

REPUBLIC OF LITHUANIA

LAW ON

PROTECTED AREAS

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Vilnius

CHAPTER ONE

GENERAL PROVISIONS

Article 1. Purpose of the Law

1. This Law shall specify the public relations related to protected areas, the system of protected areas, the legal basis for the establishment, protection, management and control of protected areas as well as regulate the carrying out of activities therein.

2. The provisions of this Law have been harmonised with the legal acts of the European Union referred to in the Annex to this Law.

Article 2. Definitions

1. **Restorative plots** shall mean the protected areas intended for the protection, restoration, enhancement of the species of natural resources or complexes thereof which have been impoverished by activities and for restricted use of natural resources.

2. **Areas of restorative protection priority (restoration and maintenance areas)** shall mean the areas in which the natural resources of importance to activities and society are protected, restored, maintained, enhanced and made restricted use of.

3. **Community** shall mean the totality of various species of living organisms existing within a defined space and at a specific time.

4. **Biological diversity** shall mean the variety of species of living organisms, communities and habitats thereof, ecosystems and genetic diversity.

5. **Areas of biosphere monitoring** shall mean the protected areas (strict biosphere reserves and biosphere grounds) established for the global and regional monitoring of biosphere

and conducting of environmental experiments, also for the preservation of the natural complexes located therein.

6. **Conservation status of a natural habitat** shall mean the sum of the influences, indicative of the quality of conservation, acting on a natural habitat and its typical species that may affect its long-term natural distribution, structure and functions as well as the long-term survival of its typical species within the European territory of the Member States to which the Treaty establishing the European Community applies.

7. **Special area of conservation of habitats** means an area designated at a site of Community importance through a statutory, administrative and/or contractual act where the necessary conservation measures are applied for the maintenance or restoration, at a favourable conservation status, of the natural habitats and/or the populations of the species for which the site is designated.

8. **Reserves** shall mean the protected areas established for the preservation of the natural and/or cultural sites valuable from a scientific or cognitive point of view, the territorial complexes and objects/properties of natural and cultural heritage located therein, landscape and biological diversity as well as gene pool. Preservation of the properties located in these areas shall be ensured without terminating economic activities therein.

9. **Areas of ecological protection priority (protection areas)** shall mean the areas in which the ecological balance of landscape is maintained, adverse impact on the protected territorial complexes and objects/properties of natural and cultural heritage or adverse impact of anthropogenic objects and activities on the environment is to be avoided.

10. **Zones of ecological protection** shall mean the territories in which activity restrictions are set in order to protect neighbouring territories or objects as well as the environment against a potential adverse impact of the activity.

11. **Ecological network** shall mean a part of the nature frame covering habitats of the greatest bioecological significance, environment thereof as well as corridors for fauna and flora migration.

12. **Ecologically important areas** shall mean the areas of importance for the protection of landscape, biological diversity and waters.

13. **Ecosystem** shall mean a functional system of living organisms and their living environment whose components are linked by mutual interrelationship, metabolism and energy exchange processes.

14. **Site of Community importance** means a site which, in the biogeographical region, contributes significantly to the maintenance or restoration at a favourable conservation status of a natural habitat type of Community interest or of an animal or plant species of Community

interest and may also contribute significantly to the coherence of Natura 2000, and/or contributes significantly to the maintenance of biological diversity within the biogeographic region concerned. For animal species ranging over wide areas, sites of Community importance shall correspond to the places within the natural range of such species which present the physical or biological factors essential to their life and reproduction.

15. **European ecological network “Natura 2000”** (hereinafter: the ‘**Natura 2000 network**’) shall mean a coherent network of special areas of conservation of habitats which is composed of sites hosting the natural habitat types of Community interest and habitats of the species of Community interest and which enables the natural habitat types and the species’ habitats concerned to be maintained and, where appropriate, restored at a favourable conservation status in their natural range. The Natura 2000 network shall include special areas of conservation of birds.

16. **Nature frame** shall mean a coherent network of natural ecological compensation areas ensuring the ecological balance of landscape, natural links between protected areas, other areas or habitats of importance for environmental protection, also migration of fauna and flora between them.

17. **Natural landscape** shall mean a landscape which has preserved a natural character.

18. **Genetic plots** shall mean the protected areas intended for the preservation of seed forest stands and natural genetic resources of other species.

19. **Complex protected areas** shall mean the areas characterised by a natural and/or cultural coherence covering zones of various protection priorities, also recreational and economic zones under a general programme for protection, management and use.

20. **Areas of conservational protection priority (preservation areas)** shall mean the areas protecting unique or typical complexes and objects of natural and/or cultural landscape and biological diversity.

21. **Landscape** shall mean a territorial compound of the land surface natural components (surface rocks, ground level air, surface and ground waters, soil, living organisms) and/or anthropogenic (archaeological remnants, construction works, engineering installations, land and information field) components related by material, energy and information links.

22. **Cultural landscape** means a landscape created as a result of human activities and reflecting his co-existence with the environment.

23. **Natural habitat** shall mean the terrestrial or aquatic areas distinguished by geographical, abiotic and biotic features, whether entirely natural or semi-natural.

24. **Special area of conservation of birds** shall mean a special area of conservation wherein habitats of birds species of European interest are the subject of special conservation measures in order to ensure their survival and reproduction in their area of distribution.

25. **Objects of heritage** shall mean the objects of natural and cultural heritage which are separate or form dense groups, namely, the elements of landscape for which, by reason of their value, a special protection and use regime has been established by legal acts.

26. **Regulations on the protection of objects of heritage** shall mean the documents specifying the terms and conditions of management and use of these objects.

27. **Cognitive tourism** shall mean a branch of tourism focused on the targeted cognition of the nature of a country and territorial complexes and objects/properties of cultural heritage, landscape and history, also intended for scientific and educational purposes.

28. **Recreation** shall mean the process of recovering of a person's physical and spiritual capacities, a person's leisure activity whose purpose is to rest, travel and receive medical treatment at sanatoriums and in resorts.

29. **Strict reserves** shall mean the protected areas set up in order to preserve and conduct research of the natural or cultural territorial complexes of particular scientific value, ensure the unaffected course of natural processes or maintenance of authenticity of cultural properties, promote protection of the territorial complexes of natural and cultural heritage. The conservational principal designation of land use shall be established in these areas with termination of economic activities therein.

30. **Small strict reserve** shall mean a natural or cultural strict reserve of a small area for the protection and supervision whereof no directorate is established.

31. **Conservation status of a species** shall mean the sum of the influences, indicative of the quality of conservation, acting on the species concerned that may affect the long-term distribution and abundance of its populations within the European territory of Member States to which the Treaty establishing the European Community applies.

32. **Protected areas** shall mean the land and/or water areas which have clearly defined boundaries, an acknowledged scientific, ecological, cultural and other value and for which a special protection and use regime/procedure has been established by legal acts.

33. **Protection of protected areas** shall mean a process consisting of the planning of protected areas, implementation and control of specific protection and management measures, also environmental education.

34. **Individual protection regulations of protected areas** shall mean the legal acts which are approved by the institutions authorised by the Government and set forth special requirements for the protection and design of protected areas and construction therein as well as

specific features of management and use. Interim regulations shall mean the legal acts approved by the institutions authorised by the Government establishing special requirements for the protection and design of protected areas and construction therein as well as specific features of management and valid for a period not exceeding one year.

35. **Typical protection regulations of protected areas** shall mean the landscape protection, use and management requirements, as approved by the Government, set forth for landscape management zones in the course of preparation of the planning schemes (boundaries and management plans) of state parks, strict state reserves and strict biosphere reserves as well as management plans of reserves.

36. **Control of protected areas** shall mean a part of the process of protection of protected areas – supervision of compliance with the requirements of protection of the landscape ecological balance, territorial complexes and objects/properties of natural and cultural heritage and visiting of protected areas as set forth by laws, other legal acts and solutions of planning documents of the protected areas.

37. **Statutes of protected areas** shall mean the legal acts establishing common features of protection and management of protected areas or types thereof, principles of management and organisation of activities.

38. **Planning documents of protected areas** shall mean the special territorial planning documents of protected areas establishing a system of protected areas or parts thereof, boundaries of the protected areas, functional priority and/or landscape management zones, specifying restrictions and establishing measures for the preservation, restoration and rational use of territorial complexes and objects/properties of natural and/or cultural heritage, organisation of recreation, especially cognitive tourism, schemes of objects of natural heritage, also strategic planning documents which establish actions and management measures, their implementation priorities, the need for funds and responsible institutions.

39. **Management of protected areas** shall mean the actions aimed at the preservation, rational use and restoration of damaged territorial complexes and objects/properties of natural and cultural heritage, adaptation of protected areas for cognitive tourism.

40. **Favourable conservation status of a natural habitat** shall mean a status when the natural range of a habitat and areas it covers within that range are stable or increasing, the specific structure and functions which are necessary for its long-term maintenance exist and are likely to continue to exist for the foreseeable future, and the conservation status of the species typical of this habitat is favourable.

41. **Favourable conservation status of a species** shall mean a status when population dynamics data on the species concerned indicate that it is maintaining itself on a long-term basis

as a viable component of its natural habitats, the natural range of the species is neither being reduced nor is likely to be reduced for the foreseeable future and there is, and will probably continue to be, a sufficiently large habitat to maintain its populations on a long-term basis.

42. **State Service for Protected Areas under the Ministry of Environment** shall mean a budgetary body implementing the country's policy of protected areas.

43. **State (national and regional) parks** shall mean the large protected areas established in the areas which are complex from the natural, cultural and recreational points of view and are particularly valuable and whose protection and management is related to designation of an area's functional and landscape management zones.

44. **State officials of protected areas** shall mean the officials of directorates of strict state reserves, state parks and strict biosphere reserves and protected areas' state management and control bodies who have been granted the powers established by laws. A list of state officials of protected areas shall be approved by the institutions authorised by the Government and responsible for the protection of territorial complexes and objects/properties of natural and cultural heritage.

45. **Activities** shall mean economic and other human activities exerting an impact on the environment.

46. **Natural habitat types of Community interest** shall mean those which, within the European territory of Member States to which the Treaty establishing the European Community applies:

- 1) are in danger of disappearance in their natural range; or
- 2) have a small natural range following their regression or by reason of their intrinsically restricted area; or
- 3) present outstanding examples of typical characteristics of one or more of biogeographical regions.

Such habitat types are listed or may be listed on the List of Natural Habitat Types of Community Interest whose Conservation Requires the Designation of Protected Areas approved by an institution authorised by the Government of the Republic of Lithuania.

47. **Species of Community interest** shall mean species of fauna and flora existing in the European territory of Member States to which the Treaty establishing the European Community applies which are:

- 1) endangered, except for the species whose natural range is marginal in that territory and which are not endangered or vulnerable in the western palearctic region;
- 1) vulnerable, i.e. believed likely to move into the endangered category in the near future if the causal factors continue operating;

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

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

In accordance with the procedure laid down by the Law of the Republic of Lithuania on the Protected Species of Fauna, Flora and Fungi, such species shall or may be entered on lists of animal and plant species of Community interest.

