

milieu
Law & Policy Consulting

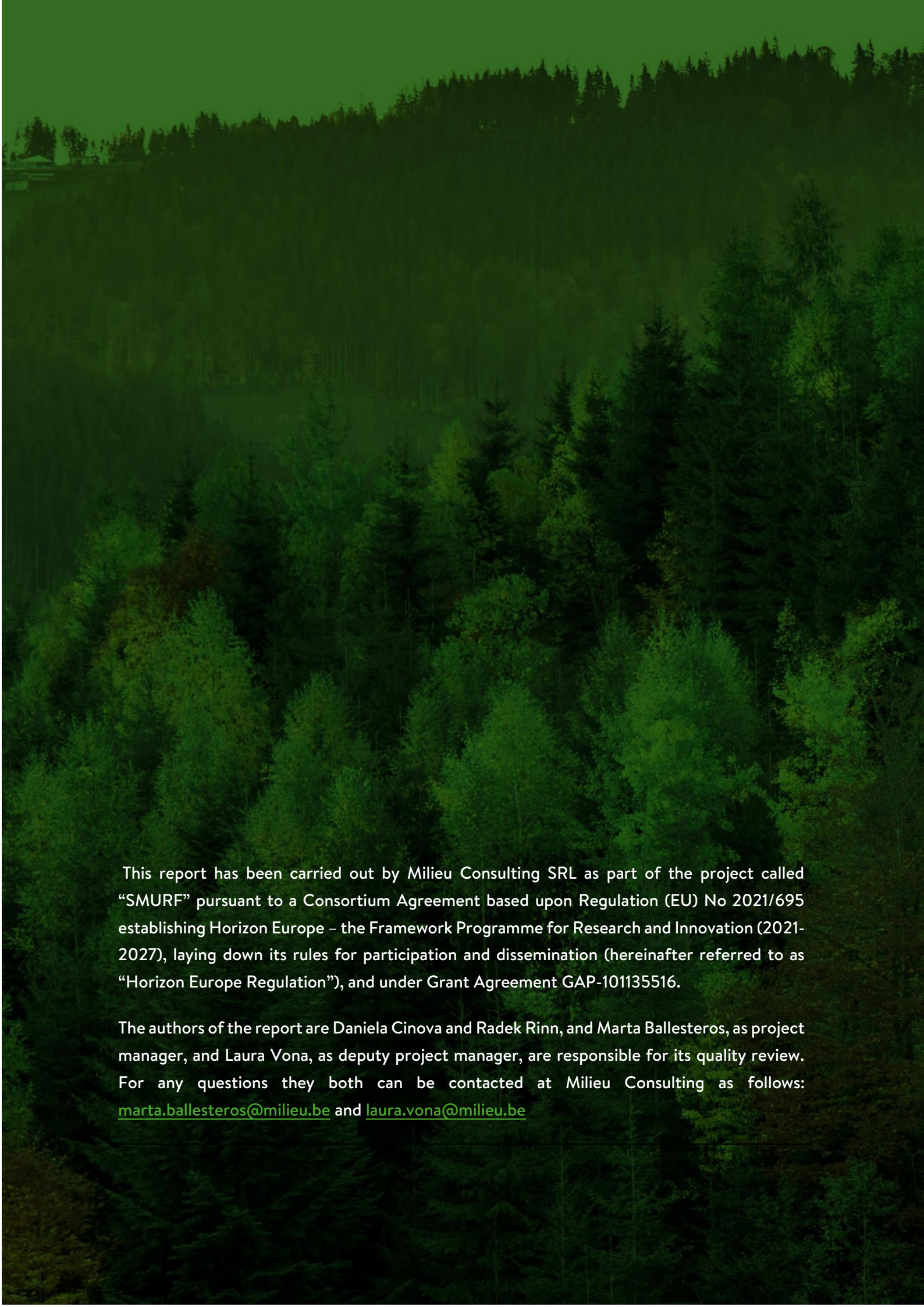
Legal and regulatory framework applicable to Small Forest Owners and Sustainable Forest Management

Country Fact Sheet
Czechia

SMURF
THE FOREST OWNERS' PROJECT

Grant Agreement GAP-101135516.
June 2025

Funded by
the European Union



This report has been carried out by Milieu Consulting SRL as part of the project called "SMURF" pursuant to a Consortium Agreement based upon Regulation (EU) No 2021/695 establishing Horizon Europe – the Framework Programme for Research and Innovation (2021-2027), laying down its rules for participation and dissemination (hereinafter referred to as "Horizon Europe Regulation"), and under Grant Agreement GAP-101135516.

The authors of the report are Daniela Cinova and Radek Rinn, and Marta Ballesteros, as project manager, and Laura Vona, as deputy project manager, are responsible for its quality review. For any questions they both can be contacted at Milieu Consulting as follows: marta.ballesteros@milieu.be and laura.vona@milieu.be

Table of contents

Executive Summary 4
Introduction 6
1. Basic legal and regulatory framework applicable to small forest owners 8
1.1. Context to the legislation 8
1.2. Basic legal instruments 8
Primary Legal Provisions in the Forestry Sector 9
Related Primary Legal Provisions 9
Secondary Legal Provisions in the Forestry Sector 9
Related Secondary Legal Provisions 10
1.3. Basic Regulatory framework 11
2. Governance and institutional framework 12
2.1. Distribution of competences between the State and Regional authorities. 12
Legal background 12
National competences 12
Regional competences 12
Local/municipal competences: 13
2.2. Key representation organisations of the forest sector 13
3. Forest land ownership structure 16
3.1. Data on national forests ownership structure 16
3.2. Definitions of forest ownership in your country 16
3.3. Forest ownership types in your country 17
3.4. Proof of ownership: Land registry and Cadastre 19
4. Rights and obligations: forest owner/holder and forest contractor 21
4.1. Overview 21
4.2. Legal rights of the forest owner/holder 22
4.3. Limitations to the rights of forest owner/holder 26
4.4. Forest owner/holder obligations and requirements. 30
4.5. Forest manager/contractor obligations 34
5. Forest Management plans 36
6. Sustainable forest management. 40
6.1. Sustainable forest management definition and forestry practices 40
6.2. “Closer-to-nature” guidelines and practices 46
6.3. Climate change and Forest carbon absorption 48
7. Forest land market 51
8. Forest companies, Forest incentives and taxation. 54
Forest Companies 54
Forest incentives and taxation 54
9. Enforcement: Forest control and penalties. 59
10. Conclusions 60
10.1. Legal or regulatory barriers for SFM 60
10.2. Legal or regulatory gaps in national forest legislation 62
National experts on forest legislation and references 65

Legal and regulatory framework applicable to Small Forest Owners and Sustainable Forest Management (SMURF) - WP2

Executive Summary

The primary legislation in Czechia is Act No. 289/1995 Coll. on Forests, which defines rules for forest management, p

rotection, and use. The main objective of this law is to ensure the sustainable use of forest resources, protect biodiversity, soil, and water, and fulfil ecological and economic functions of forests. Other key legal acts include Act No. 149/2003 Coll. on the Marketing of Forest Reproductive Material and Act No. 256/2013 Coll. on the Real Estate Cadastre.

The forest ownership in Czechia is classified into protective forests (2.5%), special-purpose forests (22.9%), and production forests (74.6%). The State owns the largest share (50.5%), with 40.2% managed by Forests of the Czech Republic. Other significant owners include municipalities (18.3%), private owners (21.2%), and church forests (4.7%). Forest ownership must be registered in the Real Estate Cadastre, which is a public register containing information on land ownership and associated rights.

As for rights and obligations, forest owners are entitled to financial support and they have the right to manage their forests with a guidance from a certified forest manager, harvest timber, and access services such as pest control, land improvement, and monitoring of harmful agents. Owners must comply with forest management regulations, prioritise the removal of dry, fallen, diseased, or damaged trees, and follow approved forest management plans. If clear-cutting exceeds 0.2 ha, it must be reported to State authorities. Forest managers are responsible for ensuring professional forest management, conducting forestry activities, and utilising forest resources within legal limits. Forest management plans are mandatory for forests over 50 ha, while simplified guidelines apply to smaller forests.

Although the Forest Law does not explicitly define Sustainable Forest Management (SFM), it emphasises sustainable resource use, biodiversity conservation, and the fulfilment of ecological and economic functions. Czechia does not have national SFM guidelines, but research institutions develop methodological guidance for small forest owners. The State Forestry Policy Concept until 2035 sets strategic goals for SFM implementation, and voluntary certification schemes, such as PEFC and FSC, promote sustainable forestry practices. In addition, clear-cutting is not explicitly prohibited but is strictly regulated to minimise negative impacts on forest ecosystems.

Forest owners are eligible for various financial incentives, such as compensation, State subsidies, regional funding, and EU support. Key incentives include grants for forest management, forest protection, professional advisory services, forest insurance, and tax relief on diesel used in forestry. Forest land is subject to a 0.45% property tax, except for protected and special-purpose forests. The forest land market is regulated by the Civil Code and Real Estate Cadastre Act. Parcel

division below 1 ha requires approval from forest authorities. There are no specialised financial institutions for the forest land market, such as forest land banks, and transaction data is not centralised.

Based on the review of the legislation, the key recommendations are to increase financial support for small forest owners to strengthen their ability to practice sustainable forest management and biodiversity conservation, and to simplify legislation for establishing landowner associations and raise awareness of their benefits. The administrative burdens of the streamline procedures for changing land use should also be reduced. It would be necessary, additionally, to adapt forestry laws to better support land consolidation and improve forest ownership structures, and to align land purchase and sale prices with market standards to enhance market transparency. Finally, it would be needed to improve access to information on forest land transactions and standardise consolidation processes, and to review the tax system for forest land, considering tax reductions or exemptions to reduce financial burdens on owners and create parity with agriculture.

Introduction

This is a Horizon project with a strong research approach. The name of the project is 'Sustainable Management models and value chains for small Forests' known as SMURF with the reference HORIZON-CL6-2023-CIRCBIO-01.

The general objective is to provide an analysis of the legal and regulatory framework in EU Member States applicable to small forest owners (SFO) in their practices aiming to Sustainable Forest Management.

The specific project objectives are:

1. Prepare a report on the legal framework on SFO for most EU Member State.
2. Identify the basic legislation regulating SFO and the specific articles setting rights and obligations and *provide the links* to those basic and articles.
3. Define the rights and obligations for SFO in EU Member States.
4. Define the legal framework for the economic activity of SFO in EU Member States.
5. Identify the **main legal limitations or barriers** for SFO in EU Member States.
6. Identify **needs for legal reforms and propose specific legal improvements**, when considered necessary.
7. Prepare a comparative analysis of the legal framework SFO in the EU Member States.

These guidelines provide the basic information for the elaboration of the report on legal framework applicable to Small Forest owners/holders. It is complemented by a pilot report showing as a model to show the level of depth of the analysis.

When using the term "legal framework" we consider:

- The organizational model of forestry and the forest value chain.
- The institutional framework, identifying the distribution of competences among the different administration levels (European, national, regional and local) and administration sectors (agriculture and rural development, environment, industry, interior, economics and others).
- The regulatory framework, identifying laws and regulations that affect forestry and the forest value chain. The key articles that set basic rules for forestry will be explicitly referred and translated into English.

The analysis will be focused on factors that affect the participation of forest holdings in the market. There is a particular interest in identifying barriers, obstacles and measures or instruments that have had a significant positive impact in the present functioning of the forest markets.

The analysis will describe the nowadays situation of the framework, although a contextual and short reference of the origin and evolution of the framework when needed for a good understanding will be included.

The analysis will consider the national legislation and will only refer to the regional legislation as a way of example to confirm the national legal framework or to show that in some regions the situation may be rather different.

The analysis will take into consideration the forest sector legislation, but not only, because the main barriers and legal limitations might be derived from the inadequacy of other sectoral laws (societal, fiscal, real state and ownership, cadastral, insurances) or requirements in some pieces of national environmental legislation. It will refer to Nature or Biodiversity Conservation law and to the Environmental Impact Assessment legislation while it might also refer to relevant agriculture legislation.

1. Basic legal and regulatory framework applicable to small forest owners

1.1. Context to the legislation

In Czechia, forests cover 2,923.2 thousand hectares [1], accounting for 34% of the country's total land area[2]. Forests are categorised into three main types based on their primary functions: protective forests (2.5%), forests of special purpose (22.9%), and production forests (74.6%). The state owns 50.5% of the total forest area, with the majority managed by Lesy České republiky (40.2%). Other significant owners include municipalities and communal forests (18.3%), private owners (21.2%), and church forests (4.7%)[3].

The primary legal framework for forest management in Czechia is Law 289/1995 of 3 November 1995 on Forests.[4] This law governs the rights and obligations of forest owners and managers. Forest owners with more than 50 hectares are required to have a binding forest management plan; while forest owners with plots of less than 50 hectares are provided with a forest manager who prepares simplified management outlines. In case these outlines become accepted, they are also binding.

1.2. Basic legal instruments

The Czech Republic is a signatory to numerous international treaties, commitments, principles, and recommendations, many of which are reflected in the country's regulatory framework to varying degrees. As a member of the European Union (EU), the Czech Republic is obligated to align its laws and policies with relevant EU documents, depending on their binding nature. This chapter examines the broader political context at the national, global, and EU levels to effectively map synergies with all strategic documents relevant to the given strategy.

At the national level, the fundamental political framework is the State Forestry Policy Concept to 2035. This document outlines the strategic direction of Czech forestry policy, ensuring compliance with international commitments such as the Paris Agreement, the UN Strategic Plan for Forests 2017–2030, and the EU Forest Strategy, among others. The policy also incorporates principles from EU regulations, including the FLEGT licensing system, as established by Council Regulation (EC) No 2173/2005, which sets up a licensing scheme for legal timber imports into the EU. Additionally, it reflects sustainable forest management criteria and climate and biodiversity directives.

---

[1] Máslo, J., Adolt, R., Kohn, I., & Kučera, M., *Forest Area in the Czech Republic: Results of the Third Cycle of the National Forest Inventory 2016–2020*, 2023

[2] https://www.uhul.cz/lesnatost-cr-je-341/?lang=en

[3] Máslo, J., Adolt, R., Kohn, I., & Kučera, M., *Forest Area in the Czech Republic: Results of the Third Cycle of the National Forest Inventory 2016–2020*, 2023

[4] Law No. 289/1995 of 3 November 1995, Act of the Parliament of the Czech Republic on Forests (Zákon č. 289/1995 Sb., Zákon o lesích)

The policy also incorporates principles from EU regulations, including the FLEGT licensing system, as established by Council Regulation (EC) No 2173/2005, which sets up a licensing scheme for legal timber imports into the EU. Additionally, it reflects sustainable forest management criteria and climate and biodiversity directives

In addition, the Czech government actively supports sustainable forestry through commitments made under FOREST EUROPE and resolutions adopted at ministerial conferences, such as those in Strasbourg, Helsinki, and Madrid. These resolutions include objectives like enhancing forest biodiversity, adapting forestry to climate change, and promoting a green economy. The government also emphasizes cross-sectoral collaboration and the integration of forestry into the low-carbon economy.

