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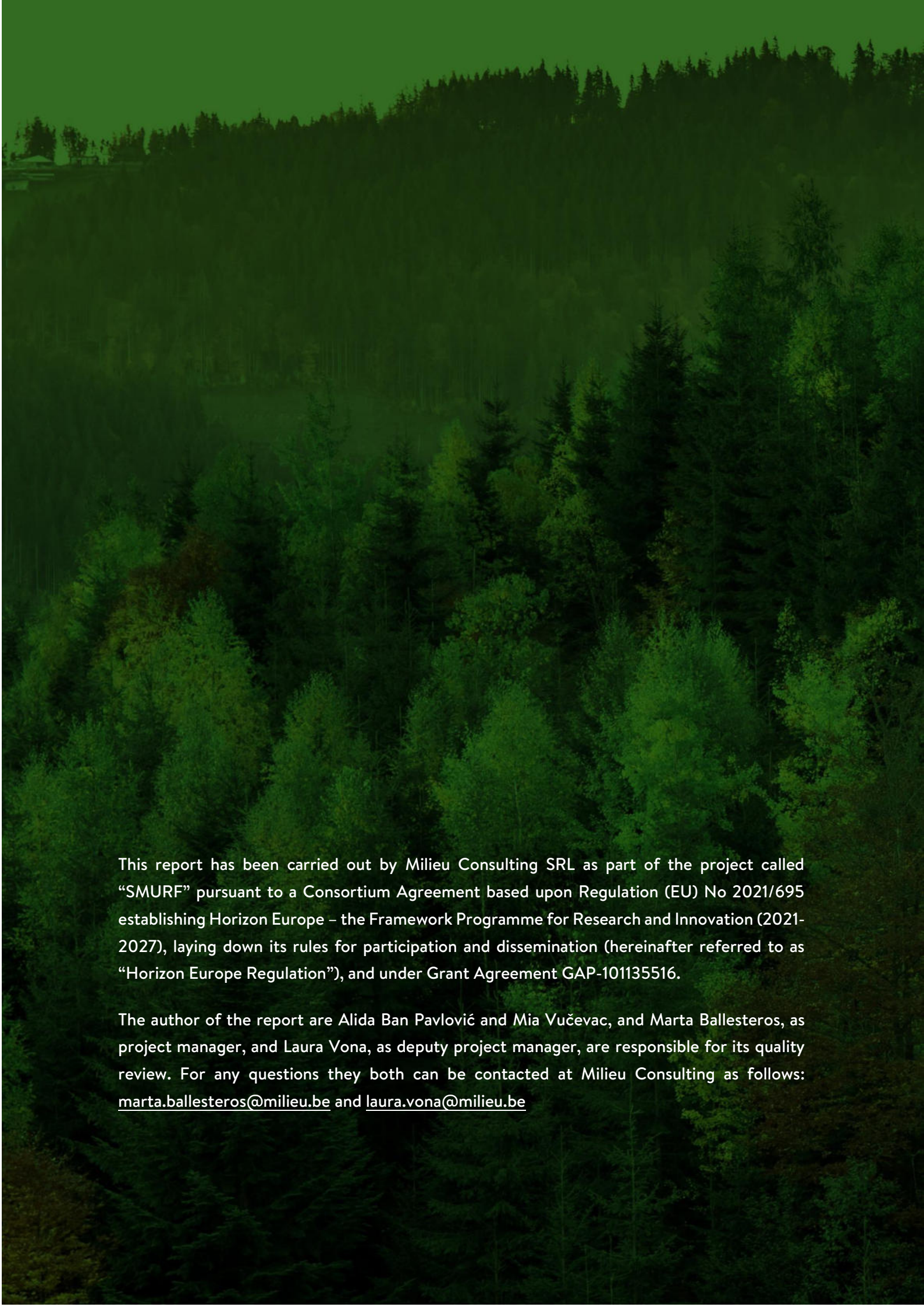
Legal and regulatory framework applicable to Small Forest Owners and Sustainable Forest Management

Country Fact Sheet
Croatia

SMURF
THE FOREST OWNERS' PROJECT

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

Executive Summary

The main forest legislation in the Republic of Croatia is the Forest Act (OG No 68/18, 115/18, 98/19, 32/20, 145/20, 101/23, 36/24, further in text: (FA) which regulates the system and method of management, use and disposal of forests and forest land on the principles of sustainable management, economic and ecological acceptability and social responsibility.

The Forest Act only recognises the term forest owner which does not comply with the Act on Ownership and Other Real Rights (OG 91/96, 68/98, 137/99, 22/00, 73/00, 114/01, 79/06, 141/06, 146/08, 38/09, 153/09, 90/10, 143/12, 152/14) differentiating owners and possessors. A forest owner can be either the owner or possessor of the land. Therefore, the discrepancy also exists in the cadastral registry, which is a registry of the owners of the land, and in the registry of private forest owners, which is a registry of the possessors or owners of the land on which the forest is located.

The main obligations of forest owners are to manage forests by maintaining and improving biodiversity and landscape diversity, as well as to care for the protection of the forest ecosystem. Forest owners have the right to manage the forest in accordance with the forest management plans and harvesting only felled trees.

Sustainable forest management is implemented in the forest management plans. The interest of the Republic of Croatia in the management of forest ecosystems is achieved by implementing the management of forests and forest lands, which, along with ecological balance, ensures permanent maintenance and restoration of forests in the manner and under the conditions prescribed by the Forest Act and special regulations.

The Strategic Plan of the Common Agricultural Policy of the Republic of Croatia 2023-2027 provides for interventions to support the limitation of forest management and the restoration (conversion) of degraded forests. In addition, “PFES” or Payments for Forest Ecosystem Services are a set of beneficial effects of forests for humans and the environment. Payments for Forest Ecosystem Services are required to be paid by legal and natural persons who perform economic activities in the Republic of Croatia. This fund is used to finance the environmentally friendly management of forests.

The main problem in the Republic of Croatia is fragmented forest ownership. With approximately 24% of forests privately owned by over 600,000 individuals, many holding parcels smaller than one hectare, achieving cohesive and standardised management practices across these fragmented holdings is challenging. The financial resources available to forest owners to subsidise sustainable forest management are insufficient. There is no legal distinction between forest owners and forest managers, and therefore the registers are not harmonised.

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

The historical context of the legal and regulatory framework can be found in the General Forest Management Plan for the Republic of Croatia.

On 22 July 1769, Empress Maria Theresa issued a legal decree on forests in the Croatian language, defining how forests should be preserved, cut and rejuvenated (Kesterčanek, 1882; Fischbach 1892). This law is considered the first Law on Forests, the first instruction on forest management and the first forestry textbook in Croatia (Meštrović, 1995; Anić et al., 2012).

This legal regulation emphasised the principle of sustainability as a fundamental principle of forest management and management, and patrols were prescribed for the main types of trees (Meštrović, 1995; Čavlović, 2013). The purpose of this legal act was to instruct forest owners on the proper management of forests and to warn the public of the value of maintaining forests in good condition and the negative consequences of unregulated logging or desolation of forests.

In 1786, King Josip II. issued a patent for land taxation and on the cadastral survey of all forests with the aim of obtaining an objective basis for the taxation of land holdings. The introduction of this provision (patent) from 1786 had a favourable effect on forestry, as it provided for the first data on forest areas in Croatia.

The introduction of legislation in the forestry profession initiated the need for trained experts and the establishment of forestry colleges, so on 19 November 1860, the Economic Forestry College was opened in Križevci, which is considered to be the first school in the territory of today's Republic of Croatia for the education of forestry experts.

As part of the general reform of the economic system, a new federal Forest Act was adopted in April 1961. This act is important mainly because it introduced a new category of forest ownership - social ownership. In fact, this act treats former state forests as social property, and they are given to agricultural and other economic organisations, institutions and state bodies for management and use to forestry. Furthermore, it also introduced the concept of worker self-management in the management and management of forests.

The Act on Forests of 2005 stipulated that forests and forest land owned by the Republic of Croatia are managed by Croatian Forests ltd. ("Hrvatske šume" d.o.o.), and that certain forests and forest land owned by the Republic of Croatia could be used by state administration bodies and legal entities established by the Republic of Croatia. Such a provision for individual state administration bodies and legal entities founded by the Republic of Croatia only enabled them to use individual forests and forest lands owned by the Republic of Croatia, unlike the Act on Forests from 1990, which came into force after the proclamation of independence of the Republic of Croatia, when they were enabled to manage forests and forest land. In 2014, with amendments to the Law on Forests from 2005 (OG, No. 94/14), the aforementioned provision was maintained with the additional clause that individual forests and forest land owned by the Republic of Croatia and intended for scientific research and education may only be managed by legal entities with the status of a public institution established by the Republic of Croatia.

In 2013 the Republic of Croatia joined the European Union. The New Forest Act was proposed in order to regulate the following problems: disparity between the rights and obligations of Croatian Forests ltd. and the private forest owners, for Croatian Forests ltd it was possible to perform some actions or have some rights, which was not possible for private forest owners pursuant to the Forest Act 2005; and lack of unique and high-quality records of data from the field of forestry as well as other nomothetic vagueness. Therefore the new Forest Act came into force in 2018.

1.2. Basic legal instruments

The Forest Act (OG 68/18, 115/18, 98/19, 32/20, 145/20, 101/23, 36/24, further in text: FA)[1]

Law on Nature Protection (OG 80/13, 15/18, 14/19, 127/19 and 155/23)[2]

The Act on Ownership and Other Real Rights (OG 91/96, 68/98, 137/99, 22/00, 73/00, 114/01, 79/06, 141/06, 146/08, 38/09, 153/09, 90/10, 143/12, 152/14)

The Regulation on felling of trees, marking of the timber and forest order (OG 71/19)[3]

The Regulation on the method of data collection, content and management of the Registry and conditions of use of data on forest fires (OG 82/19)[4]

The Regulation on forest management (OG 97/18)[5]

The Regulation on the Registry of private forest owners (OG 20/19)[6]

The Regulation on forest conservation (OG 28/15)[7]

The Ordinance on the lease of forest land owned by the Republic of Croatia (OG 55/19)[8]

The Ordinance on ecological network and competences of public institutions for managing ecological network areas (OG 80/19, 119/23)[9]

[1] https://www.zakon.hr/z/294/Zakon-o-%C5%A1umama
[2] https://www.zakon.hr/z/403/Zakon-o-za%C5%A1titi-prirode
[3] https://www.zakon.hr/cms.htm?id=39919
[4] https://www.zakon.hr/cms.htm?id=40091
[5] https://www.zakon.hr/cms.htm?id=60583
[6] https://www.zakon.hr/cms.htm?id=38895
[7] https://www.zakon.hr/cms.htm?id=9235
[8] https://www.zakon.hr/cms.htm?id=39573
[9] https://narodne-novine.nn.hr/clanci/sluzbeni/2019_08_80_1669.html

1.3. Basic Regulatory framework

There are two basic types of planning documents in the forestry sector:

• **Plans at the national level (of a strategic nature):**

- General Forest Management Plan for the Republic of Croatia[10]

The General Forest Management Plan for the Republic of Croatia establishes the conditions for the implementation of elements of the forestry policy and defines the framework of sustainable management of forests, taking into account their multipurpose role and use.

An integral part of the General Forest Management Plan for the Republic of Croatia is the implementation of policies, monitoring and assessments at the national level in order to further improve the sustainable management of forests, as well as the establishment and preservation of natural relationships between species and the improvement of their natural habitats.

The General Forest Management Plan for the Republic of Croatia establishes cooperation with other sectors and ensures their coordination of activities in the implementation of forestry policies.

The General Forest Management Plan for the Republic of Croatia is adopted by the Government.

- National forestry policy and strategy, OG 120/03[11]

Pursuant to Article 26 of the Forest Act, the National Forestry Policy and Strategy establishes and defines a national forestry policy and ensures its compliance with the planning acts of the Republic of Croatia.

The National Forestry Policy and Strategy is adopted by the Croatian Parliament at the proposal of the Government and is drafted by the Ministry responsible for forest affairs.

- The national plan for the development of wood processing and furniture production of the Republic of Croatia for the period from 2022 to 2030[12]

This national plan is based on the needs and development priorities of wood processing and furniture production, the development priorities of the Republic of Croatia, and the development needs and requirements that are placed before the Republic of Croatia as a member state of the European Union. The main objective of the National Plan is to identify potentials and needs and define specific objectives and measures for their implementation in order to increase the competitiveness of these strategic activities, with the aim of creating the prerequisites for their sustainable growth and development while simultaneously promoting a resource-sustainable and efficient, circular, green and low-carbon economy and positioning the Republic of Croatia as an exporter of higher value-added products.

