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- 15 September 2005 [shall come into force on 11 October 2005];
- 26 October 2006 [shall come into force on 1 January 2007];
- 7 May 2009 [shall come into force on 10 June 2009];
- 12 June 2009 [shall come into force on 1 July 2009];
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- 16 December 2010 [shall come into force on 1 January 2011];
- 13 October 2011 [shall come into force on 1 January 2013];
- 15 December 2011 [shall come into force on 1 January 2012];
- 29 November 2012 [shall come into force on 1 January 2013];
- 6 November 2013 [shall come into force on 1 January 2014];
- 19 March 2014 (Constitutional Court Judgment) [shall come into force on 21 March 2014];
- 8 October 2015 [shall come into force on 28 October 2015];
- 21 September 2017 [shall come into force on 13 October 2017];
- 4 June 2020 [shall come into force on 16 June 2020];
- 25 November 2021 [shall come into force on 21 December 2021];
- 22 June 2023 [shall come into force on 29 June 2023].

If a whole or part of a section has been amended, the date of the amending law appears in square brackets at the end of the section. If a whole section, paragraph or clause has been deleted, the date of the deletion appears in square brackets beside the deleted section, paragraph or clause.

The *Saeima*<sup>1</sup> has adopted and  
the President has proclaimed the following law:

# Law on the Conservation of Species and Biotopes

## Chapter I General Provisions

### Section 1. Terms Used in the Law

The following terms are used in this Law:

1) **biotopes** - terrestrial or aquatic areas distinguished by specific geographic, abiotic, and biotic features, whether entirely natural or semi-natural;

2) **habitat** - an aggregate of certain specific abiotic and biotic features in the territory in which a species lives at any stage of its biological cycle;

2<sup>1</sup>) **individual** - a living animal, and also a dead animal, plant, lichen or part thereof, or a product in the accompanying documents, labelling, on the package or label of which it is indicated that it contains a part of a plant, lichen or dead animal;

3) **micro-reserve** - the territory which is determined in order to ensure the conservation of the specially protected species or biotope outside specially protected nature territories, and also in the specially protected nature territories if any of functional zones fails to ensure that;

4) **population** - a group of individuals of one species which inhabits a specific territory or biotope;

5) **species** - species of wild fauna, birds, plants, mushrooms, and lichens (also subspecies) within the scientific meaning thereof;

6) **introduction of species** - introduction of species non-characteristic to the nature of Latvia;

7) **re-introduction of species** - re-population of previously disappeared species.

[7 May 2009]

## **Section 2. Purposes of this Law**

The purposes of this Law are:

1) to ensure biodiversity through the conservation of fauna, flora, and biotopes;

2) to govern the conservation, management, and supervision of species and biotopes;

3) to promote the preservation of populations and biotopes in accordance with economic and social preconditions, and also cultural and historical traditions;

4) to govern the procedures for the determination of the specially protected species and biotopes;

5) to ensure the implementation of the necessary measures in order to maintain the number of populations of wild bird species living in the wild (hereinafter - the birds) according to the requirements of ecology, science, culture and taking into account the requirements of economy and recreation or in order to facilitate the approximation of the population of these species to the abovementioned level.

[26 October 2006]

## **Section 3. Scope of Application of this Law**

This Law shall govern the matters that are related to:

1) species of plants, mushrooms, and lichens, the habitats thereof, individuals of these species in all stages of the development thereof, and also the recognisable parts of the individuals of species;

2) animal species, the habitats thereof, individuals of these species in all stages of the development thereof, as birds' eggs and nests, and also dead individuals or the parts thereof;

3) the specially protected biotopes;

4) the international trade in specimens of endangered species of wild fauna and flora.

[26 October 2006]

## **Section 3.<sup>1</sup> Habitats and Species of Significance in the European Union**

(1) Natural habitat types are of significance in the European Union if they conform to at least one of the following characteristics:

1) the habitat is in danger of disappearance in its natural range;

2) the habitat has a small natural range due to its regression or its intrinsically restricted area;

3) the habitat presents outstanding example of typical characteristics of one or more of the following biogeographical regions: Alpine, Atlantic, the Black Sea, Boreal, Continental, Macaronesian, Mediterranean, Pannonian, and Steppic.

(2) Priority natural habitat types are natural habitat types in danger of disappearance for the conservation of which the European Union has particular responsibility in view of the proportion of their natural range which falls within the territory of the European Union.

(3) Species are of significance in the European Union if they conform to at least one of the following characteristics:

1) they are endangered (except for those species whose natural range is marginal in that territory and which are not endangered or vulnerable in the western palearctic region);

2) they are vulnerable, i.e. believed likely to move into the endangered category in the near future if the causal

factors continue operating;

3) they are rare, i.e. with small populations that are not at present endangered or vulnerable, but are at risk. Specimens of these species are located within restricted geographical areas or are thinly scattered over a more extensive range;

4) they are endemic and requiring particular attention by reason of the specific nature of their habitat or the potential impact of their exploitation on their habitat or the potential impact of their exploitation on their conservation status.

(4) Priority species are such species for the conservation of which the European Union has particular responsibility in view of the proportion of their natural range which falls within the territory of the European Union.