48. Priority natural habitat types shall mean natural habitat types of Community interest in danger of disappearance, which are present within the European territory of Member States to which the Treaty establishing the European Community applies and for the conservation of which the Community has particular responsibility in view of the large proportion of their natural range which falls within the mentioned territory.

49. Priority species of fauna and flora means an animal or plant species of Community interest in danger of disappearance, which is present within the European territory of Member States to which the Treaty establishing the European Community applies (except those species whose natural range is marginal in that territory and which are not endangered or vulnerable in the western palearctic region) and for the conservation of which the Community has particular responsibility in view of the large proportion of its natural range which falls within the mentioned territory.

50. Habitat of a species shall mean an environment defined by specific abiotic and biotic factors, in which the species lives at any stage of its biological cycle.

51. Groundwater well field shall mean the location of installations whereby groundwater is collected and channelled to the ground.

CHAPTER TWO

SYSTEM OF PROTECTED AREAS AND DOCUMENTS OF ACTIVITY

REGULATION

Article 3. Objectives of establishment of protected areas

Protected areas shall be established with a view to preserving territorial complexes and objects/properties of natural and cultural heritage, diversity of landscape and biological diversity, ensuring the ecological balance of landscape, well-balanced use and restoration of natural resources, providing conditions for cognitive tourism, scientific research and monitoring of the

condition of the environment, promoting territorial complexes and objects/properties of natural and cultural heritage.

Article 4. System of protected areas

1. The system of protected areas shall be made up of the following categories of protected areas:

1) areas of conservational protection priority. The following types of protected areas shall be attributed to this category: strict reserves, reserves and objects of heritage;

2) areas of restorative protection priority. The following types of protected areas shall be attributed to this category: restorative plots, genetic plots;

3) territories of ecological protection priority. Zones of ecological protection shall be attributed to this category;

4) complex protected areas. The following types of protected areas shall be attributed to this category: state parks – national and regional parts, areas of biosphere monitoring – strict biosphere reserves and biosphere grounds.

2. Protected areas of the Republic of Lithuania or their parts may, in accordance with the procedure laid down in Article 24¹ of this Law, be included in the Natura 2000 network.

3. The most valuable territories of Lithuania may, in accordance with the procedure laid down by the Convention Concerning the Protection of the World Cultural and Natural Heritage, be granted the status of an outstanding World Heritage site.

4. The nature frame shall join protected areas of a natural type and other ecologically important areas ensuring the ecological balance of landscape into a common system balancing landscape management.

Article 5. Documents regulating activities in protected areas

1. Activities in protected areas shall be regulated by:

1) this Law, the Environmental Protection Law, the Law on the Protection of Immovable Cultural Heritage, the Forestry Law, the Law on Territorial Planning, the Law on Construction and other laws;

2) statutes of protected areas;

3) planning documents of protected areas;

4) typical and/or individual protection regulations of protected areas, zones thereof, parts of an area or objects of heritage, also regional architectural regulations of protected areas, including interim regulations;

5) protection agreements, which may be concluded on activity restrictions in protected areas and on the establishment of specific conditions of use of land, forest or water body.

2. Typical protection regulations of protected areas shall be approved by the Government on the recommendation of an institution authorised by it; individual protection regulations shall be approved by the Government or institutions authorised by it.

3. The institutions authorised by the Government may conclude protection agreements on activity restrictions and on the establishment of specific conditions of use of land, forests and water bodies with the owners and managers of land, forests or water bodies whose land, forest or water body is located in a protected area. These agreements must be registered in the Real Property Register. The activity restrictions established therein must meet the requirements set forth by the documents indicated in this Article and regulating activities in protected areas. The procedure for concluding the agreements and forms of the agreements shall be approved by the Government.

CHAPTER THREE

AREAS OF CONSERVATIONAL PROTECTION PRIORITY. REGULATION OF ACTIVITIES THEREIN

Article 6. Strict reserves

1. Objectives of establishment of strict reserves shall be as follows:

1) to ensure the unaffected course of natural processes or maintenance of authenticity of territorial complexes and objects/properties of cultural heritage;

2) to preserve a typical or unique natural or cultural landscape and the objects of heritage located therein;

3) to preserve valuable natural ecosystems, habitats, gene pool of wild flora, fungi and fauna species;

4) to organise continuous scientific research and monitoring as well as museum work;

5) to promote territorial complexes and objects/properties of natural or cultural heritage.

2. By type of protected properties, strict reserves shall be classified as follows:

1) natural – for the preservation of particularly valuable complexes of natural landscape;

2) cultural (reserves-museums) – for the preservation of particularly valuable complexes of cultural landscape.

3. By specific features of establishment and organisation, strict reserves shall be classified as follows:

1) strict state reserves;

- 2) the strict reserves located in state parks and strict biosphere reserves;
- 3) small district reserves.

Article 7. Regulation of activities in strict reserves

1. Specific features of the protection and management of natural strict reserves shall be established by this Law, the statutes of natural strict reserves as approved by the Government, other documents of regulation of activities in protected areas as indicated in Article 5 of this Law. In natural strict reserves, only the following activities shall be permitted:

- 1) research and monitoring of the unaffected course of natural processes;
- 2) implementation of fire protection measures;
- 3) implementation of sanitary measures in cases of epizootics;
- 4) building of the construction works which are required for the implementation of the objectives of establishment and functioning of a strict reserve;
- 5) restoration of natural landscape, ecosystems and the objects damaged by activities;
- 6) implementation of other measures corresponding to the objectives of establishment of a strict reserve.

2. A procedure for picking berries and mushrooms by local residents shall be laid down by statutes of natural strict reserves.

3. Specific features of the protection and management of cultural strict reserves (reserves-museums) shall be established by this Law, the statutes of cultural strict reserves as approved by the Government, other documents of regulation of activities in protected areas as indicated in Article 5 of this Law. In cultural strict reserves (reserves-museums), only the following activities shall be permitted:

- 1) scientific research and museum work;
- 2) restoration of the territorial complexes and objects/properties of cultural landscape as damaged by activities;
- 3) repair, research, restoration and conservation of complexes and objects/properties of cultural landscape;
- 4) adaptation of complexes and objects/properties of cultural landscape for visiting and their exhibition;
- 5) building of the construction works which are required for implementation of the objectives of establishment of a strict reserve;
- 6) other activities corresponding to the objectives of establishment of a strict reserve and indicated in the statutes of cultural strict reserves and territorial planning documents.

4. Repair, research, restoration and conservation works shall be carried out in cultural strict reserves (reserves-museums) in accordance with the procedure laid down by laws.

5. A procedure for using and visiting cultural strict reserves (reserves-museums) shall be laid down by an institution authorised by the Government.

6. Planning documents of strict reserves may identify the landscape management zones of strict and regulated protection (regime).

7. In strict reserves and within a radius of five kilometres around the strict reserves, it shall be prohibited to produce and propagate genetically modified organisms, plants and seeds thereof.

Article 8. Reserves

1. Objectives of establishment of reserves shall be as follows:

- 1) to preserve territorial complexes/properties and sites of natural or cultural heritage;
- 2) to ensure the diversity of landscape and biological diversity and ecological balance;
- 3) to preserve habitats and species of wild flora, fauna and fungi, populations thereof which are genetically valuable;
- 4) to provide conditions for scientific research;
- 5) to provide conditions for cognitive tourism;
- 6) to promote territorial complexes/properties and sites of natural or cultural heritage.

2. By type of territorial complexes/properties of protected natural or cultural heritage, reserves shall be classified as follows:

- 1) natural;
- 2) cultural;
- 3) complex.

3. Natural reserves shall be:

- 1) geological – for the protection of subsoil structures, typical exposures, rock or fossil complexes;
- 2) geomorphological – for the protection of typical and unique complexes of relief forms;
- 3) hydrographic – for the protection of typical and unique samples of elements of a hydrographic network (rivers, lakes, ponds);
- 4) pedological – for the protection of natural soils;
- 5) botanical – for the protection of rare and vanishing species of wild flora and fungi as well as communities and habitats thereof;

6) zoological – for the protection of rare and vanishing species of wild fauna, communities and habitats thereof; theriological, ornithological, herpetological, ichthyological, entomological and other types of reserves may be identified within this group of reserves;

7) botanical-zoological – for the protection of rare and vanishing species of wild flora, fungi and fauna, communities or habitats thereof;

8) genetic – for the protection of the populations of wild flora and fungi species which are genetically valuable;

9) telmathiological – for the protection of typical and unique complexes of marshes;

10) thalassic – for the protection of valuable marine ecosystems.

4. Cultural reserves shall be:

1) archaeological – for the protection of sites, where the singularity of their territory is determined by accumulations or complexes of archaeological objects;

2) historical – for the protection of the sites related to historic events, historically important remaining or deteriorated settlements, famous persons or their activities, also the areas characterised by an accumulation of such sites;

3) ethno-cultural – for the protection of the sites containing the settlements or parts thereof distinguished by traditional architecture or other specific ethno-cultural features, sacral and ritual sites, the sites distinguished by an accumulation of the objects or locations made prominent by myths, legends and stories;

4) urban/architectural – for the protection of the historical parts of cities distinguished from the urban point of view, the towns and sites containing architecturally valuable clusters or complexes of buildings and construction works.

5. Complex reserves shall be:

1) landscape – for the protection of sites of valuable natural and/or cultural landscape;

2) cartographic – for the protection of the sites having special geographic coordinates.

6. By specific features of establishment and activities, reserves shall be classified as follows:

1) state reserves;

2) municipal reserves;

3) the reserves located in state parks or areas of biosphere monitoring.

Article 9. Regulation of activities in reserves

1. Specific features of the protection and management of reserves shall be established by this Law, the Statutes of Reserves as approved by the Government, other documents of

regulation of activities in protected areas as indicated in Article 5 of this Law. The activities which may harm protected complexes and objects/properties shall be prohibited in reserves.

2. In natural and complex reserves, it shall be prohibited:

1) to destroy or damage relief forms as well as protected objects;

2) to mine peat and lake sediments (sapropels), with the exception of those whose mining started prior to the establishment of a reserve;

3) to construct new quarries and mines of mineral deposits, also new bores for the reconnaissance and extraction of oil and gas, to erect the industrial facilities subject to integrated pollution prevention and control permits, airfields, wind power plants, with the exception of the wind mills being restored, to set up dumping grounds, to build other construction works polluting the environment, including those polluting it visually;

4) to collect, explode, cut or otherwise destroy the stones which exceed 0.5 cubic metres and are naturally found in reserves;

5) to dam and regulate natural rivers, to change their courses and the natural level of water in lakes. It shall be allowed to re-erect former dams, other hydrotechnical construction works, to fortify banks, to clean river beds, to set up artificial water bodies, and to carry out other works only in the cases when this is required for the restoration and management of the objects of cultural heritage (immovable heritage properties) located in a reserve and when implementing natural disaster prevention measures in cities, towns and villages;

6) to set up new water bodies not related to the purpose of a reserve and exceeding 0.1 ha;

7) to drain marshes and their adjacent areas and change them to another land use;

8) to build the construction works unrelated to objectives of the establishment of a reserve, with the exception of buildings in existing and former homesteads (when there are remnants of former construction works and/or gardens or when the homesteads are marked in plans of a site or other plans, also when establishing the legal fact), also the locations specified in reserve management plans and/or comprehensive plans, to construct buildings or to increase their volumes on the slopes whose fall exceeds 15 degrees, also at a distance closer than 50 metres away from the upper and lower edge of these slopes;

9) to plant the greenery obstructing the panoramas of historical, cultural and aesthetical value;

10) to install the external advertising unrelated to the complexes and objects/properties protected in a reserve, with the exception of territories of cities and towns;

11) to produce and propagate genetically modified organisms, plants and seeds thereof.