- The strategy and action plan for nature protection of the Republic of Croatia for the period from 2017 to 2025 (OG 72/17)[13]

[10] https://mingo.gov.hr/UserDocsImages/KLIMA/SZKAIZOS/NFAP_Croatia.pdf
[11] https://www.zakon.hr/cms.htm?id=19415
[12] https://poljoprivreda.gov.hr/istaknute-teme/sume-112/drvna-industrija/nacionalni-plan-razvoja-prerade-drva-i-proizvodnje-namjestaja-republike-hrvatske-za-razdoblje-od-2022-do-2030-godine-4849/4849
[13] https://www.zakon.hr/cms.htm?id=19415

This Strategy, as a fundamental document for nature protection, aims to preserve the diversity of living nature, maintain functional ecosystems and enable long-term sustainable development. It promotes the reduction of direct and indirect impacts on biodiversity and geodiversity, the sustainable use of natural resources, as well as the equitable distribution of benefits arising from the use of genetic resources. The Strategy aims, among other things, to make natural values recognizable to all and to ensure the adoption of quality strategic decisions at the local, regional and national levels by applying the latest scientific and expert knowledge.

• **Plans at the level of lower spatial units - forest management units and special purpose forest areas (executive nature) pursuant to Article 27. Of FA**:

- General management plan of the forest management units:

- forest management plan for a forest management unit
- forest management unit management program with ecological network area management plan

- Program of forest management of private forest owners

- Special purpose forest management program for the needs of the defence of the Republic of Croatia

- the program for the management of forest seed facilities

- the Program of protection, care and restoration of forests

- the program for the management of special purpose forests managed by a Legal Entity.

These plans are also part of regulatory framework. They are special plans for a certain area or a certain purpose.

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

Pursuant to Article 12., paragraph 2 of the FA, the forest management area is divided into forest management units, and the forest management units are divided into departments and sections. Forest management units are formed separately for forests and forest lands owned by the Republic of Croatia, and for forests and forest lands owned by private forest owners. Forest management units are adapted to the configuration of the terrain, the organisational needs of forest management and roads, and include one or more forest areas for which, as a rounded forest management unit, a forest management plan is specially prepared. The boundaries of the area of the forest management units can be changed in the process of renewal and regular or extraordinary revision of the forest management plan with the approval of the ministry responsible for forest affairs. The department is the permanent basic unit of the economic division of forests and forest lands within an individual forest management unit. Departments are established for easier management, supervision and orientation in the field. Departments in the forest management unit are indicated by numbers, as a rule, continuously from north to south and from west to east. The subdepartment is the smallest variable unit of the economic division of forests and forest lands within the section, which is managed separately as a stand. Stands are divided into subdepartments according to the purpose of the forest, cultivation form, method of management, stage of development, type of trees, age, goal of management, mixture ratio and vegetation.

National competences

The Ministry of agriculture forestry and fisheries (further in text: Ministry responsible for forest affairs, *Ministarstvo poljoprivrede, šumarstva i ribarstva*[14]) performs administrative and other tasks related to forestry, forest protection, regulation of legal relations on forests and forest land owned by the State, except property law tasks; wood industry and hunting; inspection activities related to forestry and hunting; implements international agreements in the part related to forestry; regulation of relations and conditions of production, transport and use of forest seeds and forest seedlings, forest ecology, protection of forests from natural disasters and anthropogenic influences, fires, conservation of forest genetic resources and forest reproductive material.[15]

Protected areas, pursuant to the Law on Nature Protection (Official Gazette 80/13, 15/18, 14/19, 127/19 and 155/23), are managed by public institutions for the management of protected areas.

[14] https://poljoprivreda.gov.hr/
[15] https://poljoprivreda.gov.hr/o-ministarstvu/9

The basis of their activity is: protection, maintenance and promotion of the protected area with the aim of protecting and preserving the originality of nature, ensuring the undisturbed development of natural processes and sustainable use of natural resources, monitoring the implementation of conditions and measures of nature protection in the protected area they manage, and participating in the collection of data for the purpose of monitoring of nature conservation. Public institutions also manage ecological network areas in order to preserve target species and habitat types (Decree on ecological network and competences of public institutions for managing ecological network areas (OG 80/19, 119/23)).

Local/municipal competences:

In some municipalities there are Sectors competent for forestry. However, they are only competent for urban forests in their municipality. Moreover, they can be competent for the forest park. Pursuant to Article 119 of the Law on Nature Protection, a forest park is a natural or planted forest, of greater biodiversity and/or landscape value, and which is intended for rest and recreation. In a forest park, interventions and activities are permitted that do not impair the characteristics for which it was declared.

2.2. Key representation organisations of the forest sector

1. **Forest owners:**

Croatian Union of Private Forest Owners' Associations (*Hrvatski Savez Udruga Privatnih Šumovlasnika*)[16]

2. **Forest municipalities:**

Sector for agriculture, forestry and hunting, City of Zagreb[17]

Administrative Department for Agriculture, Rural Development and Forestry, Zagreb county[18]

Administrative Department for Agriculture, Forestry, Hunting, Fisheries and Water Management, Istria County[19]

Administrative Department for Agriculture, Rural Development, Environmental and Nature Protection, Sisačko-moslavačka County[20]

Administrative department for economy, agriculture, tourism, transport and communal infrastructure, Krapinsko-zagorska County[21]

Administrative Department for Economy, Karlovačka Conuty[22]

Administrative Department for Agriculture and Rural Development, Osječko-baranjska County[23]

[16] https://www.hsups.hr/

[17] https://www.zagreb.hr/sektor-za-poljoprivredu-sumarstvo-i-lovstvo/175744

[18] https://www.zagrebacka-zupanija.hr/ustrojstvo/upravni-odjel-za-poljoprivredu-ruralni-razvitak-i-sumarstvo/o-odjelu/

[19] https://www.istra-istria.hr/hr/zupanijski-ustroj/upravna-tijela/upravni-odjel-za-poljoprivredu-sumarstvo-lovstvo-ribarstvo-i-vodno-gospodarstvo/

[20] https://www.smz.hr/ustroj/upravni-odjeli-i-sluzbe/poljoprivreda

[21] https://kzz.hr/upravni-odjel-za-gospodarstvo-poljoprivredu-turizam-promet-i-kom-infrastrukturu/

[22] https://www.kazup.hr/index.php/lovstvo-uozagospodarstvo

[23] https://www.obz.hr/index.php/poljoprivreda-i-sumarstvo-poslovi-drzavne-uprave-povjereni-zupaniji

Administrative Department for Economy and Agriculture, Virovitičko-podravska County[24]

Administrative department for agriculture, fisheries and EU funds, Zadarska County[25]

Administrative Department for Economy, EU Funds and Agriculture, Splitsko-dalmatinska County[26]

Administrative Department for Economy and Agriculture, Bjelovarsko-bilogorska County[27]

Administrative Department for Agriculture and Tourism, Ličko-senjska County[28]

Administrative Department for Tourism, Entrepreneurship and Rural Development, Primorsko-goranska County[29]

Administrative Department for Economy, Agriculture and Tourism, Međimurska County[30]

Administrative Department for Economy, Požeško-slavonska County[31]

Administrative Department for Agriculture and Rural Development, Dubrovačko-neretvanska County[32]

Administrative Department for Agriculture, Water Management, Environmental Protection and Nature Conservation, Koprivničko-križevačka County[33]

Administrative Department for Agriculture, Vukovarsko-srijemska County[34]

Administrative Department for Agriculture and Environmental Protection, Varaždinska County[35]

Administrative Department for Economy and Agriculture, Brodsko-posavska County[36]

Administrative Department for Economy, Tourism, Agriculture, Rural Development and EU funds, Šibensko-kninska County[37]

[24] https://www.vpz.hr/zupanijska-uprava/upravni-odjel-za-gospodarstvo-i-poljoprivredu/
[25] https://www.zadarska-zupanija.hr/upravni-odjeli/upravni-odjel-za-poljoprivredu,-ribarstvo-i-eu-fondove/kontakti
[26] https://www.dalmacija.hr/ustroj/upravni-odjeli/upravni-odjel-za-gospodarstvo-eu-fondove-i-poljoprivredu
[27] https://bbz.hr/uo-za-gospodarski-razvoj-i-komunalne-djelatnosti
[28] https://licko-senjska.hr/uo-za-poljoprivredu-i-turizam
[29] https://www.pgz.hr/ustroj/upravna-tijela/upravni-odjel-za-turizam-poduzetnistvo-i-ruralni-razvoj/?pg=1
[30] https://medjimurska-zupanija.hr/2015/04/22/uo-za-gospodarske-djelatnosti-djelokrug/
[31] https://www.pszupanija.hr/upravni-odjeli/upravni-odjel-za-gospodarstvo
[32] https://www.dnz.hr/services/upravni-odjel-za-poljoprivredu-i-ruralni-razvoj/
[33] https://kckzz.hr/hr/uprava/upravna-tijela/upravni-odjel-za-poljoprivredu-vodno-gospodarstvo-zastitu-okolisa-i-zastitu-prirode
[34] https://vusz.hr/zupanijski-ustroj/upravna-tijela-i-sluzbe/upravni-odjel-za-poljoprivredu/
[35] https://www.varazdinska-zupanija.hr/obrasci/upravni-odjel-za-poljoprivredu-i-zastitu-okolisa-obrasci.html
[36] https://bpz.hr/upravni-odjel-za-poljoprivredu-i-gospodarstvo#
[37] https://www.sibensko-kninska-zupanija.hr/ustrojstvo/upravni-odjeli/upravni-odjel-za-gospodarstvo-turizam-poljoprivredu-ruralni-razvoj-i-eu-fondove

3. **Forest industry:**

Associations of wood processing industry:

PPS Galeković ltd. (Filip Galeković director and president of the Association)[38]

DI Klana jsc (Miladin Marković, director)[39]

DIR-Drvna industrija Rubinić ltd. (Tomislav Rubinić, director)[40]

Drvoproizvod ltd. (Igor-Josip Leščić, director)[41]

Drvni centar Glina ltd. (Elmor Baraković, director)[42]

Pilana Krasno ltd. (Ivica Katalinić, director)[43]

Ante Mijić-Quercus ltd. (Antonio Crnojević, director)[44]

FI.-MA. ltd. (Filip Kolar, director)[45]

Drvenjača jsc (Branko Liker, director)[46]

Kircek ltd. (Silvio Gotić, director)[47]

Šišarka ltd. (Ivan Ćošković, director)[48]

Slavonija DI ltd. (Martina Ravlić Janković, director)[49]

Mundus Viridis ltd. (Ivić Pašalić, director)[50]

DIN ltd. (Elvio Florian, director)[51]

Ravna ltd. (Krešimir Akrap, director)[52]

Parketi Arambašić ltd. (Petar Arambašić, director)[53]

Zlatko-Commerce ltd. (Milan Dumenčić, director)[54]

Košćal ltd. (Marko Košćal, director)[55]

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[38] https://www.pps-galekovic.hr/
[39] https://diklana.hr/
[40] https://dir-rubinic.hr/
[41] https://www.drvoproizvod.hr/
[42] https://www.dcg.hr/
[43] https://www.pilana-krasno.com/
[44] https://quercus-am.hr/en/
[45] https://fi-ma.hr/en/
[46] https://www.drvenjaca.hr/
[47] https://www.kircek.hr/en/home-page/
[48] https://www.sisarka.com/it/
[49] https://slavonija-di.hr/
[50] https://mundus-viridis.hr/
[51] https://www.din.hr/index.php/en/
[52] https://www.ravna.hr/
[53] https://www.parketi-arambasic.hr/
[54] https://www.poslovna.hr/lite/zlatko-commerce/697171/subjekti.aspx
[55] https://koscal.hr/

Ciprijanović ltd. (Andrija Gotovac, director)[56]

Drvo Galeković ltd. (Mladen Galeković, director)[57]

Spin Valis jsc (Igor Dujić, director)[58]

Prostoria ltd. (Tomislav Knezović, director)[59]

Contorte ltd. (Hrvoje Vampovac, director)[60]

Prima Commerce ltd. (Renato Radić, director)[61]

Luce Produkt ltd. (Slaven Andrić, director)[62]

Wood and paper industry associations[63]

4. **Forest clusters:**

Wood cluster: Slavonic Oak[64]

5. **Forest contractors:**

There is a registry of all forest contractors on the web page of Croatian Chamber of Forestry and Wood Industry Engineers[65]

6. **Forest Professionals:**

Croatian Chamber of Forestry and Wood Industry Engineers[66]

7. **Forest Agents or rangers: N/A**

8. **Forest Sciences:**

Croatian Forest Research Institute: [67]*The basic goals of the Croatian Forest Research Institute are the preservation and protection of stability, productivity, biodiversity and genetic resources of forest ecosystems of the Republic of Croatia using natural regeneration and the achieved level of sustainable management.*

Faculty of Forestry and Wood Technology, University of Zagreb

9. **Forest certification:**

In Croatia there are two certification standards present: PEFC and FSC. The companies which carry out the certification are the following:

[56] https://ciprijanovic.hr/
[57] https://www.galadrvo.hr/homepage.html
[58] https://www.spinvalis.hr/proizvodi/
[59] https://www.prostoria.eu/hr/
[60] https://contorte.hr/
[61] https://www.prima-namjestaj.hr/contact/
[62] https://www.luce-produkt.hr/
[63] https://www.hup.hr/hup-udruga-drvne-i-papirne-industrije
[64] https://slavonski-hrast.com/
[65] http://www.hkisdt.hr/index.php?option=com_content&view=article&id=31:licenciranje-main&catid=13
[66] http://www.hkisdt.hr/
[67] https://www.sumins.hr/en/

Bureau veritas ltd.[68] – PEFC and FSC

FCS certification[69] - FSC

10. **Public enterprises**

Croatian forest ltd.

