.

Protection of the living environment of the animal - world activities aimed at maintaining or restoring conditions for the sustainable existence and reproduction of wildlife.

Hunting- is a type of use of objects of the animal world by hunting, tracking down, hunting for the purpose of prey and actually producing (by catching or shooting) wild animals and birds in a state of natural freedom or under semi-free conditions by hunters.

Use of objects of the animal world - the acquisition of objects of the animal world or the receipt by other means of the benefits of these objects to meet the material or spiritual needs of man with the withdrawal of them from the environment or without it.

Rare and endangered animals - are species of animals that are threatened with extinction, the number of individuals that are not sufficient to restore and preserve the population in natural conditions.

Product livelihoods of animals - the results of livelihoods of animals used by society for their needs without the removal of animals from their habitat.

The habitat of the animal world - is a natural environment in which objects of the animal world live in a state of natural freedom.

Article 2. Legal regulation of protection, use and reproduction of objects of fauna.

Legislation of the Kyrgyz Republic in the field of protection, use and reproduction of fauna objects consists of the Constitution of the Kyrgyz Republic, this Law and other normative legal acts of the Kyrgyz Republic, as well as entered into due to the law by virtue of international treaties to which the Kyrgyz Republic is a party.

Article 3. Basic requirements and principles in the field of protection, use and reproduction of objects of wildlife.

When planning and implementing activities that may affect wildlife objects, the following basic requirements and principles must met:

- inadmissibility of combining functions for the implementation of state control, supervision over the use and protection of wildlife with activities for the use of objects of wildlife;
- separation of the right to use objects of wildlife from the right to use land and other natural resources;
- payment for the use of wildlife;

- compensation for damage caused to the objects of the animal world, and the use of these funds to restore the damage caused;
- protection and improvement of habitat, breeding conditions and migration routes of wildlife objects;
- preservation of the integrity of natural communities of the animal world;
- state support for activities aimed at protecting wildlife;
- observance of scientifically-grounded norms and limits when using objects of wildlife;
- regulation of the number of animals for the protection of public health, public and private property and prevention of damage to nature;
- compliance with the conclusions of environmental expertise on objects that may affect the state of the animal world;
- adherence to international treaties in the field of protection, use and restoration of objects of animal life, to which the Kyrgyz Republic is a party.

Objects of the animal world that are of special environmental, scientific and aesthetic value, as well as species listed in the Red Book of the Kyrgyz Republic, cannot be transferred to private ownership (except when these animals are obtained through captive breeding or in accordance with the legislation established in the field of protection, use and reproduction of fauna objects are acquired in the ownership outside the Kyrgyz Republic and seized from the natural environment).

Objects of the wildlife listed in the Red Book of the Kyrgyz Republic or in the lists of rare, endangered species of animals may be owned by zoos and circus institutions in the manner established by the Government of the Kyrgyz Republic.

Prohibited actions (inaction), in any way violate the right of state ownership of the animal world.

Article 20. Protection of objects of wildlife in specially protected natural areas

On the territories of state nature reserves, state natural parks and other specially protected natural areas, the protection of fauna objects is carried out in accordance with the regime of special protection of these territories, which is established by legislation on specially protected natural areas and other normative legal acts of the Kyrgyz Republic.

Article 21. Protection, use and reproduction of rare and endangered wildlife objects

Rare and endangered objects of the animal world are subject to special protection and are entered in the Red Book of the Kyrgyz Republic. Regulations on the Red Book of the Kyrgyz Republic are approved by the Government of the Kyrgyz Republic.

Actions are prohibited that lead to a negative trend in the development of population size and structure, a negative impact on the conservation of populations or a reduction in the range of distribution of rare and endangered animals and plants listed in the Red Book of the Kyrgyz Republic, or the destruction of their clutches, eggs, dwellings, other structures, or disturbance of the habitat of such animals and plants, or the production of these animals and plants.

Extraction of objects of the wildlife listed in the Red Book of the Kyrgyz Republic is allowed only with a special restriction on the volume of their seizure in the order approved by the Government of the Kyrgyz Republic.