This prohibition shall apply also to areas within a radius of five kilometres around the reserves;

12) to pursue other activities which may harm protected complexes and objects/properties.

3. In cultural reserves, it shall be prohibited:

1) to destroy or damage complexes and objects/properties of cultural heritage, to destroy their authenticity;

2) to make substantial changes to the environment of objects of cultural heritage thus reducing the value of the objects of cultural heritage.

4. Allowable and recommended forms and sizes of construction works, percentage of development of a territory, and distances from water bodies and slopes shall be specified by protection regulations of protected areas and/or regional architectural regulations of construction works in the protected areas. They may tighten the requirements listed in paragraphs 2 and 3 of this Article and set forth additional requirements.

5. In reserves, the activities which foster, highlight and promote protected complexes or objects/properties, restore traditional elements of the natural or cultural environment, also cognitive tourism shall be promoted.

6. In the reserves where restoration of damaged landscape complexes or parts thereof is an objective of establishment of the reserves, restorative plots shall be identified.

7. State and municipal reserves, also the reserves located in state parks and areas of biosphere monitoring shall be subject to the regulation of activities specified in this Article. Having regard to specific features of the complexes and objects/properties which are under protection in reserves, statutes of reserves, protection regulations, and other documents regulating activities in protected areas as indicated in Article 5 of this Law, also reserve management plans may additionally restrict landscape management, use of natural resources, building of construction works, visiting of a territory, etc.

Article 10. Objects of heritage

1. Declaration of objects of heritage shall pursue the following goals:

1) to preserve the objects of natural and cultural heritage;

2) to preserve the diversity of landscape and biological diversity;

3) to provide conditions for scientific research;

4) to provide conditions for cognitive tourism;

5) to promote the objects of natural and cultural heritage.

2. Objects of heritage shall be classified as follows:

1) objects of natural heritage (protected objects of natural landscape);

2) objects of cultural heritage (immovable cultural properties).

3. Objects of natural heritage shall be:

1) geological – boulders, rocks, swallow holes and caves of outstanding sizes, typical or unique exposures which are scientifically valuable, location sites of fossils and minerals;

2) geomorphological – relief forms of outstanding sizes and appearance: hills, ridges, spurs, taluses, gullies, ice-walled lake plains and other relief forms;

3) hydrogeological – sources and springs of outstanding yield and special properties;

4) hydrographic – banks, old river courses, islands, waterfalls and other elements of a hydrographic network of outstanding sizes;

5) botanical – trees, bushes which are of outstanding age, dimensions, forms or are dendrologically and aesthetically valuable, origin sites/habitats of protected flora and fungi species, unique and vanishing flora communities, dendrological collections, dendrologically valuable parks and squares;

6) zoological – location sites/breeding and feeding sites of protected fauna species, fauna colonies, unique nests of birds, other rarities of fauna life.

4. Objects of cultural heritage (immovable cultural properties) shall be:

1) archaeological – mounds, other ancient defence fortifications or remnants thereof, ancient residential, mining, production and burial sites, secret paths and marshes and other remnants of ancient roads, hydrotechnical installations, other archaeological objects or locations;

2) mythological (sacral) / historical / memorial – home sanctuaries and other ancient cult sites, the stones bearing marks of ancient human activities or other objects and locations made well-known in the oral tradition of the nation, also the locations respected by existing religions; the locations and/or construction works related to important public, cultural events or figures and events or figures of state history, also made well-known by literary or other works of art, unused cemeteries or parts thereof, cemeteries of soldiers, graves and burial places of insurgents, partisans, other participants in the resistance against occupations, well-known public, cultural, state figures;

3) architectural / engineering – residential and non-residential buildings recognised as significant, parts thereof and fixtures, complexes and clusters of buildings, manor parks, other groups and locations of construction works and other works linked by an integral architectural composition, also engineering technical construction works recognised as significant: bridges, tunnels, dams, mills, land reclamation installations, equipment for mills or other industrial or technological equipment;

4) artistic – works of monumental art, miniature chapels, pillar-type crosses, roofed pillar-type crosses, monument crosses, memorial construction works and other works of art

recognised as significant and directly related to the territory occupied by them and required for their use.

5. The most valuable objects of heritage shall be declared natural or cultural monuments. They shall be declared natural and cultural monuments by the Government on the recommendation of an institution authorised by it.

Article 11. Regulation of activities in territories of objects of heritage

1. Specific features of the protection and management of objects of heritage shall be stipulated by this Law, the Law on the Protection of Immovable Cultural Heritage, statutes of objects of heritage, protection regulations of immovable cultural properties, other documents of regulation of activities in protected areas as indicated in Article 5 of this Law.

2. Statutes of objects of natural heritage, also protection regulations of objects of cultural heritage (immovable cultural properties) shall be approved by the Government or an institution authorised by it.

3. The following shall be prohibited in territories of objects of heritage:

- 1) to destroy or damage the objects of heritage or value characteristics thereof;
- 2) to dig soil, to plough, to relocate boulders, with the exception of the cases when these works are related to exhibition, use or management of objects of heritage;
- 3) to build the construction works unrelated to exhibition or management of the objects of heritage.

4. In territories of objects of natural heritage, it shall be prohibited to produce and propagate genetically modified organisms, plants and seeds thereof. This prohibition shall apply also to areas within a radius of five kilometres around the territories of objects of heritage.

CHAPTER FOUR COMPLEX PROTECTED AREAS. REGULATION OF ACTIVITIES THEREIN

Article 12. State parks

1. Objectives of establishment of state parks:

- 1) to preserve naturally and culturally valuable landscape;
- 2) to preserve typical or unique ecosystems;
- 3) to restore destroyed and damaged natural and cultural complexes and objects/properties;

4) to provide conditions for scientific research in the field of protection of natural and cultural heritage;

5) to promote and support the ethno-cultural traditions of Lithuanian regions;

6) to provide conditions for recreation, primarily cognitive tourism;

7) to develop environmental education, promote ecological farming;

8) to implement other objectives of their establishment provided for in statutes of the state parks.

2. By their significance, state parks shall be classified as follows:

1) national parks – the protected areas established for the protection and management of the natural and cultural landscape of national significance representing the natural and cultural singularities of the country's ethno-cultural regions. Historical national parks shall be established for the preservation of cultural complexes of Lithuania's historical statehood centres and their natural environment;

2) regional parks – the protected areas established for the protection of the landscape and ecosystems of regional significance from the natural, cultural and recreational point of view, regulation of their recreational and economic use. Historical national parks shall be established for the preservation of most valuable historical regional complexes and their natural environment.

3. The following functional priority zones shall be identified in planning schemes (boundaries and management plans) of state parks: conservational (strict reserves and reserves), ecological protection, recreational and economic (agriculture, forestry or aquaculture) priority zones and zones of another purpose. These documents shall also identify the landscape management zones in which typical protection regulations of protected areas apply to landscape protection, use and management.

Article 13. Regulation of activities in state parks

1. Specific features of the protection and management of state parks shall be established by this Law, the statutes of national and regional parks as approved by the Government, other documents of regulation of activities in protected areas as indicated in Article 5 of this Law.

2. The activities which may harm protected complexes and objects/properties, also recreational resources shall be prohibited or restricted in state parks. In state parks, it shall be prohibited:

1) to construct industrial facilities subject to integrated pollution prevention and control permits, airfields, wind power plants, with the exception of the wind mills being restored, to construct land-based transit engineering and utility networks, to change relief forms and natural

elements of a hydrographic network, to destroy and change the valuable characteristics of historically formed cultural landscape and its urban and architectural elements and other protected complexes and objects/properties, to construct new bores for the reconnaissance and extraction of oil and gas, new and mines and quarries of mineral deposits, except for not more than one small sand or gravel quarry whose area does not exceed 0.2 hectares and which has been set up in the zone of agricultural functional priority of a state park upon coordination with the directorate of the state park in accordance with the procedure laid down by the Government or institutions authorised by it for the use of mineral resources found in the land plot of the land owner or user of land for own household needs;

2) to mechanically disturb the vegetative cover of natural marshes, to mine peat therein, also to drain high marshes, transitional marshes and their adjacent areas as well as the low marshes whose area exceeds 0.5 hectares, and the layer of peat exceeds 1 metre and their adjacent areas and to change them to agricultural land and waters;

3) to dam and regulate natural rivers, to change their courses and the natural level of water in lakes. It shall be allowed to re-erect former dams, other hydrotechnical construction works, to fortify banks, to clean river beds, to set up artificial water bodies, and to carry out other works only in the cases when this is required for the restoration and management of the objects of cultural heritage (immovable heritage properties) located in a reserve and when implementing natural disaster prevention measures in cities, towns and villages;

4) to build construction works in the locations not specified in planning schemes (boundaries and management plans) of the state parks and/or comprehensive plans, with the exception of buildings in existing and former homesteads (when there are remnants of former construction works and/or gardens or when the homesteads are marked in plans of a site or in other plans, also when establishing the legal fact);

5) to construct new residential houses, farmer's farm and other buildings or to increase their volumes on the slopes whose fall exceeds 15 degrees, also at a distance closer than 50 metres away from the upper and lower edge of these slopes, to build the construction works reducing the aesthetical value of landscape and to plant the greenery obstructing the panoramas having a historical, cultural and aesthetical value;

6) to install the external advertising unrelated to the complexes and objects/properties protected in the state parks, with the exception of territories of cities and towns;

7) to produce and propagate genetically modified organisms, plants and seeds thereof. This prohibition shall apply also to areas within a radius of five kilometres around the state parks.

3. Construction works shall be designed, constructed or reconstructed in state parks in compliance with legal acts, solutions of planning schemes (boundaries and management plans) of state parks taking into consideration specific features of the architecture and landscape of towns and villages and conservation requirements of objects of heritage. Allowable and recommended forms and sizes of the construction works, density of development of a territory and distances from water bodies and slopes shall be specified by individual protection regulations of state parks. They may tighten the requirements referred in paragraph 2 of this Article and set forth additional requirements.

4. The cities and towns located in state parks shall be managed according to prepared and approved solutions of planning schemes (boundaries and management plans) of the state parks and/or documents of complex territorial planning.

5. In state parks, the activities which foster, highlight and promote protected complexes or objects/properties of landscape, restore traditional elements of the natural or cultural environment, also cognitive tourism, adaptation of the territory for visiting taking into consideration preservation requirements of the protected complexes and objects/properties shall be promoted.

