

CHALLENGES AND PROBLEMS OF LEGAL REGULATION OF WILDLIFE PROTECTION CASE OF LITHUANIA

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Abstract

Human activities, such as urbanization, deforestation, industrial development and other agricultural practices, often directly or indirectly affect the living conditions and populations of wildlife. Human impacts on wildlife can have negative consequences in various ways, for example, by converting natural areas to agriculture or urban areas. Wildlife can lose their habitats, which causes environmental pollution, which can negatively affect the health and living conditions of wildlife. Climate change can change their habitat conditions, food supply opportunities and migration routes. Human interference often manifests itself in the form of hunting or illegal trade in wildlife. Problem statement. First, the problem of hunting wildlife, which manifests itself in activities without the necessary permits or in violation of hunting rules and established restrictions. Hunting wildlife is a serious problem, as this activity can negatively affect wildlife populations and their ecosystems. Illegal hunting without the necessary permits or in violation of hunting regulations and restrictions can lead to excessive mortality of wild animals, which can harm their populations. Another related aspect is uncontrolled hunting practice. Illegal hunting or excessive quota of animals that are allowed to be hunted can lead to a decrease in their populations or even to their extinction. Secondly, the problem of improper fishing practices. One of the problems associated with improper fishing practices is the injury or killing of wild animals during fishing. Research objectives. To reveal the concept of wildlife and its protection, to define the concept of a wild animal and discuss its individual species; to evaluate the legal regulation of the use and protection of wildlife resources; to analyze the problems of the use and protection of wildlife resources in judicial practice.

Methodology. The following research methods were used in the work: document analysis, system analysis, abstraction, logical-analytical and linguistic. The document analysis method is used to collect and study scientific, legal documents and judicial practice related to the protection of wild animals. Applying the method of systems analysis in the context of the protection of wild animals, their complex interaction with the environment is assessed, and the difficulties that arise during the implementation of the protection of these animals are also identified. The abstraction method is used to isolate the protection of wild animals from the totality of the environmental protection institute and consider it as a separate object. The logical-analytical method is used to analyze and structure the factors that affect the populations of wild animals and their habitat.

Key words: wild animals, wildlife protection, wild animals, hunting.

Introduction. Relevance of the topic. Everyday human activities, such as urbanization, deforestation, industrial development and other agricultural practices, often directly or indirectly affect the living conditions and populations of wildlife. Human influence on wildlife can have negative consequences in various ways, for example, by changing natural areas for the benefit of agriculture or urbanized areas, wildlife can lose their habitats, causing environmental pollution, which can have negative effects on the health and living conditions of wildlife, and climate change can change their habitat conditions, food supply

opportunities and migration routes. Human intervention often manifests itself in the form of hunting or illegal trade in wildlife. The intensity of such activities can have exceptionally harmful effects on many species, threatening their survival. These cases determine the relevance of the topic, since the protection of wildlife is necessary in order to preserve biodiversity and the balance of ecosystems.

Wildlife protection is a relevant and important topic, but legal regulation in this area is quite complex and constantly changing. One of the key aspects of the relevance of this topic is the threat of extinction of wild animals. The protection of many different species of wild animals is violated due to human activity and the constant reduction of their habitats. Due to the above aspects, the protection of wild animals must be strengthened in order to preserve individual animal species from extinction and maintain the stability of ecosystems.

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The relevance of the topic is determined by conflicts in the interaction between humans and wild animals. Some species of wild animals, such as wolves or bears, can pose a threat to humans and livestock. In such cases, legal regulation is relevant in order to ensure the safety of humans and wild animals and to resolve conflicts. Another aspect that emphasizes the relevance of the topic is the trade in wild animals and illegal hunting. There are various international and national legal acts aimed at combating the problems of illegal hunting and trade in wild animals. These legal acts are relevant in order to ensure the conservation of wild animals and combat the illegal use of animal resources.

