






# **Centralized National Risk Assessment for the Czech Republic**

**FSC-CNRA-CZE V1-0 EN**

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## Risk assessments that have been finalized for the Czech Republic

<b>Controlled Wood categories</b>		<b>Risk assessment completed?</b>
1	Illegally harvested wood	YES
2	Wood harvested in violation of traditional and human rights	NO
3	Wood from forests where high conservation values are threatened by management activities	NO
4	Wood from forests being converted to plantations or non-forest use	NO
5	Wood from forests in which genetically modified trees are planted	YES

## Risk designations in finalized risk assessments for the Czech Republic

Indicator	Risk designation (including functional scale when relevant)
Controlled wood category 1: Illegally harvested wood	
1.1	Low risk
1.2	N/A
1.3	Low risk
1.4	Low risk
1.5	N/A
1.6	Low risk
1.7	Low risk
1.8	Low risk for state and municipal forests. Specified risk for private forests.
1.9	Low risk
1.10	Low risk
1.11	Specified risk
1.12	Specified risk
1.13	Low risk
1.14	N/A
1.15	N/A
1.16	N/A
1.17	Low risk
1.18	Low risk
1.19	Low risk
1.20	Low risk
1.21	Specified risk
Controlled wood category 2: Wood harvested in violation of traditional and human rights	
2.1	
2.2	
2.3	
Controlled wood category 3: Wood from forests where high conservation values are threatened by management activities	
3.0	
3.1	
3.2	
3.3	
3.4	
3.5	
3.6	
Controlled wood category 4: Wood from forests being converted to plantations or non-forest use	
4.1	
Controlled wood category 5: Wood from forests in which genetically modified trees are planted	
5.1	Low risk

# Risk assessments

## Controlled wood category 1: Illegally harvested wood

### Overview

Forest functions in the Czech Republic are divided into three categories:

1. Production forests
2. Protection forests
3. Special purpose forests.

Production forests are managed for the production of wood, but simultaneously provide environmental and other benefits. Protection forests are managed with the aim of protecting vulnerable forests at high elevations. The role of wood production in protection forests is less significant. They have longer rotations and the wood production capacity is lower due to poorer site quality. Some of these forests are treated as forest reserves and a small proportion of them are not logged at all. Special purpose forests are specifically managed, either to offset forest damage as a result of air pollution, or to maintain microclimates around health spas, provide recreation areas, manage game preserves or the watershed management of important water resources. Special purpose forests also comprise the forests of national parks.

The principal share of forests in the Czech Republic is owned by the state (61.5%). Municipalities, their forestry commissions and communities have a 17% share in woodland ownership, and private owners a 19% share. Of the total area of woodland owned by the Czech Republic (1596.7 thousand hectares), 1340.8 thousand hectares is administered by “Lesy České republiky s.p.” (Czech Forestry Commission), 125 thousand hectares by “Vojenské lesy a statky ČR s.p.” (Army Forests and Estates of the Czech Republic), 6 thousand by the Office of the President of the Republic and 95.6 thousand hectares are administered by Správy národních parků (National Parks Administration).

The harvesting of forest materials is regulated under the Forest Act and the subsidiary regulations. In accordance with this Act, a Forest Management Plan – covering a ten year period – must be prepared for each forest holding greater than 50ha. Harvesting plans are set up based on these management plans. The Forest Management Guidelines (for holdings smaller than 50ha) is approved by Regional offices. There are three basic binding requirements:

- The maximum harvesting volume
- The minimum share of ameliorative and stabilizing tree species
- Minimum area of thinning in stands under 40 years of age (only in state or municipal forests)

The control of compliance with the Forest Act is generally under the responsibility of Regional Forest Authorities (Krajské úřady) and Czech Environmental Inspectorate. At the local level, compliance is checked by district offices (ORP).

Harvesting permits are included in Forest Management Plans (LHP) and Forest Management Guidelines (LHO). Every logging activity has to be approved by a professional forest manager (OLH) and, in special cases, small forest owners have to follow the requirements of Article 33/3 of the Forest Act which states that the forest owner must request permission to harvest from the local forest authority.

Generally, the risk of illegal timber coming out of public forests in Czech is low. Public forests are large, making up more than 60% of the forest area and are subject to close monitoring by authorities. Private forests present more of a risk as they are variable in size, there is confusing or inadequate legislation governing them, and the large number of forests owners makes government oversight more challenging.

The list of sources provided in FSC-PRO-60-002a, section 3.3.3 has been reviewed in regards to the national legality risk assessment for the Czech Republic. The following sources have been used; World Bank "Worldwide Governance Indicators" and the Transparency International "Corruption Perceptions Index", and are referred to under "sources of Information" for each applicable sub-category. The remaining sources were found not to be relevant for the legality risk assessment for Czech Republic.

On a range from -2.5 to +2.5, Czech has a score of 1.00 in relation to "Rule of law" and on control of corruption a score of 0.19 on the World Banks Worldwide Governance Indicators. According to Transparency International Czech Republic has a Corruption Perception Index of 51 (2013). The findings of this report have been supported by stakeholder consultation and expert input.

### Sources of legal timber in the Czech Republic

Forest classification type	Permit/license type	Main license requirements (forest management plan, harvest plan or similar?)	Clarification
Production forests (state, municipality, private or church owned)	-	Harvest carried out in accordance with a Forest Management Plan/Forest Management Guidance.	-
Protection forests (state, municipality, private or church owned)	-	Harvest carried out in accordance with a Forest Management Plan/Forest Management Guidance.	-
Special purpose forests (state, municipality, private or church owned)	-	Harvest carried out in accordance with a Forest Management Plan/Forest Management Guidance.	-