Article 14. Areas of biosphere monitoring

1. Objectives of establishment of areas of biosphere monitoring:

- 1) to create a representative system of complex ecological monitoring – to monitor, control and forecast changes in natural systems;
- 2) to conduct experiments and research of the use of biosphere;
- 3) to develop environmental education and propaganda;
- 4) to ensure protection of natural complexes.

2. Areas of biosphere monitoring shall be as follows:

1) strict biosphere reserves shall be established with a view to implementing an international programme for monitoring of changes in biosphere and conducting environmental protection experiments in representative natural complexes of natural zones and surrounding areas;

2) biosphere grounds shall be established with a view to conducting national and regional environment monitoring in the areas of particular geoecological importance.

3. The following functional priority zones shall be designated in planning schemes (boundaries and management plans) of strict biosphere reserves: zones of conservational (strict natural reserves and reserves) and ecological protection priorities, also experiments, restoration

of ecosystems and the economic activities typical of this area. In biosphere grounds, zones of different functional priority may also be identified.

Article 15. Regulation of activities in areas of biosphere monitoring

1. Statutes of strict biosphere reserves shall be approved by the Government, and those of biosphere grounds – by an institution authorised by the Government.

2. Works of environment monitoring in areas of biosphere monitoring shall be carried out according to the special environment research programmes approved by an institution authorised by the Government.

CHAPTER FIVE

AREAS OF RESTORATIVE AND ECOLOGICAL PROTECTION PRIORITY. REGULATION OF ACTIVITIES THEREIN

Article 16. Restorative and genetic plots

1. Objectives of establishment of restorative plots:

1) to restore the species of natural resources or their complexes impoverished by activities;

2) to enhance the general pool of natural resources;

3) to ensure the preservation and rational use of renewable natural resources.

2. Restorative plots shall be established in state-owned land for restoration and enhancement of the renewable resources of berry fields, mushroom fields, the places where medicinal herbs can be found, fauna, peatbogs, groundwater and other renewable resources. They shall be established for a period required for restoration of natural resources.

3. The objective of establishment of genetic plots shall be to preserve resources of the genetic material required for activities. These plots shall be established in state-owned land for maintenance of seed forest stands and natural genetic resources of other species.

Article 17. Regulation of activities in restorative and genetic plots

1. In restorative and genetic plots, restrictions shall be imposed on the activities reducing natural resources, also exploitation of mineral deposits, use of land, forests, waters, other immovable property and change of established methods of use. The nature and scope of activity restrictions shall be specified by statutes of these areas.

2. Statutes of restorative and genetic plots shall be approved by an institution authorised by the Government.

3. In restorative and genetic plots and within a radius of five kilometres around these plots, it shall be prohibited to produce and propagate genetically modified organisms, plants and seeds thereof.

Article 18. Zones of ecological protection

1. Objectives of designation of zones of ecological protection:

- 1) to ensure the general ecological balance of landscape;
- 2) to preserve the environment of protected and geologically important complexes or objects/properties of natural and cultural landscape, to isolate them from the adverse impact of activities;
- 3) to reduce the adverse impact of economic facilities on people and the environment, also to ensure the activities of economic facilities.

2. By nature of protection, zones of ecological protection shall be as follows:

- 1) general ecological protection – protection zones of cities and resorts, the seaside and fields, groundwater well fields, surface water bodies, agricultural watersheds and intensive karst;
- 2) buffer protection – zones of buffer protection of strict state reserves, state parks and state reserves, objects of heritage;
- 3) physical protection – zones of physical protection of objects of heritage, stations of state geodesy frame, electric power lines, gas and oil pipelines, communication lines and other infrastructure facilities;
- 4) visual protection – zones of visual protection of objects of heritage, astronomy observatories, airfields and other infrastructure facilities; these are the areas in which a change of the environment can harm the environment of these facilities or hinder survey thereof;
- 5) sanitary protection – zones of sanitary protection of industrial and utility facilities, agricultural enterprises and other economic facilities and infrastructure facilities;
- 6) reserve protection – zones of protection of viable mineral deposit areas.

3. By type of their arrangement, zones of ecological protection may be designated as plots, strips or circles. Zones of general ecological and buffer protection may be divided into sub-zones of a different protection and use regime or such sub-zones may be identified in them.

4. The procedure for designating the types of protection zones of economic facilities and infrastructure facilities as well as their protection and use regime shall be laid down by laws and other legal acts regulating their supervision and use.

5. Zones of ecological protection shall be designated in territorial planning documents of the respective level or in other documents in accordance with the procedure laid down by this

Law, the Law on Land, the Law on Public Health, the Law on the Protection of Immovable Cultural Heritage, the Law on Construction and the Law on Coastline.

Article 19. Zones of buffer protection and regulation of activities therein

1. In order to reduce the adverse impact of activities on strict state reserves, state parks, strict biosphere reserves, objects of heritage and to preserve the visual environment of these areas, zones of buffer protection shall be designated in these areas and may be designated in state reserves. No zones of buffer protection shall be designated in respect of the objects of heritage located in strict state reserves, the strict reserves located in state parks, also in reserves.

2. Zones of buffer protection shall be designated by approving planning schemes (boundaries and management plans) of strict state reserves, strict biosphere reserves and state parks, boundaries plans of state reserves and schemes of objects of natural heritage.

3. In zones of buffer protection of natural strict reserves, it shall be prohibited:

- 1) to construct new quarries of mineral deposits;
- 2) to change the hydrological regime;
- 3) to use fertilisers and pesticides on land other than agricultural land;
- 4) to cut down forest in the final clear-felling harvest in a 300-metres-wide strip around a strict reserve;

5) to produce and propagate genetically modified organisms, plants and seeds thereof. This prohibition shall apply also to areas within a radius of five kilometres around the zones of buffer protection of the natural strict reserves.

4. Sub-zones of physical and visual protection of a different protection and use regime shall be designated in zones of buffer protection of objects of heritage.

5. In sub-zones of physical protection of objects of heritage, it shall be prohibited:

1) to dig soil and carry out other works which may cause deformation and vibration of ground, to plough, to relocate boulders, with the exception of the cases when these works are related to exhibition, use or management of objects of heritage;

2) to build the construction works unrelated to exhibition or management of the objects of heritage;

3) to store active chemical, flammable and explosive substances;

4) to build dams and hydrotechnical construction works changing the water level, to canalise and deepen the courses of springs and rivers, with the exception of the cases of restoration and management of objects of cultural heritage (immovable cultural properties).

6. In sub-zones of visual protection of objects of heritage, the works which hinder the survey of the objects of heritage shall be prohibited.

7. In zones of buffer protection of state parks, strict state reserves and reserves as well as strict biosphere reserves, it shall be prohibited to build construction works, where they impair the conditions of exhibition of objects of heritage and increase the visual pollution of the area. In the hydrological impact parts of zones of buffer protection of state parks, general sub-zones of ecological protection may be designated.

8. Sub-zones of physical and visual protection whose management regime shall be determined according to requirements of the Law on the Protection of Immovable Cultural Heritage shall, in compliance with the rules approved by the Government, be designated in respect of separate types of objects of cultural heritage (immovable cultural properties).

Article 20. Zones of protection of surface water bodies and regulation of activities therein

1. In order to prevent hazardous substances from polluting water bodies, to protect the banks of the water bodies against erosion, to ensure the stability of ecosystems of the shores of the water bodies, to protect the natural landscape of the shores of the water bodies and its aesthetical values, and to provide favourable conditions for recreation, zones of ecological protection of surface water bodies shall be identified. In a part of a zone of protection of surface water bodies at a water body, a shore protection strip shall be designated.

2. The procedure for designating zones of protection of surface water bodies and shore protection strips shall be approved by an institution authorised by the Government, and protection regulations – by the Government. The protection regulations shall specify distances from the bank of a water body for the building of construction works of various purposes and requirements for the management of greenery.

3. In zones of protection of surface water bodies, it shall be prohibited:

- 1) to pour sewage or liquid manure without working it in the ground;
- 2) to set up cemeteries, dumping grounds;
- 3) to construct buildings in flood-prone territories (with the exception of the homesteads located therein) as well as on slopes of water bodies whose fall exceeds 10 degrees;
- 4) to alter the existing construction line by reconstructing or re-building construction works in existing and former homesteads (when there are remnants of former construction works and/or gardens or when the homesteads are marked in plans of a site or other plans, also when establishing the legal fact), with the exception of the cases provided for in territorial planning documents;
- 5) to put wagons on lakesides, riversides, in forests, other locations;
- 6) to produce and propagate genetically modified organisms, plants and seeds thereof.

4. In a shore protection strip, it shall be prohibited:

- 1) to erect fences, with the exception of the cases when fences have been provided for in regulatory documents in order to ensure safety of exploitation;
- 2) to use fertilisers, pesticides and other chemicals;
- 3) to cultivate land, to destroy turf, with the exception of reseeded of cultivated meadows, to pasture cattle at a distance less than 2 metres from the bank;
- 4) to park vehicles at a distance less than 25 metres from the bank of a water body.

5. In a shore protection strip, only building of hydro-technical construction works, installations of water intake and discharge into water bodies, waterworks, bridges, docks, in recreational zones – beach equipment, slip-ways for yachts and boats, other recreational installations, in reserves – the construction works related to objectives of establishment of a reserve shall be allowed.

6. In homesteads outside a coastal protection strip, construction of only one sauna building without a basement intended for personal use, provided the total area whereof does not exceed 25 square metres and it is not higher than 4.5 metres (the height shall be calculated from the average altitude of the land surface of the developed area to the apex of the roof of the building) shall be allowed.

7. Activities in other zones of ecological protection as listed in Article 18 of this Law shall be regulated by the legal acts under which they have been designated.

Article 20¹. Zones of protection of groundwater well fields and regulation of activities therein

1. Zones of protection of groundwater well fields shall be designated to avoid contamination of the groundwater well fields with hazardous substances. The procedure for designating zones of protection of groundwater well fields shall be established by the Minister of Environment.

2. Having regard to the objective of protection stipulated in paragraph 1 of this Article, the Government shall, when approving the Description of Special Land Use Conditions in Zones of Protection of Groundwater Well Fields, establish restrictions on the economic activity likely to contaminate water collected in well fields.

CHAPTER SIX

NATURE FRAME

Article 21. Objectives of designation of the nature frame

Objectives of designation of the nature frame shall be as follows:

- 1) to create a coherent network of natural ecological compensation areas ensuring the geoecological balance of landscape and natural links between protected areas, to create preconditions for the preservation of biological diversity;
- 2) to join the habitats of the greatest bioecological significance, environment thereof as well as the areas required for fauna and flora migration;
- 3) to protect natural landscape and natural recreational resources;
- 4) to increase the country's forest coverage;
- 5) to optimise the development of landscape urbanisation as well as technological and agricultural development.

Article 22. Structure and designation of the nature frame

1. The nature frame shall combine various areas: strict reserves, reserves, state parks, restorative and genetic plots, zones of ecological protection, also forest farming, natural recreation and ecologically important agricultural areas.