Article 29. Rights and duties of users of objects of wildlife

Users of wildlife objects are required to:

- To carry out only those kinds of use of objects of fauna which they are authorized;
- To observe the established rules, norms, limits, terms and other requirements for protection and use of objects of wildlife;
- Use objects of the animal world in ways that do not allow violating the integrity of natural biocoenoses.
- Unhindered to allow officials of state bodies exercising state control over the protection, use and reproduction of wildlife objects, to check, to places where they are kept, the objects of the animal world are processed and implemented, and also the issued regulations are met in a timely manner;
- timely pay a fixed fee for the use of wildlife;
- use humane methods when using objects of the animal world;
- to compensate damage caused to the objects of the animal world;
- rational use of objects of the animal world, to prevent the deterioration of the ecological state of their habitat, to apply environmental technologies in the implementation of production processes;
- rationally use objects of fauna, not to allow deterioration of ecological condition of their habitat, to apply nature protection technologies at implementation of production processes;
- to keep a record of the number and use of wildlife, to study their condition and the characteristics of the land, to submit this information in due course to bodies carrying out state registration of wildlife objects and their use.

- to carry out complex measures aimed at the reproduction, including artificial, of objects of the animal world;
- implement measures to implement state, regional and local environmental programs on the protection of wildlife;
- promptly inform state environmental authorities, veterinary, sanitary and epidemiological services about the detection of diseases, deterioration of the state of fauna, the occurrence of threats of destruction and death of animals, to carry out complex measures for the prevention and control of diseases;
- to observe the protection of wildlife objects listed in the Red Book of the Kyrgyz Republic and in the lists of species of animals subject to entry into the Red Book of the Kyrgyz Republic;
- independently stop using objects of the animal world in case of deterioration of their condition, reduction of reproductive ability and the emergence of the threat of destruction, and immediately take measures to eliminate the negative impact on the objects of wildlife.

Users of fauna objects are obliged to fulfill other requirements for the protection, use and reproduction of wildlife objects provided for by the legislation of the Kyrgyz Republic.

The rights and obligations of users of hunting animals are also regulated by the legislation of the Kyrgyz Republic on hunting.

Article 39. The order of acquisition and maintenance of objects of fauna

Objects of the animal world, seized from the natural environment in the established manner, are the property of legal entities and individuals.

Objects of wildlife contained by legal in captivity or semi-free conditions, as well as zoological collections (hunting trophies, stuffed animals and others), extracted from the environment without observing the established order or without documents certifying the legality of their acquisition are considered illegally acquired.

It is prohibited to sell and purchase objects of the animal world from legal entities and individuals who do not have permits for them.

Article 48. Responsibility for Violations of the Legislation of the Kyrgyz Republic in the Field of Protection, Use and Reproduction of Wildlife Objects.

Physical and legal people have disciplinary, civil, administrative and criminal responsibility in the manner and in the amounts established by the legislation of the Kyrgyz Republic:

- for unauthorized special use of objects of fauna;

- for violation of the rules for the protection of habitats and migration routes for wildlife;
- for violation of the rules for the creation of zoological collections and trade in them, as well as for individual objects of the animal world;
- for unauthorized migration, acclimatization and crossing of animals
- for import and export of objects of fauna, their products and parts in violation of the requirements of the legislation of the Kyrgyz Republic;
- for the destruction of rare and endangered wildlife objects in violation of the requirements of the legislation of the Kyrgyz Republic;
- for violation of the rules of hunting, fishing and other uses of wildlife;
- for cruel treatment of wildlife;
- for infringement of rules of conducting a cadastre of objects of fauna;
- for failure to comply with the orders and orders of the bodies that control the protection, use and reproduction of wildlife;
- for violation of the established procedure for the purchase, transportation, acceptance and sale of wildlife and their products, as well as fur products from them;
- for sale, purchase and processing not having a special brand of pelts wild fur-bearing animals, which are objects of commercial hunting, as well as fur articles from the skins of these animals;
- for violation of the established procedure for procurement, purchase, acquisition, exchange, processing, storage, sale, import and export of valuable fur-bearing animals and their products;
- for illegal extraction of objects of wildlife and unauthorized harvesting of parts and products of wild animals
- for violation of the established procedure for the acquisition, sale, maintenance, breeding, use and release into the natural environment of objects of fauna.

