

Legal regulation of international trade in endangered species

Resumé

Over-exploitation due to international trade is the third most serious cause of extinction to species in the world. As the human population has grown, so has the demand for wildlife. Because of this pressure the loss of biodiversity has become a global problem now. Interest in solving the unsustainable wildlife trade has been increasing since the 60's of the 20th century. International organizations have realized the essentialness of international cooperation for the protection of certain species of wild fauna and flora in this time. The result was the Convention on International Trade in Endangered Species of Wild Fauna and Flora, known as CITES. CITES was conceived in the spirit of cooperation between member states and all parties must take appropriate measures to enforce the Convention.

The purpose of my thesis is to give an overview of legal regulations at national, European and international level and make comparisons to show the differences between them. The thesis is divided into five coherent chapters. The first one is a brief introduction into the problem of wildlife trade and it gives a general description of the legislation. Chapter two is devoted to international instruments, mainly CITES. The Convention has established how to control the wildlife trade on a global scale. It is based on a means of a permit system which controls import and export of species that are listed on its three Appendices. Despite some of its weaknesses the convention is considered to be one of the most effective environmental treaties. Although the European Union is not a contractual party of CITES, it has carried out the obligations under the Convention consistently since 1984. The union system of wildlife trade control is analyzed in chapter number three and it's possible to say that it's a more strict and sophisticated system then the one established on global level by CITES. In addition, European secondary legislation regulates not only the international trade, but also trade between member states. The fourth chapter describes Czech legislation and it's changes after their entrance into the EU. This part also contains the extensive amendment which has only been in force since early 2010 and refers to differences from previous legislation. The fifth part of my thesis is concentrated on illegal trade. It contains a description of how control, penalizing, possession and the confiscation or return of goods to the state works in regards to export. Legislation is elementary way how to control wildlife trade but to be effective in real life it has to be practically applicable, widely understood and accepted by majority.