## Risk assessment

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
<b>Legal rights to harvest</b>			
<p>1.1 Land tenure and management rights</p>	<p><b>Applicable laws and regulations</b></p> <p>Zákon č. 289/1995 Sb. o lesích a o změně a doplnění některých zákonů, ve znění pozdějších předpisů (<b>Forest Act</b>), paragraph 12.</p> <p>Zákon č. 114/1992 Sb., o ochraně přírody a krajiny, ve znění pozdějších předpisů (<b>Nature protection Act</b>), paragraphs 2, 4, 8, 9, 16, 22, 26, 32, 38, 58 - 66.</p> <p>Zákon č. 344/1992 Sb., o katastru nemovitostí České republiky (<b>Cadastral law</b>), all paragraphs.</p> <p>Zákon č. 282/1991 Sb., o České inspekci životního prostředí a její působnosti v ochraně lesa (<b>Act on Czech Environmental Inspectorate and its jurisdiction in forest protection</b>), all paragraphs</p> <p>Zákon č. 89/2012 Sb., občanský zákoník (<b>Civil code</b>), paragraphs 1261, 1279, 2345.</p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture (Ministerstvo zemědělství)</p> <p>Czech Environmental Inspectorate (CEI)</p> <p>Ministry of Environment (Ministerstvo životního prostředí)</p> <p><b>Legally required documents or records</b></p> <p>Forest management plan (Lesní hospodářský plán)</p> <p>Forest management guidelines (Lesní hospodářské osnovy)</p> <p>Area planning map (Český úřad zeměměřický a katastrální)</p> <p>Management plans of protected areas (Plán péče)</p>	<p><a href="http://nahlizenidokn.cuzk.cz/">Cadastral portal</a>  <a href="http://www.ikatastr.cz/#zoom=8&amp;lat=49.74701&amp;lon=15.7673&amp;layers_3=0B000F FTFF">http://www.ikatastr.cz/#zoom=8&amp;lat=49.74701&amp;lon=15.7673&amp;layers_3=0B000F FTFF</a></p> <p><a href="http://eagri.cz/public/web/mze/legislativa/pravni-predpisy-mze/chronologicky-prehled/Legislativa-MZe_puvodni-zneni_Zakon-1995-289-lesnictvi.html">http://eagri.cz/public/web/mze/legislativa/pravni-predpisy-mze/chronologicky-prehled/Legislativa-MZe_puvodni-zneni_Zakon-1995-289-lesnictvi.html</a></p> <p><a href="http://portal.justice.cz/Justice2/Uvod/uvod.aspx">Bussiness register</a>  <a href="http://portal.justice.cz/Justice2/Uvod/uvod.aspx">http://portal.justice.cz/Justice2/Uvod/uvod.aspx</a></p> <p><a href="http://www.cizp.cz/">Interviews with responsible people at Czech Environmental Inspectorate (www.cizp.cz)</a>  <a href="http://www.lesy.cz/o-nas/cirkevni-restituce/Stranky/default.aspx">http://www.lesy.cz/o-nas/cirkevni-restituce/Stranky/default.aspx</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1995-289">http://www.zakonyprolidi.cz/cs/1995-289</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1992-344">http://www.zakonyprolidi.cz/cs/1992-344</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1991-282">http://www.zakonyprolidi.cz/cs/1991-282</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2012-89">http://www.zakonyprolidi.cz/cs/2012-89</a></p>	<p><b>Low risk</b></p> <p>The ownership of the forests in the Czech Republic is as follows: State Forests 59,8% (this includes State Forestry Commission, Army Forests and Estates of the Czech Republic, National Parks, forests in protected areas and presidential forests), municipal forest 17,96%, private forests 22,1%.</p> <p>The ownership is clearly established and can be found in cadastre "katastr nemovitostí"; however not all the information is publicly available. In 2013, a process of reversion of the forests to churches began. The forests restitutions from the State Forestry Commission can be followed on the company websites. By 16 October 2014, 2,163 applications for forest restitutions were registered by State Forests over a total area of 47,573ha. A total area of 1,012ha (299 forests) has already been returned to church owners. So far there have been several disputes relating to forest ownership between the State Forestry Commission and some churches or church orders and these will need to be resolved in court. However, the area of potentially disputed forests is relatively small (several hundreds or thousands of hectares) and thus the risk is considered low, but should to be monitored for future updates of this document.</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Management plans of Natura 2000 sites (Souhrn doporučených opatření pro území soustavy Natura 2000)		<p>There is a property tax which has to be paid by each owner of a production forest. There are no records of violation of this requirement.</p> <p>According to information gathered in interviews with responsible people at the Czech Environmental Inspectorate (CEI), there are known and repeated issues related mostly to private forest owners: cases of illegal logging in private forests (see Chapter 3.1, Timber harvesting regulations) where some owners did not respect the ownership of neighbours and harvested illegally in a neighbouring forest. According to CEI, this impacts approximately 20–30 hectares per year. In other rather rare cases, private companies purchase a forest and harvest it prior to receiving all official documents. Once extraction has taken place, these companies then cancel the purchase, and the forest is not replanted. The number of these cases is considered very low and thus the risk is evaluated as low.</p>
1.2 Concession licenses	<p><b>Applicable laws and regulations</b> N/A (concession licenses are not used in the Czech Republic)</p> <p><b>Legal Authority</b> N/A</p> <p><b>Legally required documents or records</b> N/A</p>	N/A	N/A
1.3 Management	<b>Applicable laws and regulations</b>	<a href="http://eagri.cz/public/web/mze/lesy/legislativa/legislativa-cr/lesnictvi/uplna-">http://eagri.cz/public/web/mze/lesy/legislativa/legislativa-cr/lesnictvi/uplna-</a>	<b>Low risk</b>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
and harvesting planning	<p>Zákon č. 289/1995 Sb. , o lesích a o změně a doplnění některých zákonů, ve znění pozdějších předpisů (<b>Forest Act</b>), paragraphs 23 - 28.</p> <p>Zákon č. 114/1992 Sb., o ochraně přírody a krajiny, ve znění pozdějších předpisů (<b>Nature Protection Act</b>), paragraphs 2, 4, 38.</p> <p>Zákon č. 282/1991 Sb., o České inspekci životního prostředí a její působnosti v ochraně lesa (<b>Act on Czech Environmental Inspectorate and its jurisdiction in forest protection</b>), all paragraphs.</p> <p>Zákon č. 123/1998 Sb., o právu na informace o životním prostředí, ve znění pozdějších předpisů (<b>Act on the right to access information on the environment</b>), all paragraphs</p> <p>Vyhláška Ministerstva zemědělství ČR č. 83/1996 Sb., o zpracování oblastních plánů rozvoje lesů a o vymezení hospodářských souborů (<b>Regulation on Forest management plan definition</b>), all paragraphs.</p> <p>Vyhláška Ministerstva zemědělství ČR č. 84/1996 Sb., o lesním hospodářském plánování (<b>Decree of Ministry of Agriculture on forest management planning</b>), all paragraphs.</p> <p>Vyhláška Ministerstva zemědělství ČR č. 78/1996 Sb., o stanovení pásem ohrožení lesů pod vlivem imisí (<b>Regulation Establishing zones of endangered forests under the influence of air pollution</b>), all paragraphs.</p> <p>Vyhláška MŽP č. 64/2011 Sb. , o plánech péče, o podkladech k vyhlášení, evidenci a označování chráněných území (<b>Decree of Ministry of Environment on management plans, the background to the announcement, registration and labeling of protected areas</b>), all paragraphs.</p> <p><a href="http://www.zakonyprolidi.cz/cs/1995-289">http://www.zakonyprolidi.cz/cs/1995-289</a></p>	<p>zneni/vyhlaska-1996-83-lesnictvi.html  <a href="http://www.nature.cz/natura2000-design3/sub-text.php?id=2102">http://www.nature.cz/natura2000-design3/sub-text.php?id=2102</a></p> <p>Correspondence with Ministry of Agriculture, Ministry of Environment, Czech Environmental Inspectorate and NGOs (Friends of the Earth Czech Rep. and FSC Czech Rep.)</p> <p><a href="http://www.zakonyprolidi.cz/cs/1995-289">http://www.zakonyprolidi.cz/cs/1995-289</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1992-114">http://www.zakonyprolidi.cz/cs/1992-114</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1991-282">http://www.zakonyprolidi.cz/cs/1991-282</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1998-123">http://www.zakonyprolidi.cz/cs/1998-123</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1996-83">http://www.zakonyprolidi.cz/cs/1996-83</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1996-84">http://www.zakonyprolidi.cz/cs/1996-84</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1996-78">http://www.zakonyprolidi.cz/cs/1996-78</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2011-64">http://www.zakonyprolidi.cz/cs/2011-64</a></p>	<p>The key planning documents are Forest Management Plans prepared for each forest owner with more than 50ha and the Forest Management Guidelines for forest owners with less than 50ha. The time period is always 10 years. These documents are approved by Regional Forest Authorities. Both types of documents are publicly available, with harvesting plans developed based on these management plans. State authorities carry out frequent monitoring and control of the plans. The forest management plan contains forest management maps where harvesting areas can be found. The limits for harvesting are set up for 10 years.</p> <p>There are three basic, binding requirements incorporated in the management plans:</p> <ul style="list-style-type: none"> <li>- The maximum harvesting volume</li> <li>- The minimum share of ameliorative and stabilizing tree species</li> <li>- Minimum area of thinning in stands under 40 years of age (only for State or municipal forests)</li> </ul> <p>The control of the compliance of management practices with the management planning documents is generally under the responsibility of Regional Forest Authorities (Krajské úřady). On the local level, compliance is checked by district offices (ORP) and the Czech Environmental Inspectorate.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p> <a href="http://www.zakonyprolidi.cz/cs/1992-114">http://www.zakonyprolidi.cz/cs/1992-114</a>  <a href="http://www.zakonyprolidi.cz/cs/1991-282">http://www.zakonyprolidi.cz/cs/1991-282</a>  <a href="http://www.zakonyprolidi.cz/cs/1998-123">http://www.zakonyprolidi.cz/cs/1998-123</a>  <a href="http://www.zakonyprolidi.cz/cs/1996-83">http://www.zakonyprolidi.cz/cs/1996-83</a>  <a href="http://www.zakonyprolidi.cz/cs/1996-84">http://www.zakonyprolidi.cz/cs/1996-84</a>  <a href="http://www.zakonyprolidi.cz/cs/1996-78">http://www.zakonyprolidi.cz/cs/1996-78</a>  <a href="http://www.zakonyprolidi.cz/cs/2011-64">http://www.zakonyprolidi.cz/cs/2011-64</a> </p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture (Ministerstvo zemědělství)</p> <p>Ministry of Environment (Ministerstvo životního prostředí)</p> <p><b>Legally required documents or records</b></p> <p>Forest management plan (Lesní hospodářský plán)</p> <p>Forest management guidelines (Lesní hospodářské osnovy)</p> <p>Regional forest development plans (Oblastní plány rozvoje lesů)</p> <p>Management plans of protected areas (Plán péče)</p> <p>Management plans of Natura 2000 sites (souhrn doporučených opatření pro území soustavy Natura 2000)</p>		<p>According to correspondence with responsible people at the Ministry of Agriculture, Ministry of Environment, Czech Environmental Inspectorate and NGOs, there is no significant risk of the harvest being carried out without approved planning documents; thus the risk is evaluated as low.</p>
<p>1.4 Harvesting permits</p>	<p><b>Applicable laws and regulations</b></p> <p>Zákon č. 137/2006 Sb. o veřejných zakázkách (<b>Government Procurement Act</b>), all paragraphs.</p> <p>Zákon č. 289/1995 Sb., o lesích a o změně a doplnění některých zákonů, ve znění pozdějších předpisů (<b>Forest Act</b>), paragraph 33.</p>	<p><a href="http://www.portal-vz.cz/cs/Jak-na-zadavani-verejnych-zakazek/Legislativa-a-Judikatura/Legislativa/Narodni-legislativa-aktualni-a-uplne-zneni-z-(1)/ZVZ">http://www.portal-vz.cz/cs/Jak-na-zadavani-verejnych-zakazek/Legislativa-a-Judikatura/Legislativa/Narodni-legislativa-aktualni-a-uplne-zneni-z-(1)/ZVZ</a></p>	<p><b>Low risk</b></p> <p>Harvesting permits are included in Forest Management Plans (LHP) and Forest Management Guidelines (LHO). Logging has to be approved by a professional forest manager (OLH). In</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Zákon č. 114/1992 Sb., o ochraně přírody a krajiny, ve znění pozdějších předpisů (<b>Nature Protection Act</b>), paragraphs 8, 9, 22, 29.</p> <p>Vyhláška MŽP č. 64/2011 Sb., o plánech péče, o podkladech k vyhlášení, evidenci a označování chráněných území (Decree of Ministry of Environment on management plans, the background to the announcement, registration and labeling of protected areas), all paragraphs.</p> <p><b>Legal Authority</b></p> <p>Ministry of finance (Ministerstvo financí)</p> <p>Forest Authorities at regional and district level (KU a ORP)</p> <p>Nature Protection Authorities at regional and district level (KU, ORP, OU or Správa NP a CHKO)</p> <p><b>Legally required documents or records</b></p> <p>Forest Management Plan (LHP)</p> <p>Forest Management Guidelines (LHO)</p>	<p><a href="#">CPI index</a> <a href="http://www.transparency.org/country#CZE">http://www.transparency.org/country#CZE</a></p> <p><a href="#">Articles on suspicious tenders in the State Forest Enterprise</a> <a href="http://www.vz24.cz/kauzy/lesy-cr/">http://www.vz24.cz/kauzy/lesy-cr/</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2006-137">http://www.zakonyprolidi.cz/cs/2006-137</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1995-289">http://www.zakonyprolidi.cz/cs/1995-289</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1992-114">http://www.zakonyprolidi.cz/cs/1992-114</a></p>	<p>some special cases, small forest owners have to follow the requirements of Article 33/3 of the Forest Act, with the forest owner required to ask the local forest authority for permission to harvest.</p> <p>The State Forest Enterprise (Lesy ČR) – which manages approximately 50% of Czech forest land – issues the permits for forest works (including harvesting) through forest tenders. There were several cases where the tenders had to be cancelled several years ago due to suspected corruption. More recently, various measures were taken (e.g. change in the top management at State Forest Enterprise, phase in of transparent forest auctions) to improve this situation – with no such cases reported over the last two years. So even considering the Czech Republic's score on the Corruption Perception Index (CPI = 51), the risk associated with the issuance of harvesting permits is considered as low.</p> <p>Other forest owners such as community forests and private owners usually harvest wood independently or by using external workers on a small scale. There are no significant issues that would constitute for specified risk.</p>
<b>Taxes and fees</b>			
1.5 Payment of royalties	<b>Applicable laws and regulations</b>	N/A	N/A