11. **Forest cooperatives: N/A**

12. **Other Forest organisations: N/A**

[68] https://www.bureauveritas.hr/drvna-industrija-pefc-certifikacija
[69] https://adria-balkan.fsc.org/hr/opce-informacije

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

The total area of forests and forest lands in the Republic of Croatia is 2,759,039 ha, which is 49.3% of the land area of the country. Of this, 2,097,318 ha are owned by the Republic of Croatia, while 661,721 ha are owned by private forest owners. The majority of forests owned by the state are managed by the public forest owner Croatian forests Ltd. (2 024 461 ha).

Forest ownership is divided between **public ownership** or forests owned by the State, or administrative unites of the public administration or by institutions or corporations owned by the public administration and **private ownership** or forest owned by individuals, families, communities, private cooperatives, corporations and other business entities, private religious and educational institutions, pension or investment funds, NGOs, nature conservation associations and other private institutions.

Moreover, pursuant to Article 22 of the FA, forests can be divided in accordance to the purpose into **forests with economic purpose** (while preserving and improving their Ecosystem Services, they are used for the production of forest products), **forests with the protective purpose** (primarily serve to protect land, water, settlements, buildings and other assets) and **forests with the special purpose** (protected parts of nature, forests and parts of forests Registered for the production of forest seeds, forests intended for scientific research, forests intended for the defence of the Republic of Croatia, urban forests and forests for purposes determined by special regulations).

Other forests owned by the state (3% of them) are forests with the special purpose. These forests are divided into protected areas (2 strict reserves, 8 national parks, 79 special reserves, 12 nature parks, 2 regional parks, 79 natural monuments, 81 significant landscapes, 27 forest parks), forests and parts of forests Registered for the production of forest seeds (seed stands), forests intended for scientific research, forests for the defence of the Republic of Croatia, urban forests, forests for purposes determined by special regulations.

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

In the Republic of Croatia there is a specific situation regarding the ownership of the forests.

Pursuant to Article 14 of the FA, a **forest owner** is any legal or physical person who, as owner and/or possessor, manages a forest and/or forest land. Therefore, there is **no difference between the forest owner and forest holder or manager or contractor.**

Furthermore, pursuant to the above-mentioned Article, forest owners are:

a) a **public forest owner** who is a legal entity authorised to manage forests and/or forest land owned by the Republic of Croatia

b) a legal entity with the status of a **public institution** founded by the Republic of Croatia and its scientific-teaching components, which carry out their scientific-teaching activities and scientific research work in the field of forestry

c) a legal entity whose founder and owner who is the **unit of local self-government**, and which was entrusted with management by the decision of the Government (this refers to urban forests owned by the Republic of Croatia, except for those located within the scope of campsites, golf courses and other sports and recreation areas)

d) a **private forest owner** who is a legal or physical person who is the owner of the forest and/or forest land, and the owner based on a legal transaction.

Furthermore, in Article 14 paragraph 3 of the FA forest owners are divided based on the area of forest and forest land they own on:

a) small forest owner with an area of forests and/or forest land up to 20 ha

b) medium forest owner with an area of forests and/or forest land greater than 20 ha and less than 300 ha

c) a large forest owner with an area of forests and/or forest land greater than 300 ha.

- Forest holder: **N/A**
- Forest manager: **N/A**
- Forest contractor: **N/A**
- Forest

The Forest Act defines both forest and forest land.

Pursuant to Article 5 of the FA a **forest** is considered a land that is continuously overgrown with forest trees and/or their bushy forms, bushes and ground growth on an area of 0.1 ha and larger, where forest products are permanently produced and perform Ecosystem Services, and between biocenosis and habitat balanced relations prevail.

Forests are also considered to be: the forests in protected areas according to a special regulation; forest seed objects of the type seed source (if it is an integral part of the forest complex) and seed stand; monuments of park architecture created from natural forests; protective belts of trees with an area of 0.1 ha and larger and a width of 20 m and larger; forest averages up to 5 m wide; forest roads and bright lines along the road with a width of up to 5 m; routes of water supply lines, waste water drainage (sewage), oil pipelines, gas pipelines, and electric and other lines up to 5 m wide within forest complexes.

Forests are not considered to be: the separate groups of forest trees on an area of up to 0.1 ha; forest nurseries; forest seed objects of the type seed plantation, parent trees, clone and clone mixture and seed source if the tree or group of trees is not an integral part of the forest complex; protective belts of forest trees with an area of less than 0.1 ha or a width of less than 20 m; tree

rows, parks in populated areas, botanical gardens and arboretums; forest averages wider than 5 m, forest roads and light lines along roads wider than 5 m; areas under facilities intended primarily for forest management and protection; forest storage areas within forest complexes; routes of water pipes, waste water drainage (sewage), oil pipelines, gas pipelines, electric and other lines within forest complexes with a width of more than 5 m and culture of short walks on agricultural land.

Forest land is considered to be: a land on which forests are grown, forest nurseries, forest seed facilities of the seed plantation type, parent trees, clones and clone mixtures; forest averages wider than 5 m, forest roads and light lines along roads wider than 5 m; areas under facilities intended primarily for forest management and protection; forest storage areas within forest complexes; unvegetated land which, due to its natural characteristics and management conditions, is intended as the most favourable for growing forests and the permanent production of wood material and/or ecosystem services with the improvement of forest biodiversity; reed beds, ponds and swamps within forest complexes; routes of water pipes, waste water drainage (sewage), oil pipelines, gas pipelines, electric and other lines with a width of more than 5 m within forest complexes and exploitation fields within the forest management area.

As an exception, former military real estate with an area of up to 1 ha, within the construction area of the settlement, a separate part of the construction area of the settlement and a separate construction area outside the settlement, which are no longer used for military purposes needs, are not considered forest and forest land in the sense of the Forest Act.

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 the Republic of Croatia forests can be divided according to the ownership into private and public forests. Pursuant to Article 16 of the FA, forests and forest lands owned by the Republic of Croatia are managed by a public forest owner.

Pursuant to Article 17 of the FA, a **public forest owner** is a legal entity of special interest to the Republic of Croatia that manages forests and forest lands owned by the Republic of Croatia. The founder of the public forest owner as a limited liability company is the Republic of Croatia. The name of the public forest owner is "HRVATSKE ŠUME (CROATIAN FORESTS) limited liability company". The legal form, internal organisation and activities of the public forest owner's company are determined by the founding declaration.

The majority of forests owned by the state (73% of them) are managed by the public forest owner Croatian forests Ltd., a three-tier organised commercial company owned by the state with the Directorate in Zagreb, 17 regional units and 169 local units. The company is headed by the president of the board, the work is controlled by the Supervisory Board (both are appointed by the Government of the Republic of Croatia), and the basic decisions are made by the Assembly of the company. The **economic division** consists of:

-the area for which the competent authorities are the forest regional units of Croatian forests ltd.,
-the area for which the competent authorities are local units of the Croatian forests ltd.,
-the area for which the competent authorities are forest management units for state forests,
- department – which is a permanent division of state forests,
-subdepartment – which is a basic division of state forests.

The forest regional unit is an organisational part of the company Croatian forests Ltd. Forest regional units are Registered in court registries as units of the Croatian forests Ltd. Regional units are not legal entities. Local unit is the basic organisational unit for the performance of all professional and technical work in forest management. It is an organisational part of the forest regional units and operates under its supervision.

As an exception, certain forests and forest lands owned by the Republic of Croatia intended for scientific research and teaching are owned by Institutions. Furthermore, as another exception, urban forests owned by the Republic of Croatia, except for those located within the scope of campsites, golf courses and other sports and recreational areas, may be managed by a legal entity based on a government decision. When the business share, shares or founding rights of the local self-government unit in the legal entity is reduced below one half of the share, the decision of the government ceases to be valid. There are no specific laws governing certain types of forests.

Another exception would be the forests and forest lands in protected areas of the category national park and strict reserve, the management of which, in accordance with the Forest Protection, Care and Restoration Program, is responsibility of a public institution established in accordance with a special regulation on nature protection. If the Program is implemented by a public institution that manages a national park and/or a strict reserve, it must have the appropriate license from the Croatian Chamber of Forestry Engineers and Wood Technology[70] (further in text: Chamber), or it can entrust the implementation of the Program, for forests and forest lands owned by the Republic of Croatia, to a public forest owner, and for forests and forest lands that are not the property of the Republic of Croatia to a private forest owner who has the appropriate license from the Chamber.

The Forest Protection, Care and Restoration Program contains forest protection measures and is adopted for areas protected in the category of strict reserves and national parks. For special forest vegetation reserves and forest parks, this program is an integral part of the forest management plan and is developed and implemented within the framework of that plan. If the program includes an ecological network, then it is also considered an ecological network management plan.

The program is developed in accordance with a special regulation in the field of forestry and is adopted after public consultation with the prior consent of the Nature Protection Directorate of the Ministry of Environmental Protection and Green Transition. The implementation of the program is the responsibility of public institutions that manage a specific protected area and an

[70] Forestry and wood technology engineers who perform professional work in the field of forestry, hunting and wood technology must join the Chamber for the purpose of representing and harmonising common interests, protecting the public interest and protecting the interests of third parties.

ecological network area, but it may be entrusted by contract to a legal entity authorized to implement the forest protection, care and restoration program.

Forests and forest lands that are not owned by the Republic of Croatia are managed by private forest owners.

The ownership of forests can be a co-ownership. In this sense, pursuant to Article 33 of the Act on Ownership and Other Real Rights, if several persons own something in such a way that each of them has a part of the right of ownership, calculated in proportion to the whole right of ownership of that thing, they are all **co-owners of that thing**, and the parts of the right of ownership that belong to them are their co-ownership parts. In case of doubt as to the size of the co-ownership parts, they are considered to be equal.

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

Pursuant to Article 60 of the FA, the forest land consolidation is carried out according to special regulations. For the consolidation of forests and forest land owned by the Republic of Croatia, it is necessary to obtain the consent of the Government in advance. Forest and/or forest land can be exchanged for agricultural land and vice versa, as well as forest and/or forest land owned by the Republic of Croatia for forest owned by other legal and natural persons, and vice versa. The Land Consolidation of Agricultural Land Act (OG 26/22[71]) is currently in force in the Republic of Croatia and that is the only law governing this matter. There are no existing programs for the forest land consolidation.

3.4. Proof of ownership: Land registry and Cadastre

How is ownership proved?

Article 30 of the Act on Ownership and Other Real Rights [72](OG 91/96, 68/98, 137/99, 22/00, 73/00, 114/01, 79/06, 141/06, 146/08, 38/09, 153/09, 90/10, 143/12, 152/14) defines right of ownership as a real right to a specific thing that authorises its holder to do what he/she wants with that thing and benefits from it and to exclude everyone else from it, if this is not contrary to other people's rights or legal restrictions. The right of ownership includes the right of possession, right of use and disposal. The concept of ownership is a broader concept than possession. Despite this, the owner does not necessarily have to be the possessor of his own thing. He will not be if he has transferred his property to another person or that person has acquired it in some other prescribed way.

Article 10 of the FA defines a possessor as a person who has actual authority over a thing. Possession is therefore not a right, but a fact. Actual possession does not necessarily mean that the possessor must be in constant physical contact with the thing, but he/she must have a real possibility of disposing of it. The owner can be a person who has acquired this power based on a legal transaction such as a lease, rent or by acquiring the right of usufruct. The law also recognises the possession of rights (as opposed to the possession of things), which is the actual execution of the content of the rights of real servitudes regarding some real estate.