Primary Legal Provisions in the Forestry Sector

1. Law No. 289/1995 of 3 November 1995, Act of the Parliament of the Czech Republic on Forests (Zákon č. 289/1995 Sb., Zákon o lesích)
2. Law No. 149/2003 of 18 April 2003, Act of the Parliament of the Czech Republic on the Marketing of Forest Tree Reproductive Material of Economically Significant Species and Artificial Hybrids for Forest Regeneration and Afforestation, and on Amendments to Certain Related Laws (Zákon č. 149/2003 Sb., Zákon Parlamentu České republiky o uvádění do oběhu reprodukčního materiálu lesních dřevin lesnicky významných druhů a umělých kříženců, určeného k obnově lesa a k zalesňování, a o změně některých souvisejících zákonů)

Related Primary Legal Provisions

1. Law No. 139/2002 of 21 March 2002, Act of the Parliament of the Czech Republic on Land Consolidation and Land Offices (Zákon č. 139/2002 Sb., Zákon o pozemkových úpravách a pozemkových úřadech)
2. Law No. 95/1999 of 28 April 1999, Act of the Parliament of the Czech Republic on the Conditions for the Transfer of Agricultural and Forest Land from State Ownership (Zákon č. 95/1999 Sb., Zákon o podmínkách převodu zemědělských a lesních pozemků z vlastnictví státu)
3. Law No. 364/2021 of 14 September 2021, Act of the Parliament of the Czech Republic on Invasive Alien Species (Zákon č. 364/2021 Sb., Zákon o invazních nepůvodních druzích)
4. Law No. 67/2000 of 25 February 2000, Law of the Ministry of Agriculture of the Czech Republic on Nature Protection in Forests (Zákon č. 67/2000 Sb., Zákon o ochraně přírody v rámci lesů)

Secondary Legal Provisions in the Forestry Sector

1. Decree No. 29/2004 of 20 January 2004, Decree of the Ministry of Agriculture of the Czech Republic to the Act on the Trade in Reproductive Material of Forest Tree Species

(Vyhláška č. 29/2004 Sb., Vyhláška k zákonu o obchodu s reprodukčním materiálem lesních dřevin)

2. Decree No. 393/2013 of 28 November 2013, Decree of the Ministry of Agriculture of the Czech Republic on the Lists of Forest Tree Species (Vyhláška č. 393/2013 Sb., Vyhláška o seznamech druhů lesních dřevin)
3. Decree No. 202/2021 of 17 May 2021, Decree of the Ministry of Agriculture of the Czech Republic on Forest Management Records (Vyhláška č. 202/2021 Sb., Vyhláška o lesní hospodářské evidenci)
4. Decree No. 202/2021 of 17 May 2021, Decree of the Ministry of Agriculture of the Czech Republic on Forest Management Records (Vyhláška č. 202/2021 Sb., Vyhláška o lesní hospodářské evidenci)
5. Decree No. 76/2018 of 4 May 2018, Decree of the Ministry of Agriculture of the Czech Republic on Forest Protection (Vyhláška č. 76/2018 Sb., Vyhláška o ochraně lesa)
6. Decree No. 440/2023 of 19 December 2023, Decree of the Ministry of Agriculture of the Czech Republic on Calculating the Amount of Damage to Forests (Vyhláška č. 440/2023 Sb., Vyhláška k výpočtu výše újmy na lesích)
7. Decree No. 456/2021 of 29 November 2021, Decree of the Ministry of Agriculture of the Czech Republic on the Details of the Transfer of Reproductive Material of Forest Tree Species, Record-Keeping of the Origin of Reproductive Material, and Details on the Regeneration of Forest Stands and Afforestation of Land Declared as Land Intended for the Fulfillment of Forest Functions (Vyhláška č. 456/2021 Sb., Vyhláška o podrobnostech přenosu reprodukčního materiálu lesních dřevin, o evidenci o původu reprodukčního materiálu a podrobnostech o obnově lesních porostů a o zalesňování pozemků prohlášených za pozemky určené k plnění funkcí lesa)
8. Decree No. 55/1999 of 15 March 1999, Decree of the Parliament of the Czech Republic on the Method of Calculating the Amount of Damage or Harm Caused to Forests (Vyhláška č. 55/1999 Sb., Vyhláška o způsobu výpočtu výše újmy nebo škody způsobené na lesích)

Related Secondary Legal Provisions

1. Decree No. 545/2002 of 12 December 2002, Decree of the Ministry of Agriculture of the Czech Republic on the Implementation of Land Consolidation (Vyhláška č. 545/2002 Sb., Vyhláška k provádění pozemkových úprav)
2. Decree No. 82/1993 of 6 August 1993, Decree of the Ministry of Agriculture of the Czech Republic on the Establishment and Restoration of Forest Stands (Vyhláška č. 82/1993 Sb., Vyhláška o zakládání a obnovování lesních porostů)

1.3. Basic Regulatory framework

National Strategies setting the key objectives of the Czech forestry policy are described below:

- Principles of State Forestry Policy (2012)
- Ministry of Agriculture Strategy with a Horizon to 2030 (2016)
- National Forestry Program II (2008)
- State Environmental Policy of the Czech Republic 2012–2020
- Strategy for Adapting to Climate Change in the Conditions of the Czech Republic (Adaptation Strategy)
- National Action Plan for Climate Change Adaptation (2015)
- Assessment of the Czech Republic's Vulnerability to Climate Change
- Regional Development Strategy 2021+ (2019)
- Rural Development Concept 2020
- Innovation Strategy of the Czech Republic 2019–2030
- State Forestry Policy Concept to 2035
- Strategic Framework of the circular economy of Czechia 2040 (2021)
- Concept of the bioeconomy in the Czech Republic from the perspective of the Ministry of Agriculture for 2019–2024 (2018)
- Biodiversity Protection Strategy of the Czech Republic 2016-2025 (2016)

2. Governance and institutional framework

2.1. Distribution of competences between the State and Regional authorities.

- **According to the legal framework, what are the relevant competences and responsibilities regarding decisions on forest management and forest management practices at the different State level (national, regional, municipal) in your country?** Please describe the situation stating the legislation and relevant provisions.

Legal background

The primary legal framework for forest management in Czechia is Law 289/1995 of 3 November 1995 on Forests, which establishes rules for sustainable forest management (SFM) and outlines the responsibilities of different entities. Especially relevant here are the Articles 47-52 of this law, which define the responsibilities and competences of different levels of state administration.

National competences

At the national level, the Ministry of Agriculture serves as the central authority for forest management (as per Article 49 (1) of the Forest Law). Its responsibilities include:

- Adoption of measures in extraordinary situations affecting multiple regions (Article 51a).
- Classification of forests into specific categories such as protective forests (Article 49 (2)(c)).
- Monitoring compliance with the Forest Act by regional and municipal authorities and forest owners (Article 51 (1)).
- Approving forest development plans and regional strategies (Article 49 (3)(f)).
- Establishing nationwide forest policies and managing military forests in cooperation with the Ministry of Defence (Article 47 (2)).
- Coordinating with the Ministry of the Environment on invasive species and biodiversity protection (Article 49 (3)(h)).
- Issuing binding statements for land-use planning and environmental impact assessments affecting forests (Article 49 (3)(d)).

Regional competences

Regional authorities have a broader but geographically limited scope of responsibility (Article 48a). Their tasks include:

- Approval of changes to forest land use for areas exceeding 1 hectare (Article 48a (1)(b)).
- Determining conditions for logging or exemptions in specific forest categories (§ 48a (1)(d)).
- Granting exceptions for specific forest management measures (Article 48a (1)(e)).
- Reviewing and approving forest management plans (Article 48a (2)(d)).

- Acting as the appellate authority for disputes between municipalities (Article 48a (2)(g)).
- Providing inputs to municipal land-use plans for regions impacting forests (Article 48a (2)(a-b)).
- Supervising how municipalities and other bodies comply with forest management laws (Article 48a (2)(f)).

Local/municipal competences:

Municipal authorities with hold the following responsibilities as per Article 48 of the Law 289/1995 of 3 November 1995 on Forests:

- Determining whether a plot qualifies as forest land (Article 48 (1)(a)).
- Approving logging and other land-use changes under 1 hectare (Article 48 (1)(d)).
- Issuing permits for activities such as recreational events within forests (Article 48 (1)(f)).
- Maintaining records of forest leases and usage (Article 48 (2)(a)).
- Establishing forest rangers and issuing their credentials (Article 48 (2)(g)).
- Ensuring local forest owners follow approved forest management plans (Article 48 (2)(i)).
- Imposing safety measures for preventing damage to life or property from forest-related hazards (Article 48 (1)(g)).

Forest **coordination and advisory bodies**

1. **Military Forest Office:**
    - Administers forest management in military areas (**Article 47 (2)**).
2. **Ministry of the Environment**:
    - Supervises compliance with nature and biodiversity protection regulations (**Article 50**).
3. **Forest Rangers**:
    - Appointed at municipal or regional levels to monitor and enforce local forest management regulations (**Article 38 (1)**).

2.2. Key representation organisations of the forest sector

1. **Forest owners**:
    - Association of Owners of Municipal, Private and Ecclesiastical Forests in the Czech Republic (Sdružení vlastníků obecních, soukromých a církevních lesů v ČR (SVOL))

2. **Forest municipalities:**
   - Union of Towns and Municipalities of the Czech Republic (Svaz měst a obcí ČR)
   - Association of Local Governments of the Czech Republic (Sdružení místních samospráv ČR)

3. **Forest industry:**
   - Czech Association of Entrepreneurs in Forestry (Česká asociace podnikatelů v lesním hospodářství)
   - Heating Association of the Czech Republic (Teplárenské sdružení České republiky)
   - Union of the Paper and Pulp Industry (Svaz průmyslu papíru a celulózy)
   - Trade Union of Workers in the Woodworking, Forestry, and Water Management Sectors in the Czech Republic (Odborový Svaz pracovníků Dřevozpracujících odvětví, Lesního a Vodního hospodářství v České republice)
   - Chamber of Forestry and Wood Industry (Lesnicko - dřevařská komora)

4. **Forest clusters:**
   - National Woodworking Cluster (Dřevařský klastr)
   - Cluster of Czech Furniture Manufacturers (Klastr českých nábytkářů)

5. **Forest contractors:**
   N/A

6. **Forest Professionals:**
   - Czech Chamber of Professional Forest Managers (Česká komora odborných lesních hospodářů)
   - Czech-Moravian Hunting Union (Českomoravská myslivecká jednota)

7. **Forest Agents or rangers:**
   - Nature Conservation Agency of the Czech Republic (Agentura ochrany přírody a krajiny ČR)

8. **Forest Sciences:**
   - Forestry and Game Management Research Institute (Výzkumný ústav lesního hospodářství a myslivosti – hereafter Forestry Research Institute)
   - Czech University of Life Sciences Prague, Faculty of Forestry and Wood Sciences (Fakulta lesnická a dřevařská Česká zemědělská univerzita v Praze)
   - Mendel University, Faculty of Forestry and Wood Technology (Lesnická a dřevařská fakulta, Mendelova Univerzita v Brně)
   - Czech Academy of Agricultural Sciences (Česká akademie zemědělských věd)
   - Institute of Botany of the Czech Academy of Sciences (Botanický ústav Akademie věd ČR)

- The Silva Tarouca Research Institute (Výzkumný ústav pro krajinu, v.v.i.)

9. **Forest certification:**
   - PEFC Czechia (PEFC Česká republika)
   - FSC Czechia (FSC Česká republika)

10. **Public enterprises**
    - Forests of the Czech Republic (Lesy České republiky, s.p.)
    - Military Forests and Estates of the Czech Republic (Vojenské lesy a statky ČR, s.p.)

11. **Forest cooperatives**

N/A

12. Other **Forest organisations**

- Ministry of Agriculture of the Czech Republic (Ministerstvo zemědělství ČR)
- Ministry of Environment of the Czech Republic (Ministerstvo životního prostředí ČR)
- WWF Czechia (WWF Česká republika)
- Pro Silva Bohemica
- Friends of the Earth Czech Republic (Hnutí Duha)
- Czech Forestry Institute (Národní lesnický institut)
- Nature Conservation Agency of the Czech Republic
- Czech Forestry Society (Česká lesnická společnost)

3. Forest land ownership structure

- **According to State statistics, what is the ownership structure of the forest in your country (at State level)?** Please include relative and absolute data of forest ownership types, including average size of public and private forests and the number of area of forests in each size category)

3.1. Data on national forests ownership structure

In the Czech Republic, forests are categorised based on their primary functions into three types: protection forests (2.5%), special-purpose forests (22.9%), and production forests (74.6%)[5].

Based on data from the National Forest Inventory (NIL3) for the period 2016–2020, the forest ownership structure in Czechia is distributed as follows:

- **State-owned forests** represent the largest share, accounting for 50.5% of the total forest area (1,475.8 thousand ha). This includes:
    - State Forests managed by Forests of Czech Republic: 40.2%.
    - Military Forests and Estates: 4.6%.
    - National Park forests: 3.4%.
    - Other state entities: 2.3%.
- **Municipal and communal forests** cover 18.3% (534.0 thousand ha).
- **Church-owned forests** account for 4.7% (136.5 thousand ha).
- **Forests owned by legal entities and cooperatives** represent 4.7% (137.5 thousand ha).
- **Privately owned forests** make up 21.2% (620.6 thousand ha).
- **Unidentified ownership** constitutes a minor share of 0.6% (18.8 thousand ha).

In total, the forest area in Czechia is approximately 2,923.2 thousand hectares[6].

3.2. Definitions of forest ownership in your country

Please provide the definitions identified in the legislation applicable in your country following the guidelines shared with you.

- **Forest owner**

Not explicitly defined in the Czech legislation. However, as outlined in Articles 24 and 25 of the Law 289/1995 of 3 November 1995 on Forests, small forests are forest covering area smaller than 50 ha.

---

[5] Jarský, V., Hrib, M., Riedl, M., Dudík, D., Ventrubová, K., & Šišák, L. (2015). *Forest Land Ownership Change in Czech Republic*, 2015
[6] Máslo, J., Adolt, R., Kohn, I., & Kučera, M., *Forest Area in the Czech Republic: Results of the Third Cycle of the National Forest Inventory 2016–2020*, 2023

- **Forest holder**

Not explicitly defined in the Czech legislation. However, based on an interview conducted with a representative from the Czech Forestry Research Institute, even though this term is not explicitly defined in the legislation, it is widely used and can be defined as a "the natural or legal person who carries out a forest economic activity, organizing the assets and rights of the forest with business criteria and assuming the risks and civil, social and fiscal responsibilities that may arise from the management of the forest".[7]

- **Forest manager**

Articles 37(1) and 37(2) of the Law 289/1995 of 3 November 1995 on Forests define forest manager and their functions as follows:

"(1) Forest management must be carried out by the forest owner in cooperation with a professional forest manager. The professional forest manager ensures that the forest is managed at a professional level in accordance with this Act and the legal regulations issued for its implementation.

(2) A professional forest manager may be a natural or legal person who holds a license for this activity issued by the state forest administration authority under Chapter Six of this Law."

- **Forest contractor**

Not explicitly defined in the legislation.

- **Forest**

According to Articles 2(a) and 2(b) of the Law 289/1995 of 3 November 1995 on Forests, " For the purposes of this law, the following definitions apply:

a) A forest refers to forest stands along with their environment and land designated for fulfilling forest functions.

b) Forest functions refer to the benefits arising from the existence of a forest, which are divided into productive and non-productive functions."