Legislation of the Kyrgyz Republic may establish liability for other violations in the field of protection, use and reproduction of wildlife objects.

Legal entities and individuals who have caused harm to fauna objects shall compensate the damage caused voluntarily or by court decision in accordance with the rates and methods of calculating damage to the objects of the animal world, and in their absence - at the actual costs of compensation for damage to objects of the animal world, taking into account the losses and loss of profits

Damage can be recovered from users of the wildlife, if they have not taken the necessary measures to prevent or reduce damage to fauna in the territories assigned to them.

Objects of wildlife imported into the Kyrgyz Republic or exported outside its borders in violation of existing regulations and international agreements shall be withdrawn in accordance with the procedure established by the legislation of the Kyrgyz Republic.

In the event of seizure of illegally obtained live animals, measures should be taken to preserve them and, if possible, return to the natural environment. If the physical condition of the animal does not allow it to be returned to the natural environment, it is subject to gratuitous transfer by agreement to interested persons (rehabilitation centers, nurseries, zoos, etc.) or destruction with compensation for damage caused to the animal world by an illegal seizure.

In the event that state bodies unreasonably restrict users of wildlife in seizure of fauna objects that are legally carried out and inflict damage on their legal and physical persons by their illegal actions, these bodies are obliged to compensate the damage caused to them taking into account the losses incurred, including the lost benefits.

Article 49. Settlement of Disputes on the Protection, Use and Reproduction of Wildlife Objects

Disputes on the protection, use and reproduction of wildlife objects are resolved by the court in the manner established by the legislation of the Kyrgyz Republic.

LAW ON HUNTING (2014)

Article 2. Legal regulation of relations in the sphere of hunting and hunting economy.

1 The subject of regulation of this Law and other normative legal acts of the Kyrgyz Republic adopted in accordance with it are relations in the sphere of conservation, reproduction and use of hunting resources and their habitat arising during hunting and hunting activities (hereinafter referred to as hunting and hunting economy).

2. Relations in the sphere of hunting and hunting economy are also regulated by the laws of the Kyrgyz Republic "On Environmental Protection" and "On Wildlife".

Article 9. Hunter

A hunter in the Kyrgyz Republic can be:

- 1) with the right to carry out hunting in accordance with the established procedure with permitted hunting tools, except for hunting firearms, as well as with catching predatory birds and dogs - an individual who has reached the age of 16;
- 2) with the right to hunt with hunting firearms permitted by the territory of the Kyrgyz Republic, other permitted hunting tools, as well as with catching birds of prey and dogs - an individual who has reached the age that meets the requirements of the Law of the Kyrgyz Republic "On Arms".

2. A foreign citizen who temporarily resides in the Kyrgyz Republic, applying for hunting under a contract with a hunting user or with a third person who represents on a contractual basis the interests of a hunting user in the Kyrgyz Republic or in other countries, is equated to a hunter.

3. Hunters have the right:

- 1) to create associations of hunters and be their members;
- 2) to carry out hunting according to the legislation of the Kyrgyz Republic;
- 3) for ownership of the hunting animals that have been hunted out in accordance with the established procedure.

4. Hunters must:

- 1) In implementing hunting in the Kyrgyz Republic, carry documents in accordance with the requirements of this Law;
- 2) comply with the requirements of the legislation of the Kyrgyz Republic in the field of nature management and environmental protection;

- 3) to use in accordance with the established procedure in the implementation of hunting only by authorized hunting tools and hunting birds of prey;
 - 4) to use hunting resources in established volumes and within the boundaries of certain hunting grounds;
 - 5) bring to the attention of the hunting user, in whose territory the hunting was carried out, the results of hunting;
 - 6) mark in the establishment of priorities the mined animals (hunting trophies) with seals (tags, microchips, stamps);
 - 7) to inform the hunting user or representative of the authorized state body in the sphere of hunting and hunting economy (its territorial structural unit) independently or by polling the detection of animal diseases and all the seen hunting animals (species composition, quantity, etc.).
5. Hunter in accordance with the legislation of the Kyrgyz Republic is responsible for its illegal actions.