[71] https://www.zakon.hr/z/781/Zakon-o-komasaciji-poljoprivrednog-zemlji%C5%A1ta
[72] https://www.zakon.hr/z/241/Zakon-o-vlasni%C5%A1tvu-i-drugim-stvarnim-pravima

The right of ownership of all real estate is entered in the land Registry, while the fact of possession may (or may not) be entered in the cadastre. The right of possession is acquired by physical delivery of the thing (or enabling its use), and no formal contract is required for this. The media often highlight [73]the discrepancy between the data entered in the land registry (land Registry) and the cadastre. This discrepancy stems primarily from the fact that the two public Registries do not even record the same facts. However, it should be emphasised that common data for both Registries, the description of real estate and their area in them, often differ. However, the situation in the land Registry is relevant for the acquisition of property rights. The right of ownership can be acquired only from the person who is Registered in them as the owner.

Pursuant to Article 15 of the FA, a private forest owner can be registered or deleted from the Registry of private forest owners based on **a request**. Private forest owners shall be Registered in the Registry of private forest owners or request changes and additions to the existing registration at the competent offices of the Ministry responsible for forest affairs. The request for entry into the Registry of private forest owners shall be accompanied by evidence, **a title deed or the owner's legal authorisation**, confirming the conditions for a private forest owner, and the Ministry shall decide on the request by means of a decision. As stated within the FA, the condition for entry in the Registry of private forest owners is **the possession of forest and forest land** in the territory of the Republic of Croatia, and the right to entry is held by a natural or legal person with residence or headquarters in the territory of the European Union. Deletion from the Registry of private forest owners is carried out at the request of the forest owner or ex officio after the conditions for registration cease to exist. Against the Ministry's decision an appeal is not allowed, but an administrative dispute can be initiated. Enrolment in the Registry of private forest owners, deletion from the Registry of private forest owners, as well as the terms of use of data from the Registry and the management are prescribed by the Regulation on the Registry of private forest owners.

The national inventory of forest resources is carried out for the purpose of collecting information on the condition of forests for the needs of forestry policy and forestry operations, ecology, hunting, environmental protection, nature protection, wood processing industry and for the needs of state and international organizations.

The Ministry responsible for forest affairs is responsible for the implementation of the National Inventory of Forest Resources and approves its results.

The procedure for carrying out the National Inventory of Forest Resources and the approval of its results shall be prescribed by the minister in a regulation.

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

Pursuant to Article 4 of the Regulation on the Registry of private forest owners, enrolment in the Registry is mandatory for a private forest owner who, in order to improve the condition and sustainably manage the forests of private forest owners, wants to realise the rights to financial resources from compensation for the use of forest ecosystem services, subsidies and support for capital investments from the state budget of the Republic of Croatia, and rights to other sources in accordance with special regulations. As an exception, registration in the Registry is mandatory

[73] https://www.zgradonacelnik.hr/vijesti/hoce-li-se-zemljisne-knjige-i-katastar-dovesti-u-red-do-2030/1065

for private forest owners who are engaged in the activity of trading in forest products and providing tourist services in the forest and/or forest land in accordance with special regulations.

- **Is there a registration fee?**

There is no registration fee.

- **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?**

The Registry of private forest owners is a system of data and information about forest owners and their forest properties, as well as records of realised rights and assets. The Registry consists of a database located in the Ministry responsible for forest affairs.

The Registry contains information about the private forest owner: place of residence, forest property, giro account of the private forest owner, members of the family forest owner's farm, disbursed funds, date of registration and discharge of the private forest owner as well as members of the family forest owner's farm.

The data from the Registry are used in the implementation of forest policy measures for keeping statistics, and as such are protected and can only be used by official persons, and that limited, depending on the need for which the data is reviewed.

There is a separate agricultural registry in the Republic of Croatia named ARCOD. However, it is not shared with the Registry of private forest owners. There is, also, the Land registry and the Cadastre. The land registry is a public Registry of merit for legal transactions, it reflects the legal status of a real property while the cadastre function is to determine the shape, area, extend of development of the cadastral parcel and its illustration on the map. In practice, the Registry of private forest owners is not harmonised with these registries. It is compulsory to be added in the Registry of private forest owners. Since there is a discrepancy between the concepts of owner and possessor, the owner of the land can be a forest owner and therefore cannot be registered in the general land registry, but it is mandatory for him/her to be registered in the private forest owners' registry.

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

Since in the Republic of Croatia, per legal definition (Article 14 of the FA) forest owners are both owners and/or possessors of the forest land, meaning there is no distinction between them, the Cadaster and the land registry do not reflect the real situation regarding the forest owners. There is no evidence which land is owned by the forest owner, and which is just in the possession.

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?

Pursuant to Article 10 of the FA forest owners manage forests by maintaining and improving biodiversity and landscape diversity, as well as care for the protection of the forest ecosystem, and are obliged to:

1. maintain the natural composition of the forest and support native species
2. by the location and structure of artificially raised stands, encourage the protection and restoration of natural forests, and not increase the pressure on them
3. choose species for artificial growth of stands and restoration of degraded stands on the basis of general suitability for habitat conditions and management goals, giving preference to native species
4. use only those imported species, provenances and varieties whose impact on the ecosystem and genetic integrity of native species has been expertly assessed, and whose negative impact can be avoided or reduced
5. take care of all species in the ecosystem
6. to support a sustainable way of management in suitable habitats that forms a valuable ecosystem
7. in forests that are threatened by drying and natural disasters, establish a complete monitoring network in order to observe the movement of negative processes
8. conduct forest management in a way that does not cause permanent damage to the ecosystem and take measures to improve and maintain biodiversity
9. adapt the type and method of use of resources in the cultivation, exploitation and protection of forests to the peculiarities of habitats and species
10. adapt the cultivation, utilization and protection of forests and the construction and maintenance of forest infrastructure to the protection of soil and water in order to avoid harmful effects on the quality and quantity of sources and reservoirs and the free movement of surface and underground water.

The infrastructure in forest ecosystems should be planned and designed in a way that is least harmful to the forest habitat, taking care of special geological, vegetational, hydrological and other values, and especially of ecologically valuable parts of the ecosystem determined by special regulations (protected areas, ecological network, endangered and rare habitat types, migratory corridors of rare, sensitive or endangered species).

Pursuant to Article 19 of the FA, Forest owners are obliged to rehabilitate burned areas within two years, if that period is not determined by the forest management plan.

Forest owners are obliged to artificially restore areas where natural regeneration has not succeeded, areas where devastation, illegal logging and areas where forest degradation has occurred, within two years, if that period is not determined by the forest management plan.

As an exception, the competent Ministry may, based on the proposal of the forest owner, extend the deadline for rehabilitation and restoration of areas, for a maximum of two more years.

4.2. Legal rights of the forest owner/holder

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

Pursuant to Article 70 of FA, improvement of the condition and management of private forest owners' forests, association of private forest owners and consolidation of forest estates will be encouraged by subsidies and support for capital investments of private forest owners from the state budget and other sources in accordance with special regulations.

Exercising the right to subsidies and support in the field of forestry is based on data from the Registry of data kept in the Registry of private forest owners.

Forest owners whose forests are within the scope of the ecological network Natura 2000 are prescribed conservation goals and conservation measures for species and habitat types based on the Nature Protection Act (OG 80/13, 15/18, 14/19, 127 /19 and 155/23)[74]. The activities that need to be carried out in order to achieve the mentioned goals and measures limit forest owners in regular forest management. The need to financially compensate part of the restrictions was recognised so that forest owners could manage with less losses and to increase interest in sustainable forest management and biodiversity conservation.

Through the Strategic Plan of the Common Agricultural Policy of the Republic of Croatia 2023-2027.[75] intervention is carried out on the measure 72.01. Support for limitation in forest management (NATURA 2000, NKS) in which forest owners can exercise the right to support for prescribed conservation measures of target species and ecological network areas related to:

- obligation to leave 10 m^3 of dry wood mass per hectare
- obligation to leave 15 m^3 of dry wood mass per hectare
- obligation to leave 3 % of dead wood and/or
- denial of economic activity or use of goods ("No management")

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

Forest owners are obliged to manage forests and forest land in the manner prescribed by the FA. Pursuant to Article 27 of FA, forest management plans are basic documents for the management and use of forests and forest lands in the territory of the Republic of Croatia, which determine the conditions for the sustainable management of forests and forest land and interventions in that area, the necessary extent of cultivation and protection of forests, the possible degree of utilisation and the conditions for the management of animal life .

[74] https://www.zakon.hr/z/403/Zakon-o-za%C5%A1titi-prirode

[75] chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://ruralnirazvoj.hr/files/Strateski-plan-Zajednicke-poljoprivredne-politike-Republike-Hrvatske-2023.-2027._v.3.1.pdf

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

Pursuant to Article 36 of FA, in the forest and on the forest land, it is allowed to cut down only the marked trees for felling. The marking of trees for felling in forests and on forest land is performed by a forestry contractor who holds the appropriate license from the Chamber. Small forest owners request marking of trees for felling from the Ministry responsible for forest affairs, while medium forest owners request it from a licensed forestry contractor. The competent Ministry decides on the request for marking of trees for felling when the management program for the forests of private forest owners has not been prepared. For the purpose of intensive and permanent supervision over the marking of trees for felling, the public forest owner, institution, legal entity, public institution, and licensed contractor for private forest owners are obliged to enter data on the marking of trees for felling in the registry of marking of trees for felling at the Forest Management Area Registry. This Registry however does not exist in practice in digital form. The entering of data, the content and management on the marking of trees for felling in the Registry, and the terms of use of the data are prescribed in the Regulation on marking of trees for felling, marking of the timber and forest order (OG 71/19)[76]. Against the Ministry's decision an appeal is not allowed, but an administrative dispute can be initiated.

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 urbanisation)?**

Pursuant to Article 52 of FA, individual forest land owned by the Republic of Croatia, which is described in the cadastre as: arable land, garden, meadow, pasture, orchard, olive grove, vineyard, reeds and swamp, by decision, **can be separated from the forest management area** by the Ministry responsible for forest affairs.

The Ministry's decision is made based on the opinion of the committee appointed by the Minister responsible for forest affairs, composed of forestry and agronomic experts, after an inspection, an assessment of the costs of bringing it to agricultural production and the regulations of the forest management plan, as well as other documentation related to the land which is decided.

Individual land **owned by the Republic of Croatia**, which is described in the cadastre according to its use as: arable land, garden, meadow, pasture, orchard, olive grove, vineyard, reeds and swamp, and which will not be brought to agricultural production, and is not yet part of the forest management area, **may be included in the forest management area**. For this land, which is included in the forest management area, it is necessary to obtain the consent of the state administration body responsible for agricultural land. The land for which the consent has been obtained is included in the forest management area in the process of approving forest management plans.

Individual land **in private ownership** that is included in the forest management plan, and which is described in the cadastre according to the method of use as: arable land, garden, meadow, pasture, orchard, olive grove, vineyard, reeds and swamp, the Ministry responsible for forest affairs may, by decision, separate from the forest management plan area in order to bring it to the agricultural type of use. The person at whose request the land is separated from the forest

[76] https://www.zakon.hr/cms.htm?id=39919

management area is obliged to bring the land to one of the agricultural types of use in the cadastre within two years.

After receiving the Ministry's decision on the approved forest management plan, the public forest owner, legal entity, institution or user submits a list of real estate with non-compliant use to the regional cadastre office for changing the use to forest and forest land.

No appeal is allowed against the Ministry' s decision but an administrative dispute can be initiated.

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

Pursuant to Article 38 devastation of forests, illegal cutting of trees or their damage is prohibited. Moreover, it is forbidden to cut off branches, parts of branches or cut off leaves, if this is not foreseen in the forest management plans.

Pursuant to Article 39 of the FA, deforestation may be permitted:

1. for the purpose of building forest infrastructure
2. if the forest or forest land should be used for another purpose in the interest of the Republic of Croatia
3. if the security or defence interests of the country require it
4. for the purpose of carrying out operations in the area in accordance with acts for the implementation of spatial plans
5. if it is necessary for the construction of buildings that, according to the spatial plan or special regulations, can be built outside the construction area without the previously mentioned act for the implementation of spatial plans.

The permit for points 1, 2 and 3 is issued by the Ministry responsible for forest affairs. The permit for points 4 and 5 is issued by the state administration office in the county, i.e. the administrative body of the City of Zagreb competent for forestry affairs, which may be issued in accordance with a general or individual act. No appeal is allowed against the decision on the request for the issuance of a permit, but an administrative dispute can be initiated.

