

FEDERAL LAW OF THE RUSSIAN FEDERATION ON WILDLIFE

ADOPTED BY THE STATE DUMA ON MARCH 22, 1995

Wildlife is the patrimony of the peoples of the Russian Federation, an inalienable element of natural environment and biological diversity of the Earth, a renewable natural resource, an important regulating and stabilizing component of biosphere, protected in every possible way and rationally used for meeting spiritual and material demands of the citizens of the Russian Federation.

CHAPTER I. GENERAL PROVISIONS

ARTICLE 1. BASIC CONCEPTS

The following basic concepts shall be used for purposes of this Federal law:

wildlife – unity of live species of all wild animals which constantly or temporarily inhabit the territory of the Russian Federation in the state of natural freedom, and also relative to the natural resources of the continental shelf and the exclusive economic zone of the Russian Federation;

object of wildlife – organism of wildlife origin (wild animal) or population thereof;

wildlife biodiversity – diversity of the objects of wildlife within a species, between species and within ecological systems;

wildlife genetic resources – a part of biological resources, including genetic material of animal origin, containing functional units of inheritance;

sustainable existence of wildlife – the existence of the objects of wildlife for indefinitely long period of time;

use of the objects of wildlife – study, procurement of the objects of wildlife or obtaining by any other means benefits from the aforesaid objects for meeting man's material or spiritual demands with or without removal thereof from their natural habitat;

sustainable use of the objects of wildlife – such use of the objects of wildlife which does not result in exhaustion of wildlife biodiversity in a long-term perspective and preserving reproduction ability and sustainable existence of wildlife;

wildlife habitat – natural environment inhabited by the objects of wildlife in the state of natural freedom;

wildlife protection – activity aimed at the conservation of biodiversity and ensuring sustainable existence of wildlife, and also at setting forth the conditions for sustainable use and reproduction of the objects of wildlife;

wildlife habitat protection – activity aimed at conservation or restoration of the conditions of sustainable existence and reproduction of the objects of wildlife;

use of wildlife – legally conditioned activity of citizens and legal entities related to the use of the objects of wildlife;

users of wildlife – citizens and legal entities granted the possibility to use wildlife by laws and other normative legislative acts of the Russian Federation and laws and normative legislative acts of the subjects of the Russian Federation;

long-term licence – special authorization for carrying out economic and other activity related to the use and protection of the objects of wildlife;

nominate once-only licence – special authorization for once-only use of specific objects of wildlife with a fixed place and a fixed period of validity, and also fixed number of the objects of wildlife authorized for use;

administrative licence – special authorization granting the right to the specified persons to use the objects of wildlife in accordance with the established procedure.

ARTICLE 2. GOALS OF THE PRESENT FEDERAL LAW

This Federal law regulates relations in the sphere of protection and use of the wildlife, and also in the sphere of conservation and restoration of the natural habitat thereof for the purpose of safeguarding biodiversity, sustainable use of its every component, creating conditions for sustainable existence of wildlife, conservation of genetic fund of the wildlife and other forms of protection of the wildlife as an inalienable element of natural environment.

ARTICLE 3. LEGAL REGULATION OF PROTECTION AND USE OF THE WILDLIFE AND ITS NATURAL HABITAT

Legislation of the Russian Federation in the sphere of protection and use of the wildlife and its natural environment is based upon the provisions of the Constitution of the Russian Federation, the federal laws on environmental protection and it consists of this Federal law, laws and other normative legal acts of the Russian Federation adopted in relation thereto, and also by laws and other normative legal acts of the subjects of the Russian Federation on protection and use of the wildlife.

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

normative legal acts of the Russian Federation, and also by laws and normative legal acts of the subjects of the Russian Federation.

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

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

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

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

ARTICLE 4. RIGHT OF STATE PROPERTY TO THE OBJECTS OF WILDLIFE

Wildlife within the territory of the Russian Federation shall be state property.

The Russian Federation shall have sovereign rights and exercise jurisdiction on the continental shelf and in the exclusive economic zone of the Russian Federation in relation to the objects of wildlife in accordance with the procedure established by this Federal law, other federal laws and other normative legal acts of the Russian Federation, and also by the rules of international law.

Delimitation of state property to the wildlife to federal property and property of the subjects of the Russian Federation shall be carried out in accordance with the procedure established by the Federal law.

The issues of ownership, use and management of the wildlife on the territory of the Russian Federation shall pertain to joint competence of the Russian Federation and of the subjects of the Russian Federation.

The following objects of wildlife may pertain to the federal property:

rare and endangered species, and also the species recorded in Red Book of the Russian Federation;

species inhabiting the protected areas of federal significance;

species inhabiting the territorial sea, the continental shelf and the exclusive economic zone of the Russian Federation;

species that fall within international treaties concluded by the Russian Federation;

particularly protected valuable marketable species;

naturally migrating species on the territory of two and more subjects of the Russian Federation.

Property-related norms of civil legislation shall be applicable to the objects of wildlife inasmuch as it is conceded by this Federal law and other federal laws.

Government bodies specified in this Federal law shall exercise the right of ownership within their competence established by the acts specifying the status of the aforesaid bodies.

The Government of the Russian Federation by agreement with the subjects of the Russian Federation, proceeding from the principles codified in the Constitution of the Russian Federation, this Federal law, other federal laws, and also in the rules of international law may qualify specific objects of wildlife as federal property.

Ownership, use and management-related issues concerning the objects of wildlife shall be regulated by civil legislation inasmuch as they are not regulated by this Federal law.

The objects of wildlife removed from the natural habitat thereof in accordance with the established procedure may pertain to private, state, municipal and other forms of property.

Ownership, use and management-related issues concerning such animals shall be regulated by civil legislation of the Russian Federation, this Federal law, laws and other normative legal acts of the Russian Federation, and also by laws and other normative legal acts of the subjects of the Russian Federation.

ARTICLE 5. COMPETENCE OF THE GOVERNMENT BODIES OF THE RUSSIAN FEDERATION IN THE SPHERE OF PROTECTION AND USE OF THE WILDLIFE

Government bodies of the Russian Federation in the sphere of protection and use of the wildlife shall be vested by law with the following competences:

state policy-making in the sphere of protection and use of the wildlife;

uniform investment policy-making in the sphere of protection and use of the wildlife;

elaboration and improvement of the federal legislation in the sphere of protection and use of the wildlife, enforcement thereof;

coordination of the government bodies of the subjects of the Russian Federation in the sphere of protection and use of the wildlife within the territory of the Russian Federation;

organization and realization of protection, state supervision and regulation of the use of the objects of wildlife qualified as federal property on the territory of the Russian Federation, the objects of wildlife permanently or temporarily inhabiting the continental shelf and the exclusive economic zone of the Russian Federation, and natural habitat thereof;