2. The nature frame shall be comprised of:

1) geoecological watersheds – the area strips joining the sites characterised by a particular ecological importance and sensitivity: upper reaches of rivers, watersheds, lake systems of uplands, hill systems, marshlands, foreshores, areas of intensive feed of groundwater and karst spreading. They divide large natural ecosystems and maintain the general ecological balance of natural landscape;

2) internal stabilisation ranges and axes of geosystems – the areas capable of changing the side run-off or other natural migration flows, also the areas important from the point of view of biological diversity: arrays and groups of greenery, natural meadows, marshes and other valuable ecotopes of large geosystems. These areas shall compensate for the adverse ecological impact exerted on natural geosystems;

3) migration corridors – valleys, gully systems and ice-walled lake plains as well as other areas wherein intensive exchange of substances, energy and natural information flows and migration of fauna and flora species take place.

3. According to importance, the nature frame may be of the European, national, regional and local importance and may be designated in territorial planning documents in accordance with

the procedure laid down by the Statutes of the Nature Frame approved by an institution authorised by the Government. The nature frame designated in documents of higher level territorial planning shall be further specified in lower level territorial planning documents.

4. For the purposes of protection of biological diversity, an ecological network may be identified in areas of the nature frame joining the habitats of the greatest bioecological importance, the environment thereof as well as fauna and flora migration corridors. In identifying the nature frame, account shall be taken of the need to ensure the ecological coherence of the Natura 2000 network by creating or preserving the features of the landscape which are of importance for wild fauna and flora. Such features shall be those which, by virtue of their linear and continuous structure or their function as stepping stones, are essential for the migration, dispersal and genetic exchange of wild species.

5. Repealed as of 1 January 2014.

6. Restrictions of activities in strict reserves, reserves, state parks, areas of biosphere monitoring, zones of ecological protection, restorative and genetic plots located in the nature frame (including areas of the European ecological network “Natura 2000”) shall be set forth by this Law, statutes of the nature frame, other documents regulating activities in protected areas and indicated in Article 5 of this Law. It shall be prohibited to erect in the recreational, forest farming and agricultural areas of the nature frame the industrial facilities subject to integrated pollution prevention and control permits and residential blocks. The activities which ensure the ecological balance of landscape and stability of ecosystems, restore damaged ecosystems and are carried out according to territorial planning documents shall be permitted.

CHAPTER SEVEN

ESTABLISHMENT OF, ACCOUNTING FOR, PROTECTION AND MANAGEMENT OF PROTECTED AREAS

Article 23. Establishment of protected areas and delineation of boundaries thereof

1. Strict state reserves, strict biosphere reserves and state parks shall be established, their boundaries shall be delineated and changed by the Government by approving planning schemes (boundaries and management plans) of these protected areas on the recommendation of an institution authorised by the Government.

2. Small strict reserves and state reserves shall be established and their boundaries shall be delineated and changed by the Government by approving plans of boundaries of these protected areas on the recommendation of an institution authorised by the Government.

3. Biosphere grounds and restorative and genetic plots shall be established and their boundaries shall be delineated and changed by an institution authorised by the Government by approving plans of boundaries of these protected areas.

4. Objects of natural heritage (protected objects of natural landscape) shall be declared protected objects by an institution authorised by the Government by approving schemes of these objects.

5. Municipal reserves shall be established in accordance with the procedure laid down by the Government by municipal councils by approving plans of boundaries of municipal reserves, whereas municipal objects of natural heritage shall be declared protected by a municipality by the municipal councils by approving schemes of these objects.

6. Criteria for the establishment of the protected areas referred to in paragraphs 1, 2, 3, 4 and 5 of this Article shall be set by the Government or an institution authorised by it.

7. Objects or sites of cultural heritage (immovable cultural properties) shall be declared protected and territories and protection zones thereof shall be designated in accordance with the procedure laid down by the Law on the Protection of Immovable Cultural Heritage.

8. Proposals for the establishment of strict state reserves, state parks, state reserves and areas of biosphere monitoring must be based on scientific research on the basis whereof a planning scheme (boundaries and management plan) or a plan of boundaries of the appropriate protected area is prepared.

9. Municipal institutions, non-governmental organisations, natural or legal persons may, in accordance with the procedure laid down by the Government or an institution authorised by it, initiate the establishment of strict reserves, state parks, reserves, areas of biosphere monitoring, restorative and genetic plots or the change of boundaries thereof and the declaration of objects of natural heritage protected.

10. Sites for the establishment of protected areas may be envisaged in documents of complex territorial planning.

11. In the light of the threats of disappearance or destruction or degradation to which territorial complexes and objects/properties of natural and/or cultural heritage are exposed, the Government shall, on the recommendation of an institution authorised by the Government, set forth interim conservation requirements applicable until the issue of establishment of a protected area or declaration of an object of natural heritage protected is resolved, however not longer than for five years.

Article 24. Entry of protected areas on lists of protected areas of international importance and regulation of activities therein

1. Protected areas of the Republic of Lithuania or parts thereof containing the landscape complexes, habitats of international importance, species of rare and vanishing flora and fauna or communities and populations thereof, also territorial complexes and objects/properties of natural and cultural heritage may be granted the status of a protected area of international importance and/or may be entered on lists of protected areas of international importance. Proposals on the entry of protected areas, with the exception of cultural reserves, cultural strict reserves and historical national parks and historical regional parks, on these lists shall be submitted by an institution authorised by the Government of the Republic of Lithuania, unless international treaties provide otherwise. The cultural reserves, cultural strict reserves and historical national parks and historical regional parks shall be entered on the lists of protected areas of international importance in accordance with the procedure laid down by the Law of the Republic of Lithuania on the Protection of Immovable Cultural Heritage.

2. The protected areas which have been granted the status of a protected area of international importance and/or which have been entered on lists of protected areas of international importance shall be subject to the requirements set forth by international conventions and treaties. The Government of the Republic of Lithuania shall also regulate specific features of protection of the areas entered on the lists of protected areas of international importance.

Article 24¹. Setting up of the Natura 2000 network and protection of areas within the Natura 2000 network

1. Special areas of conservation of habitats shall be designated at sites hosting the natural habitat types of Community interest and habitats of species of Community interest. The areas shall be selected in accordance with the procedure laid down in paragraph 4 of this Article having regard to the part of the territory of the Republic of Lithuania covered by the natural habitat types of Community interest and the habitats of the species whose conservation requires designation of the special areas of conservation of habitats.

2. The most suitable territories in number and size as special protection areas for the conservation of birds shall be designated based on scientific research and bearing in mind the need for protection of wild birds in the geographical sea and land area within the European territory of Member States to which the Treaty establishing the European Community applies. In designating the areas, the following objectives shall be pursued:

1) ensuring of the survival and reproduction in their area of distribution of the birds species listed as birds species of Community interest which are: species in danger of extinction; species vulnerable to specific changes in their habitat; species considered rare because of small

populations or restricted local distribution; other species requiring particular attention for reasons of the specific nature of their habitat. Trends and variations in population levels of wild birds shall be taken into account as a background for evaluations in all cases;

2) conservation of regularly occurring migratory species of birds not listed as birds species of Community interest, as regards their breeding, moulting and wintering areas and staging posts along their migration routes, with particular attention paid to the protection of wetlands and particularly to wetlands of international importance.

3. Criteria for selection of the sites whereat special areas for the conservation of birds or special areas for the conservation of habitats are designated shall be approved by an institution authorised by the Government. In approving the criteria for selection of special areas for the conservation of habitats, natural habitat types and plant and animal species of Community interest shall be identified for classification as priority natural habitat types and priority plant and animal species.

4. For the purpose of establishing a coherent ecological network of special areas of conservation, an institution authorised by the Government shall:

1) organise scientific research having the aim of selecting, based on the criteria for selection of special areas of conservation, the locations conforming to these criteria and approve a list thereof indicating the natural habitat types and plant and animal species of Community interest which are found in these locations. For animal species ranging over wide areas, such locations shall correspond to the places within the natural range of such species which present the physical or biological factors essential to their life and reproduction. For aquatic animal species which range over wide areas, such sites shall be proposed only where there is a clearly identifiable area representing the physical and biological factors essential to their life and reproduction;

2) transmit the list of the locations conforming to the criteria for selection of special areas of conservation to the European Commission for consideration with a view to compiling and approving the list of sites of Community importance of an appropriate biogeographical region. Information on each site (map of the site, its name, location, extent and the data resulting from application of the criteria for selection of special areas of conservation) shall be supplied to the European Commission in a format established by the European Commission. The list shall be accompanied by the estimations of the Community funding to enable the Republic of Lithuania to determine and implement the necessary conservation measures in the areas hosting priority natural habitat types and/or priority plant and animal species;

3) propose, where necessary, to the European Commission to amend the list of sites meeting criteria for selection of special areas of conservation having regard to results of the

scientific research of natural habitats or plant and animal species of Community interest and surveillance of their conservation status, also propose to declassify a special area of conservation where this is warranted by natural developments noted as a result of the surveillance;

4) consult the European Commission to allow for comparison of the scientific research data used by the European Commission and the Republic of Lithuania in the cases when the Commission finds that a site not included on the list of sites meeting criteria for selection of special areas of conservation wherein a priority natural habitat type or a priority plant or animal species occurs is, according to the scientific information available to the European Commission, of importance for the maintenance of that priority natural habitat type or survival of the priority plant or animal species;

5) organise the designation, as soon as possible and within six years at most after the proposed site has been approved by the European Commission as a site of Community importance, at the site of a special area of conservation of habitats in accordance with requirements of paragraph 5 of this Article.

5. Special areas of conservation of habitats and birds shall be designated by an institution authorised by the Government in accordance with the procedure laid down by the Government. Such areas shall be designated approving the list and boundaries thereof and establishing conservation priorities in the light of the importance of an area for the maintenance or restoration, at a favourable conservation status, of a natural habitat type of Community interest or a species of Community interest and for the coherence of Natura 2000, and in the light of the threats of degradation or destruction to which those sites are exposed. A decision on designation of a special area of conservation of habitats and birds within an area of Community interest or at a site meeting criteria for selection of special areas of conservation of birds may be adopted provided that at least one of the following conditions is met:

1) the site is located within a protected area of the Republic of Lithuania;

2) the site or a part of thereof is outside the protected area of the Republic of Lithuania, however an institution authorised by the Government, after analysing the documentation regulating activities at the site, has found that the necessary protection is guaranteed by the provisions of laws and other legal acts applicable to the site, solutions of territorial planning documents and the conservation agreements entered into with private landowners and managers of state-owned land.

6. In the absence of the conditions indicated in paragraph 5 of this Article, a special area of conservation of a habitat or birds shall be designated only upon establishing therein, in accordance with the procedure laid down in Article 23 of this Law, a protected area of the Republic of Lithuania (choosing the type of a protected area which best suits the conservation

and management needs of protected objects) or upon changing the boundaries of the adjacent protected area of the Republic of Lithuania or upon supplementing the appropriate territorial planning documents with conservation solutions or upon concluding conservation agreements with private landowners and managers of state-owned land. Actions in granting of the appropriate protection to the area shall be planned and implemented under the area's nature management plan approved and published by an institution authorised by the Government.