The land on which the forest was cleared must be brought back to the purpose for which it was cleared within two years. Otherwise, the land must be reforested during the next year at the expense of the applicant.

Pursuant to Article 19 of the FA, forest owners are obliged to artificially restore areas where natural regeneration has not succeeded, areas where devastation, illegal logging and areas where forest degradation has occurred, within two years, if other period is not determined by the forest management plan.

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

Pursuant to Article 40 of FA, only forest infrastructure, hunting management and hunting technical facilities, buildings for the purposes of defence and surveillance of the state border, monuments marking the places of mass graves of war victims and places of suffering, and buildings that are planned in spatial plans can be built in the forest and on forest land.

Spatial plans can be used to plan the construction of buildings in the forest and on forest land only if, due to technical and economic conditions, it is not possible to plan outside the forest and forest land.

Therefore, in accordance with the imposed limitations to build the infrastructure facilities in forest land, there are also limitations to carry out non-forest activities. If the facilities will be built in accordance with the special plans, then the activities will be carried out.

Pursuant to Article 35 of the FA, forest management plans determine the types and number of game that can be raised in the forest, respecting the laws of natural harmony between game and habitat, forest management guidelines and the provisions of special laws and international agreements. Hunting management plans must be harmonised with forest management plans.

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

Pursuant to Article 38, unless otherwise stipulated by the law, grazing, picking and acorns, collecting and carrying away brambles, moss, forest fruits and other forest products, removal of humus, peat and leaves and pitching are prohibited on forest land.

A private forest owner can allow grazing, picking and acorns in his forest, and collect and take out non-wood forest products from the forest in accordance with the forest management program of private forest owners and special regulations.

As an exception, provided that it does not conflict with forest management plans and special regulations, in forests owned by the Republic of Croatia, the public forest owner may allow, free of charge or with a charge, the collection of forest products, the use of humus and pitching.

The public forest owner can exceptionally foresee in the forest management plan certain areas of forests where picking or acorns may be allowed.

A private forest owner may allow grazing, picking and acorns in his/her forest and collect and remove non-wood forest products from the forest in accordance with the forest management program of private forest owners and special regulations.

In forests and forest lands owned by the Republic of Croatia, the type of non-timber forest products, the amount of compensation, the conditions for collection and the method of use of the forest and forest land shall be determined by a general act by the public forest owner with the prior consent of the Ministry responsible for forest affairs, and the Institution and the legal entity shall determine for the forests they manage .

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

Hunting right is not linked to the ownership right. It has its own regulations and the main Act regulating this right is the Hunting Law (OG 99/18, 32/19, 32/20, 127/24). Hunting is not considered a forest activity. Pursuant to Article 8, paragraph 1, point 23b, game is considered as a one of the non-wood forest products. Pursuant to Article 14 of the Hunting Law, state hunting grounds are established on land owned by the Republic of Croatia if the area is not less than 1000

ha of uninterrupted land, so that the entire land can be moved from one cadastral parcel to another, without crossing over someone else's land. Pursuant to Article 15 of the Hunting Law, private hunting grounds are established on land owned by legal entities or natural persons if the area of one owner is not less than 500 ha of uninterrupted land, so that the entire land can be moved from one cadastral parcel to another, without crossing someone else's land. Pursuant to Article 17 of the Hunting Law, joint hunting grounds are established on areas where state and private hunting grounds have not been established, if the area is not less than 1000 ha of uninterrupted land. Pursuant to Article 21 of the Hunting Law, the right to hunt on hunting grounds in the Republic of Croatia is acquired by the owner of the hunting grounds or another legal or natural person (craftsman) with a contract on the right to hunt on a hunting ground.

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

Pursuant to Article 38, as an exception, provided that it does not conflict with forest management plans and special regulations, in forests owned by the Republic of Croatia, the public forest owner may allow, free of charge or with a charge, the collection of forest products, the use of humus and pitching.

In forests and forest lands owned by the Republic of Croatia, the type of non-timber forest products, the amount of compensation, the conditions for collection and the method of use of the forest and forest land shall be determined by a general act by the public forest owner with the prior consent of the Ministry responsible for forest affairs, and the Institution and the legal entity shall determine for the forests they manage .

Croatian forests ltd, as public forest owner has implemented the general act – Regulation on collection of non-timber forest products and use of forest and forest land (class: DIR-13-7185, number: 00-02-21-24 of 30 August 2021)[77] which regulates the conditions for collection and the method of use of the forest and forest land. Collection of non- timber forest products can be allowed for personal and commercial use. However, it can only be carried out in compliance with the Forest Act, the Regulation on collection of non-timber forest products and use of forest and forest land, forest management plans and other laws and regulations.

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

Pursuant to Article 21 of the FA, natural persons may move through the forest or forest land as forest visitors, unless otherwise determined by laws and regulations. A visit to a forest or forest land is considered to be a walk and other forms of civic enjoyment in the forest and/or forest land, without acquiring property benefits. Visitors to the forest or forest land assume all risks to which they are exposed when moving through the forest or forest land. The forest owner is not obliged to take special precautions towards forest visitors, nor can he be held responsible for any damages or injuries suffered by such persons, unless they were caused intentionally or by gross negligence during the regular activity of forest management.

Rights to access can be limited in the protected areas such as national parks and nature parks.

[77] chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://www.hrsume.hr/wp-content/uploads/2023/04/pravilnik_o_sakupljanju_nedrvnih_sumskih_proizvoda_i_koristenju_sume_i_sumskog_zemljista..pdf

Guidelines for planning the management of protected areas and/or ecological network areas prescribe the zoning procedure, which divides the protected area into limited spatial units (zones), i.e., separates the areas of conservation of individual values while considering the degree of their preservation and the need for their management. Standard zones are defined in a range from a zone where almost no human influence is present to a zone where the natural space can be significantly changed by human influence.

4.4. Forest owner/holder obligations and requirements.

As mentioned above, Croatian legislation does not differentiate forest owner/holder and forest manager/contractor. It refers only to forest owners as a legal or physical person who, as owner and/or possessor, manages a forest and/or forest land.

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

Pursuant to Article 27 of the FA, forest management plans are basic documents for the management and use of forests and forest lands in the territory of the Republic of Croatia, which determine the conditions for the sustainable management of forests and forest land and interventions in that area, the necessary extent of cultivation and protection of forests, the possible degree of utilisation and the conditions for the management of animal life .

Pursuant to Article 11 of the FA, in order to ensure the implementation of the pan-European criteria which are:

1. **maintenance and appropriate improvement of forest ecosystems and their contribution to the global carbon cycle**
2. **maintaining the health and vitality of the forest ecosystem**
3. **maintaining and encouraging the productive functions of the forest**
4. **maintenance, preservation and appropriate improvement of biodiversity in the forest ecosystem**
5. **maintenance and appropriate improvement of protective functions in forest management (especially soil and water)**
6. **maintenance of other social and economic functions and conditions.**

and in order to respect the general interest in forest management, forest owners are obliged to:

- manage forests in accordance with forest management plans

- allow unimpeded access to the forest to persons authorised to supervise forest management

- allow the implementation of prescribed monitoring, measurements for the needs of the national inventory of forest resources and the creation of forest management plans, as well as the collection of data in accordance with international obligations.

- Is there a tax imposed on forest ownership?

No, there is no tax on forest ownership. However, some activities require the payment of fees.

Pursuant to Article 61 of the FA, for separated forests and forest land owned by the Republic of Croatia, transferred or limited rights over forest and forest land, and temporary occupation of forest land, a fee is paid, which consists of a **fee for forests**, a **fee for forest land** and a **fee for reducing the Forest Ecosystem Services** (hereinafter text: Remuneration).

For the allocation (which is conducted if the forest and forest land is owned by the Republic of Croatia according to the spatial plan, it is included in the construction area and/or a separate construction area, or if the forest and forest land owned by the Republic of Croatia in the scope of the construction plot are necessary for the regular use of the building legalized in accordance with the special law on dealing with illegally constructed buildings) and for the construction of golf course (forest land on which the construction of buildings is planned as part of the scope of the development in the area of the golf course, the area of which is not greater than 4% of the total area of the golf course, can be separated from the forest management area for the purposes of the construction of the golf course, and the land after the separation is disposed of by the Authority in accordance with a special regulation on the management of state assets) for forests and forest lands owned by the Republic of Croatia, the fee is paid by a third person determined by the Authority, and the revenue is from the state budget and is used for optimal contribution of forests, the forestry sector and forest-related sectors to rural development, growth and job creation. The Authority is the competent authority in accordance with the provisions of the regulations governing the management of real estate and movable property owned by the Republic of Croatia.

For the establishment of building rights referred to in Article 51, paragraphs 7 and 10 of this Act for forests and forest lands owned by the Republic of Croatia, the compensation in the part that refers to compensation for forests and compensation for the reduction of the Forest Ecosystem Services shall be paid by a third party determined by the Authority, and it belongs to the public forest owner, i.e. the institution that manages the forest and/or forest land, and they are obliged to use it for the purchase of forest and/or forest land in the name and at the expense of the Republic of Croatia, for the establishment of new forests, fire protection and rehabilitation of burnt areas of forests and/or forest lands.

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

As mentioned above, forest owners need a permit for deforestation, meaning that they need permit from the Ministry responsible for forest affairs for the purpose of building forest infrastructure, or if the forest or forest land should be used for another purpose in the interest of the Republic of Croatia, or if the security or defence interests of the country require it. Moreover, forest owners need a permit from the state administration office in the county, i.e. the administrative body of the City of Zagreb competent for forestry affairs for the purpose of carrying out operations in the area in accordance with acts for the implementation of spatial plans or if it is necessary for the construction of buildings that, according to the spatial plan or special regulations, can be built outside the construction area without the previously mentioned act for the implementation of spatial plans.

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

Forest harvest is controlled with the obligation to mark every tree that will be cut or retained. As mentioned above, pursuant to Article 36 of FA, in the forest and on the forest land, it is allowed to cut down only the **marked trees for felling.** The marking of trees for felling in forests and on forest land is performed by a forestry contractor who holds the appropriate license from the Chamber. A request for marking of trees for felling is submitted by a small forest owner to the Ministry responsible for forest affairs, and a medium forest owner to a licensed forestry contractor. The Ministry responsible for forest affairs decides on the request for marking of trees for felling when the management program for the forests of private forest owners has not been prepared. For the purpose of intensive and permanent supervision over the felling of trees, the public forest owner, institution, legal entity, public institution, licensed contractor for private forest owners is obliged to enter data on the marking of trees for felling in the Registry of marking of trees for felling s at the Forest Management Area Registry. This Registry however does not exist in practice in digital form. Entering data on the marking of trees for felling in the Registry, the content and management of the Registry of marking of trees for felling at the Registry, and the terms of use of the data is prescribed in the Regulation on marking of trees for felling, marking of the timber and forest order (OG 71/19). Against the Ministry's decision an appeal is not allowed, but an administrative dispute can be initiated.

- 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?

There are no specific regulations regarding forest products market.

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

Pursuant to Article 41 of the FA, forest owners are obliged to monitor the health of forests and take measures to protect forests and forest lands from biotic and abiotic factors. As an exception, in forests managed by small and medium-sized forest owners, health monitoring is performed by the Ministry responsible for forest affairs.

In order to preserve the health of forests, the Croatian Forest Research Institute carries out reporting and forecasting work in forestry and, within the scope of this work, also prescribes measures for the control of harmful organisms. When the state of health of the forest requires taking intensive measures to monitor and control harmful organisms, the Minister responsible for forest affairs can by order prescribe their implementation.

Pursuant to Article 43 of the FA, in order to improve the supervision of forest fires and their causes, effects and prevention, data are entered in the Forest Management Area Registry in the section on forest fires.

The public forest owner, institution, legal entity, public institution, Ministry responsible for forest affairs and large forest owners are obliged to collect data on forest fires and report their occurrence to the Registry within eight days from the date of the fire.

The Ministry responsible for forest affairs will deliver the collected data from the Registry to national and international bodies and institutions upon request.

The method of data collection, the content and management of the Registry in the part of the Registry on forest fires, as well as the conditions of data use is prescribed in the Regulation on the method of data collection, content and management of the Registry and conditions of use of data on forest fires.

Pursuant to Article 45 of the FA, in the forest or on forest land and on land 50 meters from the edge of the forest, open fires and burning of charcoal may not be allowed. As an exception, in the forest or on forest land, it is allowed, outside the fire season, to light fires on forest work sites and for the purpose of establishing forest order, and to burn charcoal, all under the conditions and with precautionary measures determined by the forest owner.