Problem Statement. The following main problems are distinguished:

First, the problem of hunting wild animals, manifested by the conduct of activities without the necessary permits or in violation of hunting rules and established restrictions. Hunting wild animals is a major problem, as this activity can have a negative impact on wild animal populations and their ecosystems. Illegal hunting without the necessary permits or in violation of hunting rules and restrictions can lead to excessive mortality of wild animals, which can harm their populations. Another related aspect is uncontrolled hunting practices. Illegal hunting or an excessive quota of animals allowed to be hunted can lead to a decrease in their populations or even extinction.

Secondly, The problem of improper fishing practices. One problem associated with improper fishing practices is the injury or killing of wildlife during fishing. Some fishermen do not follow the rules designed to protect wildlife, and their activities can have a negative impact on animal populations. Incorrectly set or abandoned fishing nets or traps can injure or kill wildlife, such as birds, crustaceans or other aquatic animals. Improper fishing methods and practices can have a direct negative impact on the health of the ecosystem itself. In some cases, fishing can damage or even destroy the seabed, destroy habitats, food sources and nesting sites for wildlife, so it is necessary to take action to limit improper fishing practices and ensure proper protection for wildlife.

The problem of the sale and keeping and breeding of wild animals in captivity. This is an issue that raises many ethical and moral questions. Some people want to keep wild animals in zoos or other confined spaces. However, these spaces are often not large enough or suitable for the natural behaviour

of wild animals. In addition, many wild animal species are vulnerable. This means that the wildlife trade and irresponsible breeding can lead to the extinction or reduction of their populations. Since in this case many wild animals are taken directly from their natural habitats, this poses a threat to their fate in the natural environment. In addition, the sale of wild animals can encourage illegal trade and its expansion.

The purpose of the article. To analyze aspects of legal regulation of wildlife protection and identify key problems.

Research objectives. To reveal the concept of wildlife and its protection, to define the concept of a wild animal and to discuss its individual species; to evaluate the legal regulation of the use and protection of wildlife resources; to analyze the problems of the use and protection of wildlife resources in judicial practice.

Methodology of investigation. The following research methods were used in the final work: document analysis, systematic analysis, abstraction, logical-analytical and linguistic. The document analysis method is applied to the collection and study of scientific, legal documents and case law related to the protection of wild animals. Applying the method of systematic analysis in the context of the protection of wild animals, their complex interaction with the environment is assessed, and the challenges encountered in implementing the protection of these animals are identified. The abstraction method was applied to the isolation of wild animal protection from the totality of the environmental protection institute and its examination as a separate object. The logical-analytical method was applied to the analysis and structuring of factors influencing wild animal populations and their habitats. The linguistic method was chosen in the final work to explain the concepts under consideration. This method is used to describe the main concepts of the legal regulation of wild animal protection, the concept of a wild animal and the protection of wild animals, and to explain other legal concepts related to the chosen topic of the work.

The concept of a wild animal and the social significance of wild animal protection. According to Article 2, point 11 of the Law on Wildlife of the Republic of Lithuania, wild animals living in the wild or kept in captivity at any stage of their biological development are recognized as wild animals (Law of the Republic of Lithuania on Wildlife, 1997). Animals under this law also include parts of animals or products thereof, as well as dead specimens of ani-

mals. The concept of wildlife is provided in Article 2, paragraph 7 of the Law on Wildlife of the Republic of Lithuania, which states that a wild animal is considered to be “the totality of wild animals living in freedom and kept in captivity”. According to paragraph 9 of the same article, “live and dead wild animals, their parts, as well as eggs and nests” are recognized as wildlife resources (Law of the Republic of Lithuania on Wildlife, 1997).

Wild animals are a group of different species living in their natural environment. According to Article 2, Clause 17 of the Law of the Republic of Lithuania on Wildlife, a wild animal species is a group of animals with similar morphological, physiological, biochemical, ecological and ethological characteristics, living in the same territory, having an identical karyotype, capable of interbreeding and successfully producing fertile offspring (Law of the Republic of Lithuania on Wildlife, 1997).