3.3. Forest ownership types in your country

- Please provide a **description of the types of forest ownership** (e.g. public forest, private forest) identified in the legislation applicable in your country. **Are there specific laws** for certain types of collective, communal, vicinal or neighbourhood forests?

In Czechia the Law 289/1995 of 3 November 1995 on Forests only classifies forests into (1) state owned forests and (2) non-state owned forests. The forest law does not define more granular types of forest ownership. However, based on the data from the Czech Forestry Institute, forests are classified into the ownership categories presented in Section 3.1, namely: (1) State-owned;

[7] Interview with the Czech Forestry Research Institute (17.12.2024)

(2) Municipal and communal forests; (3) Church-owned forests; (4) Forests owned by legal entities and cooperatives; (5) privately owned forests[8].

All forests are regulated by Law 289/1995 of 3 November 1995 on Forests. However, community-owned forests, forest cooperatives and other land associations are specifically governed by the Law 139/2002 of 21 March 2002 on Land Associations, which regulates their formation, operation, and management[9].

- Are there well-established programs for forest land consolidation? Are there public bodies promoting or responsible for these programs?

In the Czech Republic, forest land consolidation is recognised as a critical factor for sustainable forest management. The concept is addressed under the State Forestry Policy Concept to 2035, approved by the Czech government in February 2020. One of its long-term objectives (Objective C3) is to promote the consolidation of forest properties to improve their structure.

Programs for Forest Land Consolidation

There is no nationwide, legally mandated program exclusively for forest land consolidation. However:

1. Pilot Projects: The Association of Owners of Municipal, Private and Ecclesiastical Forests in the Czech Republic has proposed pilot projects, termed "model consolidations," to test and optimise legal, financial, and administrative frameworks for forest land consolidation.
2. Market Tools: Consolidation efforts often involve property transactions between state-owned entities (e.g. Forests of the Czech Republic) and non-state forest owners. These transactions aim to align ownership with practical management needs.

Public Bodies Promoting or Responsible for Consolidation

1. Forests of the Czech Republic, State Enterprise:
    - As the largest manager of state-owned forests, Lesy ČR plays a central role in consolidation efforts. The organisation is expected to adapt its internal policies and resources to facilitate land consolidation, including map accessibility and personnel readiness.
2. Czech Forestry Institute:
    - Suggested as a potential body for maintaining a nationwide database of forest purchase prices and market valuations, supporting transparency in consolidation transactions.

[8] Máslo, J., Adolt, R., Kohn, I., & Kučera, M., *Forest Area in the Czech Republic: Results of the Third Cycle of the National Forest Inventory 2016–2020*, 2023

[9] LAW No. 139/2002 of 21 March 2002, Act of the Parliament of the Czech Republic on Land Consolidation and Land Offices (Zákon č. 139/2002 Sb., Zákon o pozemkových úpravách a pozemkových úřadech)

3. Ministry of Agriculture:
    - Oversees state forestry policy and is indirectly involved in promoting consolidation by setting strategic goals and supporting legislative adjustments.

Key Challenges and Proposals

- Legislation: Current forest laws need to be adapted to fully support land consolidation.
- Equity in Pricing: Aligning purchase and sales prices to reflect market norms is critical for fair transactions.
- Infrastructure: Ensuring access to information (e.g., maps of transferable properties) and enabling routine consolidation processes.

In summary, while there is no single, comprehensive national program for forest land consolidation in the Czech Republic, there are ongoing initiatives and proposals under the State Forestry Policy[10].

3.4. Proof of ownership: Land registry and Cadastre

How is ownership proved?

As outlined in Articles 1 and 11 of the Law 256/2013 of 8 August 2013 on the Cadastre of Real Estate, ownership is proven by entries in the cadastral register, which is a public list of immovable properties, including their description, ownership, and rights associated with them[11].

Regarding ownership of community-owned forests, and according to Article 2(1)(a) of the Law on the Cadastre of Real Estate, all land parcels must be recorded in the cadastre as separate parcels. Therefore, based on the law the following can be concluded:

- If a forest consists of multiple small parcels, each parcel is registered separately with its respective owners.
- If a single parcel has multiple owners, it is registered as one entity with co-ownership shares.

Please note that the cadastral law in Czechia concerns any kind of land including forests - no specific requirements only for forests apply.

- Is there a legal obligation to register **ownership/property**?

Yes, all forest owners are required to register their ownership/property as mandated by Article 37 of the Law 256/2013 of 8 August 2013 on the Cadastre of Real Estate.

[10] The Association of Owners of Municipal, Private and Ecclesiastical Forests, *Land Consolidation*, 2024

[11] LAW No. 256 of 8 August 2013, Act on the Cadastre of Real Estate (Zákon č. 256/2013 ze dne 8. Srpna 2013, Zákon o katastru nemovitostí),

- Is there a registration fee?

The registration fee for submitting each proposal to initiate proceedings for the registration of rights into the cadastre is 2,000 CZK (around €80), regardless of the size or value of the property[12].

- **Is there an official register of forest owners and of forest holdings? Is it shared with agricultural registers? Is it harmonised with the general property/ownership register?**

In Czechia, there is no official register of forest owners aside from the Cadastre of Real Estate, which is publicly available as mandated by Article 52(1) of the Law 256/2013 of 8 August 2013 on the Cadastre of Real Estate:

"Everyone has the right to inspect the cadastre, make copies, extracts, or sketches for their personal use, and obtain information from the collection of documents, unless otherwise provided by law. »

However, there is a registry of licensed forest managers that is governed by the Ministry of Agriculture.

- Is the **Cadaster/register** well updated and reflecting real forest owners/holders?

According to the Law 256/2013 of 8 August 2013 on the Cadastre of Real Estate the register should be well updated and reflect real forest owners. This is ensured by several provisions in the law.

- Article 35 (1): The cadastral office is required to revise cadastral data to ensure consistency with the actual situation in the field. This includes periodic revisions and cooperation with property owners to address discrepancies.
- Article 37 (1)(d): Owners are obligated to report changes in property data within 30 days.
- Article 36 (1): The cadastral office corrects errors in cadastral data either upon request or independently if discrepancies are identified.

However, in practice, delays in reporting changes, unresolved ownership disputes, or historical inaccuracies can result in discrepancies between the register and actual ownership.

[12] https://portal.gov.cz/sluzby-vs/navrh-na-vklad-do-katastru-nemovitosti-S8419

4. Rights and obligations: forest owner/holder and forest contractor

4.1. Overview

- **According to the legal and regulatory framework what are the rights and obligations of forest owners/holders and forest managers in your country?**

Based on the legal and regulatory framework in Czechia, forest owners and managers have specific rights and obligations aimed at ensuring sustainable forest management.

Rights of Forest Owners/Managers:

- Financial Support: Forest owners are entitled to various forms of financial aid, tax relief, and subsidies, including compensation, state budget contributions, regional funding, and EU programs.
- Management Decisions: Owners have the right to inform the state forestry authority of their management plans preferences and requirements within set deadlines.
- Right to Harvest Timber: Forest owners may harvest timber, subject to regulations ensuring sustainable forest management.
- Access to Services: Owners can access services such as pest control, soil improvement, fire protection, and monitoring of harmful agents.
- Advisory Support: Owners, tenants, or lessees can receive support for accredited forestry advisory activities.
- Support for Genetic Resources: Owners, tenants, or lessees managing land with genetic resources are eligible for funding to maintain and manage gene pools.
- Loans and Insurance: Access to subsidised loans and forest stand insurance programs is available to forest owners.
- Diesel Tax Refunds: Owners are eligible for tax refunds on diesel used in forest management.

Obligations of Forest Owners/Managers:

- Compliance with Legal Regulations: Owners must adhere to laws governing forest management.
- Priority Logging: Owners must prioritize incidental logging of dry, uprooted, diseased, or damaged trees to prevent pest outbreaks.
- Notification Obligation: If incidental logging creates clearings larger than 0.2 ha, owners must notify the state forestry authority at least 14 days prior to logging.
- Harvest Limits: Incidental logging is included in the total allowable harvest defined in forest management plans.
- Approval for Logging Without a Plan: Logging without an approved forest management plan requires the consent of a certified forester.

- Ban on Premature Logging: Logging in high forests under 80 years or low and medium forests under 20 years is prohibited.
- Minimisation of Negative Impacts: Logging must minimise harm to forest ecosystems.
- Sustainable Management: Adherence to sustainable forest management principles is mandatory.
- Restrictions on Land Use Changes: Forest land use for non-forestry purposes is prohibited, except with state forestry authority approval.
- Restrictions on Non-Forestry Activities: Activities such as mining, energy facility construction, or large-scale grazing are restricted in forests.

4.2. Legal rights of the forest owner/holder

- **Right to financial support/tax exemptions/subsidies? What are the requirements?**

Based on a handbook on financial support for forest owners prepared by the Association of Owners of Municipal, Private and Ecclesiastical Forests in the Czech Republic, forest owners are entitled to various forms of financial support, tax relief, and subsidies. These supports are divided into several categories:

A) Compensation under the Law 289/1995 of 3 November 1995 on Forests and the Law 114/1992 of 19 February 1992 on the Protection of Nature and Landscape[13]:

- Compensation for restrictions on forest management.
- Reimbursement of costs for land improvement and torrent control.
- Compensation for increased costs in protective forests.
- Compensation for damage caused to forests.
- Partial reimbursement of increased costs for planting soil-improving and stabilising tree species.
- Compensation for the use of land for forest transport.
- Reimbursement of costs for the activities of a professional forest manager in cases where these activities are funded by the state.
- Reimbursement of costs for the preparation of forest management guidelines

    - **Conditions:** Claims are submitted periodically as needed, with certain exceptions having specific deadlines. Applicants must be forest owners, except in specific cases. For example, under Article 37(7) of the Forest Law, the recipient of reimbursement for a professional forest manager's activity—when funded by the state—is the professional forest manager (OLH), rather than the forest owner. Additionally, in case of a reimbursement of costs for the preparation of forest management guidelines, the recipient is the State Forest Administration Authority rather than the forest owner.

[13] LAW No. 114/1992 of 19 February 1992, Act of the Czech National Council on the Protection of Nature and Landscape (Zákon č. 114/1992 Sb., Zákon České národní rady o ochraně přírody a krajiny)

B) Supports from the State Budget under the Ministry of Agriculture:

- **Financial contributions for forest management:**
    - Support for ecological and environmentally friendly forestry technologies.
    - Support for forest regeneration, securing, and tending to stands up to 40 years of age.
    - Support for preparing forest management plans.
    - Support for forest protection (sanitation, chipping, installation of pheromone traps).
    - **Conditions:** Notification before starting work and application within three months after work completion. Applicants are forest owners or those with rights and obligations of the owner.
- **Financial support for adapting forest ecosystems to climate change:**
    - **Conditions:** Requires forest regeneration or logging of stands older than 60 years, adherence to clear-cut size, and species composition requirements.
    - Applications are submitted from March 1 to May 31 of the following year.

C) Services for Forest Owners:

- Ensuring protection against pests, land improvement, fire protection, mosquito control, and monitoring harmful agents.
    - **Conditions:** Fully funded, recipients are forest owners.

D) Support for Accredited Advisory Activities in Forestry:

- Support for analysing forest property, economic conditions, implementing legal regulations, and diversifying activities.
    - **Conditions:** Applicants include owners, tenants, or lessees of forests who select a professional forest manager. Support covers 80% of expenses, up to CZK 40,000.

E) National Program for Protection and Reproduction of Forest Tree Gene Resources:

- Support for maintaining and managing gene bases and recognised sources of reproductive material.
    - **Conditions:** Recipients are owners, tenants, or lessees of the land with genetic resources.

F) Support and Guarantee Agricultural and Forestry Fund (PGRLF):

- **Programs:**
    - **Forest Manager:** Subsidy for part of the interest on loans for special equipment, cableways, winches.
    - **Wood Processor:** Subsidy for part of the interest on loans for equipment for handling facilities, sawmills, and fuel production.

- **Farmer Program:** Subsidy for part of the interest on loans for forest nurseries included in primary agricultural production.
- **Forest Stands Insurance Program:** Reimbursement of part of the costs for insuring forest stands against fires and abiotic factors.
- **Forest Nursery Production Insurance Program:** Reimbursement of part of the costs for insuring planting material against damage.
- **Investment Loans Program:** Provision of interest-bearing loans for investment assets related to forestry.
- **Conditions:** Vary by program. Applicants include forest entrepreneurs, forest owners, and municipalities.

G) Diesel Tax Refund:

- Refund of the tax on diesel used for forest management.
    - **Conditions:** Available for those engaged in forest management, including forestry service providers.

H) Several Supports from Regional Budgets (depending on regions):

- Example – Financial contributions for forest management (bark beetle logging, regeneration, forest protection, road repairs) – an expert consulted noticed that the amount of money is generally low in this case.
    - **Conditions:** Vary by region; registration is required.

I) EU Funds under the Ministry of Agriculture:

- **Rural Development Program (RDP) 2014-2020:** Support for afforestation, forest prevention, post-disaster restoration, protection of soil-improving species, equipment, and gene resources.
    - **Conditions:** Applications are submitted via the Farmer Portal, requiring registration and meeting administrative requirements.
- **Comon Agriculture Policy (CAP) 2021-2027:** Support for prevention and restoration of forests after disturbances, afforestation and reforestation of suitable land, agroforestry, investments in forestry equipment and technologies, ecosystem services, protection of genetic resources, training, advisory services and knowledge transfer.
    - **Conditions:** Applications are submitted via the Farmer Portal, requiring registration and meeting administrative requirements. Specific intervention criteria defined for forestry in the national CAP Strategic Plan.

J) EU Funds under the Ministry of Environment:

- **Operational Program Environment (OPE) 2014-2020:** Focused on nature and landscape protection, biodiversity, and ecological stability.
    - **Conditions:** Applications are based on announced calls by the Ministry of Environment and are implemented through regional offices of the Agency for Nature Conservation and Landscape Protection.
- **Operational Program Environment (OPE) 2021-2027:** Focused on measures that strengthen ecosystem resilience, biodiversity, and climate adaptation.
    - **Conditions:** Applications are based on announced calls by the Ministry of Environment. Applications must provide compliance with national forest legislation, demonstrate non-productive purpose and be submitted via the OPE online system.

General Requirements:

- **Forest Ownership:** Most supports are intended for forest owners, tenants, lessees, or borrowers.
- **Legislative Compliance:** Adherence to laws governing forest management is required for support eligibility.
- **Notification and Application:** Notification before work commencement and application submission after work completion within the specified deadlines.
- **Use of Applicant Modules:** Applications are submitted via the Farmer Portal (RDP) or the Unified Subsidy Portal.
- **Confirmation by Professional Forest Manager:** Quality of work must be confirmed by a professional forest manager.
- **No Penalties:** Support may be denied if the applicant has been penalized for violating forest law.
- **No Duplicate Financing:** The same subject cannot be financed from other public sources.
- **De Minimis Regime:** Many supports from PGRLF and some regional subsidies are provided under the de minimis regime.
- **Registration and Account on Portals:** Applications via the Farmer Portal or Unified Subsidy Portal require registration and an account.

Note: The amount of financial contributions and specific conditions may change depending on current regulations and announcements. Updated information is available on the websites of the Ministry of Agriculture, Ministry of Environment, PGRLF, regional offices, the State Agricultural Intervention Fund, and the Agency for Nature Conservation and Landscape Protection[14].