Article 10. Hunting User

- 1) A hunter exploits hunting activities on hunting grounds where he has the right to conduct hunting activities in accordance with the Agreement on conducting hunting activities concluded with an authorized state body in the sphere of hunting and hunting economy.
- 2) The rights and duties of hunting users are regulated by this Law and the Agreement on conducting hunting activities.
- 3) The hunting user has the right:
 - 1) Use of hunting animals, given to him for use within specified limits and production standards and on the basis of special permits for the use of hunting resources;
 - 2) Transfer to the hunters the right to use hunting animals by issuing and implementing appropriate permits;
 - 3) Ownership of legally acquired hunting animals and other hunting products;
 - 4) Produce processing and realization of the extracted products;
 - 5) Constitute protocols on violations of legislation and damage to wildlife and their habitats;
 - 6) Present claims in the manner prescribed by the legislation of the Kyrgyz Republic to legal entities and individuals, whose effect entailed the loss of profit and the infliction of property damage to the hunting user;

- 7) To appeal in the accordance with the legislation of the Kyrgyz Republic decisions of public authorities and their officials, violating his right to the use of fauna;
- 8) In coordination with land users, scientific organizations and institutions authorized by the state body in the field of hunting and hunting, implement measures to improve the habitat of wildlife;
- 9) To unite with other hunting users for the purpose of joint hunting activities.

4) The user is obliged to:

- 1) ensure the availability (have) of qualified specialists in the staff of hunting economy and carry out hunting activities only on the basis of hunting plans and in accordance with the legislation of the Kyrgyz Republic;
- 2) carry out the designation (poles, sold out and other) of the boundaries of hunting grounds, on which he has the right to conduct hunting activities;
- 3) use in the prescribed manner only those kinds of hunting animals that are allowed to him;
- 4) to explain to the hunters the norms, rules and other requirements established by the legislation in the sphere of hunting and hunting economy, and ensure their observance;
- 5) independently limit the use of hunting resources in order to ensure their conservation and reproduction;
- 6) unhindered admit officials of state bodies carrying out in accordance with the established procedure state hunting control and supervision to conduct inspections of the hunting user's compliance with the Agreement on conducting hunting activities and to timely implement the orders issued;
- 7) timely pay a fixed fee for the use of hunting animals;
- 8) prevent cruel treatment of hunting animals when using them;
- 9) compensate in due course the damage caused by his fault to hunting resources and their habitat;
- 10) monitor hunting resources and their habitats, to record the production of hunting animals on hunting grounds where he was given the right to conduct hunting activities, and to provide relevant data in a timely manner to the authorized state agency in the sphere of hunting and hunting economy (to its territorial structural subdivisions);
- 11) promote the conservation and reproduction of hunting resources;

12) ensure the year-round protection of wild animals and their habitats within the boundaries of hunting grounds, which has been granted the right to conduct activities of hunting;

13) within 5 calendar days, inform the authorized state body in the sphere of hunting and hunting economy, veterinary and sanitary-epidemiological services about the detection of diseases, the deterioration of the state of hunting resources; implement measures for the prevention and control of diseases and assistance to animals in the event of natural and man-made disasters and emergencies;

14) identify and prevent violations (poaching);

15) annually submit to the authorized state body in the sphere of hunting and hunting economy and to statistical bodies reports on established forms containing information on hunting activities.

5. The hunt user in accordance with the legislation of the Kyrgyz Republic is responsible for the state of hunting resources in hunting grounds where he has the right to conduct hunting activities, and for his illegal actions (inaction). The hunt user is not responsible for the deterioration of the state of hunting resources, caused by insurmountable circumstances (force majeure).

Article 15. Monitoring of hunting animals and their habitats

1. Monitoring of hunting animals and their habitat is an integral part of the system of state environmental monitoring, conducted for the purposes of state management in the sphere of conservation, reproduction and use of hunting animals and their habitats, conservation of biological diversity, and implementation hunting activities and maintenance of hunting economy

2. Monitoring of hunting animals and their habitats consists of the following stages of action:

1) Observation (tracking) and obtaining data on hunting animals and the state of their habitat;

2) Analysis, assessment and prediction of the situation of the state of hunting animals and their habitats.