Each of the wild animal species has its own unique behavior and adaptation to the environment. A wild animal is an animal that lives and breeds in the wild, not influenced by humans. This term is most often used to refer to animals that are native to a country, and not raised on animal farms maintained by humans (Macdonald, et. al. 2021). Wild animal populations can regulate themselves naturally, regardless of human intervention, and they often play a specific role in the natural ecosystem. People try to protect wild animals and their habitats in order to preserve their genetic resources and the balance of ecosystems (Lennox, et. al., 2022). This is due to various ecological factors, such as food supply opportunities, territorial restrictions, diseases and the impact of predators (Arlovskaja, 2016).

Wildlife is an irreplaceable part of nature, which is important for the functioning and survival of all ecosystems. It is a unique natural heritage of society, all of humanity, providing aesthetic, scientific, cultural, recreational and economic value. Wildlife is not only an important national value, but also has universal, transnational importance. An integral task is to preserve this wildlife and pass it on to future generations (Summary of the Practice of the Supreme Administrative Court of Lithuania..., 2025).

Wildlife protection is defined in Article 2, paragraph 8 of the Law on Wildlife of the Republic of Lithuania, which states that the purpose of wildlife protection is to preserve “individual species of wild animals and their habitats or the set of measures necessary to restore them to a favourable conservation status” (Macdonald, et. al. 2021). Wild animals are

important for ecosystems and exist in natural environments and play an important role in biodiversity. They provide us with the opportunity to observe and explore the beauty of nature, as well as contribute to scientific research and the development of knowledge about nature. Wild animals are an important part of natural ecosystems, as they help maintain balance and ecological stability. In addition, some wild animals have significant economic and tourist potential (Macdonald, et. al. 2023). However, due to inappropriate human activities in some countries, most wild animal species are endangered or on the verge of extinction. Therefore, it is important to implement effective protection measures to protect wild animal species. The concept of wildlife conservation encompasses all actions and measures aimed at protecting and preserving wild animals and their natural environment. This is done to ensure that wild animals have suitable living conditions in their natural habitats and are not negatively affected by human activities (Hessami, et. al. 2021).

Wildlife conservation has great social significance, as it contributes to the conservation of biodiversity. Maintaining diversity is important in terms of the provision of ecosystem functions and services. Wildlife conservation also helps to preserve ecosystems and their ecological balance. In addition, wildlife conservation has cultural and moral significance. In many countries, wildlife is considered a national heritage and is of great interest to both tourists and other people (Atalay, et. al., 2023). In socio-economic terms, wildlife conservation can also create new jobs and attract ecotourism and the long-term development of sustainability and green technologies (Perkumienė, et. al., 2023). In addition, wildlife protection contributes to people's education, awareness, and participation in community activities (King'ori, 2019).

Legal regulation of the use of wildlife resources.

The methods of use of wildlife resources are specified in Article 6 of the Law of the Republic of Lithuania on Wildlife. This article discusses 11 ways in which wildlife resources can be used. These are: hunting, fishing, taking from the environment, keeping and breeding in captivity, keeping in zoos, breeding and crossbreeding, translocation, introduction, reintroduction and release into the wild, use for educational and scientific purposes, for the creation of zoological collections, population regulation in order to protect human health and the natural environment, and trade in wild animals (Law of the Republic of Lithuania on Wildlife, 1997).

These actions should be carried out responsibly and in accordance with legal acts and the principles of sustainability. Hunting is one of the methods of use of wildlife resources, however, in order to hunt, one should comply with the adopted laws and follow the quotas of animals that can be hunted established by the responsible state institutions and hunt during the established period.

Fishing should also be done responsibly, in accordance with the provisions of fishing regulations and fishing permits, in order to preserve the ecosystem of aquatic animals. This law and other legal acts establish rules governing the use of certain wild animals (Law of the Republic of Lithuania on Amateur Fishing, 2004). This is related to animal welfare and environmental protection, as well as the safety of people and other animals.