establishment of a procedure for the issuance of licences for use of the wildlife, and also for the issuance of licence for use of the objects of wildlife qualified as federal property;
 establishment of a procedure for import to and export from the Russian Federation of wild animals, parts thereof and products obtained therefrom, and also the issuance of permits for import to and export from the Russian Federation of such animals, parts thereof and products obtained therefrom;
 establishment of a procedure for the determination of fee for the use of wildlife and its maximum limits;
 implementation of the scientific and technical uniform policy, elaboration and validation of model normative and methodical documentation, organization and financing of the fundamental and applicative research in the sphere of protection, reproduction and use of the objects of wildlife;
 realization of the arrangements for re-stocking of the objects of wildlife and restoration of its natural habitats damaged as a result of natural disasters and by other causes;
 keeping Red Book of the Russian Federation;
 taking part in the creation of protected natural areas and protected water areas;
 establishment of the uniform system of the Russian Federation for the registration of the objects of wildlife and use thereof, uniform state monitoring system and state register of the objects of wildlife;
 setting up authorized state institutions for protection, supervision and regulation of the use of the objects of wildlife and natural habitat thereof;
 setting federal standards, rules, limits and norms in the sphere of protection, reproduction and use of the objects of wildlife;
 establishment of a procedure for state statistical accounting in the sphere of protection, reproduction and use of the objects of wildlife;
 ensuring execution of state expertise, including state ecological expertise, of preliminary design and project documentation in the process of construction and reconstruction of economic entities and production units in relation to protection, reproduction and use of the objects of wildlife;
 protection of rights, primordial living environment and traditional way of life of sparsely distributed indigenous population and ethnic communities in the areas populated thereby in relation to conservation and sustainable use of the objects of wildlife;
 dispute settlement related to protection and use of the objects of wildlife between the subjects of the Russian Federation;
 conclusion and implementation of the international treaties concluded by the Russian Federation in the sphere of protection and use of the wildlife.

ARTICLE 6. COMPETENCE OF THE GOVERNMENT BODIES OF THE SUBJECTS OF THE RUSSIAN FEDERATION IN THE SPHERE OF PROTECTION AND USE OF THE OBJECTS OF WILDLIFE

Government bodies of the subjects of the Russian Federation in the sphere of protection and use of the wildlife shall be vested by law with the following competences:
 adoption of laws and other normative legal acts of the subjects of the Russian Federation regulating relations in the sphere of protection and use of the wildlife in accordance with this Federal law;
 participation in the elaboration and implementation of the federal programmes on protection, reproduction and sustainable use of the objects of wildlife and its natural habitat and its natural habitat;
 elaboration and implementation of the territorial programmes on protection and use of the objects of wildlife and natural habitat thereof;
 setting territorial standards, rules, limits and norms in the sphere of protection of the objects of wildlife within the sphere of competence thereof;
 concession of the right of use of the objects of wildlife pertaining to the property of the subjects of the Russian Federation;
 accommodation of interests of the users of wildlife with the interests of the users of other natural resources;
 organization of protection and reproduction of the objects of wildlife and natural habitat thereof;
 establishment of and keeping Red Book of a subject of the Russian Federation;
 organization and keeping state accounting of the population of the objects of wildlife and use thereof, state monitoring and state registration of the objects of wildlife;
 realization of the arrangements for re-stocking of the objects of wildlife and restoration of natural habitats thereof damaged as a result of natural disasters and by other causes;
 introduction of restrictions on use of the objects of wildlife for protection and reproduction purpose;
 creation of state nature reserves and other protected natural areas and protected water areas within the sphere of competence thereof;
 state supervision over use of the objects of wildlife and its natural habitat within the sphere of its competence;
 execution of state expertise, including state ecological expertise, of preliminary design and project documentation in the process of construction and reconstruction of economic entities and production units in relation to protection, reproduction and use of the objects of wildlife;

ensuring the rights of the indigenous population in the areas of its traditional settlement and economic activity in relation to environmental protection, traditional way of life, and also traditional methods of use of the objects of wildlife;

participation in the implementation of the international treaties concluded by the Russian Federation in the sphere of protection and use of the wildlife.

ARTICLE 7. DELINEATION OF AUTHORITY BETWEEN GOVERNMENT BODIES OF THE RUSSIAN FEDERATION AND GOVERNMENT BODIES OF THE SUBJECTS OF THE RUSSIAN FEDERATION

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

ARTICLE 8. COMPETENCE OF THE LOCAL SELF-GOVERNMENT IN THE SPHERE OF PROTECTION AND USE OF THE OBJECTS OF WILDLIFE

The local self-government bodies may be vested by law with certain state powers in the sphere of protection and use of the objects of wildlife in accordance with the legislation of the Russian Federation and the legislation of the subjects of the Russian Federation with transfer of material and financial resources required for exercising the aforesaid state powers. The implementation of the delegated powers shall be controlled by the State.

ARTICLE 9. PARTICIPATION OF SPARSELY DISTRIBUTED INDIGENOUS POPULATION AND ETHNIC COMMUNITIES IN PROTECTION AND USE OF THE OBJECTS OF WILDLIFE, CONSERVATION AND RESTORATION OF NATURAL HABITAT THEREOF

Citizens forming sparsely distributed indigenous population and ethnic communities if primordial living environment and traditional way of life thereof are related to the wildlife together with common rights of citizens in the sphere of protection and use of the wildlife, conservation and restoration of natural habitat thereof shall be granted special rights envisaged by the articles 48 and 49 of this Federal law.

ARTICLE 10. PARTICIPATION OF CITIZENS AND LEGAL ENTITIES IN PROTECTION AND USE OF THE WILDLIFE, CONSERVATION AND RESTORATION OF NATURAL HABITAT THEREOF

Citizens and legal entities, including social associations and religious organizations shall participate in protection and use of the wildlife, conservation and restoration of natural habitat thereof, as envisaged by the legislation of the Russian Federation.

In relation thereto citizens and legal entities shall have the right to:

receive corresponding information from government bodies if not otherwise stated by the legislation of the Russian Federation;

carry out public ecological expertise;

carry out public control;

carry out the arrangements for protection of the wildlife and natural habitat thereof;

contribute to the realization of the corresponding state programmes.

Government bodies in the process of carrying out the authority in the sphere of protection and use of the wildlife, conservation and restoration of natural habitat thereof, must take into consideration the proposals and recommendations of citizens and legal entities.

Participation of the international social organizations in protection and sustainable use of the objects of wildlife on the territory of the Russian Federation shall be regulated by the international treaties concluded by the Russian Federation.

CHAPTER II. STATE MANAGEMENT IN THE SPHERE OF PROTECTION AND USE OF THE OBJECTS OF WILDLIFE

ARTICLE 11. STATE MANAGEMENT IN THE SPHERE OF PROTECTION AND USE OF THE WILDLIFE, CONSERVATION AND RESTORATION OF NATURAL HABITAT THEREOF

State management in the sphere of protection and use of the wildlife shall be carried out by the President of the Russian Federation, the Government of the Russian Federation, bodies of state authority of the subjects of the Russian Federation and authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

Authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof shall consist of the federal authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof and its territorial (basin) subdivisions.

Authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof shall form the system of state management bodies ensuring realization of complex arrangements for protection, reproduction and sustainable use of the objects of wildlife and natural habitat thereof.

Competence, specialization and the structure of the aforesaid state management bodies shall be established by the Government of the Russian Federation in accordance with the provisions of this Federal law.

ARTICLE 12. BASIC PRINCIPLES OF STATE MANAGEMENT IN THE SPHERE OF PROTECTION AND SUSTAINABLE USE OF THE OBJECTS OF WILDLIFE

Basic principles in the sphere of protection and use of the wildlife, conservation and restoration of natural habitat thereof shall be:

- ensuring sustainable existence and sustainable use of the wildlife;
- supporting activity aimed at protection of the wildlife and natural habitat thereof;
- use of the wildlife by methods precluding cruel treatment of animals in accordance with common principles of humanism;
- inadmissibility of the combination of state supervision over use and protection of the wildlife and natural habitat thereof and use of the objects of wildlife;
- involvement of citizens and social associations in problem solution related to protection, reproduction and sustainable use of the objects of wildlife;
- separation of the right of use of the wildlife from the right of use of land and other natural resources;
- fee-based use of the wildlife;
- priority of the international law in the sphere of use and protection of the wildlife, protection and restoration of natural habitat thereof.