3) Monitoring is carried out in accordance with the established procedure by the authorized state body in the sphere of hunting and hunting economy, subjects of specially protected natural areas, hunting users, scientific organizations and institutions, independent experts and representatives of the public.

4) The authorized state body in the sphere of hunting and hunting economy periodically organizes and carries out state monitoring of hunting animals - for limited

species at least once every 5 years. State monitoring data used when setting limits on the production of hunting animals.

5) The hunt user organizes and carries out production monitoring at his own expense, by main types - at least once a year. The data of industrial monitoring used when setting limits on the production of hunting animals at the level of individual hunting grounds. The data of industrial monitoring are provided to the authorized state body in the sphere of hunting and hunting economy through its territorial structural subdivisions. The authorized state body in the sphere of hunting and hunting economy has the right to additionally carry out check-ups of the number of hunting animals in the territories of hunting grounds that are under the control of hunting users.

6) Information on the planned state monitoring, the results of state and industrial monitoring are available for public and placed on the website of the authorized state body in the sphere of hunting and hunting economy.

7) Responsibility for the reliability of information on the results of monitoring of hunting animals and their habitats carry legal and physical persons who carried out monitoring.

8) Methodical instruction for monitoring hunting animals and their habitats is developed and approved by the authorized state body in the sphere of hunting and hunting economy in coordination with scientific bodies.

Article 16. The cadastre of hunting animals

1. The cadastre of hunting animals contains monitoring data on distribution areas, number and structure of populations, habitat status, mining in the framework of hunting, the facts of illegal mining, captive predators (falconry) and other hunting animals kept in captivity from the environment, and other information on hunting animals.
2. The cadastre of hunting animals is conducted in order to assess and predict their condition and reproductive capacity, improve the coordination of their sustainable use, determine the prospects for development of hunting activities.
3. The cadastre of hunting animals serves as the main official source of information for assessing the condition and characteristics of the animal world as a natural resource with a certain economic value.
4. The cadastre of hunting animals is maintained by the authorized state body in the sphere of hunting and hunting economy.

5. Hunting users and other persons shall submit cadastral information to the authorized state body in the sphere of hunting and hunting economy for inclusion in the cadastre of hunting animals.

6. The way of conducting the cadastre of hunting animals is approved by the Government of the Kyrgyz Republic

7 The way of conducting cadastre of hunting animals is included in the uniform for the Kyrgyz Republic system of conducting state cadastral objects of fauna, water objects, forest and land resources.

Article 23. Rules of hunting

1. The basis for hunting is the Rules of Hunting in the Kyrgyz Republic, approved by the Government of the Kyrgyz Republic, establishing:

- 1) terms, methods and tools of hunting;
- 2) the norms and limits for the extraction of hunting resources;
- 3) requirements for hunting in general and for certain species of animals;
- 4) requirements for hunting with hunting predators and hunting dogs;
- 5) basic safety requirements.

2. Hunters in the course of hunting in the Kyrgyz Republic, with the exception of the cases provided for in Parts 3 and 4 of this Article, must carry with them:

- 1) state hunting permit;
- 2) permits for storing and carrying hunting weapons issued in the manner prescribed by the Law of the Kyrgyz Republic "On Arms", with the exception of cases of hunting with the use of hunting tools that are not outside, in accordance with the law of hunting weapons;
- 3) document on payment by the hunter in the current year of the state duty for the right to hunt, established in accordance with the legislation of the Kyrgyz Republic;
- 4) in case of hunting with a predator bird, an identification card (passport) for a hunting predator used in the course of hunting;
- 5) the authorization document for the right of hunting, issued by the hunter by the hunting user, on the territory of which hunting will be carried out:
 - a) for unlimited species - a permit for the extraction of animals;
 - b) for limited species - a duplicate permit for the special use of hunting animals, issued to the hunting user by the authorized government agency in the sphere of hunting and hunting economy.