However, as highlighted in the interview with a representative of the Czech Forestry Research Institute, usually the amounts paid out through these initiatives are relatively small, and not every

[14] Association of Owners of Municipal, Private and Ecclesiastical Forests in the Czech Republic, *Financial support in forestry*, 2022

eligible candidate is guaranteed a funding. Generally, the budgets set out for forestry subsidies are not very high and the system of forest incentives could be improved[15].

- **Is there a right to decide about the forest management practices in their forest land?**

Generally, a certified forest manager is responsible for forest management and for a preparation of a forest management plan in line with the requirements set out in the Law 289/1995 of 3 November 1995 on Forests. However, forest owners have the right to notify the state forest administration authority of their management plans and requirements for the preparation of the plan within the deadline set by the authority as specified in the Article 25(2) of the Law 289/1995 of 3 November 1995 on Forests.

- **Is there a right to harvest?**

Yes, forest owners have the right to harvest timber, but this right is regulated to ensure sustainable forest management. Limitations on the right to harvest are outlined in Articles 33(1)-33(7) of the Law 289/1995 of 3 November 1995 on Forests and presented in Section 4.3 of this summary.

4.3. Limitations to the rights of forest owner/holder

- **Is there a limitation to change the land use of the land (from forestry to agriculture and/or urbanization)?**

Yes, as outlined in Article 13 of the Law 289/1995 of 3 November 1995 on Forests:

"All land intended to fulfil the functions of a forest shall be effectively managed in accordance with this Act. Their use for other purposes is prohibited. An exception to this prohibition may be decided by the state forest administration authority on the basis of a request from the owner of the forest land or in the public interest if other public interest outweighs the interest of fulfilling the functions of the forest."

Additionally, as highlighted in the interview with a representative of the Czech Forestry Research Institute, it is generally very challenging to change the use of forest land in Czechia. The procedures required for this are usually very complicated and lengthy, as in that sense it is almost impossible to change the use of forest land in Czechia. This rigidity has been a cause of many frustrations and the Czech authorities are currently in the process of reviewing the legislation, such that this becomes easier[16].

- **Is there a legal limitation to the right to harvest? Is there a ban on clear cutting?**

Articles 2(l) – 2(o) of the Law 289/1995 of 3 November 1995 on Forests define the following types of harvest:

[15] Interview with the Czech Forestry Research Institute (17.12.2024)
[16] Interview with the Czech Forestry Research Institute (17.12.2024)

"(l) pre-clearance deliberate harvesting carried out for the purpose of stand rearing,

(m) clearfelling deliberate harvesting for the purpose of restocking or selection of individual trees in a stand intended for restoration,

(n) incidental logging logging carried out for the purpose of treating dry, uprooted, diseased or damaged trees,

(o) exceptional harvesting conditional on a permit or decision of a State forestry authority."

In the Law 289/1995 of 3 November 1995 on Forests there are legal limitations to the right to harvest:

1. Prioritisation of Incidental Logging:
   Forest owners are obligated to prioritise incidental logging (logging of dry, uprooted, diseased, or damaged trees) to prevent the spread or overpopulation of harmful organisms (Article 32(1)).
2. Notification Requirement:
   If incidental logging results in a contiguous clear-cut larger than 0.2 ha, the forest owner must notify the State Forestry Authority at least 14 days before proceeding, except in urgent cases specified in Article 32(1)(a) and Article 32(2).
3. Harvest Volume Limits:
   Incidental logging is counted towards the total allowable harvest set in forest management plans or outlines. Exceeding this limit requires approval from the State Forestry Authority to amend the plan or outline (Article 32(2)).
4. Approval for Harvest Without a Plan:
   Harvesting in forests without an approved forest management plan or adopted outline is only allowed with the consent of a professional forester. If harvesting exceeds 3 m^3 per hectare per calendar year, the owner must provide prior written notice to the State Forestry Authority, including the forester's approval (Article 32(4)).
5. Prohibited Premature Harvesting:
   Deliberate clearfelling (mature harvesting) in high forests younger than 80 years or low and medium forests younger than 20 years is prohibited. Exceptions can be granted by the State Forestry Authority for specific cases, such as endangered stands or preparatory/fast-growing species (Article 32(5)).
6. Minimizing Negative Impacts:
   Harvesting must be conducted in ways that minimise negative impacts on forest ecosystems (Article 32(6)).

Ban on Clear Cutting in Czechia

There is no outright ban on clear cutting, but the practice is highly regulated:

1. Clear-Cutting as Deliberate Harvesting:
   Clearfelling is allowed as a method of deliberate harvesting for the purpose of restocking or restoration (Article 32).
2. Size and Justification Requirements:
   Clear-cutting over 0.2 ha must comply with notification or approval procedures as specified in the Forest Act (Article 32(1), Article 32(5)).
3. Sustainable Forest Management (SFM) Requirements:
   Clear-cutting is limited by the principles of sustainable forest management. Forest owners are required to leave an appropriate quantity of felling residues and trees for decomposition to preserve forest soil and non-productive functions (Article 32(3)).

- **Are there limitations to carry out non-forest activities in forest land (like mining, energy plants, etc.)?**

Yes, as outlined in Article 13 of the Law 289/1995 of 3 November 1995 on Forests:

"All land intended to fulfil the functions of a forest shall be effectively managed in accordance with this Act. Their use for other purposes is prohibited. An exception to this prohibition may be decided by the state forest administration authority on the basis of a request from the owner of the forest land or in the public interest if other public interest outweighs the interest of fulfilling the functions of the forest."

Additionally, as highlighted in the interview with a representative of the Czech Forestry Research Institute, it is generally very challenging to change the use of forest land in Czechia. The procedures required for this are usually very complicated and lengthy, as in that sense it is almost impossible to change the use of forest land in Czechia. This rigidity has been a cause of many frustrations and the Czech authorities are currently in the process of reviewing the legislation, such that this becomes easier[17].

- **Are there specific limitations to carry out agricultural activities, like extensive grazing or temporary cultivation, on forest land?**

As already mentioned in the paragraphs above, use of forest land for other than forestry purposes is very strictly regulated by law (Article 13 of the Law 289/1995 of 3 November 1995 on Forests and an interview with a representative of the Czech Forestry Institute conducted on 17.12.2024).

[17] Interview with the Czech Forestry Research Institute (17.12.2024)

- **Is hunting right linked to ownership right? Is it considered a forest activity or does it have specific regulations?**

In Czechia, hunting rights are not directly linked to ownership rights and are governed by the Law 449/2001 of 27 November 2001 on Hunting[18]. Hunting holds a particularly important and distinctive role in the country, as it is closely associated with forest management and rural land use. Given its long history, importance and social status, hunting was included in the official List of Intangible Cultural Heritage of the Czech Republic, maintained by the Ministry of Culture, at the beginning of 2012. The Ministry of Agriculture supports not only forestry activities but also hunting-related initiatives, with both sectors often operating in close coordination and mutual support.

- **Are there citizens' rights to collect wild products in forest land? Are they linked to the ownership right or not?**

Under Czech legislation, specifically Article 19 of the Law 289/1995 of 3 November 1995 on Forests, all citizens have the right to access forests and collect wild products for personal use. This includes gathering forest fruits and dry wood lying on the ground, provided they do so responsibly, without causing damage to the forest or disturbing the forest environment. This right is not inherently linked to forest ownership; rather, it is a general right granted to the public. However, this right be restricted by the forest owners if they have an objective reason to do so (e.g. afforestation and its related fencing).

- **Are there rights to access (walking) on forest land? Are there specific regulations for public use of forest land, hiking, riding, biking, etc.?**

In Czechia, public access to forest land is regulated under Article 19 and Article 20 of the Law No. 289/1995 of 3 November 1995 on Forests.

Rights to Access Forest Land:

1. **General Access**:
    - Article 19(1) grants everyone the right to enter forests at their own risk. This includes collecting forest fruits and fallen branches for personal use, provided they do not damage the forest or disrupt its environment.
    - Visitors are required to follow the instructions of forest owners or tenants to ensure the forest's protection.
2. **Behavioural Obligations**:
    - Under Article 19(2), individuals must adapt their actions to the natural conditions of the forest and any associated hazards. They must prioritise their safety and the safety of others.
    - Forest owners are not liable for damages or injuries incurred during access unless caused intentionally.

[18] LAW No. 449/2001 of 27 November 2001, Act on Hunting (Zákon č. 449/2001 Sb., Zákon o myslivosti)

3. **Temporary Restrictions**:
    - Article 19(4) allows state forestry authorities to impose temporary restrictions on access for up to three months to protect the forest, public health, or safety. Such restrictions must be publicly announced and can be extended if necessary.

Specific Regulations for Activities in Forests:

- **Prohibited Activities**:
    - Article 20(1) lists several prohibited activities, including:
        - Damaging vegetation, disturbing wildlife, or littering.
        - Riding bicycles, horses, skis, or sleds outside designated trails.
        - Building structures, camping, or making fires outside designated areas.
        - Using motor vehicles, except as authorised.
- **Organised Events**:
    - Under Article 20(5), organised or large-scale sporting events in forests require prior notification to state forestry authorities, including consent from the forest owner. Additional conditions may be imposed.
- **Exceptions**:
    - Forest owners can grant exceptions to certain prohibitions listed in Article 20(1), such as activities that do not infringe on the rights of other forest owners (Article 20(4)).

4.4. Forest owner/holder obligations and requirements.

- **Which requirements or obligations regarding forest management are imposed on owners?**

Forest owners in the Czech Republic have several obligations and requirements related to forest management, as outlined in Act No. 289/1995 on Forests. Key obligations and requirements include:

- **Property Tax:** Forest owners must pay a property tax at a rate of 0.45%. Discussions are ongoing regarding potential changes, including tax exemptions for forest owners.
- **Forest Management Plans:** Owners of forests larger than 50 hectares must have an approved forest management plan, which defines the scope of permitted activities such as logging, reforestation, and silvicultural operations.
- **Simplified Management Overviews:** For forests smaller than 50 hectares, owners can manage based on simplified management overviews, which do not require approval unless formally adopted by the owner.
- **Logging Permits:** Standard logging under an approved forest management plan does not require special permission. However, incidental logging (e.g., removal of damaged trees) must be reported to the State Forestry Administration if it results in a clear-cut larger than 0.2 hectares. Logging in younger forests requires prior approval from the State Forestry Administration.

- **Land Use Change Permits:** Owners wishing to use forest land for purposes other than forestry must obtain special approval.
- **Forest Protection:** Owners are obligated to implement measures to prevent fires and control pests and harmful organisms. They must manage forests in a way that does not endanger neighbouring forests.
- **Forest Road Use:** The use of forest roads is restricted to forest management purposes, and motor vehicles are prohibited except for approved activities.
- **Fencing:** The construction of fences in forests is generally prohibited without specific permission.
- **Logging Notifications:** If logging exceeds 3 m^3 per hectare annually in forests without an approved forest management plan, prior written notification to forestry authorities and approval from a certified forest manager are required.
- **Compliance with Management Plans:** Owners must adhere to approved forest management plans or simplified management overviews.

- **Is there a tax** imposed on forest ownership?

In Czechia, forest ownership is taxed under the Law 338/1992 of 4 May 1992 on Tax on Immovable Property. [19] According to Article 6(c) of this Law, the tax rate for forest land is set at 0.45%.

However, based on an interview with a representative of the Czech Forestry Research Institute, the issue of property tax on forest lands remains a significant concern for forest owners. Many feel dissatisfied, as they are required to pay a tax while their forests provide services to society, such as recreation and foraging opportunities, which they must tolerate. There is an ongoing debate about potential changes to this system, including the possibility of society contributing to the cost or exempting forest owners from the tax altogether. It is worth noting that protective forests and forests with special purposes are currently exempt from this tax[20].

- **What type of permits the forest owner needs** to manage their land?

In Czechia Forest owners need several documents to manage their land:

1. Forest Management Plans or Outlines:

- Forests larger than 50 hectares require a forest management plan, which must be approved by the State Forest Administration (Article 24 of the Forest Law). These plans

[19] LAW No. 338/1992 of 4 May 1992, Act on Tax on Immovable Property (Zákon č. 338/1992 Sb., Zákon o dani z nemovitých věcí)
[20] Interview with the Czech Forestry Research Institute (17.12.2024)

dictate the scope of permissible activities, including harvesting, reforestation, and silvicultural operations.

- For forests smaller than 50 hectares, owners can operate under simplified management outlines, which do not require approval unless the owner formally adopts them (Article 25 of the Forest Law).

2. Harvesting Permits:

- Regular harvesting within the limits of an approved management plan does not require a specific permit.
- Incidental logging (e.g., removal of damaged, diseased, or uprooted trees) must be reported to the State Forest Administration if it results in a clear-cut larger than 0.2 hectares (Article 33(1) of the Forest Law).
- Clear-cutting younger forests (e.g., high forests under 80 years or coppice forests under 20 years) requires prior approval from the State Forest Administration (Article 33(5) of the Forest Law).

3. Permits for changing the use of forest land:

As highlighted in the Article 13 of the Law 289/1995 of 3 November 1995 on Forests : "All land intended to fulfil the functions of a forest shall be effectively managed in accordance with this Act. Their use for other purposes is prohibited. An exception to this prohibition may be decided by the state forest administration authority on the basis of a request from the owner of the forest land or in the public interest if other public interest outweighs the interest of fulfilling the functions of the forest."

Therefore, if forest owners have the intention to use the forest land for other purposes than the 'forest functions', they require a specific permit.

- **How is the control of forest harvest determined? Is there an obligation to mark every tree to be cut or retained?**

In Czechia, the control of forest harvest is governed by the Law 289/1995 of 3 November 1995 on Forests.

Determination and Control of Forest Harvest:

1. Obligation to Plan and Notify:
    - Harvesting must adhere to approved Forest Management Plans or management outlines for forests smaller than 50 hectares (Article 24, Article 25).
    - Owners must prioritise incidental logging to address damaged, diseased, or pest-affected trees to prevent the spread of harmful organisms (Article 33(1)).
    - For incidental logging resulting in a clear-cut area larger than 0.2 hectares, the forest owner must notify the forestry authority at least 14 days in advance (Article 33(1)).

2. Control of Harvesting Activities:
    - State forestry authorities oversee forest management and harvesting to ensure compliance with management plans and legal requirements (Article 51).
    - If harvesting activities exceed the approved limits in the forest management plan, owners must apply for a modification to the plan or guidelines before proceeding (Article 33(2)).
3. Marking Trees for Harvest:
    - The law does not explicitly mandate the marking of every tree to be harvested. However, the trees to be cut or retained are typically identified in the Forest Management Plan prepared by a licenced forest manager. Although not legally mandated, a representative of the Czech Forestry Research Institute stated that it is common practice to mark trees designated for cutting with a small dot or another symbol, as agreed upon with the harvesting company[21].
    - For forests managed without an approved FMP, harvesting exceeding 3 m^3 per hectare annually requires prior written notification to forestry authorities, accompanied by the professional manager's approval (Article 33(4)).

- **Are there technical, administrative or economic specifications on the forest products market? Are forest harvest contracts legally defined for public or private forests or for some specific types?**

Forest products market is regulated by the Law 289/1995 of 3 November 1995 on Forests and by the Law 149/2003 of 18 April 2003 on Trade in Forest Tree Reproductive Material[22].