7. An institution authorised by the Government shall supply the appropriate information on established special conservation areas of birds to the European Commission in a format prescribed by the latter to allow the European Commission to develop appropriate initiatives to ensure cooperation, which is necessary for the special conservation areas of birds to form a coherent whole which meets requirements for the conservation of wild bird species within the European territory of the Member States to which the Treaty establishing the European Community applies.

8. For special areas of conservation of habitats, institutions authorised by the Government shall establish the necessary conservation measures and, if need be, implement appropriate management plans specifically designed for such areas or integrated into other development plans and establish, through appropriate statutory or administrative measures or under the conservation agreements entered into with private landowners and managers of state-owned land, the conservation measures which correspond to the ecological requirements of the natural habitat types of Community interest and plant and animal species present in the areas.

9. Institutions authorised by the Government shall take steps to avoid, in special areas of conservation, the deterioration of natural habitats and the habitats of species as well as disturbance of the species for which the special areas of conservation have been designated, in so far as such disturbance could be significant in relation to the maintenance or restoration at a favourable conservation status of a natural habitat type of Community interest or of an animal or plant species of Community interest.

10. The plans and projects not intended or not required for the management of a special area of conservation, but likely to significantly affect it, either individually or in conjunction with other plans or projects, must be properly assessed in respect of the potential impact on the area in accordance with the procedure laid down by the Law of the Republic of Lithuania on Environmental Impact Assessment of the Proposed Economic Activity or the Procedure for Strategic Environmental Assessment of Plans and Programmes approved by the Government having regard to the environmental protection purposes of the area. Having regard to territorial impact assessment and provisions of paragraph 11 of this Article, state or municipal institutions or agencies may approve a plan or project only after having ascertained that the plan or project

will not adversely affect the integrity of the area concerned and, if appropriate, after having obtained the public opinion.

11. If, in spite of a negative assessment of the implications for a site and in the absence of alternative solutions, a plan or project referred to in paragraph 10 of this Article must nevertheless be carried out for imperative reasons of overriding public interest, including those of a social or economic nature, all compensatory measures shall be taken necessary to ensure that the overall coherence of Natura 2000 is protected. The European Commission shall be informed of the compensatory measures adopted. Where the site concerned hosts a priority natural habitat type and/or a priority plant or animal species, the only considerations which may be raised are those relating to human health or public safety or to beneficial consequences of primary importance for the environment. As regards other imperative reasons of overriding public interest, an opinion from the European Commission must be obtained. A procedure for applying compensatory measures to protect the overall coherence of Natura 2000 and a procedure for providing information on approved compensatory measures to the European Commission and referring to the European Commission for its opinion shall be laid down by an institution authorised by the Government.

12. In special areas of conservation of habitats where the measures dependent on Community co-financing as referred to in paragraph 8 of this Article are postponed, it shall be prohibited to undertake any measures likely to result in deterioration of those areas.

13. The conservation requirements for sites stipulated in paragraphs 9, 10 and 11 of this Article shall apply after an institution authorised by the Government lists them as sites conforming to criteria for selection of special areas of conservation of habitats. In the case indicated in point 4 of paragraph 4 of this Article, during the period of consultation between the institution authorised by the Government and the European Commission, and pending a decision on selection of a site as an area of Community importance, the site concerned shall be subject to the conservation requirements provided for in paragraph 9 of this Article.

14. The conservation requirements specified in paragraphs 9, 10 and 11 of this Article shall apply also to special areas of conservation of birds. It shall be prohibited to pollute or cause damage to habitats of species of wild bird also outside the special areas of conservation of birds.

15. The procedure for adopting the decisions indicated in paragraph 5 of this Article and implementing the conservation requirements specified in paragraphs 8 and 9 shall be laid down by the General Statutes of Special Areas of Conservation of Birds and Natural Habitats approved by the Government.

16. In the areas of and outside the Natura 2000 network, surveillance of the conservation status of wild birds, natural habitats of Community interest and species of flora and fauna shall

be implemented by ensuring intensified surveillance of priority types of natural habitats and priority species of flora and fauna. The surveillance shall be organised in accordance with the procedure laid down by the Law of the Republic of Lithuania on Environmental Monitoring.

Article 25. State Cadastre of Protected Areas

1. The State Cadastre of Protected Areas (a data system) shall be established for the purposes of organisation of protection of protected areas and rational management thereof and shall include protected areas, with the exception of objects of cultural heritage, and other data required for organisation of protection of protected areas and management thereof.

2. Functions of the leading management body of the State Cadastre of Protected Areas shall be performed by an institution authorised by the Government. The procedure for registering and using its data and protection thereof shall be laid down by the Government.

3. The protected areas established by municipal councils (reserves, objects of heritage) shall be registered in the State Cadastre of Protected Areas according to separate lists.

Article 26. Marking of boundaries of protected areas

1. Boundaries of protected areas and protection zones thereof shall, on the recommendation of the institutions authorised by the Government, be marked on maps of the Land Cadastre, also in territorial planning documents.

2. A procedure for marking of protected areas at a site shall be laid down by an institution authorised by the Government.

Article 27. Organisation of protection and management of protected areas

1. Priorities for the national policy of protected areas shall be established by the Seimas.

2. The Government shall develop a strategy of protected areas and set forth requirements for protection and management thereof as well as grant powers to the institutions responsible for the protection of territorial complexes and objects/properties of natural and cultural heritage.

3. In performing the functions of state management of protected areas, the institutions authorised by the Government shall:

- 1) organise the development of the strategy of protected areas and programmes for protection and management of the protected areas;
- 2) draft legal acts on the issues of the protected areas;
- 3) organise international co-operation related to the protected areas;
- 4) perform other functions provided for in their statutes.

4. The protection and management of the protected areas established by the Government, with the exception of strict cultural reserves, cultural reserves, historical national parks and objects of cultural heritage, shall be organised by a budgetary body – the State Service for Protected Areas under the Ministry of Environment. It shall be established by the Ministry of Environment.

5. The State Service for Protected Areas under the Ministry of Environment shall perform the following functions:

1) develop targeted programmes for the management of protected areas, co-ordinate and control implementation thereof;

2) draft the protected areas' programmes financed from the budget and submit them to the Ministry of Justice;

3) perform economic assessment, estimate expenditure on compensation for the cessation of activities (where necessary), repurchase of land, restoration of damaged territories and sources of the funds required for the establishment and maintenance of a protected area or organise the mentioned works;

4) organise the issuance of conditions for the preparation of territorial planning documents and preparation of the planning documents of protected areas and implementation of their solutions;

5) establish directorates (budgetary bodies) of strict state reserves, state parks and strict biosphere reserves, control activities thereof in ensuring compliance with the specified regime of protection and use and implementation of targeted environmental protection programmes;

6) provide methodical guidance to the directorates of protected areas as established by other institutions authorised by the Government or municipal councils;

7) inform owners, managers and users of land about the protected areas being established, the objects of natural heritage being declared protected;

8) co-ordinate development and implementation of monitoring programmes in protected areas, keep accounts of protected areas and objects of natural heritage, register protected areas, with the exception of objects of cultural heritage, in managing the State Cadastre of Protected Areas, accumulate and systemise other data about protected areas;

9) participate, in accordance with the established procedure, in the process of examination and co-ordination of design of construction works and installations in protected areas and projects of allocation of land, also territorial planning documents;

10) co-ordinate the training of specialists of protected areas and the improvement of their qualification;

11) inform the public on issues of the status of protected areas and their management;

12) perform other functions provided for in its statutes.

6. Directorates of strict cultural reserves and historical national parks shall be established and protection and management of these strict reserves and parks as well as cultural reserves and objects of cultural heritage shall be organised by the Ministry of Culture.

7. Directorates of regional parks may also be established by municipal councils.

8. Activities in strict state reserves, state parks and strict biosphere reserves shall be organised by directorates (budgetary bodies) of strict state reserves, state parks and strict biosphere reserves. They shall be responsible for protection of landscape complexes and objects/properties, organise continuous supervision and management thereof, promote cognitive tourism, rational use of natural resources, within their remit, control that activities of natural and legal persons in an area conform to the established procedure for protecting and using the protected area, exercise other rights and duties specified by statutes of a directorate.

9. Activities in state parks may be organised and carried out by directorates of state parks and joint councils co-ordinating relations between directorates of state parks and municipal institutions. Members of joint councils shall be directors of state parks and deputies thereof appointed in accordance with a procedure laid down by an institution authorised by the Government, also mayors of municipalities and/or deputy mayors subject to their consent or other representatives of a municipality appointed by a municipal council.

10. Councils for co-ordination of scientific research, monitoring and museum work may be established at directorates of strict state reserves. Scientific consultative councils represented by experts of protection of landscape, biological diversity and cultural heritage, organisation of recreation and social and economic fields may be established at directorates of state parks and strict biosphere reserves.

11. Supervision of state reserves and objects of heritage shall be exercised by the institutions authorised by the Government, whereas protection and management of the protected areas established by municipalities shall be organised by mayors of the municipalities.

12. Supervision of restorative and genetic plots and zones of ecological protection shall be exercised by the institutions responsible for designation of these zones. Their actions in exercising supervision of the restorative plots and genetic plots as well as the zones of ecological protection shall be coordinated by an institution authorised by the Government.

Article 28. Planning of protected areas

1. Protected areas shall be managed and activities therein shall be developed in accordance with comprehensive plans and documents of special territorial planning and the

regulations set thereby and based on provisions of the Law on Territorial Planning and the Law on Construction, as well as in accordance with strategic planning documents of protected areas.

2. In planning the system of protected areas, its parts or individual protected areas, the following territorial planning documents shall be prepared:

1) schemes of the system of protected areas or parts of the system– in order to determine a general strategy for the planned development of the system of protected areas or parts of the system;

2) plans of boundaries of state and municipal reserves, small strict reserves, restorative and genetic plots – in order to establish these protected areas, to delineate or change their boundaries;

3) plans of boundaries of biosphere grounds – in order to establish biosphere grounds, to delineate or change their boundaries and boundaries of functional priority zones;

4) planning schemes for state parks, strict state reserves and strict biosphere reserves (boundaries and management plans) – in order to establish these protected areas and/or to carry out activities therein. These planning schemes (boundaries and management plans) shall delineate boundaries a relevant protected area, boundaries of functional priority zones, designate landscape management zones intended for regulation of landscape protection and use and their regulations, define directions of and measures for the protection and management of territorial complexes and objects/properties of natural and cultural heritage, also landscape formation, recreational infrastructure development and other management measures. Where it is required to designate landscape management zones and their regulations in state and municipal reserves, plans for the management of these reserves may be prepared and shall be approved by the institutions authorised by the Government or by municipal councils within their respective remit.