3 The requirements provided for by paragraph 1-3 of part 2 of this article, do not apply to foreign citizens who are equal to hunters temporarily staying in the Kyrgyz Republic who are applying for hunting under contracts with hunting users or with third parties that represent on a contractual basis the interests of hunting users in the Kyrgyz Republic and in other countries

4. Foreign citizens, equivalent to hunters, who carry out hunting in the Kyrgyz Republic, must have the permission of the internal affairs bodies of the Kyrgyz Republic to import and export their own hunting weapons, the permission of the authorized state body in the field of hunting and hunting economy to import and export hunting birds of prey used for hunting.

5. Hunters of the Kyrgyz Republic and foreign citizens equal to hunters who carry out hunting in the Kyrgyz Republic have the right temporarily for hunting to use hunting weapons of the hunting user in the presence of the person behind which this hunting weapon is secured, provided that the hunter of the Kyrgyz Republic has permission from the internal affairs bodies of the Kyrgyz Republic, and from a foreign citizen (hunter) - his country's permission for the right to store, bear and use the hunting weapons of the appropriate type of barrel bore.

6. In the Kyrgyz Republic, it is prohibited to use for military purposes military weapons, traps larger than number 3, lighting devices, explosives, poisons, glue and pits. It is forbidden to hunt with helicopters, motor vehicles and snowmobiles.

Hunting is prohibited in the border strip, and also at a distance of 500 meters from its rear border, in areas where the width of the border strip is 50-100 meters from the state border line.

7 The hunting rules in the Kyrgyz Republic are mandatory for compliance by all persons engaged in hunting (special use of wildlife objects) and hunting activities.

Article 26. Norms and limits for the extraction of hunting animals

1. In order to ensure the sustainable use of hunting animals, norms and limits for their production are established. The basis for their creation is monitoring of data, information from other sources, justification (harmonization) of scientific institutions.

2. Types of hunting animals to ensure the stability of their populations are divided into two groups:

1) Unlimited species are numerous, high reproduction, species whose seizure of individuals does not require a clear restriction in the form of the maximum permissible share (limit) of possible animal production from the population size established by monitoring. At the same time, they establish the norms (restrictions) of extraction in the form the definition of the hunting season, the limitation of the number of permits for the production of hunting animals, trips for one voyage and extracted individuals for departure and (or) another specific period;

2) limited species are certain types of hunting animals, the seizure of individuals of which requires the establishment of a maximum number of individuals (limit) of possible animal production based on the number and status of populations determined by monitoring.

3. Limited species are divided into two groups:

1) the types by which limits are set for the entire territory of the Kyrgyz Republic or at the level of individual hunting grounds are species that move regularly over areas much larger than the territory of individual hunting grounds. These species include migratory species that regularly cross the borders of one or more States listed in Annex II of the Convention on the Conservation of Migratory Species of Wild Animals (Bonn Convention);

2) the types by which limits are set at the level of individual hunting grounds are species whose populations can be managed within individual hunting grounds or some hunting grounds in the complex.

4. Limits of hunting animals are established in time not later than January 15 of the current year:

1) Limits for the entire territory of the Kyrgyz Republic - based on data from the last conducted state monitoring and other justified sources;

2) Limits at the level of individual hunting grounds - based on monitoring data conducted by hunting users in the previous year, taking into account the data of the last conducted state monitoring, and verification accounts

5) A hunt user may use a limit at the level of individual hunting grounds in his charge, either in parts or in full. The issuance of permits for the special use of hunting animals is carried out as they become available payment for nature use in full, which is not subject to return. In the event that the value of the total republican limit is set lower than the amount of limits set for individual hunting areas, permits are issued until the end of the general republican limit.

6 Limits of hunting animals are determined by a special licensing committee, the creation and operation of which are provided by the authorized government agency in the sphere of hunting and hunting. The special permitting committee includes two representatives of the authorized state body in the sphere of hunting and hunting economy, one representative from scientific institutions, associations of hunting users, environmental non-governmental organizations. The membership of the commission is set for a period of 3 years by the authorized state body in the sphere of hunting and hunting economy. The decision of the commission to determine the limits of hunting animals is issued in the form of an order of the authorized state body in the sphere of hunting and hunting economy.

7. The list of species of hunting animals in respect of which limits and norms of permissible production are established, the size and procedure for the use of limits and norms are specified in the Rules of Hunting in the Kyrgyz Republic.