(5) Protection of natural habitats and species of significance in the European Union shall be ensured in Latvia in accordance with the laws and regulations regarding the environmental protection.

[10 June 2010]

## **Chapter II**

### **State Administration in the Conservation of Species and Biotopes**

#### **Section 4. Competence of the Cabinet**

The Cabinet shall determine:

- 1) the lists of the specially protected species and the specially protected species whose use is limited;
- 2) the lists of the types of specially protected biotopes, and also the features characterising the specially protected forest, bush, and marsh biotopes;
- 3) recompense for the destruction or deterioration of individuals of the specially protected species and biotopes;
- 4) the procedures for the establishment of micro-reserves and regulations for the conservation and management thereof;
- 5) the procedures for the issuance of the permits specified in this Law;
- 6) the procedures by which the amount of such losses for users of land which are related to significant damage caused by the specially protected non-game species and migratory species of animals and the minimum requirements for the necessary protection measures for the prevention of damages shall be determined;
- 7) the list of priority species and biotopes of the European Union encountered in Latvia;
- 8) the amount of the State fee for the issuance of the permit (hereinafter - the CITES permit) and certificate (hereinafter - the CITES certificate) specified in the Convention on International Trade in Endangered Species of Wild Fauna and Flora signed at Washington in 1973, and also the procedures for the payment of the fee and reliefs;
- 9) the list of those bird species to which special measures for the protection of habitats are to be applied in order to ensure the survival and reproduction of species in the natural range;
- 10) the list of those bird species to which the prohibition referred to in Section 11, Clause 5 of this Law is not applied, if the permit specified in the laws and regulations governing the hunting or nature protection has been received;
- 11) the list of those bird species to which the prohibition referred to in Section 11, Clause 5 of this Law is not applied, if the permit of the European Commission and Nature Conservation Agency has been received;
- 12) the procedures for keeping, registration, keeping in captivity, labelling, issuance of certificates and trade of specimens of species endangered by the international trade;
- 13) the amount of the State fee for the registration of the wild animal endangered by the international trade, and also the procedures for payment and reliefs of this fee;
- 14) [10 June 2010];
- 15) the list of those animal species and plant species of the European Community significance for which the protection is necessary;
- 16) the list of those specimens of animal species and plant species of the European Community significance for the acquisition of which in the wild the conditions for restricted use may be applied;

17) the procedures for the certification of experts and the procedures for the issuance and registration of certificates, for the extension of the term of validity and the annulment thereof, and also the procedures for the supervision of activities of the certified persons, the content of the opinion of an expert and the minimum requirements included therein;

18) the criteria for the repopulation of specially protected biotopes and of natural habitats of specially protected species in forest and the procedures for the issuance of a permit for repopulation;

19) the procedures for the maintenance of the State register of micro-reserves, specially protected species, their natural habitats and specially protected biotopes included in the nature data management system and for the updating of data and circulation of information;

20) the procedures for the determination of micro-reserve buffer zones.

[15 September 2005; 26 October 2006; 7 May 2009; 10 June 2010; 13 October 2011; 29 November 2012; 8 October 2015; 21 September 2017]

### **Section 5. Competence of the Ministry of Environmental Protection and Regional Development and Institutions Subordinated Thereto**

The Ministry of Environmental Protection and Regional Development and institutions subordinated thereto, in accordance with this Law:

1) shall ensure supervision of the conservation of the specially protected species and biotopes;

2) shall organise the performance of the necessary measures in order to maintain the populations of the specially protected species and, if necessary, ensure the creation of biotopes;

3) for the purpose of ensuring favourable protection of species and biotopes on the basis of the monitoring results, shall ensure the performance of measures for the preservation, maintenance, renewal of diversity and territory of all species and biotopes, especially the priority types of natural biotopes and priority species, renewal of destroyed biotopes and protection of species;

4) shall determine the procedures for the development of management plans for the specially protected species and biotopes, and promote the introduction of these plans;

5) may propose to restrict, suspend, or prohibit the use of species and biotopes, if it could endanger the existence of populations and biotopes;

6) shall issue the permits specified in this Law, and also cancel them, if the relevant actions endanger the state of local wild species and biotopes;

7) shall prepare the report referred to in Section 16 of this Law and publish it in the gazette *Latvijas Vēstnesis*;

8) shall ensure monitoring of the specially protected species and biotopes and keep records of the cases of accidental capture and killing of individuals of the specially protected species;

9) shall determine micro-reserves (except for forest lands and the spawning places of the specially protected fish species);

10) shall determine micro-reserves in the nature reserves and national parks determined in laws;

10<sup>1</sup>) shall ensure the preparation of reports in accordance with the requirements of the Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora and Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds and the time periods referred to in the abovementioned directives, and also prepare reviews on reports and submit them to the Cabinet before submission of the reports to the European Commission;

11) shall ensure the submission of reports to the European Commission;

12) shall issue the CITES permits and the CITES certificates. The State fee shall be paid for the CITES permit and the CITES certificate;

13) shall ensure the establishment of specially protected nature territories for the conservation, maintenance, and renewal of species and biotopes in accordance with the law On Specially Protected Nature Territories;

14) shall ensure the maintenance and management of bird species biotopes in the protected zones and outside them in accordance with the requirements of ecology;

15) shall ensure the registration of wild animals endangered by the international trade, the owners and holders

thereof, and also the registration of growers of plants endangered by the international trade;

16) may determine the list of those specially protected species and specially protected biotope types existing in specially protected nature territories, and also the features characterising the specially protected forest, bush, and marsh biotopes, the disclosure of habitats or location of which may harm environmental protection;

17) shall supervise the conservation status of the natural habitats and species, with particular regard to priority natural habitat types and priority species;

18) shall promote the educating and availability of information on the necessity to protect wild fauna and flora, to maintain biotopes, species and their habitats.