3. For the purpose of declaration of an object of natural heritage protected, a scheme of an object of natural heritage shall be prepared in accordance with the procedure laid down by an institution authorised by the Government specifying the location of the object of natural heritage (where the object of natural heritage is a boulder, tree or another point object) or delineating boundaries of the territory of the object of natural heritage (where the description of the object of natural heritage requires the specification of the area occupied by it).

4. The territorial planning documents of protected areas referred to in paragraph 2 of this Article shall be prepared in accordance with the Law on Territorial Planning and the Rules for Preparation of Special Plans of Protected Areas approved by the Ministry of Environment and regulating the structure of special plans of protected areas, their preparation, coordination, approval and validity.

5. Planning schemes (boundaries and management plans) of strict state reserves, strict biosphere reserves and state parks shall be prepared in compliance with the typical protection regulations of protected areas approved by the Government.

6. In preparing planning schemes (boundaries and management plans) of new strict state reserves, strict biosphere reserves and state parks, plans of boundaries for the establishment of state and municipal reserves and biosphere grounds, an economic assessment shall be carried out, expenditure on compensation for the cessation of activities (if necessary), land repurchase (purchase in accordance with the procedure laid down in the Law on Public Procurement or the taking of land for public needs in accordance with the procedure laid down in the Law on Land) and restoration of damaged areas shall be estimated and sources of funds required for the establishment and maintenance of a protected area shall be identified. When the required protection of the protected area to be established cannot be guaranteed by legislation or typical protection regulations of protected areas, the planning scheme (boundaries and management plan) of a state park and a strict biosphere reserve to be established may indicate the additional regulations establishing possible or restricted/prohibited activities, the construction works permitted to be built, their height and construction products, the density of area development, construction boundaries or construction zones of the construction works.

7. The engineering and social infrastructure shall be envisaged in protected areas when preparing documents of complex territorial planning or engineering infrastructure development plans.

8. Owners, managers and users of land and other immovable property shall be notified of the preparation of the territorial planning documents referred to in paragraph 2 of this Article and related restrictions on activities in accordance with the procedure laid down by the Law on Territorial Planning.

9. The following strategic planning documents of protected areas may be prepared in accordance with the procedure laid down by an institution authorised by the Government: nature management plans, various targeted programmes, action plans.

10. Nature management plans of protected areas and other strategic planning documents may be prepared by the State Service for Protected Areas under the Ministry of Environment, directorates of strict state reserves, state parks and strict biosphere reserves, other institutions authorised by the Government, also non-governmental and other organisations with experience in the field of planning and management of protected areas.

11. Non-governmental organisations, also natural and legal persons may, acting in compliance with the procedure for preparing strategic planning documents of protected areas laid

down by an institution authorised by the Government, submit proposals regarding these documents and participate in the implementation thereof.

Article 28¹. Drafters of territorial planning documents prepared for the system of protected areas, parts thereof or individual protected areas

1. The right to prepare the planning documents of protected areas referred to in Article 28(2) of this Law shall be granted to certified professionals (managers of special territorial planning of protected areas), these documents may be prepared by legal persons and their branches, other foreign organisations and their divisions, provided that the statutes of these organisations provide for activities of territorial planning and their preparation work is managed by the professionals holding a certificate of the manager of special territorial planning of protected areas. This requirement shall not apply to citizens of the European Economic Area and citizens of the Swiss Confederation, other natural persons who exercise the rights of movement in the states of the European Economic Area and Swiss Confederation granted to them by legal acts of the European Union, provided that they hold a certificate issued by the competent authority of another Member State or another document proving their right to manage the preparation of the mentioned documents.

2. The procedure for certifying the persons applying for the issuance of a certificate of the manager of special territorial planning of protected areas, setting up the certification commission, issuing the certificates, suspending the certificates, lifting the suspension and revoking the certificates shall be laid down by the Ministry of Environment. A certificate shall, not later than within one month from the submission of all the documents required for the issuance of the certificate, be issued to a person who:

1) has acquired a degree of higher education (university or college) or an equivalent degree in the study field of biology, botany, zoology, agriculture or forestry of the study area of biomedical sciences or in the study fields of geology, environmental science and natural geography of the study area of physical sciences or in the study fields of general engineering, civil engineering and engineering sciences of the study area of technological sciences or in the study field of human geography and territorial planning of the study area of social sciences or in the study field of architecture of the study area of arts;

2) has a record of not less than three years' professional experience in preparation of special territorial planning documents of protected areas;

3) has passed an examination in legal knowledge under a programme approved by the Ministry of Environment.

3. Where the institution exercising state supervision of territorial planning establishes that a person holding a certificate of the manager of special territorial planning of protected areas violated the requirements of laws and other legal acts in the field of preparation of territorial planning documents when preparing such documents or managing their preparation, his certificate of the manager of special territorial planning of protected areas may be suspended by a decision of the certification commission until elimination of the established violations, but not longer than for a period of six months.

4. Where a person referred to in paragraph 3 of this Article submits the documentary evidence of elimination of the violations due to which a certificate of the manager of special territorial planning of protected areas has been suspended, the suspension of the certificate shall be lifted by a decision of the certification commission within ten working days from the submission of such evidence.

5. A certificate of the manager of special territorial planning of protected areas shall be revoked by a decision of the certification commission where:

1) the person, in preparing territorial planning documents, has grossly violated requirements of the laws and other legal acts governing the preparation of territorial planning documents. A violation of laws and other legal acts governing territorial planning which has resulted in damage to third parties, objects and sites of natural and cultural heritage shall be considered a gross violation;

2) upon suspending the certificate, the person continues the activities subject to the holding of the certificate;

3) the person whose certificate has been suspended fails, within the prescribed time limit, to eliminate the violations for which the certificate has been suspended;

4) the person fails, within the prescribed time limit, to submit requested documents and/or data required for investigating the violations committed by him;

5) it transpires that the person has submitted inaccurate data with a view to obtaining the certificate;

6) there is a request of the holder of the certificate.

6. Where the violations indicated in this Article have not done any substantial damage to the public interest directly indicated in legal acts or to human health, life and other interests directly indicated in legal acts or the damage caused is minor and a person has terminated the actions which violate the law, eliminated the consequences of the actions and compensated for the damage, the certification commission shall be allowed, acting in accordance with the principles of fairness and reasonableness, to take a decision not to suspend a certificate of the manager of special territorial planning of protected areas and/or not to revoke the certificate.

7. Persons whose certificate of the manager of special territorial planning of protected areas has been revoked may apply for the issuance of a new certificate not earlier than after the lapse of two years after a decision on the revocation of the certificate.

Article 29. Financing of protection and management of protected areas

1. Establishment of state protected areas, activities of directorates of strict state reserves, state parks and strict biosphere reserves shall be financed from the state budget. Activities of directorates of the regional parks established by municipal councils shall be financed from the budget of municipalities. The programmes implemented by directorates of state parks shall be financed from the state budget or budgets of municipalities, other sources of financing and international programmes.

2. Protection and management of municipal reserves and objects of heritage shall be financed from budgets of municipalities.

3. The management and supervision of protected areas, development of cognitive tourism, educational, cultural and other activities may also be financed by funds of special programmes, targeted contributions and funds of legal and natural persons, other lawfully acquired funds.

4. The funds collected for visiting of state parks in accordance with the procedure established by laws shall be used for the management of these areas, promotion of protection and visiting of protected complexes and objects/properties, organisation of cognitive tourism.

CHAPTER EIGHT

STATE CONTROL OF PROTECTED AREAS

Article 30. Organisation of control of protected areas

1. Control of the activities of land use and of owners, managers and users of land as related to the restrictions specified in territorial planning documents shall, within their remit, be exercised in protected areas by state environmental protection inspectors, state officials of protected areas, state forest officials, state officials of land services, officials of territorial planning and construction supervision and officials of protection of immovable cultural properties.

2. State control of protected areas shall be regulated and tasks and functions of state officials of protected areas shall be specified by the Regulations of State Control of Protection of Protected Areas. They shall be approved by the Government or an institution authorised by it.

3. In performing their duties as related to the protection of protected areas, state officials of protected areas shall have the right:

1) to have and to wear a uniform and distinctive insignia corresponding to the approved model;

2) in accordance with the procedure laid down by laws, to draw up statements of administrative offences, to impose administrative penalties for violations of requirements of this Law and other legal acts as provided for in the Code of Administrative Offences;

3) to demand that the legal and natural persons who have violated requirements of this Law and other legal acts or solutions of the territorial planning documents regulating activities in protected areas terminate unlawful actions;

4) to stop the vehicles carrying natural resources, including wood or other forest products, to check documents of acquisition of the natural resources carried by the vehicles, also to check the documents of the persons carrying them, to use the means of stopping the vehicles by force in the case of suspected unlawful acquisition of the natural resources;

5) to bring offenders to the police or to the premises of a municipal ward in a rural area for the establishment of a person's identity and drawing up of statements;

6) in exercising control of protected areas, to freely enter on foot/in a vehicle the territory of the undertakings, agencies and organisations located in protected areas subject to producing their service card. It shall be possible to enter border territories and objects on foot/in a vehicle subject to agreement with officers of the border police;

7) to keep, carry and, in the cases indicated in Article 30(4) of this Law, use a firearm and special means in accordance with the procedure laid down by the Law on the Control of Arms and Ammunition and other laws. Where a person refuses to comply with lawful requirements of an officer, the officer shall have the right to use coercion, but only to the extent required to perform an official duty and only after all possible means of persuasion or other means have proved to be ineffective;

8) state officials of protected areas shall also have other rights granted to them by law.

4. State officials of protected areas shall have the right to use physical coercion, special means or a firearm where this is related to performance of official duties:

1) when defending himself or another person against an encroachment initiated or posing an immediate threat to life or health;

2) when detaining an offender or a person who has committed a crime and is actively avoiding detention, where it is impossible to detain him otherwise, as well as in the cases when a person refuses to comply with a lawful requirement to put down a weapon or another item which could be used to injure a person, where it is impossible to disarm him otherwise;

3) when an encroachment is initiated against the firearm or a threat arises to a person's life.

5. The use of physical coercion and special means shall be prohibited in respect of women, where their pregnancy is evident, also against persons, where their disability is evident, against minors, where their age is known to an officer or their appearance corresponds to their age, with the exception of the cases when they resist in a way which poses a threat to life or health or when a group of such persons attacks and this attack poses a threat to life or health. It shall be prohibited to use a firearm in public gathering places, where this may cause injuries in respect of accidental persons.

6. Institutions authorised by the Government shall exercise:

1) control of protected areas;

2) state control of activities of directorates of strict state reserves, state parks and strict biosphere reserves in ensuring compliance with the specified regime of landscape protection and use, implementation of landscape protection and management and other targeted programmes as well as the regime of protection and use of state protected areas;

3) control of land use of protected areas and of the activities of land owners, managers and users as related to the restrictions specified in territorial planning documents.

7. In protected areas, an institution authorised by the Government may prohibit or restrict the use and movement of motor vehicles and water vehicles, hunting, fishing, picking up of mushrooms and plants, also parts thereof, use and visiting of protected objects.