Article 33. The order of control and supervision in the sphere of hunting and use of hunting products

1. Presentation and collection of penalty and claim amounts for violations (poaching) in the sphere of hunting and economy and the use of recovered amounts are carried out in accordance with the regulatory legal acts of the Kyrgyz Republic.

2. The amount of fines for violations in the sphere of hunting and hunting economy and taxation for calculating the amount of claims for compensation of damage to hunting animals and their habitat shall be determined in accordance with the regulatory legal acts of the Kyrgyz Republic. The amount of fees for calculating the sums of claims for illegal removal of hunting animals must not be less than the rate of payment for special use of animals of these species by foreign legal entities and individuals.

3. Amounts of claims, recovered damages caused to hunting animals and their habitats, are paid to the account of the authorized state body in the sphere of hunting and hunting economy. Persons who have revealed facts of violations and poaching (drafters of protocols) are paid as compensation 30 percent of the sums of claims recovered in compensation for damage to hunting animals and their habitat.

4. Illegally obtained hunting animals and other hunting products, tools for illegal hunting of hunting animals are subject to gratuitous confiscation or confiscation in accordance with the procedure established by the legislation of the Kyrgyz Republic.

5. Gratuitously confiscated or confiscated from violators (poachers) live hunting animals are subject to return to the habitat by decision of the authorized state body in the sphere of hunting and hunting economy, agreed with scientific institutions. If the physical condition of gratuitously seized or confiscated animals, the duration of their detention in captivity, lack of information on the place of origin of these animals or other factors do not allow them to return to their habitat, these hunting animals are subject to gratuitous transfer to interested persons (rehabilitation centers, nurseries, zoos and others) or destruction.

6. The procedure for storage (content), use transfer or destruction of gratuitously seized or confiscated according to the established procedure hunting animals, other hunting products and illegal weapons is established by the Government of the Kyrgyz Republic.

7. Persons exercising state control and supervision of hunting, hunting production control, in case of inadequate performance of official duties during inspections, the

commission of unlawful acts (omissions), as well as persons engaged in public hunting control, are responsible in accordance with the legislation of the Kyrgyz Republic when they commit unlawful acts.

8. Improper performance of official duties, unlawful actions (inaction) of persons carrying out state hunting control and supervision, industrial hunting control, as well as unlawful actions of persons, carrying out public hunting control, may be appealed to their higher authority (organization) and (or) an official or to a court in the manner prescribed by the legislation of the Kyrgyz Republic.

9. Persons guilty of violating the requirements of regulatory legal acts

Of the Kyrgyz Republic in the sphere of hunting and hunting economy, bear civil, criminal and administrative responsibility in accordance with the legislation of the Kyrgyz Republic.

10. The authorized state body in the sphere of hunting and hunting economy (its territorial structural subdivisions), within its competence, has the right to apply to the judicial authorities for bringing violators and poachers, in the prescribed manner, to liability, recovery of claims for compensation of damage to the hunting animals and their environment a habitat.

11. Video and photography, which recorded the circumstances and facts of illegal hunting and wildlife (poaching), can be provided as evidence of their fulfillment.

12. The order of hunting control and supervision is established by the Government of the Kyrgyz Republic.

ENVIROMENTAL LAW (1999)

GENERAL PROVISIONS

Article 2. Basic principles for protection of the environment

Every citizen has the right to a favorable environment for life and health and to compensation for damage caused to health or property by adverse environmental impact, as result of economic or other activities.

Basic principles for protection of the environment;

The principle of priority: ensuring real guarantees of respect for human rights for an environment favorable for life that is conducive to life, work and leisure, which ensures human life and health;

- The principle of equilibrium: the preservation of the sustainability of ecological systems, the observance of environmental protection rules in the conduct of economic and other activities, the reproduction of natural resources, the avoidance of irreversible effects on the environment and human health;

Principle of complexity: a harmonious scientifically reasonable combination of ecological, economic and social interests of the society, the complexity of solving issues of resource saving and environmental protection

The principle of restraint; standardization, compulsory environmental impact assessment, validity and limitation of the impact of economic activities and other environmental impacts;

Principle of the responsibility; strict compliance with the requirements of strict observance of the requirements of legislation on environmental protection, the

inevitability of responsibility for its violation, compensation for damage caused to the environment by enterprises, institutions, organizations, farms and citizens;

The principle of openness; publicity in the solution of environmental problems in economic and other activities with environmental consequences, close relations with public organizations and the population, encouragement and stimulation of measures aimed at the protection and rational use of natural resources, a combination of national, regional and international interests in the field of environmental protection.