ARTICLE 13. BASIC FUNCTIONS OF AUTHORIZED STATE BODIES COMPETENT FOR PROTECTION, SUPERVISION AND REGULATION OF USE OF THE OBJECTS OF WILDLIFE AND NATURAL HABITAT THEREOF

Basic functions of authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof shall be:

- organization and carrying out protection and regulation of use of the objects of wildlife on the territory of the Russian Federation, on the continental shelf and in the exclusive economic zone of the Russian Federation;
- carrying out state supervision over the state, use, reproduction of the objects of wildlife, ensuring protection thereof, and also over the state and the quality of natural habitat of the objects of wildlife;
- organization of and keeping state accounting, state registration of the objects of wildlife and state monitoring of the wildlife, and also keeping Red Book of the Russian Federation;
- putting into effect rate setting in the sphere of use and protection of the wildlife and natural habitat thereof;
- organization of carrying out state ecological expertise;
- implementation of international cooperation in the sphere of protection and use of the objects of wildlife, study, generalization and dissemination of international experience, ensuring implementation of the international treaties concluded by the Russian Federation in the sphere of protection and use of the objects of wildlife;
- realization of other activity related to state regulation of use and protection of the wildlife and natural habitat thereof.

ARTICLE 14. STATE ACCOUNTING AND STATE REGISTRATION OF THE OBJECTS OF WILDLIFE

For the purpose of ensuring protection and use of the wildlife, conservation and restoration of natural environment thereof state accounting of the objects of wildlife and use thereof, and also state registration of the objects of wildlife shall be carried out.

State register of the objects of wildlife shall contain the totality of data on geographic distribution of the objects of wildlife, number thereof, and also the characteristics of natural habitat, information on economic use and other required data.

State registration and projection of the state of the wildlife shall be carried out by authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

Users of the wildlife shall be obligated to carry out annual accounting of the objects of wildlife used thereby and of the amount of removal thereof and to submit obtained data to the related authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

State accounting and state registration of the objects of wildlife shall be carried out in accordance with a procedure set by the Government of the Russian Federation.

ARTICLE 15. STATE MONITORING OF THE OBJECTS OF WILDLIFE

State monitoring of the objects of wildlife shall be the system of regular observations over distribution, number, and physical state of the objects of wildlife, structure, quality and area of natural habitat thereof.

State monitoring of the objects of wildlife shall be carried out for the purpose of timely identification of the parameters indicated in the first part of this article, assessment of the aforesaid changes, prevention and elimination of the consequences of negative processes and phenomena with a view of conservation of biodiversity, ensuring sustainable state of the objects of wildlife and scientifically substantiated use thereof.

Procedure for carrying out state monitoring of the objects of wildlife shall be set by the Government of the Russian Federation.

ARTICLE 16. STATE SUPERVISION IN THE SPHERE OF PROTECTION, REPRODUCTION AND USE OF THE OBJECTS OF WILDLIFE AND NATURAL HABITAT THEREOF

The scope of state supervision in the sphere of protection, reproduction and use of the objects of wildlife and natural habitat thereof shall be to ensure the compliance of all legal entities and citizens with the provisions of the legislation of the Russian Federation and the legislation of the subjects of the Russian Federation on protection and use of the objects of wildlife.

Procedure for carrying out state supervision in the sphere of protection, reproduction and use of the objects of wildlife and natural habitat thereof shall be set by the Government of the Russian Federation.

ARTICLE 17. RATE SETTING IN THE SPHERE OF USE AND PROTECTION OF THE WILDLIFE AND NATURAL HABITAT THEREOF

Rate setting in the sphere of use and protection of the wildlife and natural habitat thereof shall be carried out in accordance with this Federal law and other federal laws, and also laws and normative legislative acts of the subjects of the Russian Federation, and it shall consist in the following:

setting limits for the use of the objects of wildlife;

setting standards, norms and rules in the sphere of use and protection of the wildlife and natural habitat thereof.

CHAPTER III. PROTECTION OF THE OBJECTS OF WILDLIFE AND NATURAL HABITAT THEREOF

ARTICLE 18. STATE PROGRAMMES FOR PROTECTION OF THE OBJECTS OF WILDLIFE AND NATURAL HABITAT THEREOF

For the purpose of implementation of requirements of this Federal law elaboration and implementation of special state programmes, envisaging specific arrangements aimed at protection of the objects of wildlife and natural habitat thereof, shall be carried out.

Federal programmes on protection of the objects of wildlife and natural habitat thereof shall be validated by the Government of the Russian Federation.

Territorial and local programmes shall be elaborated and implemented in accordance with the procedure envisaged by normative legal acts of the subjects of the Russian Federation.

Arrangement for the protection of specific objects of wildlife shall not damage other objects of wildlife and natural environment.

ARTICLE 19. ORGANIZATION OF PROTECTION OF THE WILDLIFE AND NATURAL HABITAT THEREOF

Organization of protection of the wildlife shall be carried out by the government bodies of the Russian Federation, the subjects of the Russian Federation and local self-government within their sphere of competence established by the acts determining status of the aforesaid bodies.

Competence in the sphere of state supervision over use and protection of the wildlife and natural habitat thereof by authorized state bodies shall be established by the Government of the Russian Federation.

ARTICLE 20. STATE ECOLOGICAL EXPERTISE

State ecological expertise shall be the compulsory arrangement for protection of the wildlife to be carried out in accordance with the legislation of the Russian Federation and preceding the adoption by the executive bodies of the Russian Federation and executive bodies of the subjects of the Russian Federation of economic decision that may have impact on the objects of wildlife and natural habitat thereof.

Fertilizers, pesticides and plant growth biostimulants, and also the materials substantiating the amount (limits, quotas) of removal of the objects of wildlife and acclimatization and hybridization of the aforesaid objects, shall be subject to compulsory state ecological expertise.

Procedure for carrying out state and public ecological expertise shall be set by the Government of the Russian Federation.

State ecological expertise related to protection and use of the objects of wildlife shall be carried out by authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof in accordance with laws and other normative legal acts of the Russian Federation, laws and other normative legal acts of the subjects of the Russian Federation.

ARTICLE 21. ESTABLISHMENT OF RESTRICTIONS AND PROHIBITION OF USE OF THE OBJECTS OF WILDLIFE

For the purpose of conservation and reproduction of the objects of wildlife and natural habitat thereof certain uses of the wildlife, and also use of certain objects of wildlife may be restricted, suspended or completely prohibited in certain areas and water areas or for certain periods by decision of an executive body of the Russian Federation or an executive body of a subject of the Russian Federation within their sphere of competence by proposal of a relative authorized state body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

Conservation of the objects of wildlife may be reached by means of change of the type of use of the wildlife by prohibiting the removal of the objects of wildlife from natural habitat thereof and organization of the use of the aforesaid objects without the removal thereof for cultural, educational, recreational and aesthetic goals, including organization of ecotourism.

