

Basic information on CITES in the Czech Republic for foreigners

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I. INTERNATIONAL TRADE

(Trade in specimens of endangered species of wild fauna and flora with the third countries – outside the European Union)

Import (introduction) and (re)export on the basis of permits and certificates

Ministry of the Environment of the Czech Republic (Department for the International Protection of Biodiversity) issues **CITES permits and certificates for (re)export and import of endangered plants and animals** protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora according, the Council Regulation (EC) No. 338/97 on the protection of species of wild fauna and flora by regulating trade therein and the national Act No. 100/2004 Coll. (Act on trade in endangered species).

Permits are required not only for live plants and animals, but also for the dead bodies and, in most cases, also for parts, derivatives and products of such organisms. The list of endangered plants and animals and other details are set forth in the Council Regulation (EC) No. 338/97.

Details of the application for a permit for (re)export or import:

1. An application for the above permit must be submitted in writing on a special form, which is set forth in the Commission Regulation (EC) No.865/2006, to the Department for the International Protection of Biodiversity of the Ministry of the Environment,
2. Simultaneously, it is necessary to submit a completed register card, which is set forth in the Decree No 210/2010 Coll.
3. Further details are set forth in Sections 3 to 13 of the Act No. 100/2004 Coll.
4. Permit applications are charged by CZK 1000 per application.

The permits and certificates must be presented to the designated EU customs offices on the border of the European Union. The CITES permits and certificates are there only for the purpose of nature protection, and they do not substitute other import/(re)export licenses pursuant to other regulations (e.g. veterinary and phytosanitary).

Export of certain plant specimens on the basis of phytosanitary certificates

See Art. 7(1)(b) of the Council Regulation (EC) No. 338/97, Art. 17 of the Commission Regulation (EC) No.865/2006 and Section 17 of the Act No. 100/2004 Coll. and Section 7 of the Decree No 210/2010 Coll.

Phytosanitary certificates can be used as CITES permits only for export of artificially propagated plant species listed in Annexes B and C and artificially propagated hybrids obtained from plant species listed in Annex A of the Council Regulation (EC) No. 338/97.

An application for phytosanitary certificates shall be submitted in writing on a special form to a local Regional Division or District Department of the State Phytosanitary Administration issuing phytosanitary certificates for export or re-export of plants from the Czech Republic.

II. DOMESTIC TRADE **(Trade in specimens of endangered species of wild fauna and flora within the European Union)**

Certificate exempting specimens of Annex A species from prohibitions relating to commercial activities listed in Article 8(1) of the Council Regulation (EC) No. 338/97 (“certificate for commercial use”).

Applications (written on the form 3 according to the annex V of the Commission Regulation (EC) No. 865/2006) shall be submitted to a Regional Administration Authority (“Krajský úřad”).

No Certificates (EC) are required in case of general exemptions specified in the Article 62 of the Commission Regulation (EC) No. 865/2006.

The list of Regional Administration Authorities is as follows [Annex No. 2 to Decree No. 210/2010 Coll.]:

Registration authority	Code
Magistrate [<i>City Hall</i>] of the Capital City of Prague	PHA
Regional Administrative Authority of the Central Bohemian Region	STC
Regional Administrative Authority of the South Bohemian Region	JHC
Regional Administrative Authority of the Plzeň Region	PLK
Regional Administrative Authority of the Karlovy Vary Region	KVK
Regional Administrative Authority of the Ústí Region	ULK
Regional Administrative Authority of the Liberec Region	LBK
Regional Administrative Authority of the Hradec Králové Region	HKK
Regional Administrative Authority of the Pardubice Region	PAK
Regional Administrative Authority of the Vysočina Region	VYS
Regional Authority of the South Moravian Region	JHM
Regional Administrative Authority of the Olomouc Region	OLK
Regional Administrative Authority of the Zlín Region	ZLK
Regional Administrative Authority of the Moravian-Silesian Region	MSK

Movement of live specimens within the Community

The conditions for the movement of live CITES specimens within the territory of the EU are embodied in Article 9 of the Council Regulation (EC) No. 338/97.