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
and harvesting fees	<p>N/A (there are no royalty and harvesting fees in Czech legislation)</p> <p><b>Legal Authority</b></p> <p>N/A</p> <p><b>Legally required documents or records</b></p> <p>N/A</p>		
1.6 Value added taxes and other sales taxes	<p><b>Applicable laws and regulations</b></p> <p>235/2004 Sb. o dani z přidané hodnoty (<b>Value added tax</b>), all paragraphs.</p> <p><b>Legal Authority</b></p> <p>Ministry of industry and trade (Ministerstvo průmyslu a obchodu)</p> <p>Financial Authority (Finanční úřad) Tax o)</p> <p><b>Legally required documents or records</b></p> <p>Database ARES (<a href="http://www.info.mfcr.cz/ares/ares_es.html.cz">http://www.info.mfcr.cz/ares/ares_es.html.cz</a>)</p> <p>Tax return (Daňové přiznání)</p> <p>VAT control statement (kontrolní výkaz DPH)</p>	<p><a href="http://www.centralniregistrdluzniku.cz/">http://www.centralniregistrdluzniku.cz/</a></p> <p><a href="#">The Forest Management Institute (UHUL)</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2004-235">http://www.zakonyprolidi.cz/cs/2004-235</a></p>	<p><b>Low risk</b></p> <p>Value added tax is paid on all timber sold in the country. Discussions with a local tax expert revealed that the only instances where VAT could not be paid is where a product is sold without an official invoice. There are no records of such cases in the forestry or timber sector. The only way this could happen in Czech would be if a forest owner were to harvest their own forest so there is no supplier/customer relationship. It is very uncommon for forest owners in Czech to harvest the timber themselves.</p> <p>There is no information available that indicates there is a specified risk of non-compliance with these legal requirements in the forest sector in Czech; therefore, this is a low risk category.</p>
1.7 Income and profit taxes	<p><b>Applicable laws and regulations</b></p> <p>586/1992 Sb. - zákon o daních z příjmů (<b>Income Tax Act</b>)</p> <p><b>Legal Authority</b></p>	<p><a href="http://www.centralniregistrdluzniku.cz/">http://www.centralniregistrdluzniku.cz/</a></p> <p>Ministry of industry and trade (Ministerstvo průmyslu a obchodu)</p> <p>Financial Authority (Finanční úřad)</p>	<p><b>Low risk</b></p> <p>In the cases of illegal logging that have been identified in private forests (see category 1.8 below), the Czech Environmental Inspectorate (CEI) revealed that violators often did not pay any tax (this concerns approximately</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Ministry of industry and trade (Ministerstvo průmyslu a obchodu) Financial Authority (Finanční úřad) <b>Legally required documents or records</b> Tax returns (Daňové přiznání), statements (výkazy), accounting records (účetní evidence)	The Czech Environmental Inspectorate (www.cizp.cz)  <a href="http://www.zakonyprolidi.cz/cs/1992-586">http://www.zakonyprolidi.cz/cs/1992-586</a>	5,000–10,000 m <sup>3</sup> per year). In such cases the Czech Environmental Inspectorate informs the local Financial Authorities and Police.  Unofficial information from the forest sector warns that a portion of timber from private forests (estimated amount 100,000 m <sup>3</sup> /year, or around 0,6% of the total annual cut) may be sold without paying income tax and that Financial Authorities do not seem to carry out enforcement actions to reduce this potential illegality.  There might be some cases where wood is being officially sold for a for lower price; however most of the forest area in the Czech Republic is owned and managed by State, municipalities and associations where there is greater public control.  The currently estimated magnitude of violations is relatively low; thus the risk is evaluated as low.
<b>Timber harvesting activities</b>			
1.8 Timber harvesting regulations	<b>Applicable laws and regulations</b> Zákon č. 289/1995 Sb. o lesích a o změně a doplnění některých zákonů, ve znění pozdějších předpisů ( <b>Forest Act</b> ), paragraph 33.  Zákon č. 282/1991 Sb. o České inspekci životního prostředí a její působnosti v ochraně lesa ( <b>Act on Czech Environmental Inspectorate and its jurisdiction in forest protection</b> ), all paragraphs.	Czech Environmental Inspectorate (CEI)  Magazine Lesnická práce 2/2014., Mr. Martin Baranyai - person responsible at Czech Environmental Inspectorate. Interviews and correspondence with experts on Ministry of Environment and Czech Environmental Inspectorate	<b>Low risk for state and municipal forests.</b> <b>Specified risk for private forests</b>  The most critical forms of violations of harvesting regulations in the Czech Republic are: - harvesting the stands at age less than 80 years

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Zákon č. 114/1992 Sb., o ochraně přírody a krajiny, ve znění pozdějších předpisů (<b>Nature Protection Act</b>), paragraphs 8, 22, 29.</p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture (Ministerstvo zemědělství) Czech Environmental Inspectorate (CEI)</p> <p>Ministry of Environment (Ministerstvo životního prostředí)</p> <p><b>Legally required documents or records</b></p> <p>Forest management plan (Lesní hospodářský plán)</p> <p>Forest management guidelines (Lesní hospodářské osnovy)</p> <p>Management plans of protected areas (Plány péče)</p> <p>Management plans of Natura 2000 sites (Souhrn doporučených opatření pro území soustavy Natura 2000)</p>	<p><a href="http://www.zakonyprolidi.cz/cs/1991-282">http://www.zakonyprolidi.cz/cs/1991-282</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1992-114">http://www.zakonyprolidi.cz/cs/1992-114</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1995-289">http://www.zakonyprolidi.cz/cs/1995-289</a></p>	<ul style="list-style-type: none"> <li>- not respecting maximum harvesting volume limits</li> <li>- not respecting the maximum area of clear cut up to 1 ha (exceptionally 2ha)</li> <li>- harvesting without permission under Article 33/3 of the Forest Act</li> </ul> <p>According to information gathered through interviews with responsible people at Czech Environmental Inspectorate (CEI), there are known and repeated issues related mostly to private forest owners such as:</p> <ul style="list-style-type: none"> <li>- private companies purchasing forest areas and harvesting the trees prior to receiving all official documents. Once the wood has been extracted, the purchase of the forest is cancelled and the forest is not replanted.</li> <li>- private companies cause damage to trees (cut into them) to an extent that the Forest Authority is forced to demand they are harvested as a 'calamity stand'.</li> <li>- contracts for harvesting are not always signed or ratified, particularly within small forests.</li> <li>- in some cases of standing stock sold by small forest holders, there is no available job takeover document (předávací protokol), and consequently the harvested wood is not well-documented. This kind of sale is not very common in Czech Republic.</li> <li>- CEI has reported cases where illegal logging is carried out in private forests by owners harvesting within a neighbouring property (approximately</li> </ul>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>20–30 hectares per year).</p> <p>The Czech Environmental Inspectorate reported the following instances of illegal logging:</p> <ul style="list-style-type: none"> <li>- between 2007 and 2009, 15–30 cases annually (total area of about 20–30 ha, timber volume of 4,500 to 6,000 m<sup>3</sup>);</li> <li>- between 2010 and 2012, 30 cases of illegal logging annually (in total area of about 50–60 ha, timber volume 13.500 to 16.000 m<sup>3</sup>). These cases included only illegal logging cases with significant impact on the environment.</li> </ul> <p>Other illegal logging cases are dealt with by local Forest Authorities (ORP), but there is no register of illegal logging cases maintained by either the Ministry of Agriculture or Regional Authorities. A general estimate of illegal logging violating the requirements of the Czech Republic Forest Act is about 250ha per year (timber volume of about 50,000 m<sup>3</sup>), so approximately 0,01 % of the forest area. The average annual cut in Czech is 15,3 m<sup>3</sup> - making the volume of illegal timber less than 1% of the total harvest. Some companies and private persons violate the Forest Act repeatedly in different regions. The magnitude of these cases, when considered together, is substantial and systemic. Thus the risk is evaluated as specified for private forest owners.</p>