[15 September 2005; 26 October 2006; 7 May 2009; 16 December 2010; 8 October 2015; 21 September 2017]

### **Section 6. Competence of Other State Authorities**

(1) The Ministry of Education and Science shall promote the researches and development of scientific works necessary for the implementation of this Law.

(2) The State Forest Service shall determine the micro-reserves in the forest lands (except for the forest lands which are located in the territories referred to in Section 5, Clause 10 of this Law) and ensure the supervision thereof in accordance with the laws and regulations governing forest management and use.

(3) The Ministry of Agriculture shall determine the micro-reserves at the spawning places of the specially protected fish species.

[7 May 2009; 1 December 2009]

### **Section 6.<sup>1</sup> Certified Experts in the Field of Protection of Species and Biotopes**

An opinion of a certified expert in the field of protection of species and biotopes shall be necessary to establish micro-reserves and to recognise permanent meadows and pastures as organically valuable grasslands, and also in the cases specified in the laws and regulations regarding the nature protection plan for specially protected nature territory and in other cases specified in laws and regulations. An expert in the field of protection of species and biotopes shall be certified according to his or her experience and professional knowledge of the specific species, group of species, or group of biotopes.

[10 June 2010; 13 October 2011]

## **Chapter III Requirements for the Conservation of Species and Biotopes**

### **Section 7. Favourable Conservation Status of Species and Biotopes**

(1) The conservation of species and biotopes is a series of measures required for the preservation or restoration of populations and biotopes in an optimal state.

(2) The task of the conservation of species shall be to ensure the conditions which favourably influence the species and promote an optimal distribution of the populations thereof and the number of specimens in the populations. The conservation of a species shall be considered as favourable, if its:

1) population dynamics data indicate that the species ensures its existence on a long-term basis as a viable component of the characteristic biotope;

2) the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future;

3) there is, and will probably continue to be, sufficiently large habitats to maintain an optimal number of specimens in populations on a long-term basis;

(3) The task of the conservation of a biotope shall be to ensure the set of such factors which favourably influence the biotope and its typical species and promote the natural distribution, structure, and functions of the biotope, and also long-term survival of its typical species. The conservation of a biotope shall be considered as favourable when:

1) its natural range and the areas that it covers within that range are stable or increasing;

2) the specific structure and functions which are necessary for the long-term existence of the biotope exist and are likely to continue to exist for the foreseeable future;

3) the favourable conservation of its typical species is ensured.

(4) The priority in special areas of conservation and micro-reserves is ensured for that species or biotope for the conservation of which the relevant territory or micro-reserve has been established.

[15 September 2005]

### **Section 7.1 Measures for Ensuring of Favourable Conservation Status of Species and Biotopes**

(1) In order to ensure favourable conservation status for those individuals of species of wild fauna and flora which are used or obtained in the wild, the relevant competent State authority or local government shall, on the basis of the results of monitoring and studies, decide on the determination of the following measures:

1) temporary or local prohibition of the taking of specimens in the wild and exploitation of certain populations in the relevant territory;

2) the conditions with respect to the time for acquisition of individuals, and also the methods for acquisition of individuals;

3) the hunting and fishing provisions appropriate for the conservation of such populations;

4) establishment of a system of licences or quotas for acquisition of individuals;

5) the provisions for the purchase, sale, offering for sale, keeping for sale, or transport for sale of individuals,

6) breeding of animal species in captivity, and also artificial propagation of plant species under strictly controlled conditions, with a view to reducing the acquisition of individuals of the wild,

7) other necessary measures.

(2) The Nature Conservation Agency shall compile the information on the appropriate measures referred to in Paragraph one of this Section and assess the impact thereof on the ensuring of favourable conservation status of species and biotopes.

[7 May 2009]

### **Section 8. Conservation of the Specially Protected Species, Biotopes, and Species of Migratory Birds**

(1) Endangered, disappearing, or rare species (1) and biotope types or species which inhabit specific biotopes shall be included in the lists of the specially protected species and biotope types. Specially protected species and biotopes are under special State protection and information on them is included in the register referred to in Section 4, Clause 19 of this Law.

(2) In order to ensure favourable conservation of the specially protected species and biotopes, the micro-reserves may be determined in the habitats thereof in accordance with the procedures for the establishment of micro-reserves.

(2<sup>1</sup>) New micro-reserves shall not be established in territories of military training areas.

(3) The authority responsible for the determination of micro-reserves in accordance with the regulations regarding the conservation and management of micro-reserves shall notify the land owners or users of the determination of micro-reserves.