It is forbidden to dispose of waste in the forest. Forest owners and other legal entities that use forests owned by the Republic of Croatia are obliged to remove waste, ensure the treatment of the removed waste in accordance with the regulations governing waste management, and have the right to collect the costs incurred in connection with these activities from the person who deposited the waste in the forest and on forest land.

Is fencing or the use of forest roads regulated?

Pursuant to Article 47 of the FA, forest infrastructure is an integral part of forest and forest land and includes forest transport infrastructure (forest roads) and other buildings in forests and on forest land intended for their management and can be used by other legal and natural persons under the conditions determined by the forest owner. Forest transport infrastructure consists of primary (forest roads, fire protection averages with forest road elements) and secondary (tractor road, tractor trains and wire line) forest transport infrastructure.

The manner and conditions of use and the payment and amount of fees for the use of forest infrastructure, for forests and forest lands owned by the Republic of Croatia, shall be determined by a general act by the public forest owner with the prior consent of the Ministry responsible for forest affairs, and the Institution, Legal Person and private forest owner shall determine for the forests they manage. Legal entities founded by the Republic of Croatia and state administration bodies do not pay compensation for the use of forest infrastructure. Forest transport infrastructure will be built in the forest and on forest land owned by the Republic of Croatia for the purpose of carrying out tasks of monitoring the state border, in accordance with the needs and requirements of the central authority responsible for internal affairs, along the state border. Traffic in forests outside forest roads is permitted only with the permission of the forest owner. The distribution of forest transport infrastructure shall be prescribed in The Regulation on forest management (OG 97/18).

Pursuant to Article 47 of the FA, planning, designing, construction and maintenance of forest infrastructure is carried out with respect for the technical, economic and ecological conditions of the forest floor, plants, and wildlife and with their maximum protection. When planning and designing forest infrastructure, it is necessary to adapt to the natural environment and consider tourist, recreational and fire protection needs. Forest roads are planned, designed, and their construction and maintenance are carried out and supervised by authorised engineers of the

appropriate professional field of the Chamber. Before designing and building new forest infrastructure not planned in the forest management plan, forest owners and legal and natural persons are obliged to draw up a conceptual solution during planning and request the consent of the Ministry responsible for forest affairs for such works based on the opinion of other competent public law bodies, in accordance with special regulations. An investor of forest infrastructure in forests and forest land owned by the Republic of Croatia may exceptionally be a legal or physical person whose land or building is served by the infrastructure, who is contractually obliged to build the forest infrastructure with his own funds within a certain period and hand it over to a public forest owner or Institution for management.

Pursuant to Article 49 of the FA, if forestry or other works are carried out on forest roads that threaten the safety of traffic, traffic must be blocked, and it is mandatory to mark the traffic obstruction with signs. Forest transport infrastructure, as well as the manner of its use if it is also used for other purposes, must be specially marked with warning signs and other signs. Forest owners in cooperation with other holders of forest and forest land rights and with the competent unit of local self-government may close certain forest roads with ramps.

Pursuant to Article 59a of the FA, to lessees of forest land based on a valid Agreement on the lease of forest land owned by the Republic of Croatia for the purpose of grazing, the Ministry responsible for forest affairs can issue consent for the construction of buildings and equipment intended for livestock keeping on the leased forest land:

- fence under voltage of 24 V (electric shepherd) for keeping livestock and other types of fences intended for keeping animals

- shelter for sheltering livestock and/or fodder with a space sheltered from the wind closed on no more than three sides without floor and installations

- watering holes for cattle.

The request for approval shall be accompanied by:

- a valid Agreement on the lease of forest land owned by the Republic of Croatia for the purpose of grazing

- the opinion of the public forest owner

– location information

- appropriate act of the state administration body or regional self-government unit responsible for nature protection affairs if the construction of buildings and equipment is planned in a protected area according to a special regulation in the field of nature protection.

The lessee of the forest land is obliged to remove the buildings and equipment from the leased forest land after the expiration or termination of the Agreement on the lease of forest land owned by the Republic of Croatia for the purpose of grazing.

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

There is no obligation for forest owners to be associated. However, pursuant to Article 70 of the FA, association of private forest owners will be encouraged by subsidies and support for capital investments of private forest owners from the state budget and other sources in accordance with special regulations.

4.5. Forest manager/contractor obligations

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

In Croatia, there is no difference between the forest owner and forest holder or manager or contractor. That is why the requirements or obligations on forest management on forest owners are also applicable to forest managers/contractors.

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

N/A.

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

N/A.

- **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?

N/A.

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

N/A.

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

Pursuant to Article 27 of the FA, forest management plans are basic documents for the management and use of forests and forest lands in the territory of the Republic of Croatia, which determine the conditions for the sustainable management of forests and forest land and interventions in that area, the necessary extent of cultivation and protection of forests, the possible degree of utilization and the conditions for the management of animal life.

- Are there other type of plans required such as:
  - ☐ Technical Plan
  - ☐ Financial Plan
  - ☐ Exploitation Plan
  - ☐ Fire prevention Plan
  - ☐ Hunting Plan

Pursuant to Article 35 of the FA, forest management plans determine the types and number of game that can be raised in the forest, respecting the laws of natural harmony between game and habitat, forest management guidelines and the provisions of special laws and international agreements. Hunting management plans must be harmonized with forest management plans.

Pursuant to Article 31 of the FA, operational annual plans are drawn up based on forest management plans and can be:
- operational annual plan for realizing the right to funds from the Payments for Forest Ecosystem Services
- operational annual plan for the management of forests and forest lands.

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

Pursuant to Article 12 of the FA, a forest management plan is drawn up for each forest management unit. Thus, they are mandatory for all owners.

Pursuant to Article 29, paragraph 8 of the FA, the costs of preparing, renewing or revising forest management plans and the costs of the work of the commission:

– for forests and forest lands owned by the Republic of Croatia managed by a public forest owner, shall be borne by the public forest owner

– for forests and forest lands owned by the Republic of Croatia managed by an Institution, shall be borne by the Institution

– for forests and forest lands owned by the Republic of Croatia managed by a Legal Entity, shall be borne by the Legal Entity

– for forests and forest lands managed by a small or medium-sized forest owner, shall be borne by the Ministry responsible for forest affairs

– for forests and forest lands managed by a medium-sized forest owner, and when the procedure for approving, renewing or revising forest management plans is carried out at the request of a medium-sized forest owner for the purpose of establishing a special management unit, shall be borne by the medium-sized forest owner

– for forests and forest lands managed by a large forest owner, shall be borne by the large forest owner.

Pursuant to Article 8 of the FA, a forestry contractor is a natural or legal person who is registered to carry out forestry works and has been issued a license by the Chamber during the forestry contractor licensing process.

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

They are legally binding.

- 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.

Pursuant to Article 27 of the FA, Forest management plans are:

- The General Forest Management Plan of the territory of the Republic of Croatia (hereinafter: The General Forest Management Plan)

- General management plan for the forest management unit (hereinafter: General management plan for the FMU)

Pursuant to Article 29 of FA, the General management plan for the FMU is approved based on the commission's opinion on its compliance with the strategic documents of forestry and spatial planning, and the commission is established by the minister. The General management plan for the FMU is created by the public forest owner, and the creation is financed from the Payments for Forest Ecosystem Services in proportion to the shares of land owned by the Republic of Croatia and land owned by private forest owners in the total area of forests and forest lands of the Republic of Croatia.

- forest management unit management program with ecological network area management plan

Pursuant to Article 29 of FA, for the forest management unit management programs with ecological network area management plan, it is necessary to obtain the consent of the central state administration body responsible for nature protection. It is implemented by the forest owner.

- program of forest management of private forest owners

Pursuant to Article 29 of FA, the Forest Management Plan, its renewal or revision is approved by the Ministry with a decision, for forests and forest lands owned by private forest owners at the proposal of licensed contractors.

- special purpose forest management program for the needs of the defence of the Republic of Croatia

Pursuant to Article 33 of FA, forests of special purpose for defence needs are declared by the Ministry at the request of the central body of state administration responsible for defence affairs.

- the program for the management of forest seed facilities

Pursuant to Article 33 of FA, forests seed facilities are declared as special purpose forest by the Ministry in accordance with a special regulation at the request of a public forest owner, an institution or a private forest owner.

- program of forest protection, care and restoration

Pursuant to Article 29 of FA, the program of protection, care and restoration of forests for a protected area in which economic activity is prohibited is approved by the Ministry on the proposal of the public institution that manages the protected area.

- the program for the management of special purpose forests managed by a Legal Entity.

The special purpose forest management programs managed by the Legal Entity determine the condition of the forests and works in the direct management of forests and forest lands of the forest management unit. They are implemented by the Legal Entity which manages them.

- Are forest management plans being enforced?

Pursuant to Article 78 of the FA, The Forestry Inspector in the State Inspectorate is authorised to:

1. supervise the implementation of the General Forest management plan for the Republic of Croatia.

2. supervise the management of forests and forest land within the forest management area

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

No, there is no Forest Book *stricto sensu*.

However, pursuant to Article 30 of the FA, the public forest owner, institution, legal entity, public institution and service are obliged to keep prescribed records of the works performed on the basis of the forest management plans.

As an exception, the public forest owner is obliged to keep the prescribed evidence of the works performed in the General management plan for the FMU. For the purposes of keeping records, the institution, legal person, public institution and service are obliged to submit the necessary data to the public forest owner.

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

Pursuant to Article 28 of the FA, in the General Forest management plan for the Republic of Croatia, operations are planned on the forests and forest lands of the forest management area for a period of ten years (I/1 economic half-period), the duration of the income of the state is planned for the next ten years (I/2 economic half-period) and for the next 20 years (II economic period) , and it is renewed every ten years.

The General management plan for the FMU prescribes operations on forests and forest lands of the forest management unit of the public forest owner and the Institution for a period of ten years (I/1 economic half-period), plans the duration of the entity's income for the next ten years (I/2 economic half-period) and for the next 20 years (II economic period), and is renewed every 20 years with revision every ten years.

The forest management unit management program with the ecological network area management plan prescribes operations on forests and forest lands, analysis of the condition of target species and habitat types of the ecological network area, management and conservation goals of target species and habitat types, conservation measures, activities to achieve the goals and indicators of the implementation of the plan for forest management units of public forest owners and private forest owners for a period of ten years (I/1 economic half-period), and plans the duration of the income of the estate for the next ten years (I/2 economic semi-period) and for the next 20 years (II economic period), and it is renewed every ten years.

The forest management program of private forest owners prescribes operations on the forests and forest lands of the forest management unit of private forest owners for a period of ten years (I/1 economic half-period), plans the sustainability of the state's income for the next ten years (I/2 economic half-period) and for the next 20 years (II economic period), and is renewed every 20 years with revision every ten years.

- 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?

Pursuant to Article 70 of the Regulation on forest management, forest management unit management programs with an ecological network area management plan determine the state of forests and works in the direct management of forests and forest lands of the forest management unit for which ecological network area management plans are drawn up. Therefore the national legislation is in line with European guidelines and criteria on forest management plans.

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

Pursuant to Article 27 of FA, forest management plans are basic documents for the management and use of forests and forest lands in the territory of the Republic of Croatia, which determine the conditions for the sustainable management of forests and forest land and interventions in that area, the necessary extent of cultivation and protection of forests, the possible degree of utilization and the conditions for the management of animal life.

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

There are no prescribed supporting mechanisms.

- 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.

Pursuant to Article 40 paragraph 2 of the Environmental Protection Act, strategic environmental impact assessment should be carried out to determine the impact of plans on the environment However, Strategic environmental impact assessment has been carried out only for the General Forest Management Plan for the Republic of Croatia and not for every forest management plan.

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

Natura 2000 sites are already implemented and coordinated with the forest management plans.

Pursuant to Article 28 paragraph 3 of the FA, the forest management unit management program with the ecological network area management plan prescribes operations on forests and forest lands, analysis of the condition of target species and habitat types of the ecological network area, management and conservation goals of target species and habitat types, conservation measures, activities to achieve the goals and indicators of the implementation of the plan for forest management units of public forest owners and private forest owners for a period of ten years (I/1 economic half-period), and plans the duration of the income of the estate for the next ten years (I/2 economic semi-period) and for the next 20 years (II economic period), and it is renewed every ten years.

6. Sustainable forest management.

6.1. Sustainable forest management definition and forestry practices

- Is sustainable forest management (SFM) defined in your country?
  - ☒ Yes
  - ☐ No

Pursuant to Article 6 of the FA, the interest of the Republic of Croatia in the management of forest ecosystems is achieved by implementing the management of forests and forest lands, which, along with ecological balance, ensures permanent maintenance and restoration of forests in the manner and under the conditions prescribed by the Forest Act and special regulations.