Article 6, paragraph 2 of the Law on Wildlife of the Republic of Lithuania states that the number and conditions of use of wild animals that can be used shall be determined by environmental and nature protection institutions, in accordance with this law and other legal acts. In addition, the Rules for the Use of Wild Animals and the Description of the Procedure for the Use of Protected Species also apply, which also regulate this process. These legal acts establish that the use of animals must be carried out in accordance with their welfare requirements, data on the dynamics of their populations and the state of their habitats, as well as taking into account their reproductive capabilities and biological and ethological characteristics. In addition, it is important to assess the importance of these animal species on an international scale. In addition, such legal acts are necessary to ensure the safety of people and to avoid threats to their life and health. This also applies to situations where the use of wild animals may cause harm to people or other animals. Environmental and nature protection authorities may establish prohibitions or restrictions governing the use of these animal species. When establishing these restrictions, the number of animals taken from the environment and other conditions of use are taken into account (Law of the Republic of Lithuania on Wildlife, 1997).

It should be noted that the use of wild animals (non-invasive species) must be carried out in a way that does not harm the long-term survival of these species and does not interfere with efforts to ensure their proper protection. In protected areas, the use of wildlife resources is subject to the provisions of the Law on Protected Areas, other legal acts reg-

ulating activities in these areas, and territorial planning documents (Law of the Republic of Lithuania on Wildlife, 1997, 6 th. article).

In accordance with Regulation (EU) No 511/2014 of the European Parliament and of the Council of 16 April 2014, information on the use of wildlife genetic resources and associated traditional knowledge is shared. The Regulation also provides for how genetic resources may be used for scientific research and technological development, including biotechnology. The Regulation also regulates the fair and equitable sharing of benefits from genetic resources (Regulation (EU) No 511/2014 of the European Parliament and of the Council of 16 April 2014). The Regulation prohibits the use of wild mammals, birds, reptiles and amphibians in circuses, except in cases where these animals are classified as species included in the List of Rules for the Use of Wild Animals. This list is drawn up taking into account the established criteria.

The use of wild mammals, birds, reptiles and amphibians in circus performances is prohibited, except in cases where wild animals of these species performing tricks and maneuvers, which are included in the list specified in the Rules for the Use of Wild Animals (Law of the Republic of Lithuania on Wildlife, 1997), appear in the performances (Law of the Republic of Lithuania on Wildlife, 1997).

Therefore, in order to ensure the welfare, safety and environmental sustainability of wild animals, it is necessary to take into account these legal acts and the established rules and to follow them when using these species.

It is important to note that all these actions should be carried out with the well-being of ecosystems and animals in mind, and with respect for the natural balance. The principles of sustainable use should be fostered to ensure the longevity of wildlife resources and protect nature for future generations. These methods allow people to use wildlife resources, but at the same time ensure their long-term conservation.

Practical issues related to wildlife law violations in court practice. Some of the most common violations of the Law on Wild Animals are related to illegal or unregulated hunting of wild animals. This fact is confirmed by a rather extensive case law. For example, in an administrative offence case, the holding of a person to administrative liability under Article 290, Parts 1 and 7 of the Code of Administrative Offences for violations of the requirements of legal acts related to hunting was disputed. In this case, the person was punished for illegal hunting of a male red deer. The

violator was found guilty on the basis of Article 290, Part 1 of the Code of Administrative Offences of the Republic of Lithuania (Code of Administrative Offences of the Republic of Lithuania, 2015), specified in the Rules on Hunting in the Territory of the Republic of Lithuania (hereinafter referred to as the Rules) approved by Order No. 258 of the Minister of the Environment of the Republic of Lithuania of 27 June 2000 (Rules on Hunting in the Territory of the Republic of Lithuania..., 2000). The panel of judges determined that, according to the law, the illegality of hunting and the damage caused to nature are determined not by the fact of hunting the animal itself, but by the failure to enter the relevant data about the hunted animals in the hunting sheet before they were removed from the hunting areas (The Supreme Court of Lithuania in the Administrative Offense Case of 17 April 2023; Case No. 2AT-23-719/2023).