The movement within the EU of live specimens of a species listed in Annex A shall be authorized by the competent Management Authority, which is the Ministry of the Environment in the Czech Republic.

Details of the application for a movement certificate:

1. An application for the above certificate must be submitted in writing on a special form, which is set forth in the Commission Regulation (EC) No.865/2006, to the Department for the International Protection of Biodiversity of the Ministry of Environment,
2. Simultaneously, it is necessary to submit a completed register card, which is set forth in the Decree No 210/2010 Coll.
3. Further details are set forth in Section 14 of the Act No. 100/2004 Coll.
4. Certificate applications are charged by CZK 1000 per application.

III. Registration of certain CITES specimens in the Czech Republic

Rules of registration are set out in Sections 23 to 23b of the Act No. 100/2004 Coll. (Act on Trade in Endangered Species) and the Decree of the Ministry of the Environment No. 210/2010 Coll.

- The registration is focused almost exclusively on the species from Annex A to Council (EC) Regulation No. 338/97 with the exemption of species of wild animals and plants, which naturally occur in the Czech Republic.¹ According to Section 23(1) of the Act No. 100/2004 Coll. and Section 9 and Annex 6 of implementing Decree No. 210/2010 Coll., the registration actually concerns live specimens of exotic mammals, birds and reptiles of Annex A, with the exemption of (a) species listed in Annex X of Commission Regulation (EC) No. 865/2006, (b) mammals *Hystrix cristata* (Crested porcupine) and *Chinchilla* spp. (Chinchillas), (c) birds *Colinus virginianus* (Masked bobwhite), *Cyanoramphus forbesi* (Chatham Island yellow-fronted parakeet) [syn. *Cyanoramphus auriceps*], *Nyctea scandiaca* (Snowy owl), *Struthio camelus* (Ostrich) and *Tragopan caboti* (Cabot's tragopan), and (d) reptiles *Acrantophis dumerili* (Duméril's Boa), *Chamaeleo chamaeleon* (European chameleon), *Phelsuma guentheri* (Round Island day gecko) and *Python molurus molurus* (Indian python).

- The registration of species from Annex B is obligatory only for the following:

- a) live specimens of the following species of mammals:
Elephantidae spp. (elephants, all the species)
Felidae spp. (cat family, all the species, excluding the “domestic cat”)
Primates spp. (primates, apes and monkeys, all the species)
Rhinocerotidae spp. (rhinoceroses, all the species),
- b) live specimens of the following species of birds:
Aquila nipalensis (Steppe eagle)
Aquila rapax (Tawny eagle).

¹ However, species native for the Czech Republic may be subject to stricter measures by the Nature Protection Act No 114/1992 Coll. (see paragraph 1 above) and other national legislation on hunting, fishery etc.

Registration documents are issued by Regional Administration Authorities (see Part II above).

Persons obliged to apply for registration:

- 1) A legal or natural person who owns a specimen;
- 2) A legal or natural person who holds a specimen on the basis of a long-term loan from abroad for a period longer than 90 days or in the case that the owner of the specimen is not known.

The registration is a duty by owners or long-term holders² of the animals. However, there is a general exception from this duty for specimens of owners or long-term holders with a seat or permanent residence outside the territory of the Czech Republic, when the specimen is legally imported temporarily for a period shorter than 90 days. For owners or long-term holders with a seat or permanent residence in other Member States of the European Union, this period is extended to 12 months. Nevertheless, neither Czech citizens nor foreigners can sell any such specimen without previous registration.

IV. Further information

http://www.mzp.cz/cz/cites_informace_cizinec

<http://www.mzp.cz/cites>

e-mail (cites – Ministry of Environment): cites@mzp.cz

http://ec.europa.eu/environment/cites/home_en.htm

<http://www.eu-wildlifetrade.org/>

<http://sea.unep-wcmc.org/eu/Taxonomy/index.cfm>

² A “long-term holder” is defined as a legal or natural person who holds a specimen either on the basis of a long-term loan from abroad for a period longer than 90 days or in the case that the specimen does not have an owner or the owner of the specimen is not known.