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.9 Protected sites and species	<p><b>Applicable laws and regulations</b></p> <p>Zákon č. 114/1992 Sb., o ochraně přírody a krajiny, ve znění pozdějších předpisů (<b>Nature Protection Act</b>), paragraphs 4, 5, 14, 22, 26, 29, 34, 45, 46, 48, 49, 50.</p> <p>Zákon č. 254/2001 Sb., o vodách a o změně některých zákonů, ve znění pozdějších předpisů (<b>Water Act</b>), paragraph 28.</p> <p>Zákon č. 100/2001 Sb., o posuzování vlivů na životní prostředí a o změně některých souvisejících zákonů (ve znění pozdějších předpisů) (<b>EIA Act</b>), paragraph 10 and annex 1.</p> <p>Zákon č. 17/1992 Sb. o životním prostředí, ve znění pozdějších předpisů (<b>Environmental Act</b>), all paragraphs.</p> <p>Zákon č. 123/1998 Sb., o právu na informace o životním prostředí, ve znění pozdějších předpisů (<b>Act on Right for Information on Environment</b>), all paragraphs.</p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture (Ministerstvo zemědělství)</p> <p>Ministry of Environment (Ministerstvo životního prostředí)</p> <p>National Park Administration (Správy NP)</p> <p>Landscape Protected Areas Administration (Správy CHKO)</p> <p><b>Legally required documents or records</b></p> <p>Forest management plan (Lesní hospodářský plán)</p> <p>Forest management guidelines (Lesní hospodářské osnovy)</p> <p>Management plans of protected areas (Plán péče)</p>	<p>The Czech Environmental Inspectorate, NGO websites, Court decisions,</p> <p>Central register of nature protection (ÚSOP) <a href="http://drusop.nature.cz/">http://drusop.nature.cz/</a></p> <p><a href="http://www.hnutiduha.cz/sites/default/files/publikace/2014/01/140120_rozsudek_ks_plzen.pdf">http://www.hnutiduha.cz/sites/default/files/publikace/2014/01/140120_rozsudek_ks_plzen.pdf</a></p> <p>Interviews and correspondence with experts from Czech Environmental Inspectorate, Ministry of Environment and NGOs working on forest conservation issues (Friends of the Earth Czech Rep., Czech Union for Nature Conservation (ČSOP))</p> <p><a href="http://www.zakonyprolidi.cz/cs/192-114">http://www.zakonyprolidi.cz/cs/192-114</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2001-254">http://www.zakonyprolidi.cz/cs/2001-254</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2001-100">http://www.zakonyprolidi.cz/cs/2001-100</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1992-17">http://www.zakonyprolidi.cz/cs/1992-17</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1998-123">http://www.zakonyprolidi.cz/cs/1998-123</a></p>	<p><b>Low risk</b></p> <p>Czech Republic possesses a strong network of protected areas and sites including large-scale protected areas such as National Parks (four areas) and Landscape Protected Areas (25 areas) and small-scale areas such as National Nature Reserves (110 areas), National Reserves (809 areas), National Nature Monuments (113 areas) and National Monuments (1357 areas).</p> <p>Nature conservation requirements in protected areas are described in the relevant Management Plan. This document is created by Nature Conservation authorities (such as the Ministry of Environment, Administration of National Parks, Regional offices and Ministry of Defense). In some cases, the Nature Conservation Agency of the Czech Republic (AOPK) also participates on preparation of this document. The documents serve only as a recommendation for site management and do not have to be followed. The Nature Protection Authority at regional level can transpose specific nature conservation requirements to forest management plans as a conservation plan when required, which makes them binding for forest owners.</p> <p>According to the interviews with NGOs and Czech Environmental Inspectorate there are records of some instances of</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Management plans of Natura 2000 sites (souhrn doporučených opatření pro území soustavy Natura 2000)		violations – through forest management practices – of the legislation covering protected sites and species. However, the magnitude of such violations is relatively low, and does not necessitate a finding of specified risk for the whole country. In the Šumava National Park the National Park Administration has in recent years repeatedly violated nature conservation measures (e.g. use of prohibited chemicals, soil damage, destruction of habitats of protected and rare species), even in the core zones of the National Park. There are valid court decisions that prove violation of the Czech legislation. The new National Park Administration (appointed in 2013) shows more willingness and respect for compliance with the applicable legislation, therefore, now even the wood coming from Šumava National Park can be assessed as low risk.
1.10 Environmental requirements	<p><b>Applicable laws and regulations</b></p> <p>Zákon č. 289/1995 Sb. o lesích a o změně a doplnění některých zákonů, ve znění pozdějších předpisů (<b>Forest Act</b>), paragraph 13, 14, 15, 34, 36.</p> <p>17/1992 Sb. o životním prostředí (<b>Environment law</b>), all paragraphs.</p> <p>Zákon č. 114/1992 Sb., o ochraně přírody a krajiny, ve znění pozdějších předpisů (<b>Nature protection law</b>), paragraph 4, 5, 7.</p> <p>Zákon č. 100/2001 Sb., o posuzování vlivů na životní prostředí a o změně (některých souvisejících zákonů, ve znění pozdějších předpisů (<b>EIA Act</b>), paragraph 10 and annex 1.</p>	<p><a href="http://drusop.nature.cz/">http://drusop.nature.cz/</a></p> <p><a href="#">The Czech Environmental Inspectorate</a></p> <p><a href="#">Czech Environmental Information Agency (CENIA)</a></p> <p><a href="#">Correspondence with NGOs</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1192-17">http://www.zakonyprolidi.cz/cs/1192-17</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1992-114">http://www.zakonyprolidi.cz/cs/1992-114</a></p>	<p><b>Low risk</b></p> <p>The main environmental restrictions that are reported to be violated by the forest owners (managers) are forest soil damage, damage by game, landfills or use of forest land for other purposes.</p> <p>However, according to the CEI and correspondence with NGOs, these issues are occurring on a small scale. Most of the violations were reported in areas with special protection (see Chapter 3.2 Protected sites and</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>č. 254/2001 Sb., o vodách (Water Protection Act), paragraph 28.</p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture (Ministerstvo zemědělství)</p> <p>Czech Environmental Inspectorate (CEI)</p> <p>Czech Environmental Information Agency (CENIA)</p> <p><b>Legally required documents or records</b></p> <p>EIA permit</p> <p>Forest management plan (Lesní hospodářský plán)</p> <p>Forest management guidelines (Lesní hospodářské osnovy)</p> <p>Management plans of protected areas (Plány péče)</p> <p>Reports from CEI checks</p>	<p><a href="http://www.zakonyprolidi.cz/cs/2001-100">http://www.zakonyprolidi.cz/cs/2001-100</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2001-254">http://www.zakonyprolidi.cz/cs/2001-254</a></p>	<p>species) and thus the risk could be considered as low.</p>
1.11 Health and safety	<p><b>Applicable laws and regulations</b></p> <p>Zákoník práce – zákon č. 262/2006 Sb. (<b>Labour Code</b>), all paragraphs.</p> <p>Zákon č. 309/2006 Sb. o zajištění dalších podmínek bezpečnosti a ochrany zdraví při práci (<b>Act to ensure other conditions of health and safety at work</b>), all paragraphs.</p> <p>Zákon č. 372/2011Sb. o zdravotních službách a podmínkách jejich poskytování. (<b>Act on health services and terms</b>), all paragraphs.</p> <p>Vyhláška 79/2013 Sb. o specifických zdravotních službách (<b>Ordinance on specific health services</b>), all paragraphs.</p>	<p>State labour inspection office (Státní úřad inspekce práce)</p> <p><a href="http://www.zakonyprolidi.cz/cs/2006-262">http://www.zakonyprolidi.cz/cs/2006-262</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2006-309">http://www.zakonyprolidi.cz/cs/2006-309</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2011-372">http://www.zakonyprolidi.cz/cs/2011-372</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2013-79">http://www.zakonyprolidi.cz/cs/2013-79</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2006-59">http://www.zakonyprolidi.cz/cs/2006-59</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2000-258">http://www.zakonyprolidi.cz/cs/2000-258</a></p>	<p><b>Specified risk</b></p> <p>There are legal requirements relating to health and safety in the forestry sector included column E; however, the requirements are not robust and do not place onerous requirements on forest owners to ensure the health and safety of workers. The Labour Inspectorate does carry out regular controls of the forest sector, but this has a limited effect on the actual health and safety of workers because of the limitations of the legal requirements.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Zákon č. 59/2006 Sb. o prevenci závažných havárií způsobených vybranými nebezpečnými chemickými látkami nebo chemickými přípravky (<b>Act on prevention of major accidents caused by hazardous chemicals</b>), all paragraphs.</p> <p>Zákon č. 258/2000Sb. o ochraně veřejného zdraví, v platném znění (<b>Act on protection of public health</b>), all paragraphs.</p> <p>Zákon č. 350/2011 Sb. o chemických látkách a chemických přípravcích a o změně některých zákonů (<b>Act on chemicals and chemical products</b>), all paragraphs.</p> <p>Nařízení vlády č. 290/1995 Sb., kterým se stanoví seznam nemocí z povolání (<b>Government regulation on establishment of the list of occupational diseases</b>), all paragraphs.</p> <p>Nařízení vlády č. 272/2011 Sb. o ochraně před nepříznivými účinky hluku a vibrací (<b>Ordinance on protection against the adverse effects of noise and vibration</b>), all paragraphs.</p> <p>Nařízení vlády č. 378/2001 Sb. kterým se stanoví bližší požadavky na bezpečný provoz a používání strojů, technických zařízení, přístrojů a nářadí (účinnost od 1. 1. 2003) (<b>Governmental regulation laying down detailed requirements for safe operation and use of machinery, technical equipment, instruments and tools</b>), all paragraphs.</p> <p>Nařízení vlády č. 361/2007 Sb., kterým se stanoví podmínky ochrany zdraví při práci (<b>Governmental regulation laying down the conditions for the protection of health at work</b>), all paragraphs.</p> <p>Nařízení vlády č. 201/2010 Sb. o způsobu evidence úrazů, hlášení a zasílání záznamu o úrazu (<b>Government Regulation on the evidence of accidents, reporting and delivering injury report</b>), all paragraphs.</p>	<p><a href="http://www.zakonyprolidi.cz/cs/2011-350">http://www.zakonyprolidi.cz/cs/2011-350</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1995-290">http://www.zakonyprolidi.cz/cs/1995-290</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2011-272">http://www.zakonyprolidi.cz/cs/2011-272</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2001-378">http://www.zakonyprolidi.cz/cs/2001-378</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2007-361">http://www.zakonyprolidi.cz/cs/2007-361</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2010-201">http://www.zakonyprolidi.cz/cs/2010-201</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2001-495">http://www.zakonyprolidi.cz/cs/2001-495</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2002-28">http://www.zakonyprolidi.cz/cs/2002-28</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2002-11">http://www.zakonyprolidi.cz/cs/2002-11</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2002-168">http://www.zakonyprolidi.cz/cs/2002-168</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1982-48">http://www.zakonyprolidi.cz/cs/1982-48</a></p>	<p>Based on available statistics, the sectors with the greatest number of fatal work accidents in recent years are forestry and agriculture. In 2012, there were 62 fatal accidents recorded in the forestry and agricultural sector (a rate of injuries per 100,000 workers of 128).</p> <p>These figures place forestry together with construction at the top of the fatal accidents statistics list. In connection with a lack of legislation, therefore, this constitutes in specified risk.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p>Nařízení vlády č. 495/2001Sb., kterým se stanoví rozsah a bližší podmínky poskytování osobních ochranných pracovních prostředků, mycích, čisticích a dezinfekčních prostředků (<b>Government Regulation on establishing the scope and detailed conditions for the provision of personal protective equipment, detergents, cleaners and disinfectants</b>), all paragraphs.</p> <p>Nařízení vlády č. 28/2002 Sb., kterým se stanoví způsob organizace práce a pracovních postupů, které je zaměstnavatel povinen zajistit při práci v lese a na pracovištích obdobného charakteru (<b>Government Regulation on establishing the work organization and working procedures that the employer is obliged to ensure for forest work and workplaces of similar nature</b>), all paragraphs.</p> <p>Nařízení vlády č. 11/2002 Sb., kterým se stanoví vzhled a umístění bezpečnostních značek a zavedení signálů (<b>Government Regulation Laying down the appearance and placement of safety signs and signals introduction</b>), all paragraphs.</p> <p>Nařízení vlády č. 168/2002 Sb., kterým se stanoví způsob organizace práce a pracovních postupů, které je zaměstnavatel povinen zajistit při provozování dopravy dopravními prostředky (<b>Government Regulation establishing the work organization and working procedures that the employer is obliged to ensure for transport activity by transport means</b>), all paragraphs.</p> <p>Vyhláška ČÚBP č. 48/1982 Sb., kterou se stanoví základní požadavky k zajištění bezpečnosti práce a technických zařízení, ve znění pozdějších předpisů (<b>Decree laying down basic requirements for ensuring the safety and technical equipment, as amended</b>), all paragraphs.</p> <p><b>Legal Authority</b></p>		