Clause 23 of the Rules establishes that the hunting leader or an individual hunter is responsible for the correct filling out of the hunting sheet in accordance with the requirements of Clause 22 of the Rules, and the hunter must inform the hunting leader about the hunted animal. The Supreme Court of Lithuania established that during the hunt, in which the person held administratively liable participated, a wounded male red deer was hunted, but the fact of the animal being hunted was not entered into the hunting sheet in accordance with the established procedure (The Supreme Court of Lithuania in the Administrative Offense Case of 17 April 2023; Case No. 2AT-23-719/2023).

In another criminal case of the Supreme Court of Lithuania No. 2K-282-458/2019, it was established that A. and R. M. were accused of the fact that they, acting as a group of accomplices with L. K., on this 11 December 2017 at about 18:30, having found two hunted carcasses of protected species of wild animals – lynxes – and having thus acquired them, they were all kept together in a refrigeration unit at the home of R. M. and A. M. (data not to be published), A. M. and L. K. decided to sell one lynx, after L. K. found a buyer, R. M. on January 3, 2018 at about 18:00, transported the lynx in a Peugeot 307 car to the place indicated by L. K.; there L. K. sold it for 250 EUR to a person acting according to the model of imitation of a criminal act, by this act the defendants caused significant damage to the conservation status of protected species of wild animals and committed this act for commercial purposes (Supreme Court of Lithuania, 2019. November 21. ruling in criminal case No. 2K-282-458/2019). According to

Article 272 of the Criminal Code, criminal liability is imposed for illegal hunting or fishing or other use of wildlife resources. According to Article 272, Part 3 of the Criminal Code, a person is liable if he has illegally destroyed, taken, damaged, taken from the natural environment, caught or otherwise acquired, kept, processed, transported, sold or otherwise used a large quantity of protected species of wild animals, their parts or products thereof, or if such an act has caused significant damage to the conservation status of protected species of wild animals, or if such an act has been committed for commercial purposes (Criminal Code of the Republic of Lithuania..., 2000). Thus, the composition of the criminal act specified in Article 272(3) of the Criminal Code is objectively manifested in alternative acts – the illegal destruction, damage, capture, taking from the natural environment or other acquisition, storage, processing, transportation, sale or other use of wild animals, their parts, products thereof (Criminal Code of the Republic of Lithuania..., 2000).

In court practice, quite common problems related to hunting are invalid hunting permits and the period of time not allowed for hunting animals. For example, in the criminal case No. AN2-31-493/2020 of the Kaunas Regional Court, it was established that on September 3, 2018, a scheduled inspection of the hunting club "S." revealed that on April 22, 2018, hunters K. Ž., A. A., M. B. and hunting manager D. A. were hunting with an invalid hunting permit. On January 1, 2018, hunting permit No. 16 was issued to hunting manager D. A. and was valid from January 1, 2018 to March 31, 2018. Hunting with this permit was carried out on April 22, 2018. On the same day, on April 22, 2018, during the hunt A. A. hunted a beaver. Clause 15.2.10 of the Rules allows hunting beavers from August 1 to April 15 (Kaunas Regional Court, 2020. January 08. ruling in criminal case No. AN2-31-493/2020).

When analyzing problematic situations related to fishing, it is noted that violations are committed due to the inability of individuals to fulfill a mandatory order and stock a water body with fish when the permit to use the fishing area has been revoked. For example, the dispute arose due to the applicant's request to the Environmental Protection Department under the Ministry of Environment to oblige the defendant to fulfill the Department's 2020 August 19 the legality and reasonableness of the mandatory order, in accordance with paragraph 2 of the Plan for the Use, Restoration and Protection of Fish Resources, to stock fish in the lake for 2018 and 2019, supple-