For **public forests**, contracts must adhere to **public procurement procedures**, as mandated by the Law 134/2016 of 19 April 2016 on Public Procurement[23]. These contracts often include detailed terms regarding the volume of timber, harvesting methods, and obligations for post-harvest restoration.

For **private forests**, contracts are more flexible, allowing forest owners to negotiate terms directly with contractors. However, owners and contractors must ensure to follow SFM practices as mandated by Forest Law.

- **Is there an obligation to prevent forest fires or other risks?**

Yes, as outlined in Article 32(1)(c) of the Law 289/1995 of 3 November 1995 on Forests, forest owners are obliged to conduct measures that prevent occurrence of forest fires. Additionally,

[21] Interview with the Czech Forestry Research Institute (17.12.2024)
[22] LAW No. 149/2003 of 18 April 2003, Act of the Parliament of the Czech Republic on the Marketing of Forest Tree Reproductive Material of Economically Significant Species and Artificial Hybrids for Forest Regeneration and Afforestation, and on Amendments to Certain Related Laws (Zákon č. 149/2003 Sb., Zákon Parlamentu České republiky o uvádění do oběhu reprodukčního materiálu lesních dřevin lesnicky významných druhů a umělých kříženců, určeného k obnově lesa a k zalesňování, a o změně některých souvisejících zákonů)
[23] LAW No. 134/2016 of 19 April 2016, Act of the Parliament of the Czech Republic on Public Procurement (Zákon č. 134/2016 Sb., Zákon Parlamentu České republiky o zadávání veřejných zakázek)

according to the Article 32(1)(b) of the same law, forest owners are obliged to prevent occurrence and spread of harmful organisms and pests. Lastly, Article 32(7) of the Forest Law mandates that forest owners need to manage their forests in a way that that their activities do not endanger the forests of neighbouring owners.

- **Is fencing or the use of forest roads regulated?**

Fencing in forests is subject to certain restrictions and conditions under the Law 289/1995 of 3 November 1995 on Forests. According to Article 20(1)(b) of this law, constructing fences and other structures in forests is generally prohibited without specific authorisation. Exceptions can be granted by the forest owner, but any activity that could disrupt the natural environment or impede public access to forests must comply with applicable regulations.

The use of forest roads is also regulated to ensure they are used in a manner that supports sustainable forest management and minimises environmental impacts. Forest roads are primarily intended for forest management activities, and their use is restricted to authorised purposes. Article 19(1) of the Law 289/1995 of 3 November 1995 on Forests allows public access to forests, but using motor vehicles on forest roads is prohibited under Article 20(1)(g), except for specific exemptions such as forest management operations, state forestry authorities, or activities authorised by law (Article 20(6)).

- **Is there an obligation for forest owners and/or forest managers to be associated?**

In Czechia, there is no legal obligation for forest owners or forest managers to be part of any association. However, joining an association significantly enhances the efficiency and ease of forest management, particularly for owners of smaller forest plots[24].

4.5. Forest manager/contractor obligations

- **Which requirements or obligations on forest management are legally imposed on forest managers/contractors**?

In Czechia, forest managers and contractors must manage forests in accordance with approved forest management plans or simplified guidelines in case of forest plots smaller than 50 ha, as stipulated in Articles 24–28 of the Law 289/1995 of 3 November 1995 on Forests. These plans specify the methods and intensity of forest harvesting, reforestation, and protection measures. Detailed information on forest management plans/outlines are presented in Section 5 of this summary.

- **What legal rights does the forest manager/contractor have in your country**?

In Czechia, forest managers and contractors have specific legal rights granted under the Law 289/1995 of 3 November 1995 on Forests and related legislation.

[24] Interview with the Czech Forestry Research Institute (17.12.2024)

1. **Right to Conduct Forest Operations:** Under Articles 24–28 of the Forest Law, managers have the right to carry out forest management activities in line with approved forest management plans. These activities include harvesting timber, reforestation, and implementing protection measures.
2. **Right to Use Natural Resources:** Managers and contractors can utilise forest resources, such as timber and non-timber products, within the legal frameworks established by the Forest Law.
3. **Right to Contract Work:** Contractors have the right to enter into agreements with forest owners or managers to perform specific forestry tasks, such as logging, road maintenance, or pest management, as defined under their contracts and relevant provisions of the Law 90/2012 of 25 January 2012 on Business Corporations and the Law 289/1995 of 3 November 1995 on Forests.
4. **Right to Compensation:** If forest managers or contractors incur losses due to extraordinary government interventions, such as restrictions during pest outbreaks or natural disasters (Article 51a of the Forest Law), they may be entitled to compensation for damages or additional costs incurred.
5. **Right to Access Public Support Programs:** Forest managers have the right to apply for public subsidies or grants that were presented in Section 4.2 of this summary.

- Is **there a requirement of a forest management plan**? Are there detailed prescriptions on that?

In Czechia, forest management plans are obligatory for any forest land bigger than 50 hectares as specified in Article 24 of the Law 289/1995 of 3 November 1995 on Forests.

For forest properties between 3-50 ha, owners are not required to prepare a full forest management plan. Instead, they can adhere to simplified management outlines provided by the government. If the owner accepts these outlines, they become enforceable and define the responsibilities and available options for the owner (Article 25 of the Law 289/1995 of 3 November 1995 on Forests).

Detailed information on what has to be included in Forest Management Plans and Outlines is presented in Section 5 of this summary.

- Is there an **obligation to register the responsibility** of forest manager/contractor?
    i. Is registration based on product income?
    ii. Is there a registration fee?

In Czechia, forest management can only performed by a certified forest manager registered in the Register of Licensed Professional Forest Managers. Generally, this manager is appointed and paid by the state, so the state also has an overview of who manages which forest.

There is not an obligation to register a forest contractor[25].

- Is there a **tax imposed on the forest manager**? Is it based on income or hectares?

There is not a tax imposed on forest managers arising solely from them being managers. Only if they generate income from the forestry activities, they could be taxed in line with the Law 586/1992 of 20 November 1992 on Income Tax[26].

5. Forest Management plans

- Are forest management plans required in the legislation of your country?
  - ☒ Yes
  - ☐ No

  Specify where and the conditions as well as the amount of forest land with plans

  In Czechia, forest management plans are obligatory for any forest land bigger than 50 hectares as specified in Article 24 of the Law 289/1995 of 3 November 1995 on Forests.
  For forest properties between 3-50 ha, owners are not required to prepare a full forest management plan. Instead, they can adhere to simplified management outlines provided by the government. If the owner accepts these outlines, they become enforceable and define the responsibilities and available options for the owner (Article 25 of the Law 289/1995 of 3 November 1995 on Forests).

- Are there other type of plans required such as:
  - ☐Technical Plan
  - ☐Financial Plan
  - ☐Exploitation Plan
  - ☐Fire prevention Plan
  - ☐Hunting Plan – Hunting is regulated separately and is not part of forest management plans.

Law 289/1995 of 3 November 1995 on Forests does not require these types of plans.

- Please indicate the **minimum size of forest requiring a forest management plan**?

The minimum size of forest requiring a forest management plan is 50 ha (Article 24 of the Law 289/1995 of 3 November 1995 on Forests). For forest plots smaller than 50 ha, there is an option to adhere to simplified management outlines provided by the government (Article 24 of the Law 289/1995 of 3 November 1995 on Forests).

- On **which legal basis are they required? Are they legally binding or only guidelines**?

The obligation to prepare a forest management plan is stated in Articles 24-28 of the Law 289/1995 of 3 November 1995 on Forests. Management plans are legally binding, and not

[25] Interview with the Czech Forestry Research Institute (17.12.2024)
[26] LAW No. 586/1992 of 20 November 1992, Act on Income Taxes (Zákon č. 586/1992 Sb., Zákon České národní rady o daních z příjmů)

adhering to them can result in fines as outlined in the Article 54 of the Law 289/1995 of 3 November 1995 on Forests.

However, for forest plots smaller than 50ha, there are shorter management outlines prepared by the government. These only become legally binding when formally accepted by the owner, as specified in Article 25(3) of the Law 289/1995 of 3 November 1995 on Forests: "For a forest owner with property larger than 3 hectares, who chooses to use the outline for forest management and formally accepts it by signing a protocol, the total allowable harvest volume becomes binding and cannot be exceeded, as does the proportion of soil-improving and stabilizing tree species during forest regeneration."

If the outlines are not formally accepted, they only remain guidelines. In this case, the owner is still responsible to adhere to general rules set out in the Forest Law.

- **Who has the responsibility for the implementation of forest management plans**? Please include national, regional, and local levels as appropriate. Please distinguish between state and private ownership. Please distinguish between different protection status.

According to the Law 289/1995 of 3 November 1995 on Forests, it is the responsibility of forest managers to prepare and implement forest management plans or outlines. If the forest is owned privately, forest manager with required qualifications is appointed and financed by the state. State administration at national, regional, and local levels oversees adherence to these plans and approves them (Articles 24–27 of the Forest Law).

- Are forest **management plans being enforced**?

Yes. Enforcement is carried out by the Forest State Administration, which monitors compliance with the forest management plans (Article 28 of the Law 289/1995 of 3 November 1995 on Forests). Violations can lead to penalties under Article 54 of the same law.

- Is there an obligation to maintain a **Forest Book** (linked or related to the Farm Book of the Common Agricultural Policy (CAP)?

There is no specific reference in Law 289/1995 of 3 November 1995 on Forests to maintaining a "Forest Book" linked to the Farm Book of the Common Agricultural Policy. However, forest owners must comply with reporting and record-keeping obligations tied to their forest management plans as outlined in Articles 24-28 of the Law 289/1995 of 3 November 1995 on Forests.

- **How often do forest management plans need to be updated**? Who is responsible for the update?

Forest management plans and outlines are typically valid for 10 years (Articles 24(1) and 25(1) of the Law 289/1995 of 3 November 1995 on Forests). The responsibility for updating plans falls on forest managers in collaboration with forest owners, who can express their preferences to the manager (Article 26 of the same Law).

- Are specific mechanisms put in place to guarantee that national legislation is in line with European guidelines and **criteria on forest management plans** (i.e. Natura 2000 Forest Management Plans?

In Czechia, mechanisms are in place to align national legislation with European guidelines and criteria on forest management plans, including those related to Natura 2000 sites. The Law 114/1992 on the Protection of Nature and Landscape provides the legal framework for the implementation of Natura 2000. Forest management within Natura 2000 areas must comply with the requirements to maintain or improve the conservation status of habitats and species, as outlined in Article 45 of this Law. Additionally, Law 289/1995 on Forests integrates sustainable forest management practices. This includes obligations to consider biodiversity conservation and ecological stability in forest management plans.

Additionally, while Czechia does not have guidelines specifically focusing on natura 2000 sites, the Forestry Research Institute recently published two guidelines for small forest owners: (1) Methodological guidelines on protection of spruce stands against bark beetles for small forest owners and (2) Cultivation procedures forest regeneration and rearing for small forest owners. These guidelines focus on forest regeneration and protection against pests. Both guidelines also cover aspects related to protected areas and take into account the latest European guidelines and criteria. Lastly, the State Forestry Policy Concept to 2035 has also been prepared taking into account the latest European guidelines and agreements on sustainable forest management and closer to nature forestry.

- Are there any specific requirements for the **forest management plans** in terms of content, structure or criteria? If yes, please elaborate.

Yes. Forest management plans must include the following, in line with Article 24(2) of the Law 289/1995 of 3 November 1995 on Forests:

- Total allowable harvest.
- Share of soil-improving and stabilising tree species.
- Minimum area for silvicultural interventions in forests up to 40 years old.

Moreover, for forest plots smaller than 50 ha, forest management guidelines apply instead. While they are not mandatory, owners who adopt them must adhere to the total allowable harvest, with additional binding requirements on soil-improving and stabilizing tree species (Article 25(3) of the Forest Law). In case of forests smaller than 3 ha, there are only guidelines on the total allowable harvest as stated in Article 25(3) of the Law 289/1995 of 3 November 1995 on Forests.

- Are there any **supporting mechanism for the management plans**? If yes, please elaborate.

Yes, supporting mechanisms for forest management plans exist in the Czech Republic and are outlined in several national and EU funding programs. All supporting mechanisms available to forest owners are presented in great detail in Section 4.2 of this summary.

- Are **there impact assessment required** in your country in relation to the adoption of the forest management plans? What mechanisms are in place in your country to ensure that forest management plans are developed to ensure sustainable forest management practices? If yes, please elaborate.

Impact assessments for forest management plans are generally not required by law, but environmental considerations, particularly for protected areas, are integrated into the approval process (Article 27(1) of the Law 289/1995 of 3 November 1995 on Forest).

- Are the **Natura 2000 sites plans already implemented and well-coordinated or integrated** with forest management plans? Are traditional forest activities recognized in those plans? Are there guidelines for small forest owners and managers on what they can and can't do?

Natura 2000 sites are integrated with forest management plans, ensuring alignment with conservation objectives (Article 27(1) of the Law 289/1995 of 3 November 1995 on Forest). Guidelines for small forest owners are provided through simplified outlines, which specify permissible activities (Article 25(1)). Additionally, the Research Institute of Forestry and Hunting recently published two guidelines for small forest owners: (1) Methodological guidelines on protection of spruce stands against bark beetles for small forest owners and (2) Cultivation procedures forest regeneration and rearing for small forest owners. These guidelines focus, among other issues, on protected sites and Natura 2000 sites.

Additionally, the management and protection of Natura 2000 sites is specifically governed by the Law 114/1992 of 19 February 1992 on the Protection of Nature and Landscape[27].

[27] LAW No. 114/1992 of 19 February 1992, Act of the Czech National Council on the Protection of Nature and Landscape (Zákon č. 114/1992 Sb., Zákon České národní rady o ochraně přírody a krajiny)

6. Sustainable forest management.

6.1. Sustainable forest management definition and forestry practices

- Is sustainable forest **management (SFM) defined in your country**?

  ☐ Yes
  ☒ No

The term of sustainable forest management is not explicitly defined in the Law 289/1995 of 3 November 1995 on Forests. However, as outlined in the Article 1 of this Law, one of the key objectives of the forest law is to ensure SFM. Additionally, Articles 23-28 of the Forest Law cover prerequisites for SFM.

- Does the definition of **SFM include specific objectives**?

  ☐ Yes
  ☒ No

The Czech Law 289/1995 of 3 November 1995 on Forests does not present specific objectives for SFM but rather focuses on more general objectives. More specifically, the law emphasises the sustainable use of forest resources, conservation of biodiversity, soil and water protection, and fulfilling ecological and economic forest functions. Specific objectives include maintaining allowable harvest levels (Article 24 of the Law 289/1995 of 3 November 1995 on Forests) and ensuring a minimum share of soil-improving and stabilising tree species during forest regeneration (Article 24(2) of the same law).

- Does your country have specific guidelines **on Sustainable Forest Management**? If yes, are those mentioned in the legislation?

  ☐ Yes, they can be found here:
  ☒ No
  ☐ Other sources defining or implementing Sustainable Forest Management

While Czechia does not have guidelines specifically focusing on SFM, the Research Institute of Forestry and Hunting recently published two guidelines for small forest owners: (1) Methodological guidelines on protection of spruce stands against bark beetles for small forest owners and (2) Cultivation procedures forest regeneration and rearing for small forest owners. These guidelines focus on forest regeneration and protection against pests, which are important elements of SFM.