(4) The norms of this Law shall be applicable also to encountered migratory bird species which are not included in the lists of the specially protected species.

(5) The information on locations of specially protected species habitats and specially protected biotopes included in the list referred to in Section 5, Clause 16 of this Law which are existing in the specially protected nature territories shall be deemed restricted access information. The status of restricted access information shall be determined for the period while specially protected species or specially protected biotope is included in the abovementioned list and this information shall be available in accordance with the Freedom of Information Law.

(6) A permit issued by the Nature Conservation Agency shall be required for the repopulation of specially protected biotopes and specially protected species habitats in a forest in case when the forest is being deforested if the activity is not taken by the Nature Conservation Agency.

[15 September 2005; 7 May 2009; 13 October 2011; 8 October 2015; 21 September 2017; 22 June 2023]

### **Section 8.1 Protection of Bird Species**

(1) In order to ensure the implementation of protection measures for the bird species referred to in Section 4, Clause 9 of this Law, it shall be assessed:

- 1) which species are endangered;
- 2) which species are vulnerable to changes in their habitat;
- 3) which species are considered as rare due to their numerically small population or restricted local distribution;
- 4) other species requiring particular attention for reasons of the specific nature of their habitat.

(2) When performing the assessment of bird species, the trends and variations in the development of the population shall be taken into account. Specially protected nature territories shall be established in accordance with the law On Specially Protected Nature Territories for such bird species for which special protection measures of habitats are implemented. The territories which are the most appropriate for the number of birds in terms of size shall be determined for the protection of bird species, taking into account the conservation requirements in the territory of the sea and land.

[26 October 2006]

### **Section 9. Obligations of Land Owners or Users**

Land owners or users have the following obligations:

- 1) to promote the preservation of the diversity of species and biotopes;
- 2) to notify the Nature Conservation Agency of the changes in the specially protected species and biotopes and factors that deteriorate the state thereof, and also the non-conformity with the conservation requirements;
- 3) not to restrict research, record keeping, and control of the specially protected species and biotopes;
- 4) to ensure undisturbed rest and feeding of migratory animals (also bird species which have not been included in the lists of the specially protected species) during the migration season, to introduce ecologically sound methods in order to prevent damage caused by animals.

[15 September 2005; 29 November 2012; 8 October 2015]

### **Section 10. Right of Land Owners or Users to Compensation**

(1) A land owner or user has the right to receive a compensation from the funds of the State budget specially allocated for this purpose for significant damages caused by animals of the specially protected non-game and migratory species in the amount specified by the Cabinet if he or she has taken the necessary protection measures and, using his or her knowledge, skills, and practical possibilities, has introduced ecologically sound methods in order to prevent or reduce losses. The land owner or user is not entitled to receive the compensation if he or she has maliciously promoted causing of losses caused to him or her or increase in the amount thereof in order to receive the compensation.

(2) Land owners have the right to receive the compensation specified in laws and regulations regarding the restrictions on economic activities in micro-reserves.

(3) The compensation for significant damages caused by animals of the specially protected non-game species and migratory species shall not be paid if other State, local government, or European Union payments have been granted to the land owner or user which are intended, directly or indirectly, for the same restrictions of economic activity or significant damages caused by animals of the specially protected non-game species and migratory species for which the compensation has been provided for in laws and regulations, and also in the case when the applicant receives support in accordance with Regulation (EU) No 508/2014 of the European Parliament and of the Council of 15 May 2014 on the European Maritime and Fisheries Fund and repealing Council Regulations (EC) No 2328/2003, (EC) No 861/2006, (EC) No 1198/2006 and (EC) No 791/2007 and Regulation (EU) No 1255/2011 of the European Parliament and of the Council.

[15 September 2005; 8 October 2015; 25 November 2021]

### **Section 11. Prohibited Activities with Animals of the Specially Protected Species, Including Birds**

The following activities are prohibited in respect of animals of the specially protected species, including birds, in all stages of the development thereof:

- 1) all forms of deliberate capture or killing;
- 2) deliberate disturbance (particularly during the period of breeding, rearing, moulting, hibernation, and migration) and devastation of habitats;
- 3) deliberate destruction or damage of bird nests and eggs, displacement of nests, picking and obtaining of bird eggs even if empty;



4) destruction or deterioration of breeding sites;

5) keeping in captivity, transport, presenting as a gift, sale or exchange, offering or keeping for sale or exchange (the abovementioned activities are prohibited also in relation to dead birds, and also to readily recognisable parts of such birds or products thereof);

6) pollution of bird habitats, causing harm to them, or disturbance of birds in any other way.

[26 October 2006]

### **Section 12. Prohibited Activities with Plants, Mushrooms and Lichens of the Specially Protected Species**

The following activities are prohibited in respect of plants, mushrooms, and lichens or the parts thereof in all stages of the development:

1) picking, plucking, and uprooting, and also destruction of the habitats;

2) growing, collection, transport, presenting as a gift, sale or exchange, and also offering for sale or exchange of plants taken in the wild.