Pursuant to Article 9 of the FA, forest management includes the cultivation, protection and use of forests and forest lands, and the planning, design, construction and maintenance of forest infrastructure, in accordance with the pan-European criteria for sustainable forest management.

The pan-European criteria for sustainable forest management are:

1. maintenance and appropriate improvement of forest ecosystems and their contribution to the global carbon cycle

2. maintenance of the health and vitality of the forest ecosystem

3. maintenance and promotion of forest production functions

4. maintenance, conservation and appropriate improvement of biodiversity in the forest ecosystem

5. maintenance and appropriate improvement of protective functions in forest management (in particular soil and water)

6. maintenance of other socio-economic functions and conditions.

In the Republic of Croatia, sustainable forest management shows that less wood is cut annually (5.4 million m^3) than it is added (9.6 million m^3).[78]

- Does the definition of SFM include specific objectives?
  - ☒ Yes
  - ☐ No

The specific objective is to ensure the permanent maintenance and restoration of forests.

- 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

[78] chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://mint.gov.hr/UserDocsImages/2022_sustainable/006_221013_Potrajno_gosp.pdf

There are no specific guidelines, however, the Strategy and action plan for nature protection of the Republic of Croatia for the period from 2017 to 2025 (OG 72/17) prescribes sustainable forest management.

- 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: https://www.zakon.hr/cms.htm?id=19415
  - ☐ No
  - ☐ Other sources setting the Forest strategy/policy

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

Forests in the Republic of Croatia are divided into forest management units. Each forest management unit has its own General management plan for the FMU made based on the principles of permanent (sustainable) management, according to which the forest is treated as a renewable natural resource with pronounced general benefits, provided that forest renewal is encouraged, completed and improved where necessary. A comprehensive management program, « General Forest Management Plan for the Republic of Croatia for the period 2016 - 2025»[79], was drawn up for the entire Republic of Croatia, which contains management guidelines. All forests, regardless of their ownership status, are included in the ten-year General management plan for the FMU.

Pursuant to Article 10 of the FA, Forest owners manage forests by maintaining and improving biodiversity and landscape diversity, as well as taking care of the protection of the forest ecosystem, and are obliged to:

1. maintain the natural composition of the forest and support native species
2. by the location and structure of artificially raised stands, encourage the protection and restoration of natural forests, and not increase the pressure on them
3. choose species for artificial growth of stands and perform restoration of degraded stands on the basis of general suitability for habitat conditions and management goals, giving preference to native species
4. use only those introduced species, provenances and varieties whose impact on the ecosystem and genetic integrity of native species has been expertly assessed, and whose negative impact can be avoided or reduced
5. take care of all species in the ecosystem
6. to support a sustainable way of management in suitable habitats that forms a valuable ecosystem
7. in forests that are threatened by drying and natural disasters, establish a complete monitoring network in order to observe the movement of negative processes

[79] chrome-extension://efaidnbmnnnibpcajpcglclefindmkaj/https://poljoprivreda.gov.hr/UserDocsImages/dokumenti/sume/sumarstvo/sumsko gospodarska_osnova2016-2025/SUMSKOGOSPODARSKA_OSNOVA_2016.pdf

8. conduct forest management in a way that does not cause permanent damage to the ecosystem and take measures to improve and maintain biodiversity
9. adapt the type and method of use of resources in the cultivation, exploitation and protection of forests to the peculiarities of habitats and species
10. adapt the cultivation, utilization and protection of forests and the construction and maintenance of forest infrastructure to the protection of soil and water in order to avoid harmful effects on the quality and quantity of sources and reservoirs and the free movement of surface and underground water.

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

Pursuant to Article 9 of the FA, the pan-European criteria for sustainable forest management are:

1. maintenance and appropriate improvement of forest ecosystems and their contribution to the global carbon cycle
2. maintaining the health and vitality of the forest ecosystem
3. maintaining and encouraging the productive functions of the forest
4. maintenance, preservation and appropriate improvement of biodiversity in the forest ecosystem
5. maintenance and appropriate improvement of protective functions in forest management (especially soil and water)
6. maintenance of other social and economic functions and conditions.

- 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.

Forest management plans are obligatory pursuant to Articles 27 and 28 of the FA therefore it is not possible to take voluntary practices.

Pursuant to Article 20 of the FA, if forest managers fail to implement the measures prescribed by this Act and the regulations adopted on the basis thereof, as well as on the basis of special regulations, these measures shall be implemented by the body that ordered them or a person authorized by it, at the expense of the forest owner or legal entity that uses the forest or forest land and was obliged to implement the ordered measures.

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

Sustainable forest management can be measured through Forest management plans which are prescribed in Article 27 of the FA. The plans prescribe operations on forests and forest lands of the forest management unit, therefore there is a register of certain forest areas that they regulate. Each plan has to pass two inspections, a forestry inspection and an environmental inspection, so there is a record of how many trees are felled and whether reforestation has taken place.

Moreover, pursuant to Article 4 of the Regulation on forest conservation (OG 28/15) Protection of forests and forest ecosystems is an integral part of the integral and indivisible process of forest management. The duties and tasks of forests and forest ecosystems conservation in the Republic of Croatia are performed by a forest ranger. Forest ranger is a person who has at least a secondary vocational education in forestry and also fulfils other conditions determined by special regulations.

Pursuant to Article 3 of the same regulation conservation of forests and forest ecosystems in the Republic of Croatia is organized for the purpose of protecting forests and forest land as goods of interest to the Republic of Croatia from illegal appropriation of land areas, wood, secondary forest products, game, protected flora and fauna, use of any forest goods and other illegal actions, taking necessary measures to protect forests from fire, pests, livestock, game and diseases, pollution of water, soil and air, and all other impacts on forest ecosystem, established by the FA and other regulations.

- 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).
    - o Closer to nature silviculture practices
    - o Clear-cutting
    - o Shelterwood system
    - o Selective logging
    - o Afforestation and reforestation to enlarge forest areas
    - o Controlled burn
    - o Mandatory salvage logging
    - o Other .....

Pursuant to Article 28 of the Regulation on forest management, forest and forest land management includes works:

1. creation, renewal and revision of forest management plans
2. natural renewal of forests
3. artificial forest restoration
4. building new forests on virgin forest land
5. noise conversions
6. rehabilitation and restoration of forests damaged by biotic and abiotic factors
7. forest care
8. forest protection from harmful organisms and fires

9. marking of trees for felling

9. forest protection
10. nursery and seed production
11. planning, designing, construction, reconstruction and maintenance of forest infrastructure
12. maintenance of sources, wells and cisterns
13. extraction of wood forest products

14. extraction of non-timber forest products
15. maintenance of unvegetated forest land for the purposes of preserving biodiversity.

- 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?

There is no ban on clear cutting (however, clear cuts are generally not allowed except in the cases listed in Article 39 of the FA, and a permission from the Ministry responsible for forest affairs is needed).

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

Pursuant to article 83 of Regulation on forest management, for forests and forest lands that are protected in the category of strict reserve and national park, a Forest Protection, Care and Renewal Program is drawn up, which is also an ecological network management plan, and is implemented by the public institution responsible for managing the protected area.

For forests and forest lands protected in the category of special reserve of forest vegetation and forest park, a program of protection, care and restoration of forests is adopted, which is an integral part of the forest management plan and is drawn up and implemented as part of the forest management plan.

Pursuant to Article 85 of Regulation on forest management, forest management plan consists of, among others:

1. Objective and method of management of the protected area
2. Forest management works
3. Fauna protection
4. Activities that contribute to the preservation of strictly protected species, rare and endangered habitat types and protected areas

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

Pursuant to Article 19 of the FA, forest owners are obliged to rehabilitate burned areas within two years, if that period is not determined by the forest management plan.

Forest owners are obliged to artificially restore areas where natural regeneration has not succeeded, areas where devastation, illegal cutting and areas where forest degradation has occurred, within two years, if that period is not determined by the forest management plan.

As an exception, the Ministry responsible for forest affairs may, based on the forest owner's proposal, extend the deadline for rehabilitation and restoration of areas, for a maximum of two more years.

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?

The Republic of Croatia recognises in its legislation the previous Close to nature forest management guidelines, however, newly published Guidelines are not yet incorporated.

- 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: https://narodne-novine.nn.hr/clanci/sluzbeni/2017_07_72_1712.html
  - ☐ No
- 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: https://narodne-novine.nn.hr/clanci/sluzbeni/2017_07_72_1712.html
  - ☐ Yes, at regional level – they can be found here: .....
  - ☐ No

Please describe them and elaborate:

Five strategic objectives of the Strategy:

1. increase the efficiency of the basic mechanisms of nature protection
2. reduce direct pressure on nature and encourage sustainable use of natural resources
3. strengthen the capacities of the nature protection system
4. increase knowledge and availability of data about nature
5. raise the level of knowledge, understanding and public support for nature protection

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?

The Republic of Croatia has a Strategy for adaptations to climate change in the Republic of Croatia for the period until 2040 with a look at 2070 (OG 46/20)[80]. In the Strategy are prescribed objectives for climate change sustainable management.

[80] https://www.zakon.hr/cms.htm?id=44295

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?

Pursuant to Article 56 of the FA, forests and forest lands owned by the Republic of Croatia cannot be alienated from the ownership of the Republic of Croatia. Foreign persons, i.e. natural persons who do not have the citizenship of the Republic of Croatia or other member states of the European Union, and legal persons whose registered office is outside the territory of the Republic of Croatia and other member states of the European Union, cannot acquire ownership rights to forests and forest land in owned by the Republic of Croatia, unless otherwise stipulated by an international agreement.

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

Pursuant to Article 54 of the FA, the dissolution of the co-ownership community of real estate on forests and forest land between the Republic of Croatia and other persons can be carried out based on an agreement concluded by the co-owners. In the procedures for implementing changes in the land cadastre, when it concerns forests and forest land owned by the Republic of Croatia, the Ministry responsible for forest affairs, based on the opinion of the public forest owner, gives consent to geodetic studies, except in cases where subdivision is carried out according to regulations in the field of spatial planning and construction. Forests and forest lands outside the construction area are not allowed to be divided into cadastral parcels with an area of less than 1 ha by geodetic studies, except in the case of the allocation of forest land for the construction of infrastructure and other buildings determined by the regulation of spatial planning, in cases of establishing the right to build on forest and forest land and except in the case of inheritance and dissolution of co-ownership communities.

Pursuant to Article 55 of the FA, forests and forest lands owned by the Republic of Croatia can be replaced with forests owned by other persons, if they are on the territory of the same or neighbouring forest management unit, for the purpose of consolidating forests and forest lands owned by the Republic of Croatia. Based on the previous opinion of the public forest owner, the Institution and other competent bodies of the state administration and legal entities founded by the Republic of Croatia, the Ministry responsible for forest affairs decides on the exchange of forests and forest lands, and the contract on the exchange of real estate on behalf of the Republic of Croatia concluded by the minister. Forests and forest lands that are the subject of exchange must, as a rule, be of commensurate value, which is determined by an expert appraisal of the real estate's market value with a permissible deviation of 5% of the real estate's value.

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

No.

- Are there institutions/**bodies contributing to dynamize 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)

No.

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

Pursuant to Article 59 of the FA, forest land owned by the Republic of Croatia and managed by a public forest owner, which has not been brought to its intended use, may be leased until it is brought to its intended use. Forest lands may be leased only for the purpose of:

a) rest, recreation and sports

b) grazing

c) installation of mobile devices, billboards, stands, assembly-dismantling awnings and temporary kiosks and other buildings of finished construction with a construction (gross) area of up to 15 m^2

d) establishment and cultivation of short-range woody crops.

The subject of the lease cannot be forest land within the area of the national park, strict reserve and special reserve, which is protected according to a special regulation, and forest land that is used for defence purposes in accordance with special regulations. As an exception, the subject of lease for the purpose of grazing may be forest land within the area of a special reserve that is protected according to a special regulation with the permission of the state administration body responsible for nature protection.

The largest area of forest land which a public forest owner can lease to one person for the purpose of grazing is 3.3 ha per conditional head, taking into account the total area of land registered in the ARKOD system[81] as land suitable for grazing, with the condition minimum production. As an exception, the largest area of forest land that a public forest owner can lease for the purpose of grazing may not exceed 10% of the current needs according to the calculation of the number of conditional head, with the condition that the bidder in the utilisation program undertakes to equalize the required number of conditional heads within two years from the date of signing the lease agreement.