- Does your country have a **Forest Strategy and/or Forest Management Policy** setting policy priorities that implement a SFM approach?

  ☒ Yes, they can be found here: State Forestry Policy Concept to 2035
  ☐ No
  ☐ Other sources setting the Forest strategy/policy

State Forestry Policy Concept in Czechia is a document presenting the strategy for Forest Management and Regeneration Until 2035. One of its key goals is to (1) To develop sustainable

forest management as part of the protection, management and use of the landscape and (2) To motivate and financially support forest owners to engage in sustainable forest management and to fulfil public service objectives.

- **Which requirements/obligations** result from the legally binding requirement for SFM?
  1. For forest owners
  2. For forest managers

As explained, forest management plans/outlines are in Czechia prepared by certified forest managers, who are also responsible for their implementation. A forest management plan is a tool used by the state to ensure sustainable forest management. All available information about forest management plans and their requirements are presented in Section 5 of this summary.

- Are **specific criteria and/or indicators** to determine whether SFM is being achieved? Where are they described (see table below)?

Yes, specific criteria and indicators to determine whether Sustainable Forest Management (SFM) is being achieved are outlined in Czech forest legislation, particularly in Law 289/1995 of 3 November 1995 on Forests. These criteria are embedded within the framework of forest management plans and outlines as mandated by Articles 23–28 of this law.

Key Criteria and Indicators:

1. Forest Management Plans and Outlines:
    - Forest management plans are required for properties larger than 50 hectares, while management outlines apply to smaller forest plots. These plans must include measures ensuring forest health, biodiversity conservation, and sustainability, such as:
        - Maximum allowable harvest levels.
        - Minimum proportions of soil-improving and stabilizing tree species during reforestation (Article 24(2)).
    - For properties with outlines, adherence to allowable harvest levels and species composition is mandatory once the outline is accepted (Article 25(3)).
2. Regional Forest Development Plans:
    - Regional forest development plans, regulated under Article 23, serve as methodological tools for state forest policy and recommend principles for forest management. These plans incorporate environmental and conservation considerations, including the introduction of non-native tree species, which require approval from nature conservation authorities.
3. Monitoring and Evaluation of Forest Conditions:
    - The state is responsible for forest inventories and monitoring, as specified in Article 28. This includes collecting data on forest conditions to assess compliance with sustainability objectives and inform future policies.

4. Provisions for Forest Health and Biodiversity:
    - Forest management plans and outlines must address measures to prevent pest outbreaks, ensure reforestation, and maintain ecosystem stability (Article 24(2) and Article 26).

- Are some **forest managers implementing sustainable forest management practices voluntarily**? If yes, how are these voluntary management practices taking place? Through citizen initiatives, local initiatives, or other ways? Please explain how forest managers ensure that forest management practices are sustainable.

Yes, some forest managers in the Czech Republic voluntarily implement SFM practices. A notable example is the activities of Pro Silva Bohemica, an organisation that promotes close-to-nature, non-clearcut methods of forest management. The focus of Pro Silva Bohemica is to maximise the use of natural processes in forests to achieve economic and societal benefits expected by forest owners, while minimising interventions and input costs associated with forest management. Pro Silva Bohemica, founded in 1995 as a branch of the Czech Forestry Society, has operated as an independent association since 2022 and is part of the international Pro Silva movement, established in 1989. The organization actively supports the practical application and testing of nature-friendly forest management techniques, such as natural regeneration and selective logging.

Another way to voluntarily implement sustainable forest management practices is through voluntary forest certification schemes. The two main certification systems active in Czechia are the Programme for the Endorsement of Forest Certification (PEFC) and the Forest Stewardship Council (FSC).

- Which mechanisms are put in place to support the implementation of SFM? Which measures are in place to monitor implementation of the SFM?

In Czechia, several mechanisms are in place to support the implementation and monitoring of SFM, primarily under the framework of Law 289/1995 of 3 November 1995 on Forests. These mechanisms include:

Support for SFM Implementation

1. **Forest Management Plans and Outlines :**
    - Forest management plans (FMPs) are mandatory for forest properties exceeding 50 hectares, and outlines (simplified plans) are prepared for smaller forest areas. These plans define legally binding provisions such as maximum harvest volumes and requirements for soil-improving tree species (Article 24 and Article 25 of the Forest Law).
    - These documents serve as a primary tool for ensuring adherence to SFM principles by setting clear guidelines for forest management practices.

2. **Financial Support Mechanisms**:
    - The state provides financial incentives for SFM through subsidies and compensation schemes that are presented in Section 4.2.
3. **Educational and Advisory Services**:
    - The Research Institute of Forestry and Hunting sometimes publishes specific guidelines such as for instance (1) Methodological guidelines on protection of spruce stands against bark beetles for small forest owners, (2) Cultivation procedures forest regeneration and rearing for small forest owners. Other forestry organisations also occasionally publish new guidelines / advice for forest owners such as for instance a handbook on financial support for forest owners prepared by the Association of Owners of Municipal, Private and Ecclesiastical Forests in the Czech Republic.

Monitoring Mechanisms

1. **Forest Inventory and Monitoring**:
    - Regular forest inventory and monitoring are carried out under Article 28 of the Forest Law to assess the state of forest ecosystems, including growth, regeneration, and biodiversity. The State Forestry Administration supervises forest management practices to ensure compliance with the Forest Act and approved FMPs. It has the authority to impose penalties for non-compliance and to approve or modify forest management plans in line with Articles 50 and 56 of the Law 289/1995 of 3 November 1995 on Forests.
2. **Certification Schemes**:
    - Voluntary certification programs such as PEFC and FSC provide additional mechanisms to monitor and ensure adherence to SFM principles.

- Which forest management practices are required or prohibited by law in your forest/country? Please check below the proposed forest management practices and add supplementary ones if missing (Please include explanation of the legal requirements of the relevant techniques).
    - Closer to nature silviculture practices - Encouraged by the Forest law (Articles 13 and 46 of the Law 289/1995 of 3 November 1995 on Forests) to enhance forest resilience, biodiversity, and ecological stability.
    - Clear-cutting – permitted but restricted - Clear-cuts cannot exceed 1 hectare (Article 31(2) Law 289/1995 of 3 November 1995 on Forests) unless authorised. Width restrictions apply based on terrain and tree height. Prohibited adjacent to unsecured young forests to prevent exceeding specified area limits (§ 31(5)).
    - Shelterwood system - Encouraged in protective forests and for challenging regeneration conditions (Article 31(3) of the Law 289/1995 of 3 November 1995 on Forests). Designed to gradually replace old stands while protecting young growth.

- Selective logging - Supported for continuous forest cover and ecological balance, especially on sensitive or steep slopes (Article 31(3) of the Law 289/1995 of 3 November 1995 on Forests). Often applied in protective forests where clear-cutting is unsuitable.
- Afforestation and reforestation to enlarge forest areas - Legal obligation after logging (Article 31(6) of the Law 289/1995 of 3 November 1995 on Forests). Reforestation must occur within two years of clear-cutting. The forest stand must be secured within seven years. Afforestation on non-forested land requires approval under land-use and environmental regulations.
- Controlled burn – not mentioned in the Law 289/1995 of 3 November 1995 on Forests
- Mandatory salvage logging - Obligatory to prevent pest outbreaks and ensure safety (Article 33(1) of the Law 289/1995 of 3 November 1995 on Forests). Salvage operations must prioritise the removal of damaged or infested trees.
- Overharvesting that reduces stand density below 70% of full coverage is prohibited, unless for ecological benefit (Article 31(4) of the Forest Law).
- Expanding clear-cuts to exceed legal size and proximity limits without proper authorisation (Article 31(5) of the Law 289/1995 of 3 November 1995 on Forests).
- Use of non-native or genetically unsuitable tree species for reforestation (Article 31(1) Law 289/1995 of 3 November 1995 on Forests).

- Are there limitations on the management models to be applied, like clearcuttings or their sizes? **Is there a ban on clear cutting linked to SFM?**

In Czechia, clearcutting is not explicitly banned but is subject to strict limitations and regulatory controls under Law 289/1995 of 3 November 1995 on Forests. Article 33(5) prohibits clearcutting in high forests younger than 80 years and low or coppice forests younger than 20 years, with exceptions allowed by the State Forestry Administration in specific circumstances, such as for stands at risk or fast-growing species. Additionally, Article 33(1) mandates that incidental logging, which may lead to clearings larger than 0.2 hectares, must be reported to the State Forestry Administration at least 14 days before the activity unless urgent measures are required under Article 32.

The law also requires forest owners to leave adequate residues from harvesting and retain some trees for natural decomposition to preserve soil health and forest ecosystem functions (Article 33(3)). All harvesting activities must comply with approved forest management plans or outlines, which set specific restrictions on allowable harvest volumes and species composition as per Articles 24 and 25.

- Is there a **defined/legal target for forest land to be managed for conservation and species protection objectives in your country or region**?

Based on the research, Czechia does not have a defined legal target for the proportion of forest land to be exclusively dedicated to conservation and species protection. Based on the reviewed sources, the State Forestry Policy Concept to 2035 includes goals and measures related to forest and species protection. However, it does not specify an explicit legal target for the area of forest land to be exclusively reserved for nature conservation purposes

Key Aspects Related to Forest and Species Protection:

- **Biodiversity and Ecological Stability**:
  The State Forestry Policy Concept to 2035 aims to increase the biodiversity and ecological stability of forest ecosystems. This includes supporting species, age, and spatial diversity in forest structure to make forests more resilient to environmental changes while fulfilling all their functions.
- **Sustainable Forest Management**:
  The State Forestry Policy Concept to 2035 prioritises sustainable forest management, meaning forests should be managed to fulfil ecological, protective, economic, and social functions. It encourages forest owners to adopt sustainable practices while considering biodiversity and nature conservation.
- **Protection of Genetic Resources of Forest Trees**:
  The State Forestry Policy Concept to 2035 highlights the threat to genetic resources of forest tree species as a key issue. Supporting species diversity and natural regeneration is aimed at improving forest conditions and protecting genetic diversity.
- **Deadwood and Habitat Trees**:
  The State Forestry Policy Concept to 2035 promotes leaving deadwood, harvest residues, and habitat trees in forests. These elements are essential for biodiversity and improving forest ecosystem health, although no specific quantitative target is set.
- **Balancing Needs**:
  One of the goals is to achieve a balance between conservation requirements and economic needs in forestry.

- Are there **forest owner obligations** related to **forest restoration** after harvest?

Based on Article 31 of the Law 289/1995 of 3 November 1995 on Forests, following obligations related to forest restoration after harvest apply in Czech Republic.

- **Obligation to Reforest**: Forest owners must restore forest stands with site-appropriate tree species and do so within **two years** of clear-cutting.
- **Protection of Reforested Areas**: Restored forests must be secured (e.g., successfully growing trees) within **seven years** of the harvest.
- **Preference for Natural Regeneration**: When conditions permit, natural regeneration should be utilised. However, it is not allowed in stands with genetically unsuitable trees.

- **Limitations on Clear-Cuts**: Clear-cuts are generally limited to a size of **1 hectare**, with exceptions for specific conditions or with authorised approval from forest authorities.
- **Proximity to Young Forests**: New clear-cuts must not adjoin young or unsecured reforested areas if the total area exceeds the allowed limits.
- **Exception Approvals**: Deadlines for reforestation or securing forest stands may be extended under exceptional circumstances with authorisation from the forestry authority.

6.2. "Closer-to-nature" guidelines and practices

(This section relates to the Commission Guidelines on Closer to nature forest management but also Commission guidance on payment schemes for forest ecosystem services both aiming to provide information and guidance for sustainable forest management)

- Has your country incorporated the **newly published Commission guidelines** in their legal or regulatory framework?

No evidence could be identified suggesting that these guidelines have been incorporated into Czechia's legal or regulatory framework. However, based on an interview with a representative of the Czech Forestry Research Institute; currently there are strong pressures on the Czech authorities to review and modernise the national forest legislation[28].

- Has your country **recognised under law/regulatory measure a closer-to-nature approach** in forest management? If yes please provide the source where this is explained and elaborate below.

  ☐ Yes: in the Strategy that can be found here: .....
  ☒ No

- There is no evidence suggesting that Czechia had legally or regulatorily recognised a "closer to nature" approach to forest management. However, State Forestry Policy Concept to 2035 lists objectives and measures that are consistent with this approach, and there are many methodological guidelines giving advices how to do closer-to-nature forestry practices (e.g. Methodology for model solutions to crisis situations caused by overpopulation of bark beetles using some innovative procedures, Management of forest stands with Norway spruce in terms of maximizing forest biodiversity).

- Does your country have legislation/measures setting specific biodiversity targets/management objectives for sustainable forest management at a national or regional level?

  ☒ Yes, at national level – they can be found here: State Forestry Policy Concept to 2035
  ☐ Yes, at regional level – they can be found here: .....
  ☐ No

[28] Interview with the Czech Forestry Research Institute (17.12.2024)

Please describe them and elaborate:

The Czech Republic has implemented measures at the national level aimed at supporting biodiversity in forestry. These measures are part of the broader State Forestry Policy Concept to 2035. The main goals and measures focus on increasing biodiversity and the ecological stability of forest ecosystems. Specific steps include:

- Support for species, age, and spatial diversity of forests:
    - The goal is to enhance the structural diversity of forests, including the promotion of suitable tree species.
    - Adjust rules for the use, vertical and horizontal transfer of reproductive material, and the introduction of geographically non-native tree species.
    - Employ various forest management methods to increase species and spatial diversity of forests.
- Support for forest management that preserves and enhances biological diversity:
    - Promote differentiated forest management that leads to the preservation and enhancement of biological diversity.
    - Ensure forests can better withstand climate change while maintaining timber production.
- Support for leaving decaying wood, harvest residues, and habitat trees in forests:
    - Motivate forest owners to leave these elements, which are essential for biodiversity and the improvement of forest ecosystem health.
    - Regulate the removal of forest harvest residues where it might endanger the state of forest ecosystems.
- Increase the proportion of natural regeneration and promote non-clearcut management methods:
    - Legislate measures to support natural regeneration.
    - Introduce non-clearcut management methods to increase the species and spatial diversity of forests.

Tools to Achieve These Goals:

- Legislative tools:
    - The Forest Law should create conditions for the full application of all forest management methods and support diverse species composition and natural regeneration.
    - The Law 149/2003 of 18 April 2003 on Trade in Forest Tree Reproductive Material should regulate the transfer of reproductive material and the introduction of non-native species, considering changing conditions[29].

[29] LAW No. 149/2003 of 18 April 2003, Act of the Parliament of the Czech Republic on the Marketing of Forest Tree Reproductive Material of Economically Significant Species and Artificial Hybrids for Forest Regeneration and Afforestation, and on Amendments

- Economic tools:
    - Motivational policies to support species-rich and structurally diverse forests, leaving deadwood, and applying non-clearcut management methods.
    - Simplification of administrative processes for provided supports and increasing their motivational effect.

6.3. Climate change and Forest carbon absorption

- Does your country have legislation/measures setting specific climate change targets or objectives for sustainable forest management at a national or regional level?

Czechia has legislative and policy measures aimed at sustainable forest management in the context of climate change, implemented at the national level. These measures are embedded in the State Forestry Policy Concept to 2035. While the document does not explicitly specify "climate targets" in numerical terms, it integrates climate change adaptation into its main goals.