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	Ministry of labour and social affairs (Ministerstvo práce a sociálních věcí) <b>Legally required documents or records</b> Chain saw license Technological protocols		
1.12 Legal employment	<b>Applicable laws and regulations</b> Zákonník práce – zákon č. 262/2006 Sb., ve znění pozdějších předpisů ( <b>Labour code</b> ), all paragraphs. Zákon č. 435/2004 Sb. o zaměstnanosti, ve znění pozdějších předpisů ( <b>Employment law</b> ), all paragraphs. Zákon č. 2/1991 Sb. o kolektivním vyjednávání, ve znění pozdějších předpisů ( <b>Unions law</b> ), all paragraphs. Ústavní zákon č. 23/1991 Sb. kterým se uvozuje Listing základních práv a svobod jako ústavní zákon, ve znění pozdějších předpisů ( <b>Constitutional Law no. 23/1991 Coll., Which introduces the Charter of Fundamental Rights and Freedoms as a constitutional law, as amended</b> ), all paragraphs Zákon č. 83/1990 Sb. o sdružování občanů, ve znění pozdějších předpisů ( <b>Constitutional law</b> ), all paragraphs. Zákon č. 143/1992 Sb. o platu a odměně za pracovní pohotovost v rozpočtových a některých dalších organizacích a orgánech, ve znění pozdějších předpisů ( <b>Salary law</b> ), all paragraphs. Zákon č. 198/2009 Sb. o rovném zacházení a o právních prostředcích ochrany před diskriminací a o změně některých zákonů ( <b>Antidiscrimination Act</b> ), all paragraphs.	Department for asylum and migration policy (Odbor azylové a migrační politiky) Labour Inspection Office (Státní úřad inspekce práce) Ministry of labour and social affairs (Ministerstvo práce a sociálních věcí) <a href="http://www.mpsv.cz/cs/1505">http://www.mpsv.cz/cs/1505</a> <a href="http://www.mpsv.cz/cs/3856">http://www.mpsv.cz/cs/3856</a> <a href="http://www.mpsv.cz/files/clanky/3619/2013-48320.pdf">http://www.mpsv.cz/files/clanky/3619/2013-48320.pdf</a> Correspondence with Ministry of Agriculture and Czech Environmental Inspectorate. <a href="http://www.zakonyprolidi.cz/cs/2006-262">http://www.zakonyprolidi.cz/cs/2006-262</a> <a href="http://www.zakonyprolidi.cz/cs/2004-435">http://www.zakonyprolidi.cz/cs/2004-435</a> <a href="http://www.zakonyprolidi.cz/cs/1991-2">http://www.zakonyprolidi.cz/cs/1991-2</a> <a href="http://www.zakonyprolidi.cz/cs/1991-23">http://www.zakonyprolidi.cz/cs/1991-23</a>	<b>Specified risk</b> The issue of concern related to legal employment is the potential employment of foreign workers. There were reported cases of non-EU foreign workers working in the forest without a residence permit, employment contract or health insurance. There are also reported cases of forest workers not being paid. For many harvesting companies, the market situation is unstable because they submit tenders for State Forests Enterprises, competing to provide forestry services such as planting and harvesting over relatively large areas. Companies that are unsuccessful in this tender process can face bankruptcy, meaning that forest workers' salaries are not paid and/or workers are exposed to poor working conditions (often without a contract) and are not paid even the minimum salary. Official statistics from the State Labour Inspection Office show that in 2012 there were 32 legal foreign workers employed in the forest sector, with 81 in