Article 4. Object protection;

protection from pollution, spoilage, damage, depletion, destruction, destruction and other negative impact is subject to land and its subsoil, soil cover, water, forests, flora, fauna and their genetic resources, atmospheric air, other natural objects, complexes and ecological systems, as well as the climate and ozone layer of the Earth and in general the Earth as a planet.

Article 5. Specially protected objects;

Special protection is provided to natural or artificially created natural complexes and objects of nature that have a special ecological, nature protection, scientific, historical-cultural, aesthetic, health value, rare or endangered species of plants, animals and their habitats. For this purpose, specially protected natural areas are created in the Kyrgyz Republic: state reserves, biosphere territories, state nature reserves, national nature parks, nature monuments, resort and recreational zones, botanical gardens, dendrology and zoological parks

For the purpose of special protection of rare or endangered species of plants and animals, the Red Book has been established in the Kyrgyz Republic. Regulations on the Red Book of Approvals by the Government of the Kyrgyz Republic.

Responsibility for environmental offenses. Resolution of disputes in the field of environmental protection.

Article 51. Liability for environmental offenses.

For the commitment of environmental violations, individuals and legal entities bear disciplinary, administrative, criminal and civil liability in accordance with this Law and other legislative acts of the Kyrgyz Republic.

Attraction to disciplinary, administrative or criminal liability does not relieve the perpetrators of the obligation to compensate for the harm caused to them by the environment.

Article 54. Compensation for damage caused by an environmental offense.

Legal entities and individuals, including foreign ones, that have caused damage to the environment, health and property of citizens, legal entities and the state by

environmental pollution, spoilage, destruction, damage, irrational use of natural resources, destruction of natural ecological systems and other environmental violations are obliged to compensate in its entirety in accordance with the Civil Code of the Kyrgyz Republic and other normative legal acts of the Kyrgyz Republic.

Reimbursement of damage caused to the environment as a result of an environmental offense shall be made voluntarily or by a court decision in accordance with the established in the established procedure fees and methods for calculating the amount of damage, and in the absence thereof, at the actual costs of restoring the disturbed state of the environment, including loss of profits.

International relations in the field of environmental protection.

Article 57. International relations and principles of international cooperation in the field of environmental protection.

In order to ensure general environmental safety in the interests of present and future generations of people, the Kyrgyz Republic implements international environmental cooperation and follows the following principles:

- Everyone has the right to live in favorable ecological conditions;
- The state has the right to use the environment and natural resources for development purposes to meet the needs of its citizens;
- The ecological well-being of one state cannot be ensured at the expense of other states or without taking into account their interests;
- State activities should not damage the environment;
- Conducting a systematic analysis of the natural and environmental aspects of the development of external cooperation, adherence to the fundamental principle of mutual benefit.
- Establishment of mutual control over the state and changes in the environment and its resources on the basis of internationally recognized criteria and parameters.
- International exchange of scientific and technical information on environmental issues; creation of environmental information banks, training of environmental specialists;
- Mutual assistance of states in emergency environmental situations;
- Peaceful resolution of disputes in the field of environmental protection;
- A combination of the activities of international organizations with the national interests of the Kyrgyz Republic.

International relations should be taking into account:

- Environmental impacts and assessment of economic damage from the export of natural resources abroad;
- Commercial losses from the sale of natural resources in the world market at low prices;
- Incomplete income from the supply of natural resources in raw or poorly processed form;
- Assessment of environmental damage arising from the extraction of natural resources;
- Requirements for the use of environmentally friendly and low-waste technology in established joint ventures;
- Cooperation between public environmental organizations;
- Publicity of foreign economic relations.