### **Section 13. Acquiring of Individuals of the Specially Protected Species**

When acquiring individuals of the specially protected species the favourable conservation of this species shall be ensured and the provisions for acquiring specified in this Law shall be observed. The individuals of non-game species are allowed to be taken only by means of a single use permit.

[15 September 2005]

### **Section 13.<sup>1</sup> Permit for Keeping in Captivity, Transport, Presenting as a Gift, Sale or Exchange or Keeping for Sale or Exchange of Birds**

(1) Prior to the issuance of a permit for keeping in captivity, transport, presenting as a gift, sale or exchange or keeping for sale or exchange of the bird species referred to in Section 4, Paragraph 11 of this Law, the Nature Conservation Agency shall consult with the European Commission in order to find out whether the trade in the specimens of the relevant species may endanger the size, geographical distribution or reproductive rate of the population of these species in the territory of the European Community.

(2) The Nature Conservation Agency shall issue the permit upon receipt of the recommendation of the European Commission. The Nature Conservation Agency shall ensure the conformity with the conditions for the issuance of the permit.

[26 October 2006]

### **Section 14. Provisions for the Acquisition or Disturbing of Individuals of the Specially Protected Species**

(1) It is allowed to acquire or disturb individuals of the specially protected species in exceptional cases, if there is no satisfactory alternative and it does not damage the favourable conservation of the relevant populations in the natural range thereof for the following purposes:

1) in the interests of protecting wild fauna and flora and the preservation of biotopes;

2) to prevent serious damage particularly to crops, livestock, forests, fisheries, and water, and also other types of properties;

3) in order to ensure the interests of public health protection and public safety, or for other imperative interests, also interests of social or economic nature, and beneficial consequences of primary importance for the environment;

4) in order to repopulate the specially protected species for the purpose of scientific research and education and to re-introduce the relevant species, and also to perform the breeding operations necessary for the purpose of achieving the objective, including artificial propagation of plants;

5) to allow, under strictly supervised conditions, on a selective basis and to a limited extent, the taking or keeping of certain specimens of the species in limited numbers specified by the Nature Conservation Agency.

(2) It is allowed to acquire or disturb individuals of bird species in exceptional cases, if there is no satisfactory alternative and it does not damage the favourable conservation of the relevant populations for the following purposes:

1) in the interests of public health protection and public safety;

2) in the interests of flight safety;



3) to prevent serious damage particularly to crops, livestock, forests, fisheries, and water;

4) in order to protect fauna and flora;

5) for research and education, promoting repopulation, re-introduction of species and the breeding necessary for such purpose;

6) for capture, holding, or other sensible use of individual birds under strictly supervised conditions and on a selective basis.

(3) Any person, also a State or local government institution, which requests the application of the derogation in the cases referred to in Paragraphs one and two of this Section shall submit information to the Nature Conservation Agency, indicating:

1) the species which are subject to the derogation and the reason for the derogation, including the nature of the risk, with, if appropriate, a reference to alternatives rejected and scientific data used;

2) the means, devices, or methods authorised for the capture or killing of animal species, and also the reasons and restrictions for their use;

3) the circumstances of when and where such derogation is granted, and also other conditions for applying the derogation.

(4) After evaluation of the possibility and justification for the application of the derogation referred to in Paragraphs one and two of this Section, the Nature Conservation Agency shall, taking into account the information indicated in Paragraph three of this Section, decide on:

1) the application thereof to the relevant species;

2) the resources, methods, devices, or techniques permitted for the capture or killing of individuals;

3) the circumstances of when and where the derogation is applicable, and also other conditions for the application of the derogation;

4) the necessary supervisory measures.

(5) The Nature Conservation Agency shall compile information on the cases when the derogation is applied, and also supervise the conformity with the conditions on a case-by-case basis.

(6) The Ministry of Environmental Protection and Regional Development shall, once in two years in relation to the cases referred to in Paragraph one of this Section and each year in relation to the cases referred to in Paragraph two of this Section, aggregate information on derogations applied and ensure the submission of reports to the European Commission in accordance with the requirements of legal acts of the European Union.

*[10 June 2010; 16 December 2010; 29 November 2012]*

#### **Section 14.<sup>1</sup> Provisions for the Acquisition or Disturbing of Individuals of Bird Species**

*[10 June 2010]*

#### **Section 14.<sup>2</sup> Restrictions for the Issuance of Permits if the Laws and Regulations Governing the Protection of Species and Biotopes have been Violated**

The permits specified in the laws and regulations governing the protection of species and biotopes are not issued to a person if the administrative fine for the violations in the field of protection of species and biotopes has not been paid, if rehabilitation measures have not been taken in accordance with the procedures laid down in the laws and regulations governing the field of environmental protection, or the losses caused by damage to species and biotopes have not been compensated.

*[4 June 2020]*

#### **Section 15. Specially Protected Species with Limited Use**

All the norms laid down in this Law, except for the conditions referred to in Sections 13, 14, 22, and 23, shall be applicable to individuals of the specially protected species with limited use. It is allowed to acquire individuals of the specially protected species with limited use in accordance with the procedures laid down in laws and regulations, if it does not damage the preservation of the population of the relevant species at the favourable conservation status in the natural range thereof. Limited use shall be allowed if it conforms to the principles of rational use and ecological balance of the resources of the relevant bird species

*[15 September 2005; 26 October 2006; 29 November 2012]*

## **Section 16. Provision of Information to Public on the Acquisition of Individuals of the Specially Protected Species**

(1) Not less than once in two years, the Nature Conservation Agency shall prepare a publicly available report on the acquisition of individuals of specially protected species.