CHAPTER NINE

OWNERSHIP OF LAND AND RIGHTS AND DUTIES OF OWNERS, MANAGERS AND USERS OF LAND IN PROTECTED AREAS

Article 31. Ownership of land in protected areas

1. The land of strict reserves and the Curonian Spit National Park shall belong by the right of exclusive ownership to the State. The land of other protected areas shall belong by the right of ownership to the State and/or private persons.

2. The land required for the establishment of strict reserves may, in accordance with the procedure laid down in the Law on Land, be taken from owners of private land or the right of use of state-owned land and a state-owned land lease contract may be terminated before it expires.

3. The land required for implementation of special programmes for the protection of territorial complexes and objects/properties of natural and cultural heritage and for meeting of public needs (for equipment of resting places, special rest parks, cognitive paths, recreational

infrastructure, etc.) may be taken from owners of private land or for this purpose, the right of use of state-owned land and a state-owned land lease contract shall be terminated before it expires in accordance with the procedure laid down by the Law on Land. The land required for implementation of projects of special national importance may be taken from owners of private land or the right of use of state-owned land and a contract for the lease of state-owned land may be terminated for this purpose before it expires in accordance with the procedure laid down by the Law on the Taking of Land for Public Needs in Implementing Projects of Special National Importance.

4. Directorates of strict state reserves, state parks and strict biosphere reserves shall manage and use the state-owned land granted to them by the right of trust.

5. The procedure for and terms and conditions of restoration of rights of ownership to land, forests and water bodies shall be laid down by the Law on the Restoration of the Rights of Ownership of Citizens to the Existing Real Property.

6. In protected areas, rights of ownership to land, forests and water bodies may be restored and transactions on land shall be concluded only in strict compliance with the restrictions, terms and conditions and requirements on the use of land, forests and water bodies as set forth by laws, regulations of protected areas and planning schemes (boundaries and management plans) of these areas, the requirements set forth by other documents as indicated in Article 5 of this Law and regulating activities in protected areas.

7. State-owned land, forests, waters, bushes, marshes, places abounding in stones and other unused land of state reserves, state parks and areas of biosphere monitoring, also of recreational zones shall not be sold, with the exception of the land of households, household farm, amateur gardens and gardeners' societies available for sale under the Law of the Republic of Lithuania on Land Reform and land plots of the size not exceeding 1 hectare which are suitable for agricultural activities and edge into private households.

8. In strict state reserves, it shall be prohibited to alter the conservational principal designation of land use. In reserves, state parks, strict biosphere reserves and biosphere grounds, it shall be prohibited to alter the conservational and forest farming principal designation of land use, as well as to convert forest land to land used for other designations, except in cases when:

1) this is done for the needs related to the protection of these protected areas, their management, adaptation to public needs and use for recreation, if this is provided for in territorial planning documents of these protected areas and is not in contradiction with the regulations of these protected areas;

2) a part of a land plot intended for forestry designations which permits the restoration of a former homestead or has on this land a lawfully built dwelling house or a dwelling house with

appurtenances registered in the of Real Property Register as an individual object of immovable property (main property) is partitioned;

3) it is necessary to convert forest land to land used for other designations in implementing projects of importance for the State;

4) territories intended for public use, common use and separate green areas are formed as provided for in special territorial planning documents or comprehensive plans of these protected areas.

9. In state reserves, it shall be prohibited to divide a land plot held by the right of private ownership if following the division/partitioning at least one part of the plot is less than 7 hectares and the length of the coastline of the land plots adjacent to a water body is less than 50 metres, except in cases when:

1) the land plot is partitioned for the building of the engineering construction works required for public needs;

2) under the terms and conditions specified by the Forestry Law, a land plot used for forestry designations is partitioned for restoration of a former homestead;

3) a land plot used for forestry designations is partitioned, including a legally built dwelling house or a dwelling house with appurtenances registered in the Real Property Register as an individual object of real property (main property) by forming separate land plots – a land plot intended for forestry designations and a land plot intended for other designations, which is formed in order to utilise a dwelling house and its appurtenances registered in the Real Property Register as an individual object of real property (main property).

10. In state parks, it shall be prohibited to divide a land plot held by the right of private ownership if following the division/partitioning at least one part of the plot is less than 7 hectares and the length of the coastline of the land plots adjacent to a water body is less than 50 metres, except in cases when:

1) the land plot is partitioned for construction of the construction works required for public needs, including engineering construction works;

2) land plots are located in a zone of residential functional priority wherein state parks planning schemes (boundaries and management plans) provide for new construction or when new construction is provided for in complex plans of territories of municipalities;

3) the land plot is located in zones of different functional priority, and in one of them state parks planning schemes (boundaries and management plans) provide for the possibility of construction;

4) under the terms and conditions specified by the Forestry Law, a land plot used for forestry designations is partitioned for restoration of a former homestead;

5) a land plot used for forestry designations is partitioned, including a legally built dwelling house or a dwelling house with appurtenances registered in the Real Property Register as an individual object of real property (main property) by forming separate land plots – a land plot intended for forestry designations and a land plot intended for other designations, which is formed in order to utilise a dwelling house and its appurtenances registered in the Real Property Register as an individual object of real property (main property).

11. The restrictions imposed in paragraphs 9 and 10 of this Article regarding division of the land plots held by the right to private ownership in state reserves and state parks shall not apply when changing boundaries of adjacent land plots. These boundaries shall be changed irrespectively of the principal designation of land use of the land plots merging these land plots with the land consistent with their designation of use.

12. Objects of heritage and the land of their territories shall belong by the right of ownership to the State and/or private persons. Objects of heritage may be transferred into private ownership only subject to establishment of a protection and use regime.

Article 32. Rights and duties of owners, managers and users of land in protected areas

1. Owners, managers and users of land and other real property shall have the rights specified by the Law on Land and other laws. They may exercise these rights to the extent this does not contravene this Law.

2. The owners, managers and users of land in households whereof a protected areas is to be established, the status of existing protected areas is to be changed, restrictions are to be established or existing restrictions are to be modified shall have the right to obtain information thereon. They shall be informed when preparing, in accordance with the procedure laid down by the Law on Territorial Planning, plans of boundaries of protected areas or other territorial planning documents which establish regulations.

3. Owners and managers of land and other real property shall have the right to raise, in accordance with the procedure laid down by an institution authorised by the Government, claims regarding proposals on the establishment of protected areas, changing of the status of existing protected areas and establishment or modification of activity restrictions against an institution which submits proposals on the establishment of a protected area, declaration of objects protected, changing of the status of an existing protected area or modification of specified protection and use requirements.

4. The owners and managers of land in land holdings whereof a new protected area is established, the status of an existing protected area is changed or established activity restrictions

actually reduce the benefit received or prohibit the activities earlier carried out shall receive compensations. The procedure for calculating and paying the compensations shall be laid down by the Government.

5. Where protected areas have been established, objects of heritage have been declared protected, the status of existing protected areas has been changed, activity restrictions have been established or modified without taking into account the claims of owners and managers of land, they shall have the right to apply to court.

6. Where the owner, manager and user of land consents to the establishment of a protected area, changing of the status of an existing protected area, established activity restrictions or changing thereof, but does not agree to the amount of compensation, he may apply to court.

7. The persons living in protected areas may engage in the activities not contravening the objectives of establishment of a protected area, shall have the right to receive financial and another assistance for supervision of territorial complexes and objects/properties of natural and cultural heritage. The right of priority to rent and acquire the state-owned land indicated in Article 31(7) of this Law shall be granted to owners and managers of neighbouring plots.

8. In protected areas, owners and managers of land may be granted land tax and other reliefs in the cases specified by laws and in accordance with the procedure laid down by the Government.

9. In protected areas, owners, users and managers of land and other immovable property, other legal and natural persons must comply with the activity restrictions and requirements set forth for those areas by laws and other legal acts as well as territorial planning documents, also the activity restrictions and requirements registered in the Real Property Register.

10. Where the activity restrictions or other requirements set forth by legal acts or territorial planning documents and related to a protected area were not entered in the Real Property Register when granting for use, transferring or selling land or restoring rights of ownership to land in protected areas, they shall be entered in this register by the manager of the Real Property Register on the recommendation of an institution authorised by the Government in accordance with the procedure laid down by the Law on the Real Property Register and other legal acts.

11. Preservation of territorial complexes and objects/properties of natural and cultural heritage shall be the responsibility of owners, managers and users thereof.

12. Owners, users and managers of land may not hinder the visiting or management, for the purposes provided for by laws or other legal acts, of protected complexes and objects/properties, resting places, paths, observation spots, other recreational objects.

13. Municipal institutions shall be responsible for the preservation of the territorial complexes and objects/properties of natural and cultural heritage managed by them and shall ensure their proper protection by the owners, users and managers of the protected properties.

14. Where a protected area is established, the status of an existing protected area is changed, activity restrictions are established or modified by a state institution, compensation shall be paid from funds of the state budget, and where a protected area is established, the status of an existing protected area is changed, activity restrictions are established or modified by a municipal council, compensation shall be paid from the budget of a municipality.

CHAPTER TEN

LIABILITY FOR INFRINGEMENTS OF THE LAW ON PROTECTED AREAS

Article 33. Liability for infringements of the Law

1. The natural and legal persons in breach of the provisions of the Law on Protected Areas shall be held liable under law.

2. Institutions authorised by the Government shall be responsible for organisation of protection and management of protected areas and prevention of adverse phenomena in this process. The officials authorised by these institutions shall bear personal responsibility for the performance of the tasks assigned to them with a view to ensuring preservation of territorial complexes and objects/properties of natural and cultural heritage in protected areas.

3. Administrative action may, in accordance with the procedure laid down by law, be taken against the state officials of protected areas who fail to undertake the actions ensuring compliance with laws and other legal acts in the protected areas or exceed their powers.

Article 34. Compensation for damage

1. The legal and natural persons that have caused damage to protected areas must compensate for damage as much as possible in kind (to restore the initial condition of an object or an area) and additionally compensate for the direct and indirect losses caused. When the same act violates public interests and causes damage to the property of natural or legal persons, the persons who have committed the violation must compensate for the damage caused to protected areas and property of the natural or legal persons. Losses shall be determined according to the methodology approved by an institution authorised by the Government.

2. The right to file with court claims for compensation of the damage caused to protected areas or objects of heritage shall be granted to institutions authorised by the Government and state officials of protected areas.

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

PRESIDENT OF THE REPUBLIC

ALGIRDAS BRAZAUSKAS

Annex to
the Law of the Republic of Lithuania
on Protected Areas

LEGAL ACTS OF THE EUROPEAN UNION IMPLEMENTED BY THIS LAW

1. Council Directive 79/409/EEC of 2 April 1979 on the conservation of wild birds (OJ 2004 *special edition*, Chapter 15, Volume 1, p. 98) with the latest amendments adopted by Council Directive 97/49/EC of 29 July 1997 (OJ 2004 *special edition*, Chapter 15, Volume 3, p. 344).

2. Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ 2004 *special edition*, Chapter 15, Volume 2, p. 102) with the latest amendments adopted by Council Directive 97/62/EC of 27 October 1997 (OJ 2004 *special edition*, Chapter 15, Volume 4, p. 3).