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legal Authority</b> Ministry of labour and social affairs (Ministerstvo práce a sociálních věcí)</p> <p><b>Legally required documents or records</b> Agreement between the company and labour union.</p> <p>Individual workers employment contracts (minimum wages and hours)</p>	<p><a href="http://www.zakonyprolidi.cz/cs/1990-83">http://www.zakonyprolidi.cz/cs/1990-83</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1992-143">http://www.zakonyprolidi.cz/cs/1992-143</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2009-198">http://www.zakonyprolidi.cz/cs/2009-198</a></p>	<p>2013. According to the statistics, there were 237 illegal employment checks carried out in 2012. No violation of corresponding legislation among foreign (non-EU) workers has been identified, i.e. there were no illegal foreign workers detected.</p> <p>There is unofficial, unreported information from some forest workers that the number of illegal foreign workers in Czech forests is higher than official statistics suggest. Some forest owners have incorporated preventative measures into the contracts with harvesting companies. The official findings are also limited in their validity because the checks that are carried out are frequently scheduled in advance, so the companies can simply keep illegal workers away from auditors to avoid detection.</p> <p>Although the official data from State authorities provide justification for evaluation of the risk as low, the extensive anecdotal evidence that indicates there are risks in this category have necessitated a finding of specified risk.</p>
<b>Third parties' rights</b>			
1.13 Customary rights	<p><b>Applicable laws and regulations</b> Zákon č. 289/1995 Sb. o lesích a o změně a doplnění některých zákonů, ve znění pozdějších předpisů (<b>Forest Act</b>), paragraph 19.</p>	<p>Ministry of Agriculture (Ministerstvo zemědělství)</p> <p><a href="http://www.zakonyprolidi.cz/cs/1995-289">http://www.zakonyprolidi.cz/cs/1995-289</a></p>	<p><b>Low risk</b> The Forest Act allows all people free access to the forest, as well as free movement through the forest. There are,</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	<p><b>Legal Authority</b> Ministry of Agriculture (Ministerstvo zemědělství)</p> <p><b>Legally required documents or records</b> N/A</p>		<p>however, a small number of exceptional, questionable cases (such as game enclosures managed by foresters); but this does not warrant the determination of specified risk.</p> <p>Everybody is allowed to pick forest fruits and mushrooms for their own consumption. There are a few reported cases of violations of this requirement, for example when some groups of people collect large amounts of forest fruits and mushrooms and sell them illegally on the market, but these cases are rather rare. The applicable legislation is generally followed.</p>
1.14 Free prior and informed consent	<p><b>Applicable laws and regulations</b> N/A Terms are not used in the Czech Republic.</p> <p><b>Legal Authority</b> N/A</p> <p><b>Legally required documents or records</b> N/A</p>	N/A	N/A
1.15 Indigenous peoples rights	<p>N.A. There are no indigenous people living in the Czech Rep. according to the UN definitions)</p> <p><b>Legal Authority</b> N/A</p> <p><b>Legally required documents or records</b> N/A</p>	N/A	N/A
<b>Trade and transport</b>			



Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.16 Classification of species, quantities, qualities	<p><b>Applicable laws and regulations</b> N/A There is not legislation nor regulations related to wood material classification existing in the country.</p> <p><b>Legal Authority</b> N/A</p> <p><b>Legally required documents or records</b> N/A</p>	N/A	N/A  There is no special legislation regulating how harvested material is classified in terms of species, volumes and qualities in connection with trade and transport. However in most cases wood is transported with delivery documentation including all required details such as species, volumes, quality, FMU of harvest.
1.17 Trade and transport	<p><b>Applicable laws and regulations</b> Zákon č. 89/2012 Občanský zákoník (<i>Civil code</i>).  Zákon č. 226/2013 Sb., o uvádění dřeva a dřevařských výrobků na trh (Timber Act implementing EU Timber Regulation No. 995/2010), all paragraphs.</p> <p><b>Legal Authority</b> Ministry of industry and trade (Ministerstvo průmyslu a obchodu).  Ministry of Agriculture (Ministerstvo zemědělství)  Forest Management Institute (UHUL)  Customs Authority (Celní správa)  The Czech Trade Inspection Authority (Česká obchodní inspekce)  Police of Czech Republic (Policie České Republiky)</p> <p><b>Legally required documents or records</b> Delivery notes, transport documents</p>	<p>The Czech Trade Inspection Authority (Česká obchodní inspekce)</p> <p>Forest Management Institute (UHUL)</p> <p>Regional Forest Authorities (KU)</p> <p><a href="http://www.zakonyprolidi.cz/cs/2012-89">http://www.zakonyprolidi.cz/cs/2012-89</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2013-226">http://www.zakonyprolidi.cz/cs/2013-226</a></p>	<b>Low risk</b>  Each truck transporting domestic wood must have the delivery note that describes the quantity and quality of the material transported. The checks on the roads are conducted by Police and Customs and are frequent and function effectively. To date there are no records relating to violation of the applicable legislation that would constitute for specified risk.

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
1.18 Offshore trading and transfer pricing	<p><b>Applicable laws and regulations</b></p> <p>586/1992 Sb. o daních z příjmů (<i>Income tax law</i>), all paragraphs.</p> <p><b>Legal Authority</b></p> <p>Ministry of finance (Ministerstvo financí)</p> <p><b>Legally required documents or records</b></p> <p>Tax returns (Daňové přiznání), statements (výkazy), accounting records (účetní evidence).</p> <p>The Czech tax legislation does not prescribe any obligation to maintain any transfer pricing documentation.</p>	<p><a href="#">Act. 586/1992 Sb. - o daních z příjmů (Low on Income Tax)</a></p> <p><a href="http://offshorenews.cz/definice-offshore-sluzeb-a-danovych-raju/">http://offshorenews.cz/definice-offshore-sluzeb-a-danovych-raju/</a></p> <p><a href="http://www.ibfd.org/IBFD-Products/International-Transfer-Pricing-Journal-All-Articles">http://www.ibfd.org/IBFD-Products/International-Transfer-Pricing-Journal-All-Articles</a> (find 'Czech')</p> <p><a href="http://www.eoi-tax.org/jurisdictions/CZ#default">http://www.eoi-tax.org/jurisdictions/CZ#default</a></p> <p><a href="http://download.pwc.com/ie/pubs/2012_international_transfer_pricing.pdf">International transfer pricing 2012 - REPORT BY PriceWaterhouseCooper - http://download.pwc.com/ie/pubs/2012_international_transfer_pricing.pdf</a></p> <p><a href="http://www.eoi-tax.org/jurisdictions/CZ#latest">Peer Review Report - Phase 1 - Legal and Regulatory Framework - Czech Republic - http://www.eoi-tax.org/jurisdictions/CZ#latest</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/1992-586">http://www.zakonyprolidi.cz/cs/1992-586</a></p>	<p><b>Low risk</b></p> <p>The international tax standard, developed by the OECD and supported by the UN and the G20, provides for full exchange of information on request in all tax matters – without regard to a domestic tax interest requirement or bank secrecy for tax purposes. Currently all 30 OECD member countries, including Czech Republic, have endorsed and agreed to implement the international tax standard. Furthermore, all offshore financial centres accept the standard.</p> <p>Czech Republic has 'exchange of information' relationships with 110 jurisdictions through 86 DTCs, 9 TIEAs and 1 multilateral mechanism, and is a signatory to the Convention on Mutual Administrative Assistance in Tax Matters.</p> <p>Offshore trading in the Czech Republic is regulated by Law on Income Tax. According to legislation, different taxation rules apply to companies registered in risk countries (e.g. countries outside the European Union, European Economic Area and countries with which Czech Republic does not have an agreement regarding the avoidance of double taxation or international agreement on exchange of information relating to taxes). The Financial Authority is responsible for</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			enforcement of this law. The common reason for using offshore companies is that the ownership is not known. No evidence has been found that would constitute specified risk.
1.19 Custom regulations	<p><b>Applicable laws and regulations</b> Předpis č. 17/2012 Sb. zákon o Celní správě České republiky (<b>Customs law</b>), all paragraphs.</p> <p><b>Legal Authority</b> Ministry of finance (Ministerstvo financí)  Customs Authority (Celní správa)</p> <p><b>Legally required documents or records</b> N/A</p>	<p>Customs Authority (Celní správa)  <a href="http://www.zakonyprolidi.cz/cs/2012-17">http://www.zakonyprolidi.cz/cs/2012-17</a></p>	<p><b>Low risk</b></p> <p>There are no regulations regarding the export of timber.</p> <p>There are no known issues that would constitute a specified risk in this category.</p>
1.20 CITES	<p><b>Applicable laws and regulations</b> Zákon č. 100/2004 Sb. o ochraně druhů volně žijících živočichů a planě rostoucích rostlin regulováním obchodu s nimi a dalších opatřeních k ochraně těchto druhů a o změně některých zákonů (<b>On the protection of species of wild fauna and flora by regulating trade and other measures to protect these species and amending certain Acts</b>), all paragraphs.</p> <p><b>Legal Authority</b> Ministry of Environment (Ministerstvo životního prostředí)  Czech Environmental Inspectorate (CEI),  Customs - enforcement authorities  Agency for Nature and Landscape Protection - scientific authority</p> <p><b>Legally required documents or records</b></p>	<p><a href="http://www.mzp.cz/cz/cites_obchod_ohr_ozenymi_druhy_www.cizp.cz/cites">http://www.mzp.cz/cz/cites_obchod_ohr_ozenymi_druhy_www.cizp.cz/cites</a></p> <p><a href="#">Correspondence with Czech Environmental Inspectorate</a></p> <p><a href="http://www.zakonyprolidi.cz/cs/2004-100">http://www.zakonyprolidi.cz/cs/2004-100</a></p>	<p><b>Low risk</b></p> <p>There are no Czech tree species on the CITES list of species; therefore the risk of illegal harvest of CITES species is low.</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
	CITES export and import permits and CITES certificates enabling intra EU trade, registration documents		
<b>Diligence/due care procedures</b>			
1.21 Legislation requiring due diligence/due care procedures	<p><b>Applicable laws and regulations</b></p> <p>Zákon č. 226/2013 Sb., o uvádění dřeva a dřevařských výrobků na trh (Timber Act implementing EU Timber Regulation No. 995/2010), all paragraphs.</p> <p>Vyhláška 285/2013 Sb. o rozsahu a způsobu předávání informací do centrální evidence hospodářskými subjekty a orgány státní správy v oblasti uvádění dřeva a dřevařských výrobků na trh. (Ordinance on the scope and method for the transfer of information into a central evidence of operators and government authorities in area of placing timber and timber products on the market), all paragraphs.</p> <p><b>Legal Authority</b></p> <p>Ministry of Agriculture (Ministerstvo zemědělství) - Competent Authority</p> <p>Forest Management Institute (UHUL)</p> <p>Customs Authority (Celní správa)</p> <p>The Czech Trade Inspection Authority (Česká obchodní inspekce)</p> <p><b>Legally required documents or records</b></p> <p>Due Diligence system, transport documents, documents of the origin of the wood</p>	<p><a href="http://ec.europa.eu/environment/eutr2013/index_cs.htm">http://ec.europa.eu/environment/eutr2013/index_cs.htm</a></p> <p><a href="http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:295:0023:0034:CS:PDF">http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2010:295:0023:0034:CS:PDF</a></p> <p><a href="http://www.uhul.cz/nase-cinnost/narizeni-o-dreve/system-nalezite-pece">http://www.uhul.cz/nase-cinnost/narizeni-o-dreve/system-nalezite-pece</a></p> <p>Magazine Lesnická práce 2/2014, 4/2014 - Article by the person responsible for EUTR implementation at Forest Management Institute, mentions up to date auditing system and results of the checks of the operators</p> <p>E-mail correspondence with the Competent Authority and Forest Management Institute</p> <p>Interviews with operators that were checked by the Forest Management Institute in 2013 and 2014</p> <p>Zákon č. 226/2013 Sb., o uvádění dřeva a dřevařských výrobků na trh (Timber Act implementing EU Timber Regulation No. 995/2010)</p> <p><a href="http://barometer.wwf.org.uk/what_we_do/government_barometer/scores_by_cou">http://barometer.wwf.org.uk/what_we_do/government_barometer/scores_by_cou</a></p>	<p><b>Specified risk</b></p> <p>Czech Republic has incorporated EUTR into its legislation. A control system has been developed which provides regular checks of both forest owners and importers of wood-based material according to the classification included in the EUTR legislation. The Czech Ministry of Agriculture is the Competent Authority appointed by the Forest Management Institute as a controlling body. In cases where the Forest Management Institute finds any non-conformity with legislation, they shall provide this information to Regional Offices which are authorized to issue penalties.</p> <p>There is also a requirement in Czech – in accordance with Decree no. 285/2013 Coll. (under §40 of the Forest Act no. 289/1995 Coll.) – that forest owner performance information is incorporated in the Central Registry of the due diligence system.</p> <p>The new legislation covers both provisions of the EUTR: the prohibition and due diligence requirements. There are criminal sanctions, but only in the shape of fines, no imprisonment. Proposed fines are proportionate and</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
		<p> <a href="http://country_answers.cfm?country=Czech%20Republic">ntry/country_answers.cfm?country=Czech%20Republic</a>  <a href="http://www.zakonyprolidi.cz/cs/2013-226">http://www.zakonyprolidi.cz/cs/2013-226</a>  <a href="http://www.zakonyprolidi.cz/cs/2013-285">http://www.zakonyprolidi.cz/cs/2013-285</a> </p>	<p>high enough to be dissuasive, but there is no provision for seizure of the timber and suspension of authorisation to trade. The fines cover: placing illegal wood on the market, deficiencies in the due diligence system, and deficiencies in necessary assistance to facilitate performing the checks. Timber could only be seized from the operator as a part of enforcing a financial penalty. There are no publicly available procedures to address third-party evidence.</p> <p>There are approx. 70 staff working within all the Competent Authorities (CAs) and mainly dealing with EUTR. There is an annual budget for the CAs dedicated for EUTR activities and it is considered sufficient. Fifty-two operators have been assessed (checked) overall, of which 45 are forest-users and seven importers. More than 25 training events devoted specifically to EUTR, plus more than 25 side-events during other activities, have been held in the past year.</p> <p>Information provided by employees of Forest Management Institute indicated that so far the checks of forest owners focused on the sole existence of a due diligence system and harvesting permits (the checks do not incorporate the other aspects of legality such as compliance with socially oriented legislation or nature protection regulation, forest</p>