(2) The following information shall be included in the report referred to in Paragraph one of this Section:

- 1) species that are subject to the exception and the reasons for the exception;
- 2) a risk assessment, and also a reference to the alternatives offered and rejected, and the scientific data used;
- 3) the means, devices, or methods with which frightening away, capture, or killing of animals or birds has been committed;
- 4) the place and time of the application of the exception;
- 5) the authority authorised to declare and check how the provisions are being conformed to, and to decide what means, devices, or methods may be used, within what limits and by what authorities it may be done, and which persons are to carry out this task;
- 6) the supervisory measures implemented and the results obtained.

(3) The Nature Conservation Agency shall publish the report referred to in Paragraph one of this Section on its website and ensure the availability of the report to the public.

[15 September 2005]

## **Section 17. Management Plans of Species and Biotopes**

If any species or biotope requires special management measures, the management of the relevant species or biotope shall be ensured in accordance with the management plan. The minister responsible for environmental protection shall approve management plans of species and biotopes.

# **Chapter IV Introduction and Re-introduction of Species**

## **Section 18. Provisions for the Introduction of Species**

(1) The introduction and release into nature of species uncharacteristic to the nature of Latvia is prohibited.

(2) In order to satisfy emergency economic or social needs, the introduction of species is permissible only with a permit which is issued after the environmental impact assessment has been carried out.

(3) The initiator of introduction shall monitor the introduced populations and study the ecological effects of the introduction, and submit the results of the monitoring research to the Nature Conservation Agency every two years.

[15 September 2005]

## **Section 19. Conditions for the Re-introduction of Species**

If the re-introduction of a species is required for the preservation or restoration of the species, the re-introduction may be carried out upon the receipt of an each time permit issued by the Nature Conservation Agency the basis of which is the opinion of the expert in the relevant sector.

[15 September 2005]

## **Section 20. Provisions for the Re-introduction of Species**

The re-introduction of species is allowed, if:

- 1) the structure of the donor population and self-regeneration ability is preserved;
- 2) the ecological suitability of the selected territory (region) for the re-introduction is scientifically justified and the population to be restored will be ensured the conservation regime;
- 3) the most ecologically and genetically kindred populations have been selected for the re-introduction;
- 4) the initiator of the re-introduction monitors the re-introduced populations and studies the ecological effects of the re-introduction, and submits the results of the monitoring research to the Nature Conservation Agency every two

years;

5) studies have been conducted to find out the justification of re-introduction of species that are native to their territory in the cases when this might contribute to the conservation of such species;

6) studies have been conducted to justify that re-introduction is effective means for the re-establishment of these species at a favourable conservation status and that the experience of other countries has been taken into account;

7) the public consultation has taken place in accordance with the procedures stipulated by the Cabinet.

[15 September 2005; 7 May 2009]

#### **Section 20.<sup>1</sup> Time Limit for Taking a Decision and Procedures for the Contestation Thereof**

(1) The Nature Conservation Agency shall take the decision to issue the permit for the introduction or re-introduction of a species within 90 days after receipt of the submission of the initiator of the introduction or re-introduction or to refuse to issue such permit.

(2) The decision taken by the Nature Conservation Agency to issue the permit for the introduction or re-introduction or the refusal to issue such permit may be contested to the State Environmental Monitoring Bureau within a month after entering into effect of the decision.

(3) The decision taken by the State Environmental Monitoring Bureau may be contested to a court in accordance with the procedures laid down in the Administrative Procedure Law. An application to a court shall not suspend the operation of the administrative act.

[15 September 2005]

## **Chapter V Monitoring and Recording**

#### **Section 21. Necessity to Perform Monitoring**

In order to control the conservation of species and biotopes, permanent monitoring and other studies shall be performed in order to obtain:

1) lists where the species in danger of disappearing or especially endangered species are included, taking into account their natural range;

2) lists in which the sites especially important for migratory species in the migration route thereof, and also wintering sites and nesting sites of migratory species and the ecological characterisation thereof are included;

3) data on the population size of migratory species in the migration route, and also during wintering and nesting;

4) data on the size of species of migratory birds using the ringing method;

5) data on the impact of hunting on the volume of the animal population;

6) data on the introduction of ecologically sound methods in order to prevent damage caused by animals;

7) data on the role of a particular species as indicators of pollution;

8) data on the reverse impact of pollution on the size of animal populations.

#### **Section 22. Recording of Incidentally Perished or Illegally Captured Animals**

Each person has an obligation to notify the Nature Conservation Agency of the case of illegal capture or incidental killing of an animal or bird of the specially protected species or finding of a dead animal or bird. The Nature Conservation Agency shall keep the records of animals and birds captured illegally or perished incidentally, or found dead in accordance with the information received.