mented with 996 units of this year's pike. The court of first instance, having established that the mandatory order has not been revoked, the defendant has not fulfilled it, did not dispute the mandatory order, did not request an extension of the deadline for its fulfillment, satisfied the applicant's complaint. The defendant, in her appeal, disagreeing with the decision of the court of first instance, stated that the court of first instance improperly assessed the evidence in the case, did not take into account the circumstances indicated by the defendant regarding the inability to fulfill the mandatory order due to her health condition, as well as the fact that her permit to use the fishing area has been revoked, therefore she objectively cannot fulfill the mandatory order and stock the state water body, therefore the applicant's request could not be satisfied. The panel of judges determined when the National Land Service Prienai and Birštonas Division's decision of April 26, 2013 approved the Plan for the Use, Restoration and Protection of Fish Resources of the Lake, the user of whose fishing area N. R. K. must, among other things, fish the water body with pike annually, in accordance with the species and quantity of fish specified in the table (Decision of the Supreme Administrative Court of Lithuania of 14 December 2022 in administrative case No. eA-597-502/2022).

Judicial disputes also arise regarding fishing in a prohibited area. For example, by the decision of the Chief Specialist of the Environmental Protection Department under the Ministry of Environment of M. S. No. 2018-10-22 AM-AAD-ANR_N-977-2018 was found guilty and sentenced to a fine of 120 euros with confiscation of the Spin Flex fishing rod and the Okuna reel for fishing in a prohibited area in Vilnius, at the mouth of the Veržuva River, on 30 September 2018 at 12:40, thus violating paragraphs 10.1, 10.6 and 11.14 of the Rules for Amateur Fishing in Inland Waters, approved by Order No. D1-14 of the Minister of the Environment, and committing an offense provided for in Article 291, Part 4 of the Code of Administrative Offenses of the Republic of Lithuania (Vilnius City District Court ruling of January 29, 2019 in administrative law violation case No. II-30-506/2019).

When analyzing the legal consequences of the sale and keeping and breeding of wild animals in captivity, it can be stated that courts quite often encounter cases of potentially illegal acquisition and keeping of wild animals. For example, in the Administrative Offenses of the Supreme Court of Lithuania, 6 April 2023. Resolution in case No. 2AT-22-511/2023, the appli-

cation of Article 303, Parts 1 and 4 of the Criminal Code of Lithuania was decided on liability under Article 303, Part 4 of the Criminal Code of Lithuania and confiscation of wild animals. In this administrative offence case, a person was punished under Article 303(1) of the Criminal Code for the illegal acquisition and possession of a wild African cat (serval) and its hybrids, and under Article 303(4) of the Criminal Code for the public display of hybrids of a domestic cat and a predatory wild African cat for the purpose of generating income, and for offering them for sale on a publicly accessible internet portal and a public online advertising portal.

In summary, it can be stated that the case law in the field of wildlife protection deals with practical problems – from violations of the documentation procedure to illegal trade or improper storage conditions. Most cases show that violations arise from ignorance, negligence or deliberate disregard of legal requirements, and the courts form a clear practice emphasizing responsibility for every illegal act that causes damage to nature and the condition of protected species.

Conclusions

1. Wild animals are important for the ecosystem and exist in the natural environment and play an important role in biodiversity. They provide us with the opportunity to observe and explore the beauty of nature, as well as contribute to scientific research and the development of knowledge about nature.

2. Special laws have been adopted for the legal regulation of the protection of wild animals in the Republic of Lithuania: Law on Wild Animals of the Republic of Lithuania (1997), Law on Animal Welfare and Protection of the Republic of Lithuania (1997). Article 54 of the Constitution emphasizes that the state is obliged to take care of the protection of the natural environment, fauna and flora, individual natural objects and especially valuable areas.

3. When implementing the protection of wild animals, problems are encountered with hunting of wild animals, which is manifested in the performance of activities without the necessary permits or in violation of hunting rules and established restrictions, improper fishing, which is manifested in the improper method of fishing, and the sale, keeping and breeding of wild animals in captivity.

4. One of the most frequent violations of the Law on Wild Animals in court practice is illegal hunting and fishing of wild animals. Courts also often examine situations where individuals are accused of illegally capturing, injuring or even killing protected

wildlife. Another common violation of the law is the illegal or improper keeping and/or care of wild animals. Courts often encounter cases where individuals keeping wild animals do not provide the animals with adequate care, do not care for the animals' physical or emotional well-being, or do not have the appropriate permits to keep wild animals.