Here is an overview of the relevant aspects of the State Forestry Policy Concept to 2035

- **Adaptation to Climate Change as a Priority**:

  The concept identifies climate change and its consequences (drought, extreme temperatures, strong winds) as one of the main threats to forest ecosystems. Therefore, adapting forests to these changes becomes a key priority.

- **Increasing the Resilience of Forest Ecosystems**:

  One of the primary long-term goals is to enhance biodiversity and ecological stability in forest ecosystems with regard to ongoing climate change. This includes:

    - Supporting species, age, and spatial diversity in forests.
    - Promoting forest management practices that preserve and increase forest biodiversity.
    - Encouraging the retention of decaying wood, harvest residues, and habitat trees.
    - Increasing the share of natural regeneration.

- **Positive Water and Carbon Balance**:

  The concept emphasizes the importance of forests in improving the water balance of the landscape and sequestering carbon. Measures include:

    - Utilizing sustainable and site-appropriate forest management methods.
    - Preserving organic matter in forest soils.
    - Regulating biomass extraction to avoid endangering forest ecosystems.

- **Adjusting Wildlife Populations**:

---

to Certain Related Laws (Zákon č. 149/2003 Sb., Zákon Parlamentu České republiky o uvádění do oběhu reprodukčního materiálu lesních dřevin lesnicky významných druhů a umělých kříženců, určeného k obnově lesa a k zalesňování, a o změně některých souvisejících zákonů)

The concept addresses the impact of wildlife on forest ecosystems and proposes:

- Effective wildlife population reduction to balance wildlife numbers with forest conditions.
- Amendments to hunting legislation to consider forest conditions when planning wildlife hunting.

- **Tools for Achieving the Goals**:
  - **Economic Tools**: The concept proposes motivational and sanction policies, payments for ecosystem services, and simplification of administrative procedures for supports.

Another relevant strategy is **Strategy for Adapting to Climate Change in the Conditions of the Czech Republic.** The primary objective is to increase the resilience of the Czech Republic to climate change by reducing vulnerability and strengthening the adaptive capacity of society, the economy, and ecosystems. This means ensuring that climate impacts (drought, heatwaves, floods, storms, forest disturbances) cause minimal negative consequences for people and nature. It includes specific goals:

- Reduce Vulnerability to Climate Change Across Sectors:
  - Reduce overall vulnerability of key sectors such as water management, agriculture, forestry, transport, energy, human health, and settlements.
  - Focus on mitigating negative climate impacts such as drought, soil degradation, extreme heat, forest decline, and biodiversity loss.
- Ensure the Ecological Stability and Climate Resilience of Forests:
  - Increase the resilience of forests to drought, pests, storms, and temperature extremes.
  - Maintain or restore forest ecosystem services through: diversification of tree species, close-to-nature forest management, improved regeneration and adaptation measures, increased carbon storage and biodiversity support.
- Enhance Water Retention in the Landscape:
  - Strengthen resilience to drought and water scarcity by improving water retention in soils and forests, restoring wetlands and natural watercourses, implementing nature-based solutions, increasing infiltration capacity and reducing erosion.
- Reduce Impacts of Extreme Weather Events:
  - Improve preparedness for floods, heatwaves, wildfires, windstorms, landslides and other climate-related hazards.
- Protect Human Health and Wellbeing:
  - Minimize health risks caused by climate change (heat stress, vector-borne diseases, air quality deterioration) through preventive, monitoring, and preparedness measures.
- Strengthen Adaptation Governance and Knowledge:

- Improve climate data, monitoring, forecasting, education and public awareness, cooperation across ministries, regions, and sectors, research on climate risks, modelling, and nature-based adaptation.

International Commitments:

The Czech Republic seeks to meet its obligations under international law and its membership in the European Union concerning sustainable forest management and climate protection. The State Forestry Policy Concept to 2035 refers to several international forestry policy documents, including climate agreements such as the UN Framework Convention on Climate Change, the Kyoto Protocol, and the Paris Agreement.

7. Forest land market

NOTE: The key objective is to identify and present information on the basic legal framework regulating market of forest land and inheritance processes.

- Are there specific legal requirements or limitations when selling and buying forest land?

1. General Legal Framework

- The sale and purchase of forest land are governed by the Law 89/2012 – the Civil Code, which sets out general rules for property transactions, including contracts, ownership transfers, and obligations of buyers and sellers.
- Forest land transactions must comply with land registration requirements under the Law 256/2013 of 8 August 2013 on the Cadastre of Real Estate, ensuring accurate records in the national land registry.

2. Specific Requirements Under the Forest Act

- Maintaining Forest Land Designation: Forest land is subject to restrictions on its use. Any change in its purpose (e.g., conversion to non-forest use) requires approval from relevant authorities as per Article 13 of the Forest Law. Buyers must respect the designation and manage the land according to forestry regulations.

3. Environmental and Conservation Restrictions

- Forest lands located in protected areas (e.g., national parks, nature reserves) are subject to additional restrictions under the Law 114/1992 on the Protection of Nature and Landscape. Buyers must comply with specific requirements to preserve biodiversity and ecological stability.

- Are there **limitations to divide** the land by selling or inheritances?

Article 12 of the Law 289/1995 of 3 November 1995 on Forests states the following: "The division of forest land, where the area of one part falls below 1 hectare, requires the consent of the forestry administration authority. The forestry administration authority will not grant consent if the division would result in plots of unsuitable shape or size that do not allow for proper forest management."

- Are there institutions/**bodies providing information** related to the forest land market?

The following institutions/bodies in Czechia may provide information related to the forest land market:

- Association of Owners of Municipal, Private and Ecclesiastical Forests in the Czech Republic (Sdružení vlastníků obecních, soukromých a církevních lesů v ČR (SVOL))
- Czech Association of Entrepreneurs in Forestry (Česká asociace podnikatelů v lesním hospodářství)

- Trade Union of Workers in the Woodworking, Forestry, and Water Management Sectors in the Czech Republic (Odborový Svaz pracovníků Dřevozpracujících odvětví, Lesního a Vodního hospodářství v České republice)
- Czech Chamber of Professional Forest Managers (Česká komora odborných lesních hospodářů)
- Forestry Research Institute (Výzkumný ústav lesního hospodářství a myslivosti)
- Forests of the Czech Rebpulic (Lesy České republiky, s.p.)
- Ministry of Agriculture of the Czech Republic (Ministerstvo zemědělství ČR)
- Czech Forestry Institute (Národní lesnický institut)

- Are there institutions/**bodies contributing to dynamise that market,** like forest land banks or advisory bodies (similar to the CAP advisory bodies) and others? Is there regular information on the amount of forest land transferred and the prices of transmissions? (Information on this market is usually missing)

Based on the research and an interview with a representative of the Czech Forestry Research Institute, in Czechia, there are no specific entities directly equivalent to "forest land banks" or dedicated advisory bodies like those found under the Common Agricultural Policy (CAP). The Czech Forestry Institute with the Forests of the Czech Republic, state enterprise, could be considered as a relevant advisory body. The Czech Forestry Institute provides forest management planning and the state enterprise employs accredited advisors for forest owners.

The quantity of forest land that is transferred and the pricing of these transactions are typically neither centralised nor consistently accessible in Czechia[30].

- Are there **regulations of forest land leasing**? Are they common with agricultural land or independent and with specific requirements?

In Czechia, regulations of forest land leasing are not common with agricultural land but have their own specific requirements, as specified in Article 5 of the Law 289/1995 of 3 November 1995 on Forests. According to Article 5 of this law,

"(1) Leasing and subleasing of the state forest for the purpose of forest management is prohibited.

(2) Subleasing of the forest is not permitted unless otherwise stipulated in the lease agreement."

Private forest owners can lease their land; however, they have to ensure that the management practices and harvest are aligned with the requirements set out in the Law 289/1995 of 3 November 1995 on Forests.

[30] Interview with the Czech Forestry Research Institute (17.12.2024)

- Are there obligations **and or access to insurances for forest land or forest activities**?

Based on a review of the Czech legislation, and especially the Law 289/1995 of 3 November 1995 on Forests, insurance of forest land or forest activities is not compulsory. However, a variety of insurance companies provide such insurance. However, financial support is available through the Support and Guarantee Agricultural and Forestry Fund's forest insurance program, covering up to 50% of insurance costs for damages caused by fires or abiotic events.

Eligible applicants include forest owners or users with insurance from cooperating providers. Support operates under the de minimis aid regime, capped at 300,000 EUR over three years.

- Are there specific regulations providing, **facilitating or limiting access to financial credits** for forest activities or mortgages on forest land?

No relevant regulations were identified.

8. Forest companies, Forest incentives and taxation.

Forest Companies

- Is there a **register of forest industries**? Is there a **register of forest contractors**?

In Czechia, there is no specific register of forest industries or forest contractors. All companies operating in Czechia, including forest industries, are registered in the Commercial Register. This registration is mandatory under Law 90/2012 of 25 January 2012 on Business Corporations[31].

- Is there any specific **regulation on forest ownership, forest cooperatives or other types of forest companies or are they all regulated under the** Company Law?

Forest ownership and management in the Czech Republic are primarily regulated under the Law 289/1995 of 3 November 1995 on Forests which sets out rules for sustainable forest management, conservation, and the responsibilities of forest owners. This act includes provisions addressing shared forest ownership structures, including cooperatives, which are traditional forms of managing forests in the region.

Forest cooperatives and other land associations are specifically governed by the Law 139/2002 of 21 March 2002 on Land Associations, which regulates their formation, operation, and management[32].

For companies engaged in forestry, general business activities fall under the scope of the Law 90/2012 of 25 January 2010 on Business Corporations, which governs the establishment, operation, and dissolution of legal corporations, including forest companies.

- Do **small forest owners have access to the status of forest companies**?

In Czechia, small forest owners can establish themselves as forest companies and engage in forestry activities regardless of the size of their forest holdings. The primary legislation governing business activities, including forestry, is the Law 90/2012 of 25 January 2012 on Business Corporations.

Forest incentives and taxation

- Are there **effective subsidies** for forest owners and managers to implement SFM? And/or to carry out biodiversity conservation measures? If it does exist, please compare the total amount paid at national level in the last 3 years with available information with the amount defined as necessary at the Prioritised Actions Framework.

Based on a handbook on financial support for forest owners prepared by the Association of Owners of Municipal, Private and Ecclesiastical Forests in the Czech Republic, forest owners are

[31] LAW No. 90/2012 of 25 January 2012, Act of the Parliament of the Czech Republic on Commercial Companies and Cooperatives (Act on Business Corporations) (Zákon č. 90/2012 Sb., Zákon o obchodních společnostech a družstvech (zákon o obchodních korporacích))

[32] LAW No. 139/2002 of 21 March 2002, Act of the Parliament of the Czech Republic on Land Consolidation and Land Offices (Zákon č. 139/2002 Sb., Zákon o pozemkových úpravách a pozemkových úřadech)

entitled to various forms of financial support, tax relief, and subsidies. These supports are divided into several categories:

A) Compensation under the Law 289/1995 of 3 November 1995 on Forests and the Law 114/1992 of 19 February 1992 on the Protection of Nature and Landscape[33]:

- Compensation for restrictions on forest management.
- Reimbursement of costs for land improvement and torrent control.
- Compensation for increased costs in protective forests.
- Compensation for damage caused to forests.
- Partial reimbursement of increased costs for planting soil-improving and stabilizing tree species.
- Compensation for the use of land for forest transport.
    - **Conditions:** Claims are submitted periodically as needed, with certain exceptions having specific deadlines. Applicants must be forest owners, except in specific cases.

B) Supports from the State Budget under the Ministry of Agriculture:

- **Financial contributions for forest management:**
    - Support for ecological and environmentally friendly forestry technologies.
    - Support for forest regeneration, securing, and tending to stands up to 40 years of age.
    - Support for preparing forest management plans.
    - Support for forest protection (sanitation, chipping, installation of pheromone traps).
    - **Conditions:** Notification before starting work and application within three months after work completion. Applicants are forest owners or those with rights and obligations of the owner.

C) Services for Forest Owners:

- Ensuring protection against pests, land improvement, fire protection, mosquito control, and monitoring harmful agents.
    - **Conditions:** Fully funded, recipients are forest owners.

D) Support for Accredited Advisory Activities in Forestry[34]:

- Support for analysing forest property, economic conditions, implementing legal regulations, and diversifying activities.

[33] LAW No. 114/1992 of 19 February 1992, Act of the Czech National Council on the Protection of Nature and Landscape (Zákon č. 114/1992 Sb., Zákon České národní rady o ochraně přírody a krajiny)

[34] To consider that, in some cases, advisory services are for free (e.g. for small holders). These services are provided by private accredited advisors or by advisors employed by Forest of the Czech Republic, state enterprise.

- **Conditions:** Applicants include owners, tenants, or lessees of forests who select a professional forest manager. Support covers 80% of expenses, up to CZK 40,000.

E) National Program for Protection and Reproduction of Forest Tree Gene Resources:

- Support for maintaining and managing gene bases and recognized sources of reproductive material.
    - **Conditions:** Recipients are owners, tenants, or lessees of the land with genetic resources.

F) Support and Guarantee Agricultural and Forestry Fund (PGRLF):

- **Programs:**
    - **Forest Manager:** Subsidy for part of the interest on loans for special equipment, cableways, winches.
    - **Wood Processor:** Subsidy for part of the interest on loans for equipment for handling facilities, sawmills, and fuel production.
    - **Farmer Program:** Subsidy for part of the interest on loans for forest nurseries included in primary agricultural production.
    - **Forest Stands Insurance Program:** Reimbursement of part of the costs for insuring forest stands against fires and abiotic factors.
    - **Forest Nursery Production Insurance Program:** Reimbursement of part of the costs for insuring planting material against damage.
    - **Investment Loans Program:** Provision of interest-bearing loans for investment assets related to forestry.
    - **Conditions:** Vary by program. Applicants include forest entrepreneurs, forest owners, and municipalities.

G) Diesel Tax Refund:

- Refund of the tax on diesel used for forest management.
    - **Conditions:** Available for those engaged in forest management, including forestry service providers.

H) Several Supports from Regional Budgets (depending on regions):

- Example – Financial contributions for forest management (bark beetle logging, regeneration, forest protection, road repairs).
    - **Conditions:** Vary by region; registration is required.

I) EU Funds under the Ministry of Agriculture:

- **Rural Development Program (RDP) 2014-2020:** Support for afforestation, forest prevention, post-disaster restoration, protection of soil-improving species, equipment, and gene resources.

    - **Conditions:** Applications are submitted via the Farmer Portal, requiring registration and meeting administrative requirements.
- **Comon Agriculture Policy (CAP) 2021-2027:** Support for prevention and restoration of forests after disturbances, afforestation and reforestation of suitable land, agroforestry, investments in forestry equipment and technologies, ecosystem services, protection of genetic resources, training, advisory services and knowledge transfer.
    - **Conditions:** Applications are submitted via the Farmer Portal, requiring registration and meeting administrative requirements. Specific intervention criteria defined for forestry in the national CAP Strategic Plan.

