Abstract

Excessive usage of wildlife is the second most common cause of species decline on our planet, and thus one of the direct threats to biodiversity. Since biodiversity has a virtually existential significance for the well-being of people, it needs to be cared for in order to slow down its decline. The aim of this thesis is to analyze and evaluate legal regulations at the international, EU, and Czech level, to present the instruments and institutes used to regulate the trade in CITES specimens, and to propose solutions for potential problems. Where deemed necessary or appropriate, a comparison of international legal regulations with EU and Czech legislation is made.

This thesis is divided into 6 chapters that are further internally subdivided into subchapters. The first chapter deals with the importance of trade in endangered species of fauna and flora in relation to the loss of biodiversity. The second chapter provides an overview of the legal regulation governing trade in endangered species at different levels (international, EU, and Czech). The third chapter introduces the individual bodies responsible for the implementation of the Convention CITES (or Regulation No. 338/97) at international, EU, and Czech level. The Czech national authorities are classified according to the Act no. 100/2004 by the state administration and the scientific authority. The fourth chapter serves as an introduction to the legislation regulating the trade in CITES specimens by defining the most important legal terms that need to be known to understand this matter properly. Unlike previous chapters, this chapter covers all basic terms simultaneously on all three levels. The fifth chapter deals with the legal regulation of trade in CITES specimens and is the most important and comprehensive part of the thesis. This chapter includes, inter alia, the rules of international and internal EU trade in specimens including exemptions. With the exemption of the subchapter on internal EU trade that is not regulated by international regulations, the other subchapters compare the international legal regulations and EU legislation, as well as Czech legislation. The sixth chapter deals with the enforcement of law at the national level. This chapter is subdivided into three subchapters. The first subchapter deals with the control of trade in CITES specimens, the second subchapter deals with seizures and confiscation of the CITES specimens, while the last subchapter addresses administrative and criminal liability and includes the current national legislation along with recent case law.

The end of each chapter briefly summarizes the chapter. At the end of the thesis, the author considers the deficiencies of the existing legislation and proposes possible solutions de lege ferenda.