5. As for the practice of foreign countries in this area, the liability of countries for damage caused to

wildlife may vary depending on the legal system of the particular country. However, most countries have certain legal provisions designed to protect wildlife and to require violators to compensate for the damage caused. For example, some countries have laws that prohibit harming or destroying wildlife without good reason. If a person violates these laws and causes harm to wildlife, they may be prosecuted for animal cruelty or another animal-related crime.

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ПРОБЛЕМИ ТА ВИКЛИКИ ПРАВОВОГО РЕГУЛЮВАННЯ ОХОРОНИ ДИКОЇ ПРИРОДИ НА ПРИКЛАДІ ЛИТВИ

Анотація

Актуальність теми. Повсякденна діяльність людини, така як урбанізація, вирубка лісів, промисловий розвиток та інші сільськогосподарські практики, часто прямо чи опосередковано впливають на умови життя та популяції диких тварин. Вплив людини на дику природу може мати негативні наслідки різними способами, наприклад, змінюючи природні зони на користь сільського господарства або урбанізованих територій, дика природа може втратити свої середовища існування, що спричиняє забруднення навколишнього середовища, що може негативно впливати на здоров'я та умови життя диких тварин, а зміна клімату може змінити умови їхнього середовища існування, можливості постачання їжі та шляхи міграції. Втручання людини часто проявляється у формі полювання або незаконної торгівлі дикими тваринами. Інтенсивність такої діяльності може мати винятково шкідливий вплив на багато видів, загрожуючи їхньому виживанню. Ці випадки визначають актуальність теми, оскільки захист дикої природи необхідний для збереження біорізноманіття та балансу екосистем. **Постановка задачі.** По-перше, проблема полювання на диких тварин, що проявляється у проведенні діяльності без необхідних дозволів або з порушенням правил полювання та встановлених обмежень. Полювання на диких тварин є серйозною проблемою, оскільки ця діяльність може негативно впливати на популяції диких тварин та їхні екосистеми. Незаконне полювання без необхідних дозволів або з порушенням правил полювання та обмежень може призвести до надмірної смертності диких тварин, що може зашкодити їхнім популяціям. Іншим пов'язаним аспектом є неконтрольована практика полювання. Незаконне полювання або надмірна квота тварин, на яких дозволено полювати, може призвести до зменшення їх популяцій або навіть до зникнення. По-друге, проблема неправильної практики рибальства. Однією з проблем, пов'язаних з неправильною практикою рибальства, є травмування або вбивство диких тварин під час риболовлі. У деяких випадках рибальство може пошкодити або навіть зруйнувати морське дно, знищити середовища існування, джерела їжі та місця гніздування диких тварин, тому необхідно вжити заходів для обмеження неналежної практики рибальства та забезпечення належного захисту дикої природи. **Задачі дослідження.** Розкрити поняття дикої природи та її охорони, визначити поняття дикої тварини та обговорити окремі її види; оцінити правове регулювання використання та охорони ресурсів дикої природи; проаналізувати проблеми використання та охорони ресурсів дикої природи в судовій практиці.

Методологія. У статті було використано такі методи дослідження: аналіз документів, системний аналіз, абстракція, логіко-аналітичний та лінгвістичний. Метод аналізу документів застосовується для збору та вивчення наукових, правових документів та судової практики, пов'язаних із захистом диких тварин. Застосовуючи метод системного аналізу в контексті захисту диких тварин, оцінюється їхня складна взаємодія з навколишнім середовищем, а також визначаються труднощі, що виникають під час реалізації захисту цих тварин. Метод абстракції застосовується для виділення захисту диких тварин із сукупності інституту охорони навколишнього середовища та його розгляду як окремого об'єкта. Логіко-аналітичний метод застосовується для аналізу та структурування факторів, що впливають на популяції диких тварин та їх середовища існування.

Ключові слова: дикі тварини, охорона дикої природи, дикі тварини, полювання.

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