J) EU Funds under the Ministry of Environment:

- **Operational Program Environment (OPE) 2014-2020:** Focused on nature and landscape protection, biodiversity, and ecological stability.
    - **Conditions:** Applications are based on announced calls by the Ministry of Environment and are implemented through regional offices of the Agency for Nature Conservation and Landscape Protection.
- **Operational Program Environment (OPE) 2021-2027:** Focused on measures that strengthen ecosystem resilience, biodiversity, and climate adaptation.
    - **Conditions:** Applications are based on announced calls by the Ministry of Environment. Applications must provide compliance with national forest legislation, demonstrate non-productive purpose and be submitted via the OPE online system.

General Requirements:

- **Forest Ownership:** Most supports are intended for forest owners, tenants, lessees, or borrowers.
- **Legislative Compliance:** Adherence to laws governing forest management is required for support eligibility.
- **Notification and Application:** Notification before work commencement and application submission after work completion within the specified deadlines.
- **Use of Applicant Modules:** Applications are submitted via the Farmer Portal (RDP) or the Unified Subsidy Portal.
- **Confirmation by Professional Forest Manager:** Quality of work must be confirmed by a professional forest manager.
- **No Penalties:** Support may be denied if the applicant has been penalized for violating forest law.
- **No Duplicate Financing:** The same subject cannot be financed from other public sources.

- **De Minimis Regime:** Many supports from PGRLF and some regional subsidies are provided under the de minimis regime.
- **Registration and Account on Portals:** Applications via the Farmer Portal or Unified Subsidy Portal require registration and an account.

Note: The amount of financial contributions and specific conditions may change depending on current regulations and announcements. Updated information is available on the websites of the Ministry of Agriculture, Ministry of Environment, PGRLF, regional offices, the State Agricultural Intervention Fund, and the Agency for Nature Conservation and Landscape Protection[35].

However, based on the research it is not possible to compare the total amount paid at national level in the last 3 years with available information with the amount defined as necessary at the Prioritised Actions Framework. Additionally, as highlighted in the interview with a representative of the Czech Forestry Research Institute, usually the amounts paid out through these initiatives are relatively small, and not every eligible candidate is guaranteed a funding. Generally, the budgets set out for forestry subsidies are not very high and the system of forest incentives could be improved[36].

Aside from a direct financial support, another form of incentive for forest owners is participation in voluntary forest certification schemes. In Czechia, the **Programme for the Endorsement of Forest Certification (PEFC)** and the **Forest Stewardship Council (FSC)** are the two main certification systems. While these schemes do not offer direct financial support, they incentivize responsible forestry and can enhance credibility with consumers and stakeholders.

- What taxes are applicable to Forest companies and forest owners?

Following taxes are applicable to Forest companies and forest owners:

1. Corporate Income Tax (for forest companies) and personal income tax (forest owners who generate income from their forest):
- Law No. 586/1992 of 20 November 1992 on Income Tax
2. Value-Added Tax (VAT):
- Law No. 235/2004 of 1 April 2004 on Value Added Tax, as amended[37].
- A VAT tax applied to the sale of timber and related products. The basic rate of tax on goods and services is 21% of the tax base as indicated in Article 47 of the Law on Value Added Tax.
3. Real Estate Tax:
- Law 338/1992 of 4 May 1992 on Tax on Immovable Property.
- According to Article 6(c) of this Law, the tax rate for forest land is set at 0.45%.

[35] Association of Owners of Municipal, Private and Ecclesiastical Forests in the Czech Republic, *Financial support in forestry*, 2022
[36] Interview with the Czech Forestry Research Institute (17.12.2024)
[37] LAW No. 235/2004 of 1 April 2004, Act of the Parliament of the Czech Republic on Value Added Tax (Zákon č. 235/2004 Sb., Zákon o dani z přidané hodnoty)

9. Enforcement: Forest control and penalties.

- Are there specific measures in place to enforce compliance with the legal requirements on forest management?

  Please list only the legislative measures including the responsible body that are specific to forest management requirements.

In the Czechia, the enforcement of forest control and penalties is primarily governed by the Law 289/1995 of 3 November 1995 on Forests. Compliance with legal requirements related to forest management is overseen by several government bodies. The Ministry of Agriculture plays a central role in supervising adherence to the Forest Act and related regulations. It monitors the actions of state administration bodies, legal entities, and individuals to ensure compliance and is authorised to impose corrective measures to address identified deficiencies, as outlined in Article 50 of the Forest Law.

The state forest administration authorities are responsible for monitoring compliance with forest management plans and legal requirements, as stipulated in Article 51 of the Forest Law. These authorities oversee forest owners' and leaseholders' activities to ensure sustainable management practices. In cases where imminent harm to forests is detected, the administration has the authority to suspend or restrict operations until the necessary corrections are made.

Non-compliance with forest management regulations results in penalties, which are detailed in Articles 53 to 57 of the Law 289/1995 of 3 November 1995 on Forests. Fines can be imposed on individuals and legal entities for unauthorised activities or failure to implement required protective measures. Depending on the severity of the violation, penalties range from CZK 5,000 for minor infractions to CZK 1,000,000 for serious offenses.

The enforcement of these provisions is carried out by the state forest administration authorities, with the Ministry of the Environment overseeing broader compliance. In emergencies, the Ministry of Agriculture may issue directives to address significant risks to forest ecosystems.

10. Conclusions

10.1. Legal or regulatory barriers for SFM

- What are the main legal and regulatory barriers and enablers affecting the implementation of SFM in your country?

According to the research, the main legal and regulatory obstacles and factors influencing the implementation of Sustainable Forest Management (SFM) in Czechia are as follows:

Obstacles:

- **Unstable level of financial resources for small forest owners from year to year:** While small forest owners often provide societal benefits without sufficient compensation, the analysis indicates that a relatively wide range of financial instruments is available to them. However, access remains uneven: administrative requirements, limited technical capacity and fragmented ownership can restrict uptake. Moreover, according to consulted stakeholders, interest in these instruments frequently exceeds the resources available in national or regional budgets. As a result, although various funding schemes exist, overall financial support remains insufficient in some years to fully meet demand, and this could pose a challenge for the implementation of sustainable forest management..
- **Inefficiencies in the formation of land associations:** Even though the Ministry of Agriculture and the Czech Forestry Research Institute strongly support the formation of land associations and a joint management of the forest land, this does not work very well in practice. In theory, land associations should facilitate forest management and make the process of securing funding easier. However, based on an interview with a representative of the Czech Forestry Institute, it is necessary to make the legislation on forest association more lenient and ensure the process is easier. Additionally, there is a need to inform small forest owners of the benefits of forming land association.

Factors Supporting SFM Implementation:

- **Forest Management Plans:** Mandatory for forests larger than 50 hectares, these plans are a state tool for ensuring sustainable management. Simplified outlines exist for smaller forests.
- **Financial Support:** Forest owners are entitled to various forms of financial aid, tax relief, and subsidies, including compensations, state budget contributions, regional funding, and EU programs. However, while these exist, based on an interview with the Forestry Research Insitute, they are seen as absolutely insufficient.
- **Educational and Advisory Services:** Institutions like the Forestry Research Institute and accredited forest managers (private entities or under State forest enterprise) provide guidance and advice to forest owners.
- **Voluntary Initiatives:** Some forest managers voluntarily adopt SFM practices, for example, through organizations like Pro Silva Bohemica.

- **Certification Schemes:** Voluntary programs such as PEFC and FSC promote sustainable management.

- Are there specific legal and regulatory barriers or challenges to implement a closer-to-nature approach in forest management in your country?

The following aspects may pose challenges for an implementation of a closer-to-nature approach in forest management.

- **Absence of an Explicit Definition:** Czech legislation does not explicitly define "close-to-nature" forest management. However, the State Forestry Policy Concept to 2035 outlines goals and measures aligned with this approach.
- **Insufficient Financial Support:** Funding for sustainable forest management is often inadequate, potentially deterring owners from adopting close-to-nature methods, which can be more demanding to implement.

- What are the main legal drivers for implementing a closer-to-nature approach in forest management for relevant actors?

According to available sources, there are no specific legal mandates in the Czech Republic explicitly requiring "close-to-nature" forest management approaches. However, certain factors support the adoption of such methods through strategic and policy documents, as well as voluntary initiatives.

Key Indirect Legal and Strategic Drivers:

- **State Forestry Policy Concept to 2035**: This strategic document serves as one of the main indirect drivers. While it does not explicitly use the term "close-to-nature," it outlines goals and measures aligned with this approach, including:
    - Promoting species, age, and spatial diversity in forests.
    - Supporting management methods that preserve and enhance biodiversity.
    - Encouraging the retention of deadwood, logging residues, and habitat trees in forests.
    - Increasing the share of natural regeneration and promoting non-clearcut management methods.
    - Balancing ecological and protective forest functions with productive roles.
- **International Commitments**: The Czech Republic strives to meet obligations under international agreements and EU membership regarding sustainable forest management and climate protection. These commitments indirectly encourage practices consistent with "close-to-nature" principles.

- **Voluntary Initiatives**: Organizations like Pro Silva Bohemica actively promote and test "close-to-nature" management methods. While not legally binding, their efforts serve as an important motivator for some forest owners and managers.
- **Focus on Climate Change Adaptation**: The State Forestry Policy emphasizes the need to adapt forests to climate change, including fostering diverse forest ecosystems, which aligns with "close-to-nature" approaches.
- **Financial Mechanisms**: Various financial instruments support sustainable forest management and may facilitate the transition to "close-to-nature" methods, even though they are not directly aimed at this approach.

Relevant Stakeholders:

- **Forest Owners**: Although there is no direct legal obligation, financial subsidies for environmentally friendly technologies, forest protection, and restoration, combined with guidance and education, can motivate owners to adopt "close-to-nature" practices. Owners also benefit from the long-term sustainability of forests and their increased resilience to pests, diseases, and climate change.
- **Forest Managers**: They are required to follow forest management plans, which may include elements of the "close-to-nature" approach. They also have access to support and education on sustainable methods.
- **Research Institutions**: Play a key role in testing, developing, and disseminating "close-to-nature" management methods. Their research and guidelines are crucial for practical implementation.

Although Czech legislation does not mandate "close-to-nature" forest management methods, there is strong political and strategic support for sustainable forest management, which indirectly encourages the implementation of these approaches. Voluntary initiatives and financial incentives are important drivers for stakeholders.

10.2. Legal or regulatory gaps in national forest legislation

Please provide key conclusions based on the information referred to in previous sections.

Based on the research, these are the key conclusions regarding the legislative framework for small forest owners:

Rights of the forest owners:

- In Czechia, small forest owners are entitled to different forms of financial aid as detailed in section 4.2.
- Additionally, forest owners are assigned a certified forest manager financed by the state, who prepares a forest management plan (for plots larger than 50 ha) or simplified outlines (for plots smaller than 50 ha).

- Small forest owners have access to guidelines and advice offered by different organisations such as Forestry Research Institute, Czech University of Life Sciences, Mendel University or Pro Silva Bohemica.
- Ministry of Agriculture also provides documents and methodical guidelines for forest owners.
- Forest owners are entitled to harvest; however, only in line with the management plans.

Obligations of the forest owners:

- Forest owners are obliged to adhere to a forest management plan. In case of plots smaller than 50 ha, simplified guidelines are prepared. The guidelines only become binding once formally accepted by the owner.
- Forest owners are required to pay property taxes on their forest land.
- Forest owners are required to ensure the forest land fulfils the forest function. Any change in use of the land requires a special approval.
- Forest owners shall not exceed the maximum allowable harvest limits and are required to respect the SFM principles outlined in the Forest Law.

The most serious issues identified:

Insufficient funding available for small forest owners, biodiversity protection and SFM implementation: Despite a variety of funding options available, based on an interview with a representative of the Czech Forestry Research Institute, it is evident that the funding is often not sufficiently high and not available to everyone in need.

Very strict restrictions on forest owners: The restrictions on forest owners imposed by the Czech legislation are very strong, especially in comparison to other European countries[38]. This has been causing mounting frustration among forest owners. While forest owners are obligated to let the public benefits from their forest land (public has always access to forest land for recreational purposes; public can also consume wild products of the forest) and are not allowed to change the function of the forest, they are also obliged to pay taxes on this land and adhere to sustainable forest management. Especially because the funding available for small forest owners is very small (especially in comparison with agriculture), there is, according to the representative of the Czech Forestry Institute, a disbalance between obligations imposed on forest owners and the benefits forest ownership brings to them. In light of the growing dissatisfaction, the legislation is currently under review to potentially lower/abolish taxes on forest land or make the legislation more lenient for small forest owners. However, more details on this will only be available in the next two years.

Challenges related to consolidation of forest land: Even though there are various programs trying to facilitate forest land consolidation, these are currently not very successful due to several challenges: (a) Current Forest laws need to be adapted to fully support land consolidation. (b) Aligning purchase and sales prices to reflect market norms is critical for fair transactions. (c)

[38] OLIVA J., HRIB M., *Comparison of Legislative Restrictions and Their Binding Nature in Forest Laws of Selected European Countries*. Prague., 2022

Ensuring access to information (e.g., maps of transferable properties) and enabling routine consolidation processes.

Inefficiencies in the formation of land associations: Even though the Ministry of Agriculture and the Czech Forestry Research Institute strongly support the formation of land associations and a joint management of the forest land, this does not work very well in practice. In theory, land associations should facilitate forest management and make the process of securing funding easier. However, based on an interview with a representative of the Czech Forestry Institute, it is necessary to make the legislation on forest association more lenient and ensure the process is easier. Additionally, there is a need to inform small forest owners of the benefits of forming land association.

National experts on forest legislation and references

- **Please provide the names and contacts of 3 to 5 experts in forest legislation in your country**,

Jiri Novak: is a researcher for the Forest Research Institute in Czechia. He is focusing on the problems of the influence of silviculture and other cultivation measures on the stability, resistance to abiotic factors and immissions, and adaptation of the forest environment: novak@vulhmop.cz

Petr Fabiánek: is a researcher for the Forest Research Institute in Czechia. He is focusing on issues of forest ecology and Abiotic damage to forest stands, especially mechanical damage and canopy defoliation: fabianek@vulhm.cz

Markéta Davídková: is a researcher for the Forest Research Institute in Czechia focusing on forest protection: davidkova@vulhm.cz

Petr Doležal: Is a researcher for the Forest Research Institute in Czechia focusing on forest protection: dolezal@vulhm.cz

Tomáš Dohnansky: is an expert consultant in forestry and nature conservation working for an Association of Owners of Municipal, Private and Ecclesiastical Forests in the Czech Republic: dohnansky@svol.cz

Michal Hrib: is a researcher at Czech University of Life Sciences Prague (Faculty of Forestry and Wood Sciences) and a lawyer specialized in forest legislation of Czechia: hrib@fld.czu.cz

- Provide **key books or articles analysing the national and/or regional forest legislation** in your country, particularly if they compare it with other countries, if they analyse the effect in actual management of SFM.

Jarský, V., Hrib, M., Riedl, M., Dudík, D., Ventrubová, K., & Šišák, L., *Forest Land Ownership Change in Czech Republic*, 2015

OLIVA J., HRIB M., *Comparison of Legislative Restrictions and Their Binding Nature in Forest Laws of Selected European Countries*. Prague., 2022

Research Institute of Forestry and Hunting, *Methodological guidelines on protection of spruce stands against bark beetles for small forest owners*, 2023

Research Institute of Forestry and Hunting, *Cultivation procedures forest regeneration and rearing for small forest owners.*, 2023

PARTNERS



Funded by
the European Union