ARTICLE 22. CONSERVATION OF NATURAL HABITAT OF THE OBJECTS OF WILDLIFE

Any activity entailing habitat alteration of the objects of wildlife and deterioration of reproduction, feeding, rest conditions and migration routes thereof shall be carried out in compliance with the requirements ensuring protection of the wildlife. Economic activity related to the use of the objects of wildlife shall be carried in such a way that the objects of wildlife authorized for use shall not deteriorate their natural habitat and shall not damage agriculture, water economy and forestry.

In the process of territorial distribution, projecting and construction of residential areas, enterprises, works and other objects, improvement of the existing and introduction of new technological processes, putting into economic process the virgin lands of marshy, coastal territory and areas under shrubbery, land reclamation, forest uses, prospecting activity, extraction of minerals, designation of grazing grounds and trail routes of agricultural animals, designation of tourist routes and organization of mass recreation sites, and also other economic activities, the arrangements for conservation of the objects of wildlife and reproduction, feeding, rest conditions and migration routes thereof and also for ensuring the integrity of protected areas and protected water areas, shall be envisaged and carried out.

In the process of territorial distribution, projecting and construction of airfields, railway main lines, highways, pipelines and other main traffic arteries, dams and other waterworks, the arrangements ensuring conservation of migration routes of the objects of wildlife and areas of permanent concentration thereof, including breeding and wintering areas, shall be envisaged and carried out.

Regardless of the types of protected areas for the purpose of conservation of habitat of rare and endangered species, and also particularly valuable marketable species and species of special scientific interest, protected grounds of local significance within protected areas and protected water areas shall be allocated for the realization of life cycle (reproduction, growing young stock, feeding, rest, migration, etc.) of the objects of wildlife.

Certain economic activities on protected grounds within protected areas and protected water areas shall be prohibited or regulated in relation to the period of execution thereof and technology applied thereto if disturbing life cycle of the objects of wildlife.

Authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof shall have the right to submit proposals for the organization of species-oriented wildlife reserves on the aforesaid protected grounds within protected areas and protected water areas.

In case of allocation of protected grounds with restricted economic activity the landlord, the owner or the tenant of the aforesaid plots of land shall be paid compensation in accordance with the legislation of the Russian Federation and the legislation of the subjects of the Russian Federation.

ARTICLE 23. PROTECTION OF THE WILDLIFE AND NATURAL HABITAT THEREOF IN PROTECTED AREAS

Protection of the wildlife and natural habitat thereof on the territory of wildlife reserves, national parks and other protected areas shall be carried out in accordance with special protection regime of the aforesaid areas set by the Federal law "On protected areas".

ARTICLE 24. PROTECTION OF RARE AND ENDANGERED OBJECTS OF WILDLIFE

Rare and endangered objects of wildlife shall be recorded in Red Book of the Russian Federation and (or) Red Books of the subjects of the Russian Federation.

Actions that may cause loss, reduction of number or disturbance of natural habitat of the objects of wildlife recorded in Red Books shall not be allowed. Legal entities and citizens carrying out economic activity on areas and water areas inhabited by species recorded in Red Book shall be liable for conservation and reproduction of the aforesaid objects of wildlife in accordance with the legislation of the Russian Federation and the legislation of the subjects of the Russian Federation.

Executive bodies of the subjects of the Russian Federation shall create the necessary conditions for conservation and breeding of rare and endangered objects of wildlife including specialization of zoological gardens and organization of breeding reserves.

Transactions involving wild animals pertaining to the species recorded in Red Book of the Russian Federation shall be authorized in exceptional cases by permit (administrative licence) issued by authorized state body on environmental protection in accordance with the procedure envisaged by the Government of the Russian Federation. Captive keeping of the aforesaid animals and release thereof into natural environment shall be also authorized in exceptional cases established by the Government of the Russian Federation.

ARTICLE 25. REPOPULATION AND HYBRIDIZATION OF THE OBJECTS OF WILDLIFE

Acclimatization of the objects of wildlife that are new to the fauna of the Russian Federation, transfer of the objects of wildlife to new habitat, and also the arrangements for hybridization of the objects of wildlife shall be authorized exclusively by permission of the respective authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof in the presence of the conclusion of the competent scientific organizations with the consideration of ecological safety requirements.

ARTICLE 26. KEEPING AND BREEDING OF THE OBJECTS OF WILDLIFE IN SEMI-CAPTIVE CONDITIONS AND ARTIFICIALLY CREATED HABITAT

Keeping and breeding of the objects of wildlife in semi-captive conditions and artificially created habitat shall be authorized exclusively in accordance with licences issued by authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

Legal entities and citizens carrying out keeping and breeding of the objects of wildlife shall have the duty to ensure humane treatment thereof, to comply with the respective sanitary, veterinary and zoohygienical requirements applicable thereto. Non-compliance with the aforesaid requirements shall entail administrative and penal liability in accordance with the legislation of the Russian Federation and the objects of wildlife shall be subject to confiscation in a judicial procedure.

ARTICLE 27. REGULATION OF NUMBER OF THE OBJECTS OF WILDLIFE

For the purpose of protection of public health, elimination of the danger to human life, prevention against diseases of agricultural and other domestic animals, prevention of damage to the national economy, the wildlife and natural habitat thereof the arrangements for the regulation of number of certain objects of wildlife shall be carried out.

Regulation of number of certain objects of wildlife shall be carried out by methods excluding damage to other objects of wildlife and ensuring conservation of natural habitat thereof with the consideration of the conclusions of scientific organizations solving problems in this sphere and by agreement with authorized state bodies carrying out protection of land, water and forest resources.

The objects of wildlife subject to number regulation, and also regulation procedure shall be established by authorized state body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

ARTICLE 28. PREVENTION OF DISEASES AND LOSS OF THE OBJECTS OF WILDLIFE IN THE COURSE OF INDUSTRIAL PROCESSES, OPERATION OF TRANSPORT MEANS AND COMMUNICATION LINES AND ELECTRIC POWER TRANSMISSION LINES

Legal entities and citizens shall have the duty to make arrangements for the prevention of diseases and loss of the objects of wildlife in the course of agricultural and other work, and also in the process of operation of irrigation and land reclamation systems, transport means, communication lines and electric power transmission lines.

State veterinary supervision body and state sanitary and epidemiological supervision body shall carry out control over the outbreak and the propagation of diseases of the objects of wildlife, registration of all the identified cases of disease of the objects of wildlife and shall make the necessary arrangements for the prevention of the outbreak and propagation of diseases, and liquidation thereof. In case of the outbreak of diseases of the objects of wildlife harmful to human health and domestic animals state bodies of veterinary, sanitary and epidemiological supervision, and also authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof shall inform thereof government bodies of the subjects of the Russian Federation, local self-government, and also the population through mass media.

Burning of vegetation, storage and application of toxic chemicals, fertilizers, and other materials harmful to the objects of wildlife and natural habitat thereof, industrial raw materials and waste shall be prohibited without making arrangements ensuring prevention of diseases and loss of the objects of wildlife, and also of the deterioration of natural habitat thereof.

For the purpose of reduction of negative impact on the wildlife the application of chemical plant protection means and other preparations shall be combined with agrotechnical, biological and other arrangements.

Rules for elaboration, testing and norms of application of chemical and biological preparations, and also the list of the aforesaid preparations shall be validated by the authorized state body competent for environmental protection, sanitary and epidemiological supervision body and agrochemical service of the Russian Federation with the consideration of international standards.