[8 October 2015]

#### **Section 23. Dead Animals**

(1) Stuffed animals of specially protected species may be made only from game or non-game animals obtained legally or fish obtained legally.

(2) The stuffed animals made of animals of specially protected species are prohibited to be sold or used otherwise for commercial purposes.

[8 October 2015]

## **Chapter VI**

### **Administrative Offences in the Field of Protection of Species and Biotopes and Competence in Administrative Offence Proceedings**

*[4 June 2020 / Chapter shall come into force on 1 July 2020. See Paragraph 18 of Transitional Provisions]*

#### **Section 24. Administrative Offences in the Field of Protection of Specially Protected Species and Biotopes**

For violating the requirements for the protection and use of animals of specially protected species, including birds and fish, and specially protected plant species, fungi, and lichens, and also specially protected biotopes, a warning or a fine from three to two hundred units of fine shall be imposed on a natural person, but a fine from fourteen to three hundred and fifty units of fine - on a legal person.

*[4 June 2020 / Section shall come into force on 1 July 2020. See Paragraph 18 of Transitional Provisions]*

#### **Section 25. Administrative Offences in the Field of the Laws and Regulations Governing the Acquisition or Disturbing of the Individuals of Specially Protected Species**

For violating the requirements laid down in the laws and regulation for the acquisition or disturbing of the individuals of specially protected species, including birds and fish, and individuals of specially protected species with limited use, a warning or a fine from three to one hundred and forty units of fine shall be imposed on a natural person, but a fine from fourteen to two hundred and eighty units of fine - on a legal person.

*[4 June 2020 / Section shall come into force on 1 July 2020. See Paragraph 18 of Transitional Provisions]*

#### **Section 26. Administrative Offences in the Field of Protection and Management of Micro-reserves**

For violating the requirements laid down in the laws and regulations governing the protection and management of micro-reserves, a warning or a fine from six to one hundred and forty units of fine shall be imposed on a natural person, but a fine from fourteen to two hundred and eighty units of fine - on a legal person.

*[4 June 2020 / Section shall come into force on 1 July 2020. See Paragraph 18 of Transitional Provisions]*

#### **Section 27. Administrative Offences in the Field of Introduction and Re-introduction of Species**

For violating the requirements laid down in the laws and regulations governing the introduction and re-introduction of species, including release, introduction, or relocation thereof in the wild, a warning or a fine from six to one hundred and forty units of fine shall be imposed on a natural person, but a fine from fourteen to two hundred and eighty units of fine - on a legal person.

*[4 June 2020 / Section shall come into force on 1 July 2020. See Paragraph 18 of Transitional Provisions]*

#### **Section 28. Administrative Offences in the Field of the Laws and Regulations Governing the Re-population of Specially Protected Biotopes and Specially Protected Species Habitats in a Forest**

For violating the requirements laid down in the laws and regulations for the re-population of specially protected biotopes and specially protected species habitats in a forest, a warning or a fine from six to one hundred and forty units of fine shall be imposed on a natural person, but a fine from fourteen to two hundred and eighty units of fine - on a legal person.

*[4 June 2020 / Section shall come into force on 1 July 2020. See Paragraph 18 of Transitional Provisions]*

#### **Section 29. Administrative Offences in the Field of the Laws and Regulations Governing the Trade in Specimens of Species of Wild Fauna and Flora Endangered by the International Trade**

For violating the requirements for the trade of specimens in the territory of the European Union laid down in the laws and regulations governing the trade in specimens of species of wild fauna and flora endangered by the international trade, a warning or a fine from fourteen to one hundred and forty units of fine shall be imposed on a natural person, but a fine from twenty eight to one thousand and four hundred units of fine - on a legal person.

*[4 June 2020 / Section shall come into force on 1 July 2020. See Paragraph 18 of Transitional Provisions]*

#### **Section 30. Administrative Offences in the Field of the Laws and Regulations Governing the Storage, Registration, Keeping in Captivity, Marking, Breeding, and Issue of Certificates for Specimens of Species of Wild Fauna and Flora Endangered by the International Trade**

For violating the requirements laid down in the laws and regulations governing the storage, registration, keeping in captivity, marking, breeding, and issue of certificates for specimens of species of wild fauna and flora endangered by the international trade, a warning or a fine from fourteen to one hundred and forty units of fine shall be imposed on a natural person, but a fine from twenty eight to one thousand and four hundred units of fine - on a legal person.

*[4 June 2020 / Section shall come into force on 1 July 2020. See Paragraph 18 of Transitional Provisions]*

### **Section 31. Competence in Administrative Offence Proceedings**

(1) The administrative offence proceedings for the offences referred to in Sections 24, 25, 26, 27, 28, 29, and 30 of this Law shall be conducted by the Nature Conservation Agency.

(2) The administrative offence proceedings for the offences referred to in Sections 24, 25, 29, and 30 of this Law, provided that they have been detected by the officials of the State Police, shall be conducted by the State Police until examination of the administrative case. The administrative offence case for the offences referred to in Sections 24, 25, 29, and 30 of this Law shall be examined by the Nature Conservation Agency.