Indicator	Applicable laws and regulations, legal Authority, & legally required documents or records	Sources of Information	Risk designation and determination
			<p>reproduction nor the sales documentation).</p> <p>Generally, Czech Republic has implemented the legislation requiring due diligence and has assigned responsible organizations to check its implementation; however the process has only recently commenced and further improvement is required – because so far the definition of legality is narrow and the checks are quite superficial. This category has been identified as specified risk.</p>

### Recommended control measures

Indicator	Recommended control measures
1.8 Timber harvesting regulations	<p>References: P&amp;C V4, Criterion 1.1 P&amp;C V5, Criterion 1.3</p> <p><b>Generic</b></p> <ul style="list-style-type: none"> <li>- Harvesting shall be conducted within the authorised boundaries of the FMU.</li> <li>- Harvesting shall not take place in areas where harvesting is legally prohibited.</li> <li>- Tree species or selected trees found within the FMU for which felling is prohibited shall be listed in operational plans.</li> <li>- Harvesting restrictions shall be observed in the field.</li> <li>- Tree species or selected trees found within the FMU for which felling is prohibited shall be marked in the field</li> </ul> <p><b>Country specific</b></p> <p>1. Can the timber be traced back to the point of harvest? Yes: Check the Cadastral portal <a href="http://nahlizenidokn.cuzk.cz/">http://nahlizenidokn.cuzk.cz/</a> <a href="http://www.ikatastr.cz/#zoom=8&amp;lat=49.74701&amp;lon=15.7673&amp;layers_3=0B000FFTF">http://www.ikatastr.cz/#zoom=8&amp;lat=49.74701&amp;lon=15.7673&amp;layers_3=0B000FFTF</a> to verify the legal ownership of the forest. If there is a discrepancy, do not buy. If all information is in order, go to 2. No: Risk cannot be mitigated, do not buy.</p>

Indicator	Recommended control measures
	<p>2. Do the purchasing documents match with the information from the cadastre (is the owner the same as included on the invoices and delivery notes)? Yes: Low risk for this category. No: go to 3.</p> <p>3. Is the documentation (contracts with the owner, expedition documents "vývozní lístek") sufficient to trace the material back to the forest? Supplier verification audit shall be conducted to trace the material back to the forest. Yes: the product is low risk for this category. No: do not buy.</p> <p>The main control measure here would be to buy wood only from well managed professional companies with the required documentation.</p> <p>In the situation where the wood is purchased from the logging company: The logging company shall have implemented procedures that ensure:</p> <ol style="list-style-type: none"> <li>1. Harvest is not taking place on land where ownership is in a transition process. This can be verified by comparing the listing from the cadastral office (publicly available) and the harvesting contract (provided during control) which should match.</li> <li>2. Procedures in place to limit damage to acceptable levels for retention trees and neighboring stands.</li> <li>3. Ensure that there is always a contract signed before any harvest.</li> <li>4. Ensure that there are always job takeover documents.</li> </ol> <p>Other control measures.</p> <ul style="list-style-type: none"> <li>- Inspections of harvesting sites shall confirm that harvesting takes place within property limits and in line with Forest Management Plans or Forest Management Guidelines.</li> </ul> <p>Regarding the risk that illegal logging is carried out in private forests by owners harvesting in neighbouring property (approximately 20–30 hectares per year), the likelihood and impact of this specific risk is considered low, no control measures are necessary.</p>
1.11 Health and safety	<p><b>References: P&amp;C V4, Criterion 1.1 and 4.2, P&amp;C V5, Criteria 2.3</b></p> <p><b>Generic</b></p> <ul style="list-style-type: none"> <li>- All health and safety regulations shall be followed and all required safety equipment shall be used.</li> <li>- Occupational health and safety requirements shall be observed by all personnel involved in harvesting activities.</li> <li>- Interviews with staff and contractors shall confirm that legally required protective equipment is required/provided by the organisation.</li> <li>- All requirements on prevention of air and water pollution shall be followed and are verified through reports monitoring pollution (when applicable)</li> </ul> <p><b>Country specific</b></p> <ol style="list-style-type: none"> <li>1. Can the products be traced back to the logging company responsible for conducting the harvest operation? <ol style="list-style-type: none"> <li>1.1 If yes, go to 2.</li> <li>1.2 If no, the products cannot be sourced as controlled material.</li> </ol> </li> </ol>