Requirements for the prevention of loss of the objects of wildlife in the course of industrial processes, and also in the process of operation of main traffic arteries, pipelines, communication lines and electric power transmission lines shall be elaborated by authorized state body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof and shall be validated by the Government of the Russian Federation and executive bodies of the subjects of the Russian Federation.

ARTICLE 29. ZOOLOGICAL COLLECTIONS

Zoological collections (scientific fund collections of zoological institutions, universities, museums, and also gathering of stuffed animals, preparations and parts of the objects of wildlife, live collections of zoological gardens, circuses, nurseries, aquaria, oceanaria and other institutions) representing scientific, cultural, educational and aesthetic value, certain distinguished collection exhibits regardless of the form of ownership shall be subject to state registration.

Procedure for state registration, replenishment, storage, purchase, sale, shipping, export outside the Russian Federation and also import thereto of zoological collections or certain exhibits shall be established by the Government of the Russian Federation.

Legal entities and citizens that are the owners of such collections shall have the duty to comply with the procedure for registration, storage, use and replenishment thereof.

CHAPTER IV. RIGHTS AND SOCIAL PROTECTION OF THE OFFICIALS AUTHORIZED TO CARRY OUT PROTECTION OF THE WILDLIFE AND NATURAL HABITAT THEREOF

ARTICLE 30. RIGHTS OF THE OFFICIALS CARRYING OUT PROTECTION OF THE WILDLIFE AND NATURAL HABITAT THEREOF

Rights of the officials carrying out protection of the wildlife shall be established by the applicable federal laws.

ARTICLE 31. RIGHTS OF THE OFFICIALS OF AUTHORIZED STATE BODIES COMPETENT FOR PROTECTION, SUPERVISION AND REGULATION OF USE OF THE OBJECTS OF WILDLIFE AND NATURAL HABITAT THEREOF

Officials of authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitats thereof shall have the right:

- to check the documents of legal entities and citizens, authorizing use of the wildlife, stay in protected areas (protected water areas), and also authorization of law-enforcement bodies for keeping and carrying weapons;
- to detain offenders of the legislation on protection and use of wildlife and natural habitat thereof, to make offence reports and to bring the aforesaid offenders to the law enforcement bodies;
- to make external inspection of things and personal search of detainees, stopping and inspection of transport means, inspection of arms and other hunting gear, wildlife produce, also during transportation and in places of storage and processing thereof;
- to confiscate from the offenders illegally procured wildlife produce, weapons and other hunting gear, including transport means, and also the corresponding documents with the execution of confiscation in accordance with the established procedure;
- to keep and carry firearms for official use and special gear while on duty;
- to use physical force and special gear – handcuffs, rubber sticks, teargas, gear for compulsory stopping of vehicles, tracker dogs and firearms.

Procedure for purchase, keeping and use of duty weapons shall be regulated by the applicable legislation.

List of officials fulfilling the tasks of protection of the objects of wildlife authorized to use duty weapons, and also the list of weapon use patterns and rules for the use of special gear and weapons shall be established by the Government of the Russian Federation.

Article 32. SOCIAL PROTECTION OF THE OFFICIALS OF AUTHORIZED STATE BODIES COMPETENT FOR PROTECTION, SUPERVISION AND REGULATION OF USE OF THE OBJECTS OF WILDLIFE AND NATURAL HABITAT THEREOF

Social protection of the officials of authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof shall be carried out in accordance with the legislation of the Russian Federation and the legislation of the subjects of the Russian Federation.

CHAPTER V. USE OF THE WILDLIFE

ARTICLE 33. RIGHTS TO THE OBJECTS OF WILDLIFE OF THE PERSONS THAT ARE NOT OWNERS THEREOF

The objects of wildlife may be conceded by the government bodies authorized to exercise the owner's rights on behalf of the Russian Federation and the subjects of the Russian Federation to the legal entities for long-term use in accordance with long-term licence and to the citizens for short-term use in accordance with nominative once-only licence.

The user shall exercise vested rights of possession and use of the objects of wildlife on conditions and within the limits established by law, licence and contract concluded with the government body conceding the corresponding area and water area to exercise the right of use of the wildlife.

The user shall not have the right to dispose of the objects of wildlife unless otherwise envisaged by this Federal law.

The content of right to the objects of wildlife shall be established by Federal law with reference to the general provisions of civil legislation.

ARTICLE 34. TYPES AND METHODS OF USE OF THE WILDLIFE

Legal entities and citizens may carry out the following uses of the wildlife:

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

recovery of the products of the vital functions of the objects of wildlife.

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

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

List of the objects of wildlife, the removal of which from natural habitat thereof is prohibited without licence, shall be established by authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

ARTICLE 35. CONDITIONS OF USE OF THE WILDLIFE

Use of the objects of wildlife with removal thereof from natural habitat in accordance with part four of the Article 34 of this Federal law shall be conceded for payment the amount of which shall be fixed by executive bodies of the subjects of the Russian Federation in accordance with the procedure and within the limits established by the Government of the Russian Federation.

Use of the objects of wildlife not included in the list specified in part four of the Article 34 of this Federal law may be carried out free of charge if it is not related to the issuance of licence or permit for use of the wildlife.

Use of the wildlife shall be carried out in compliance with federal and territorial standards, rules, limits and norms elaborated in accordance with this Federal Law, other laws and other normative legal acts of the subjects of the Russian Federation, and also in accordance with laws and other normative legal acts of the subjects of the Russian Federation.

Use of the wildlife shall be carried out as a single set with the system of arrangements for protection and reproduction of the objects of wildlife, conservation of natural habitat thereof.

Use of the wildlife shall be carried out by legal entities in accordance with licence for the period of time indicated in the licence by agreement of the Parties and depending upon the type of use of the wildlife within the boundaries of a defined area or water area.

Use of the wildlife shall be carried out by citizens in accordance with nominative once-only licence for hunting of fixed number of the objects of wildlife in a fixed place or for a fixed period of time.

More than one type of use of the wildlife may be carried out in the same area or water area if carrying out one of them shall not hinder the other.

ARTICLE 36. CONCESSION OF THE WILDLIFE FOR USE

Concession of the wildlife for use on the territory of the Russian Federation to the Russian and foreign legal entities, citizens of the Russian Federation, foreign citizens and stateless persons shall be carried out in accordance with the procedure established by this Federal law, and also by civil, land, water and forest legislation of the Russian Federation.

Wildlife shall be conceded for use:

in relation to the objects of wildlife pertaining to federal property -

by corresponding authorized state body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof in accordance with the decision by the Government of the Russian Federation;

in relation to the objects of wildlife not pertaining to federal property -

by corresponding authorized state body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof in accordance with the decision of the executive body of a subject of the Russian Federation;

Long-term licence for use of the wildlife shall be issued by authorized state body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof in accordance with the decisions of the Government of the Russian Federation or executive body of a subject of the Russian Federation. Priority of concession of the wildlife for use in specific area or water area shall be granted to the Russian legal entities and citizens of the Russian Federation:

that have previously carried out certain types of use of the wildlife in this area or water area;

landlords, landowners, and owners of forest fund that dispose of applicable equipment and staff.

Concession of the wildlife for use in the continental shelf and exclusive economic zone of the Russian Federation shall be regulated by federal laws and other normative legal acts of the Russian Federation.