(3) The administrative offence proceedings for the offences referred to in Sections 24, 25, 26, 29, and 30 of this Law, provided that they have been detected by the officials of the municipal police, environmental inspectorate of a local government, environmental control officials of a local government, shall be conducted by the relevant official until examination of the case. The administrative offence case for the offences referred to in Sections 24, 25, 26, 29, and 30 of this Law shall be examined by the Nature Conservation Agency.

(4) The administrative offence proceedings for the offences referred to in Sections 24, 25, 26, 27, 28, 29, and 30 of this Law, provided that they have been detected by the officials of the State Environmental Service or the State Forest Service, shall be conducted by the State Environmental Service or the State Forest Service until examination of the administrative offence case. The administrative offence case for the offences referred to in Sections 24, 25, 26, 27, 28, 29, and 30 of this Law shall be examined by the Nature Conservation Agency.

*[4 June 2020 / Section shall come into force on 1 July 2020. See Paragraph 18 of Transitional Provisions]*

## **Transitional Provisions**

*[15 September 2005]*

1. The Cabinet shall issue the regulations referred to in Section 4, Clause 7 of this Law by 1 March 2006.

2. The Cabinet shall issue the regulations referred to in Section 4, Clause 8 of this Law by 1 January 2007.

*[26 October 2006]*

3. The Cabinet shall issue the regulations referred to in Section 4, Clause 12 of this Law by 1 November 2007.

*[26 October 2006]*

4. Section 4, Clauses 13 and 14 and Section 5, Clause 15 of this Law shall come into force on 1 April 2010.

*[7 May 2009]*

5. The Cabinet shall issue the regulations referred to in Section 4, Clauses 15 and 16 of this Law by 1 January 2010.

*[7 May 2009]*

6. The Cabinet shall issue the regulations referred to in Section 4, Clause 17 of this Law by 1 October 2009.

*[7 May 2009]*

7. Section 6.<sup>1</sup> of this Law shall come into force on 1 April 2010.

*[7 May 2009; 1 December 2009]*

8. The compensation for significant damages caused by animals of the specially protected non-game and migratory species shall not be calculated and disbursed in 2009, 2010, and 2011.

*[12 June 2009 / Recognised as non-conforming to Articles 1 and 105 of the Constitution of the Republic of Latvia by the Judgment of the Constitutional Court of 19 March 2014 which enters into effect on 21 March 2014]*

9. An opinion of a certified expert in the field of protection of species and biotopes shall be required, if the drawing up of a nature protection plan for specially protected nature territory is commenced after 1 September 2010.

[10 June 2010]

10. The Cabinet shall issue the regulations referred to in Section 4, Clause 18 of this Law by 30 June 2013.

[13 October 2011; 29 November 2012]

11. The compensation for significant damages caused by animals of the specially protected non-game and migratory species shall not be calculated and disbursed in 2012 and 2013.

[15 December 2011]

12. The Cabinet shall issue the regulations referred to in Section 4, Clause 19 of this Law by 31 December 2013.

[29 November 2012]

13. The Cabinet shall issue the regulations referred to in Section 4, Clause 20 of this Law by 1 January 2013.

[29 November 2012]

14. The compensation for significant damages caused by animals of the specially protected non-game species and migratory species shall not be calculated and disbursed in 2014.

[6 November 2013]

15. Amendments to Section 10, Paragraphs one and three of this Law which provide for the right to the compensation for significant damages caused by animals of the specially protected non-game species and migratory species if the necessary protection measures have been taken and sound ecological methods have been introduced, and the conditions for the deprivation of the relevant right, and also the right to receive compensation only from one source of financing shall come into force on 1 January 2016.

[8 October 2015]

16. The Cabinet shall issue the regulations referred to in Section 4, Clause 6 of this Law by 1 January 2016. Until the day of coming into force of the Cabinet regulations referred to in Section 4, Clause 6 of this Law, however, not later than until 1 January 2016, Cabinet Regulation No. 778 of 20 November 2007, Procedures for the Determination of the Amount of Such Losses for Users of Land Which are Associated with Significant Damage Caused by the Specially Protected Non-hunttable Species and Migratory Species of Animals, shall be in force, insofar as it is not in contradiction with this Law.

[8 October 2015]

17. The conformity of the specially protected forest, bush, and marsh biotopes registered in the Nature Data Management System until 20 June 2017 with the features characterising biotopes specified in the laws and regulations regarding the lists of the types of specially protected biotopes shall be assessed and updated by 31 December 2020.

[21 September 2017]

18. Chapter VI of this Law shall come into force concurrently with the Law on Administrative Liability.

[4 June 2020]

## **Informative Reference to the European Union Directives**

[10 June 2010]

The Law contains legal norms arising from:

- 1) Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora;
- 2) Directive 2009/147/EC of the European parliament and of the Council of 30 November 2009 on the conservation of wild birds;
- 3) Council Directive 2006/105/EC of 20 November 2006 adapting Directives 73/239/EEC, 74/557/EEC and 2002/83/EC in the field of environment, by reason of the accession of Bulgaria and Romania.

The Law has been adopted by the *Saeima* on 16 March 2000.

President V. Vītķe-Freiberga

Rīga, 5 April 2000

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<sup>1</sup> The Parliament of the Republic of Latvia

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