Indicator	Recommended control measures
	<p>2. Does the logging company have a recognized third party certification system covering health and safety procedures such as OHSAS or contractor certification?  2.1 If yes, the wood can be accepted as controlled material.  2.2 If no, go to 3.</p> <p>3. Does the logging company have a valid contract with FSC FM/CoC certified operation for providing logging services?  3.1 If yes, the wood can be accepted as controlled material.  3.2 If no, go to 4.</p> <p>4. Does the logging company have health and safety procedures in place that ensure that all staff involved in the logging operation have all required personal protective equipment required by the legislation?  4.1 If yes: go to 5.  4.2 If no: go to 8.</p> <p>5. Does audit of ongoing operation site confirm that staff have and use legally required personal protective equipment?  5.1 If yes, the material can be sourced as controlled material.  5.2 If no, go to 6.</p> <p>6. Does the logging company agree to observe legally required health and safety requirements and audits by representatives of the organization?  6.1 If yes: go to 7.  6.2 If no: The material cannot be sourced as controlled material.</p> <p>7. Does a field audit verify compliance with health and safety requirements?  7.1 If yes, the material can be sourced as controlled material.  7.2 If no, the material cannot be sourced as controlled material.</p> <p>8. Does the logging company agree to establish procedures that ensure that all health and safety requirements in connection with forest harvesting are observed?  8.1 If yes, go to 7.  8.2 If no, the material cannot be sourced as controlled material.</p>
1.21 Legislation requiring due diligence/due care procedures	<p>1. Can the material be tracked back to the entity placing it on the market - the Operator?  - If the timber is sold as standing stock to a logging company, the logging company will be the operator.  - If the timber is sold as an assortment by the forest owner/manager, then the forest owner/manager will be the operator.</p> <p>If no: do not buy.</p>



Indicator	Recommended control measures
	<p>If yes: go to 2</p> <p>2. Can the operator document that a Due Diligence System is in place in accordance with the EU Timber Regulation No. 995/2010 (EUTR)? Operators placing for the first time on the internal market for distribution or use in the course of a commercial activity any products listed in the Annex to Regulation (EU) No. 995/2010 (EUTR) should present:</p> <ul style="list-style-type: none"> <li>- documents required according to Articles 4.2 and 6 of the Regulation (EU) No. 995/2010;</li> <li>- documents required according to Article 3, Commission Implementing Regulation (EU) No. 607/2012,</li> <li>- register of information concerning the operator's supply as provided for in Article 6.1 a) of Regulation (EU) No. 995/2010 and documentation of application of risk mitigation procedures.</li> </ul> <p>If no: don't buy If yes: risk mitigated for this point.</p>

## Controlled wood category 5: Wood from forests in which genetically modified trees are planted

### Risk assessment

Indicator	Sources of information	Functional scale	Risk designation and determination
5.1	<p>Martin Těhnik, GMO responsible person at Czech Environmental Inspectorate, Prague, Czech Rep. <a href="http://www.cizp.cz/GMO/Legislativa">www.cizp.cz/GMO/Legislativa</a></p> <p>Register of authorized GMOs: <a href="http://www.mzp.cz/cz/registr_uzivatelu_geneticky_modifikovanych_organismu">http://www.mzp.cz/cz/registr_uzivatelu_geneticky_modifikovanych_organismu</a></p> <p>FSC-CWRA-011-CZ FSC CW Risk Assessment for the Czech Republic</p> <p>Act. No. 78/2004 Coll., on the use of genetically modified organisms and genetic products</p> <p>Decree 209/2004 Coll. of the Ministry of Environment on detailed conditions for the use of genetically modified organisms and genetic products.</p> <p>Regulation (EC) No 1830/2003 of the European Parliament and of the Council of 22 September 2003 concerning the traceability and labelling of genetically modified organisms and the traceability of food and feed products produced from genetically modified organisms and amending Directive 2001/18/EC</p> <p>Ministry of Environment on GMO: <a href="http://www.mzp.cz/cz/geneticky_modifikovane_organismy">http://www.mzp.cz/cz/geneticky_modifikovane_organismy</a></p> <p>Czech Environmental Inspectorate on GMO: <a href="http://www.cizp.cz/GMO/Odkazy-na-informace-o-GMO">http://www.cizp.cz/GMO/Odkazy-na-informace-o-GMO</a></p> <p>Ministry of Agriculture on GMO: <a href="http://eagri.cz/public/web/mze/zemedelstvi/gmo-geneticky-modifikovane-organismy/">http://eagri.cz/public/web/mze/zemedelstvi/gmo-geneticky-modifikovane-organismy/</a></p>	N/A	<p><b>Low risk</b></p> <p><i>(1) GMO use is illegal according to applicable legislation of the area under assessment AND the risk assessment for relevant indicators of Category 1 confirms that applicable legislation is enforced.</i></p> <p>Applicable legislation does not include a ban on commercial use of GMOs. The main legal act related to the use of GM organisms in the Czech Republic is Act No. 78/2004 Coll., on the use of genetically modified organisms and genetic products ("Law on GMO"). The Law on GMOs is performed by Decree 209/2004 Coll. and provides detail as to the conditions for the use of genetically modified organisms and genetic products. The main governing body for the GMO legislation is the Ministry of Environment while control over compliance with this legislation is maintained by Czech Environmental Inspectorate.</p> <p>The legislation on GMOs regulates the application, authorization and supervision of all activities connected with GMOs and genetically modified products. The use of GMOs is regulated also by international treaties and European directives such as Regulation (EC) No. 1830/2003 which provides precedence over the law in the Czech Republic. Czech Republic is the signatory to the Cartagena Protocol on biosafety to the convention on biological diversity.</p> <p>According to the Law on GMOs there is no licensing as such but the process of authorization is described in the related legislation. Each organization or person who wishes to perform activities involving the use of genetically modified organisms shall apply for authorisation from the Ministry of the Environment. The Ministry evaluates the applications and consults with experts at the Ministry of Agriculture and Ministry of Health. Once the GMO is authorized it is registered in the registry of authorized GMOs.</p> <p><i>(2) There is no commercial use of GMO (tree) species in the area under assessment,</i></p> <p>There is no evidence that anyone uses GMO trees for the purpose of forestry. The official Register of authorized GMOs includes several agricultural crops and one experimental trial with <i>Prunus domestica</i> Stanley (clone C-5); however this test is conducted in isolated experimental conditions and the tree species is not to be used in forestry.</p> <p>There are some other laboratory trials in isolated experimental conditions with poplars; however these are in the stage of in vitro cultivation (and thus are not covered by the register of authorized GMOs).</p>

AND

(3) Other available evidence does not challenge 'low risk' designation.

GMO Context Question	Answer
1. Is there any legislation covering GMO (trees)?	<p>The main legal act related to the use of GM organism in the Czech Republic is an Act. No. 78/2004 Coll., on the use of genetically modified organisms and genetic products ("Law on GMO"). The Law on GMOs is performed by Decree 209/2004 Coll. and provides detail as to the conditions for the use of genetically modified organisms and genetic products. The main governing body for the GMO legislation is the Ministry of Environment while the control over the compliance with this legislation is maintained by the Czech Environmental Inspectorate.</p> <p>The legislation on GMOs regulates the application, authorization and supervision of all activities connected with GMOs and genetically modified products.</p> <p>The use of GMOs is regulated also by international treaties and European directives such as Regulation (EC) No. 1830/2003 which provides precedence over the law in the Czech Republic. Czech Republic is the signatory to the Cartagena protocol on biosafety to the convention on biological diversity.</p>
2. Does applicable legislation for the area under assessment include a ban for commercial use of GMO (trees)?	Applicable legislation does not include a ban on commercial use of GMOs. According to the Law on GMO each organization or person who wish to perform activities involving the use of genetically modified organisms shall fulfil the legislative requirements, but also need authorization from the Ministry of the Environment, that consults with Ministry of Agriculture and Ministry of Health. Once approved the GMO is registered in the Register of authorized GMOs.
3. Is there evidence of unauthorized use of GM trees?	There is no such evidence.
4. Is there any commercial use of GM trees in the country or region?	There is no such evidence.
5. Are there any trials of GM trees in the country or region?	Register of authorized GMOs includes one experimental trial with <i>Prunus domestica</i> Stanley (clone C-5) however this tree species is not to be used in forestry. There are some other laboratory trials in isolated experimental conditions with poplars however this is in the stage of in vitro cultivation (and thus it is not covered by the register of authorized GMOs).
6. Are licenses required for commercial use of GM trees?	According to the Law on GMO there is no licensing as such but the process of authorization is described in the related legislation. Each organization or person who wishes to perform activities involving the use of genetically modified organisms shall apply for authorization from the Ministry of the Environment. The Ministry evaluates the applications and consults with experts at the Ministry of Agriculture and Ministry of Health. Once the GMO is authorized it is registered in the registry of authorized GMOs.

7. Are there any licenses issued for GM trees relevant for the area under assessment? (If so, in what regions, for what species and to which entities?)	There is no approval for planting GMO trees outside experimental conditions.
8. What GM 'species' are used?	No GMO tree species are used out of experimental conditions.
9. Can it be clearly determined in which MUs the GM trees are used?	N/A

**Recommended control measures**

N/A