ARTICLE 37. PROCEDURE FOR THE ISSUANCE OF LICENCES

For obtaining long-term licence for use of the wildlife legal entities concerned shall submit application specifying the following:

applicant data;

type of use of the wildlife;

list of wildlife species;

boundaries and area of the territories required for use of the objects of wildlife applied for;

projected period of use of the wildlife.

Application for obtaining the objects of wildlife for use on the territory of the Russian Federation shall be submitted to executive body of the subject of the Russian Federation.

Executive body of the subject of the Russian Federation in accordance with the conclusion of the corresponding authorized state body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof shall make decision on concession of the area, water area applied for and required for carrying out use of the wildlife, after coordination with landlords, landowners, owners of forest fund on the aforesaid area and authorized state body competent for water management and water use terms and conditions of concession of the aforesaid area, water area for payment or free of charge in accordance with the legislation of the Russian Federation and the legislation of the subjects of the Russian Federation.

Coordination outcome shall be inserted in the long-term licence for use of the wildlife.

Pursuant to coordination the executive body of the subject of the Russian Federation and the user of the wildlife shall make contract on concession of the wildlife for use in accordance with civil, land, water and forest legislation.

In the presence of several equal by priority applicants for the same area, water area the wildlife shall be conceded for use pursuant to tenders in compliance with antimonopoly requirements.

Tenders shall be organized and carried out by executive bodies of the subjects of the Russian Federation jointly with authorized state bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

Concession for use of the wildlife, areas and water areas required for carrying out the aforesaid use shall be conducted publicly with the consideration of the interests of the local population.

Areas used for agriculture and forestry where hunting, fishery and other types of use of the wildlife have been previously carried out or may be carried out, may be encumbered with the required terms and conditions in accordance with land legislation of the Russian Federation ensuring use of the wildlife for a fixed period of time, within established period and in compliance with the established procedure.

Nominative once-only licences for use of the objects of wildlife shall be issued to citizens by the corresponding authorized body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof on application thereby in accordance with the established procedure, and also to the users of wildlife within the limits set therefore.

ARTICLE 38. LONG-TERM LICENCE FOR USE OF THE WILDLIFE

Long-term licence for use of the wildlife depending on the type of use must contain:

information on user of the wildlife;

authorized types of use of the wildlife;

list of the objects of wildlife conceded for use;

boundaries and surface area and water area required for carrying out use of the wildlife;

period of validity of the licence;

terms and conditions of use of the wildlife, and also of the use of areas and water areas required for carrying out use of the wildlife.

ARTICLE 39. ANTIMONOPOLY REQUIREMENTS

Actions by government bodies, and also by legal entities and citizens, directed at the restriction of access to participation in competitive tenders to all those who wish to purchase the right of use of the wildlife, and evasion from concession of licences for use of the wildlife to the winners of the competitive tenders, shall be prohibited or recognized incompetent in accordance with the established procedure.

ARTICLE 40. RIGHTS AND DUTIES OF USERS OF THE WILDLIFE

Users of the wildlife shall have the right to:

use the objects of wildlife conceded for use;

use without authorization the objects of wildlife purchased for repopulation on the allotted area in accordance with the procedure established by this Federal law if the aforesaid objects of wildlife are kept in semi-free conditions;

exercise right of ownership to the procured objects of wildlife and products obtained therefrom;

issue to citizens nominative once-only licences for use of the objects of wildlife within the established norms, quotas and limits;

conclude contracts with legal entities and citizens for use of the objects of wildlife thereby contemporaneously with the issuance of nominative once-only licences;

conduct subsidiary smallholding, including processing of products obtained in the course of carrying out authorized types of use of the wildlife and produce commodities from the objects of wildlife;

trade manufactured produce and commodities;

receive plots of land for production and other purposes on the area conceded for use in accordance with the procedure established by civil, land, water and forest legislation of the Russian Federation;

build up permanent or provisional structures, constructions and roads required for carrying out economic activity related to use of the wildlife on plots of land received in accordance with the established;

institute claims in accordance with the legislation of the Russian Federation for damages caused by illegal acts of legal entities and citizens that have caused loss of the objects of wildlife, deterioration of natural habitat of the objects of wildlife, for unwarranted restrictions of the right of use of the wildlife, right of ownership to obtained products, and also in case of cessation of the right of ownership of the wildlife in the course of change of land use with the consideration of the loss of expected profit;

make impact on natural habitat of the objects of wildlife improving state of the objects of wildlife, by agreement with landlords (landowners), owners of forest fund and authorized bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

Users of the wildlife shall have the duty to:

carry out exclusively the types of use of the wildlife specified in the licence;

comply with the established rules, norms and periods of use of the wildlife;

use methods preserving the integrity of natural communities in the course of use of the wildlife;

prevent disturbance or deterioration of natural habitat of the objects of wildlife;

carry out registration and assessment of the state of the objects of wildlife in use, and also assessment of the state of natural habitat thereof;

carry out the required arrangements ensuring reproduction of the objects of wildlife;

render assistance to government bodies in carrying out protection of the wildlife;

ensure protection and reproduction of the objects of wildlife, including rare and endangered species;

use humane methods in the process of use of the wildlife.

Rules, periods and lists of authorized hunting gear and hunting methods shall be elaborated by the corresponding authorized bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof and shall be validated by the Government of the Russian Federation or by executive body of the subject of the Russian Federation.

Use of leg-gripping traps shall be prohibited except for cases envisaged by laws and other normative legal acts of the subjects of the Russian Federation.

In cases envisaged by the legislation of the Russian Federation and the legislation of the subjects of the Russian Federation the rights of users of the wildlife may be extended or restricted.

ARTICLE 41. HUNTING

Relations in the sphere of hunting and game husbandry shall be regulated on the basis of this Federal law by special federal law and other federal laws, other normative legal acts of the Russian Federation, and also by other normative legal acts of the subjects of the Russian Federation adopted in compliance therewith.

List of the objects of wildlife classified as the objects of hunting pursuant to the status thereof, number, tradition of use, types and quality of the products obtained therefrom shall be compiled by authorized body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof by agreement with the executive bodies of the Russian Federation and it shall be validated by the Government of the Russian Federation.

ARTICLE 42. FISHERY

Relations in the sphere of fishery and protection of aquatic invertebrates, fishes and marine mammals shall be regulated by the applicable laws and other normative legal acts of the Russian Federation, and also by laws and other normative legal acts of the subjects of the Russian Federation.

ARTICLE 43. PROCUREMENT OF THE OBJECTS OF WILDLIFE THAT ARE NOT CLASSIFIED AS THE OBJECTS OF HUNTING AND FISHERY

Procurement of the objects of wildlife that are not classified as the objects of hunting and fishery shall be authorized in accordance with permits issued by authorized bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

Procedure for the procurement of the objects of wildlife that are not classified as the objects of hunting and fishery shall be established by this Federal law, other laws and other normative legal acts of the Russian Federation, and also by laws and other normative legal acts of the subjects of the Russian Federation.

ARTICLE 44. USE OF THE WILDLIFE FOR SCIENTIFIC, CULTURAL, EDUCATIONAL, RECREATIONAL AND AESTHETIC GOALS

Use of the wildlife for scientific, cultural, educational, recreational and aesthetic goals by means of different forms of observation, marking, photographing and other research methods without removal of the objects of wildlife from natural habitat thereof shall be authorized without special permit and free of charge if such methods do not damage the wildlife and natural habitat thereof and do not infringe the rights of users of the wildlife, other natural resources, and also the rights of landlords, landowners, land tenants, owners of forest fund except for cases of prohibition of the aforesaid uses.

Use of the wildlife for scientific, cultural, educational, recreational and aesthetic goals with removal of the objects of wildlife from natural habitat thereof shall be authorized by permits of the corresponding authorized state bodies of the Russian Federation competent for protection and use of the objects of wildlife and natural

habitat thereof for payment or free of charge in accordance with the procedure set by Article 34 of this Federal law.

ARTICLE 45. USE OF USEFUL PROPERTIES OF THE VITAL FUNCTIONS OF THE OBJECTS OF WILDLIFE

Use of useful properties of the vital functions of the objects of wildlife (soil-formers, natural environmental sanitary agents, pollinizers, etc.) shall be authorized without removal thereof from natural habitat except for cases established by laws and other normative legal acts of the Russian Federation, and also by laws and other normative legal acts of the subjects of the Russian Federation.

ARTICLE 46. PROCUREMENT OF PRODUCTS OF THE VITAL FUNCTIONS OF THE OBJECTS OF WILDLIFE

Procurement of products of the vital functions of the objects of wildlife (honey, wild beeswax, etc.) shall be authorized without removal of the objects of wildlife from natural habitat and destruction thereof, and also without disturbance of the natural habitat thereof.

Rules of use of the objects of wildlife for the purpose of procurement of products of the vital functions of the objects of wildlife shall be established by authorized bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

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

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

refusal of use;

expiry of the established period of use;

infringement of the legislation of the Russian Federation on environmental protection and terms and conditions of use of the wildlife specified in the licence for use of the wildlife;

originating of the necessity of removal from use of the objects of wildlife for the purpose of protection thereof;

use of the area, water area for public needs that excludes use of the wildlife;

closing down of enterprise, institution, organization of use of the wildlife.

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

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

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

CHAPTER VI. TRADITIONAL METHODS OF PROTECTION AND USE OF THE OBJECTS OF WILDLIFE

ARTICLE 48. RIGHT OF USE OF THE TRADITIONAL METHODS OF PROCUREMENT OF THE OBJECTS OF WILDLIFE AND PRODUCTS OF THE VITAL FUNCTIONS THEREOF

Citizens of the Russian Federation whose subsistence and earnings are totally or partially based upon traditional ancestral subsistence systems, including hunting, fishery and collection of natural products shall have the right to use traditional methods of procurement of the objects of wildlife and products of the vital functions thereof, if such methods do not lead directly or indirectly to the reduction of biodiversity, the number and sustainable reproduction of the objects of wildlife, do not disturb natural habitat thereof and are not harmful to man.

The aforesaid citizens may exercise this right either individually or collectively by setting up associations on various bases (family, tribal, territorial economic communities, hunting associations, natural products collectors associations, fishing associations, etc.).

Conservation and stimulation of the traditional methods of use and protection of the wildlife, natural habitat thereof shall be compatible with the requirements set for sustainable existence and sustainable use of the wildlife.

ARTICLE 49. RIGHT OF PRIORITY USE OF THE WILDLIFE

Sparsely distributed indigenous population and ethnic communities whose indigenous culture and way of life include traditional methods of protection and use of the objects of wildlife, citizens belonging to the aforesaid groups of population and associations thereof shall be granted the right of priority use of the wildlife on the traditionally inhabited territory and economic activity conducted thereby.

Right of priority use shall include:

granting of prime choice of hunting and fishing areas to citizens belonging to the groups of population specified in the first part of this Article, and to the associations thereof;

preferences as regards hunting periods and hunting areas, sex, age and number of the objects of wildlife

authorized for hunting, and also the products of the vital functions thereof;

other types of use of the wildlife coordinated with authorized body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof.

Right of priority use of the wildlife shall be applicable to citizens belonging to the groups of population specified in the first part of this Article, and also to other citizens permanently residing on the aforesaid territory and legitimately included in one of the groups of population specified in the first part of this Article.

If the same territory is traditionally inhabited by two or more groups of population that conduct economic activity thereon either by the groups specified in the first part of this Article or by other groups, the aforesaid groups shall have the right of priority use of the wildlife. Field of application of this right shall be determined in accordance with the mutual agreement between the aforesaid groups of population.

Transfer of the right of priority use of the wildlife to citizens and legal entities not specified in the first part of the Article 48 of this Federal law shall be prohibited.

CHAPTER VII. ECONOMIC REGULATION OF PROTECTION AND USE OF THE OBJECTS OF WILDLIFE

ARTICLE 50. SCOPE AND OBJECTIVES OF ECONOMIC REGULATION OF PROTECTION AND USE OF THE OBJECTS OF WILDLIFE

Economic regulation of protection and use of the objects of wildlife shall envisage:

establishment and regulation of economic relations in the sphere of protection and use of the objects of wildlife, including the relations between government bodies of the Russian Federation and government bodies of the subjects of the Russian Federation and nature managers, and also between users of the wildlife and users of other natural resources;

formation of the system of payments for use of the wildlife and creation of stable economic basis for protection, reproduction and sustainable use of the objects of wildlife;

economic protection of state interests in the sphere of protection and use of the objects of wildlife;

economic protection of users of the wildlife.

ARTICLE 51. STRUCTURE OF ECONOMIC REGULATION OF PROTECTION AND USE OF THE OBJECTS OF WILDLIFE

Economic regulation of protection and use of the objects of wildlife shall include:

registration and economic assessment of the objects of wildlife;

economically substantiated system of payments for use of the wildlife;

budgetary financing of the arrangements for protection and reproduction of the objects of wildlife;

economically substantiated system of fines and penalties for the infringement of the legislation of the Russian Federation on protection and use of the wildlife;

purposeful use of funds from the sale of confiscated hunting equipment used for illegal procurement of the objects of wildlife, including transport means and products, in accordance with the procedure envisaged by the legislation of the Russian Federation, and also of voluntary contributions of citizens and legal entities.

ARTICLE 52. SYSTEM OF PAYMENTS FOR USE OF THE WILDLIFE

System of payments for use of the wildlife shall include:

payment for use of the wildlife;

fines for over limited and wasteful use of the wildlife.

Payment for use of the wildlife shall not exonerate nature manager from carrying out the arrangements for protection of the objects of wildlife, natural habitat thereof and compensation for damage inflicted thereby.

Payment for use of the wildlife shall be forwarded to the federal budget and to the budgets of the subjects of the Russian Federation in the ratio of:

FEDERAL BUDGET - 40 PERCENT;

BUDGET OF A SUBJECT OF THE RUSSIAN FEDERATION - 60 PERCENT.

Fines for over limited and wasteful use of the wildlife shall be forwarded to the budgets of the subjects of the Russian Federation.

Revenues to the federal budget and to the budgets of the subjects of the Russian Federation in accordance with the fourth and the fifth parts of this Article shall be used for the implementation of the corresponding federal and territorial programmes, the arrangements for complex management, protection and reproduction of the objects of wildlife, protection thereof against negative impact, keeping state monitoring of the objects of wildlife, scientific and research activity, and also for other purposes related to protection, reproduction and sustainable use of the objects of wildlife and natural habitat thereof.

Preferential payments shall be established for some categories of users of the wildlife by legislative bodies of the Russian Federation and legislative bodies of the subjects of the Russian Federation within their sphere of competence.

ARTICLE 53. LICENCE FEE FOR USE OF THE WILDLIFE

Licence fee for use of the wildlife shall be forwarded to the account of authorized body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof that has issued licence and it shall be used for payment of expenses related to the issuance of licences.

Amount of payment shall be established on the basis of expenses for the examination of applications for use of the wildlife, organizational and other expenses related to the issuance of licence.

ARTICLE 54. ECONOMIC STIMULATION OF PROTECTION, REPRODUCTION AND SUSTAINABLE USE OF THE OBJECTS OF WILDLIFE

Economic stimulation of protection, reproduction and sustainable use of the objects of wildlife shall include: establishment of tax privileges and other preferential terms conceded to legal entities and citizens ensuring protection, reproduction and sustainable use of the objects of wildlife, and also protection and improvement of the state of natural habitat thereof;

concession to legal entity of preferential credits for carrying out the arrangements for protection and reproduction of the objects of wildlife;

bonus payment to officials and citizens carrying out protection of the wildlife for the exposed violations of the legislation of the Russian Federation on protection and use of the wildlife.

The functioning of the system of economic stimulation shall be ensured by special legislation of the Russian Federation.

CHAPTER VIII. LIABILITY FOR THE INFRINGEMENT OF THE LEGISLATION OF THE RUSSIAN FEDERATION ON PROTECTION AND USE OF THE WILDLIFE

ARTICLE 55. ADMINISTRATIVE, CIVIL AND PENAL LIABILITY FOR THE INFRINGEMENT OF THE LEGISLATION OF THE RUSSIAN FEDERATION ON PROTECTION AND USE OF THE WILDLIFE

Legal entities and citizens guilty of the following offences:

violation of the procedure for use of the wildlife, and also of illegal import to the Russian Federation of animals and plants damaging the objects of wildlife recorded in Red Books;

violation of rules of protection of natural habitat of animals, rules of formation of zoological collections and trade thereof, and also unauthorized repopulation, acclimatization and hybridization of the objects of wildlife;

violation of rules of transportation, storage and application of plant protection means and other preparations causing damage to the wildlife;

destruction of rare and endangered objects of wildlife or other actions that may cause loss, reduction of number or disturbance of natural habitat of the aforesaid objects of wildlife;

violation of [hunting and fishery regulations](#), and also other rules of use of the wildlife;

violation of whaling regulations;

import to and export from the Russian Federation of the objects of wildlife, products and parts thereof without the corresponding authorization;

violation of the requirements for the prevention of loss of the objects of wildlife in the process of economic activity and operation of transport means;

violation of the procedure for protection of the objects of wildlife in state wildlife reserves, state nature reserves, protected areas of the national parks and in other protected areas and water areas;

destruction or damaging of marks and other signs fixed by users of the wildlife or authorized bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof, and also of edifices and other constructions pertaining to the aforesaid users and bodies;

violation of the established procedure for the issuance of licences for use of the wildlife and permits for removal of the objects of wildlife from natural habitat thereof;

hiding or distortion of information on the state and number of the objects of wildlife that is important for safety of the population and domestic animals, sustainable use of the objects of wildlife, reproduction and quality of habitat thereof, -

shall be subject to civil, administrative and penal liability in accordance with the legislation of the Russian Federation.

ARTICLE 56. LIABILITY OF LEGAL ENTITIES AND CITIZENS FO DAMAGES CAUSED TO THE OBJECTS OF WILDLIFE AND NATURAL HABITAT THEREOF

Legal entities and citizens that have caused damages to the objects of wildlife and natural habitat thereof shall compensate for the damages inflicted voluntarily or by court or arbitrary court decision in accordance with rates and methods of calculation of damages inflicted to the wildlife and, in case of the absence thereof, in accordance with actual expenses for compensation of the damages inflicted to the objects of wildlife and natural habitat thereof with the consideration of losses, including loss of expected profit.

In case of impossibility to prevent damages inflicted as a result of the vital functions of the objects of wildlife to agriculture, water economy and forestry, the losses shall be compensated from ecological insurance fund if the user of the wildlife is a member of such fund.

Damages shall be recovered from users of the wildlife if they have not undertaken real and required arrangements for the prevention or reduction of damages on areas and water areas allotted thereto. If authorized bodies competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof unfoundedly restrict users of the wildlife in removal of the objects of wildlife causing damages to agriculture, water economy and forestry officials of the corresponding authorized body competent for protection, supervision and regulation of use of the objects of wildlife and natural habitat thereof shall be subject to liability.

The objects of wildlife removed natural environment in violation of the legislation of the Russian Federation shall be seized without compensation or shall be confiscated from the owner and returned to natural habitat thereof. If the physical state of the animal does not permit to return it to natural habitat thereof it shall be subject to trade in accordance with the procedure established by the legislation of the Russian Federation with the compensation to the state of damages inflicted to the animal by illegal removal thereof.

ARTICLE 57. DISPUTE SETTLEMENT ON ISSUES OF PROTECTION AND USE OF THE OBJECTS OF WILDLIFE

Disputes on issues of protection and use of the objects of wildlife and natural habitat thereof, concession of the wildlife for use shall be settled by court or by arbitrary court in accordance with the procedure established by the legislation of the Russian Federation.

ARTICLE 58. INVALIDITY OF LEGAL TRANSACTIONS VIOLATING THE LEGISLATION OF THE RUSSIAN FEDERATION AND THE LEGISLATION OF THE SUBJECTS OF THE RUSSIAN FEDERATION IN THE SPHERE OF PROTECTION AND USE OF THE OBJECTS OF WILDLIFE

All legal transactions related to the wildlife and made in violation of laws and other normative legal acts of the Russian Federation, and also laws and other normative legal acts of the subjects of the Russian Federation in the sphere of protection and use of the objects of wildlife shall be invalidated.

ARTICLE 59. SEIZURE OF ILLEGALLY PROCURED OBJECTS OF WILDLIFE AND HUNTING GEAR

Illegally procured objects of wildlife, parts thereof and products obtained therefrom, and also equipment used for illegal procurement of the objects of wildlife, including transport means, shall be subject to seizure without compensation or confiscation in accordance with the procedure established by the legislation of the Russian Federation.

In case of impossibility of seizure of illegally procured produce its value shall be recovered from the offenders.

CHAPTER IX. INTERNATIONAL TREATIES

ARTICLE 60. INTERNATIONAL TREATIES

If an international treaty of the Russian Federation provides for rules different from those contained in this Federal law, the rules of the international treaty shall be applied.

CHAPTER X. PUTTING INTO EFFECT THIS FEDERAL LAW

ARTICLE 61. PUTTING INTO EFFECT THIS FEDERAL LAW

1. This Federal Law shall come into effect as of the date of its official publication.
2. Law of the RSFSR as of 14 July 1982 "On protection and use of the wildlife" (Official Gazette of the RSFSR. Supreme Soviet, 1982, No. 29, p. 1029) shall be declared invalid.
3. To propose to the President of the Russian Federation and to entrust the Government of the Russian Federation to bring their legal acts in accord with this Federal law.

PRESIDENT OF THE RUSSIAN FEDERATION

B.ELTSIN

MOSCOW, KREMLIN

24 APRIL 1995

N 52-FZ

TEXT CONFORMED TO:

"COMPENDIUM OF LEGISLATION OF THE RUSSIAN FEDERATION",

N 17, 24.04.95