An integral part of the offer on the public invitation to lease forest land owned by the Republic of Croatia is the economic program for the use of forest land. An economic program is a forest land use plan that contains basic information about the applicant, the type of activity he/she intends to engage in on the land that is the subject of the lease, information on planned investments, information on new employment and a tabular representation of planned receipts and expenditures.

The procedure for leasing forest land is carried out by the public forest owner through a public call for bids. The commission appointed by the Minister responsible for the forest affairs opens

[81] ARKOD is a record of agricultural land use in digital form. An ARKOD parcel is a continuous area of agricultural land cultivated by only one agricultural holding, classified according to the type of land use.

the collected bids according to the public invitation and drafts a proposal for a decision on the leasing of forest land. The decision on the lease, on the proposal of the commission is made by the public forest owner. Based on the decision and proof of the payment of at least one instalment of the rent, the public forest owner concludes a lease agreement. The lease agreement is considered an enforceable document.

The criteria for selecting the most favourable bidder for the purpose of grazing are determined in the following order:

1. **if he/she is a previous tenant who has properly fulfilled the obligations and purpose from the previous lease agreements**
2. **if for at least three years before the publication of the public invitation, he/she has a residence/seat in the area of the local self-government unit for which the public invitation is announced**
3. **if on the day of the announcement of the public invitation, the bidder is a person under 41 years of age**
4. **if he/she offers the highest amount of rent with a limit of twice the amount of rent.**

The most favourable bidder for the lease of forest land for the purpose of rest, recreation and sports, installation of mobile devices, billboards, stands, assembly-dismantling awnings and temporary kiosks, other ready-made buildings, construction (gross) area up to 15 m^2 is considered a person which offers the highest amount of rent.

The right of priority to lease forest land for the purpose belongs to the previous lessee who duly fulfilled the obligations from the lease agreement.

The most favourable bidder for the lease of forest land for the purpose of establishment and cultivation of short-range woody crops is the bidder who offers the highest amount of rent.

The right of priority to lease forest land for the purposes, in the order as stated, belongs to a person who:

a) has contracted production/delivery of biomass

b) has a place of residence/headquarters in the area of the local self-government unit for which the public invitation is announced

c) offer the highest amount of rent.

The bidder exercises the right of priority with the condition of accepting the highest amount of rent offered.

The procedure for leasing forest land, the documentation required for a public invitation, the duration of the lease and the criteria for terminating the lease agreement, the form of the Economic Program and the condition of minimum production is prescribed in the Ordinance on the lease of forest land owned by the Republic of Croatia.

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

There are no obligations or access to insurance for forest land or forest activities.

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

There are no special regulations facilitating or limiting access to financial credits for forest activities or mortgages on forest land.

8. Forest companies, Forest incentives and taxation.

Forest Companies

- Is there a Registry of forest industries? Is there a Registry of forest contractors?

There is a Registry of specialised subjects for manufacture of wood. It is managed by the Ministry responsible for forest affairs.

Pursuant to Article 8, paragraph 1, point 6 of the FA, a forestry contractor is a natural or legal person who is registered to carry out forestry works and has been issued a license by the Chamber during the forestry contractor licensing process. Pursuant to Article 8, paragraph 1, point 16, a certified engineer is a person registered in the Register of Certified Engineers of the Chamber.

- 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?

No, there are no specific regulations under the Company law.

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

No information.

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.

Through the Strategic Plan of the Common Agricultural Policy of the Republic of Croatia 2023-2027. intervention is carried out on 72.01. Support for limitation in forest management (NATURA 2000, NKS) in which forest owners can exercise the right to economic support for prescribed conservation measures of target species and ecological network areas related to:

- obligation to leave 10 m^3 of dry wood mass per hectare
- obligation to leave 15 m^3 of dry wood mass per hectare
- obligation to leave 3 % of dead wood and/or

Moreover, there is another intervention 73.05. "Reconstruction (conversion) of degraded forests"

Eligible users are:

a) private forest owners

b) public forest owner.

Support is granted for forest conversion projects that include silvicultural procedures carried out in the stand to change and improve its structure (change of stand form, cultivation form, degradation forms of forest into forest cultivation forms and change of forest management methods). Acceptable material costs are expressed in the form of standard costs per hectare for

a certain type of conversion, and structurally include the costs of habitat preparation, forest reproductive material and its transport, habitat fencing and dedicated protective aids, as well as general and other costs necessary for the implementation of the project, in accordance with the prepared Conversion Plan.

The other incentives were available pursuant to the Rural development program of the Republic of Croatia for the period 2014-2020. This is a basic operational program document in which measures and activities for effective implementation and use of funds from the European Agricultural Fund for Rural Development (EFARD) are described and elaborated in more detail, with co-financing from the State Budget of the Republic of Croatia. The rural development program of the Republic of Croatia for the period 2014-2020 was worth around EUR 2.4 billion.

Within the Rural Development Program for forest owners, the following measures were available:

M04 – Investments in physical assets

SUBMEASURE 4.3. "Support for investments in infrastructure related to the development, modernization and adaptation of agriculture and forestry"

Operation 4.3.3. "Investment in forest infrastructure"

- construction of forest roads
- reconstruction of forest roads

M08 – Investments in the development of forest areas and improvement of forest sustainability

SUBMEASURE 8.5. "Investments in improving the resilience and environmental value of forest ecosystems"

Operation 8.5.1. "Conversion of degraded forest stands and forest cultures"

Operation 8.5.2. "Establishment and arrangement of educational paths, viewpoints and other minor infrastructure"

SUBMEASURE 8.6. "Investments in forestry technologies and in the processing, mobilization and marketing of forest products"

Operation 8.6.1. "Modernization of technologies, machines, tools and equipment in wood extraction and silviculture works"

Operation 8.6.3. "Marketing of wood and non-wood forest products"

“PFES” or Payments for Forest Ecosystem Services are a set of all the beneficial effects of forests for humans and the environment. Fees for Forest Ecosystem Services are required to be paid by legal and natural persons who perform economic activities in the Republic of Croatia. All legal and natural persons who perform economic activity in the Republic of Croatia were obliged to pay a fee in the amount of 0.015% of the total income. PFES taxpayers are legal and natural persons who are liable for-profit tax and natural persons who are liable for income tax, and in the Republic of Croatia they perform a Registered activity and achieve a total annual income and receipt of more than EUR 995,421.06. From the total collected funds in this fund, the funds are allocated for biological forest restoration works, karst management works, demining, fire

protection, scientific works in forestry. Beneficiaries of the funds are Croatian forests ltd., Croatian Fire Service, Croatian Centre for Demining, scientific institutions and private forest owners.

The following are financed from the PFES funds:

1. **management works in protective forests and forest lands**
2. **costs of preparing and approving forest management plans**
3. **management works in commercial forests of small forest owners, except for works to obtain wood and non-wood forest products, as follows:**

a) Preparation of habitats for natural regeneration of stands intended for natural regeneration

b) silvicultural works c) Thinning of stands up to the age of one third of the specified rotation in managed stands, and in older ones if this is necessary for cultivation

d) reforestation of felled areas after clear-felling

e) Rehabilitation of burned areas

f) Resurrection of degraded stands and conversion to a higher growing form

g) Forest conservation

h) Selection and marking of trees for felling

i) Preparation of forest management plans, and their revision and renewal

j) Afforestation of bare forest land and establishment of plantations of fast-growing tree species on new areas

k) Preparation of habitats, care of newly established stands and cultures

l) Protection from harmful organisms and fires

m) Rehabilitation and restoration of forests damaged by disasters and war actions

n) Maintenance of forest infrastructure

4. **management works in commercial forests of public forest owners, institutions, legal entities, medium and large forest owners, as follows:**

a) establishment of new forests on bare forest land,

b) rehabilitation and restoration of forests damaged by biotic and abiotic factors,

c) maintenance of springs, wells and cisterns,

d) protection of forests from harmful organisms and fires

5. **demining of forests and forest land,**
6. **scientific and professional works in the field of forestry,**
7. **firefighting activities.**

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

They are obliged to pay the income tax.

9. Enforcement: Forest control and penalties.

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

Pursuant to Article 78 of the FA, the Forestry Inspector in the State Inspectorate is authorised to:

1. 1. supervise the implementation of the General forest management plan for the Republic of Croatia
2. **supervise the management of forests and forest land within the forest management area**

Pursuant to Article 81 of the FA, A public forest owner, institution or legal person will be fined for a violation with a fine from 6,630.00 to 13,270.00 euros if:

- does not manage in accordance with forest management plans (Article 11, subparagraph 1)
- does not comply with the content, deadlines for adoption, the method of creating forest management plans and the creation of extraordinary audits that are prescribed by the ordinance
- does not create forest management plans, regularly renews or revises them (Article 29, paragraph 8)
    - before the design and construction of new forest infrastructure, which is not planned in the forest management plan, does not make a conceptual solution during planning and does not request the consent of the Ministry responsible for forest affairs for such works
    - after receiving the decision of the Ministry responsible for forest affairs on the approved forest management plan, does not submit the list of real estate with non-compliant use to the Regional Cadastre Office for changing the use to forest and forest land

Pursuant to Article 84 of the FA, A large and medium-sized forest owner will be fined from 2,650.00 to 6,630.00 euros for an offense if:

- does not manage in accordance with forest management plans
- does not rehabilitate and restore the surfaces
- does not prepare forest management plans, does not regularly renew or revise them
    - before the design and construction of new forest infrastructure, which is not planned in the forest management plan, does not create a conceptual solution during planning and does not request the consent of the Ministry responsible for forest affairs for such works

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

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?

The Forest Act establishes the foundation for SFM in Croatia, emphasising the maintenance of biodiversity, productivity, regeneration capacity, and the fulfilment of ecological, economic, and social functions of forests.

Integration of Nature Protection: Amendments to the Nature Protection Act in 2018 have led to the incorporation of nature protection conditions into forest management plans, ensuring that forestry activities align with conservation objectives.

Economic Incentives for Ecosystem Services: Legal entities engaged in economic activities are required to pay fees for ecosystem services provided by forests, such as erosion control and water protection. These funds are allocated to forest management activities that uphold biodiversity and sustainable practices. Pursuant to Article 65 of FA, Legal and natural persons who are liable for profit tax and natural persons who are liable for income tax and who perform a registered activity in the Republic of Croatia and achieve a total annual income and receipt of more than 995.421,06 EUR for the Payments for Forest Ecosystem Services.

Complex Regulatory Environment: The intricate web of regulations, stemming from both national legislation and EU directives, can create challenges for stakeholders in understanding and complying with SFM requirements.

Moreover, the big problem in the Republic of Croatia represents fragmented Forest Ownership. With approximately 24% of forests privately owned by over 600,000 individuals, many holding parcels smaller than one hectare, achieving cohesive and standardised management practices across these fragmented holdings is challenging. According to a consulted forestry association, this is the biggest barrier in Croatia[82].

Limited access to financing for forest restoration and management projects poses a significant barrier, particularly for private forest owners.

Forests in Croatia serve diverse functions, including economic production, ecological services, and social benefits. Balancing these roles within the framework of SFM requires careful planning and often involves trade-offs that can complicate management decisions.

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

Implementing a closer-to-nature approach in forest management in the Republic of Croatia is generally supported by the country's existing legal and regulatory framework, which emphasises sustainable practices and the preservation of natural forest ecosystems. However, the same obstacle as mentioned above represent barriers in implementing closer to nature approach.

[82] Consultations with a forestry association from Croatia took place in September 2025. Its input has been addressed and included within this report.

The intricate web of regulations, stemming from both national legislation and EU directives, can create challenges for stakeholders in understanding and complying with sustainable forest management requirements.

Approximately 24% of forests privately owned by over 600,000 individuals, many holding parcels smaller than one hectare, achieving cohesive and standardised management practices across these fragmented holdings is challenging.

Limited access to financing for forest restoration and management projects poses a significant barrier, particularly for private forest owners. This constraint hampers the implementation of sustainable practices and the enhancement of forest-related value chains.

Forests in Croatia serve diverse functions, including economic production, ecological services, and social benefits. Balancing these roles within the framework of sustainable forest management requires careful planning and often involves trade-offs that can complicate management decisions.

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

The main legal drivers for implementing a closer-to-nature approach in forest management in Croatia stem from the country's alignment with sustainable forest management principles, EU regulations, and national commitments to biodiversity and environmental conservation. These drivers encourage stakeholders, including public and private forest owners, forestry professionals, and policymakers, to adopt ecologically oriented practices.

The Forest Act prescribes sustainable forest management to preserve forest biodiversity, maintain ecological stability, and meet the economic and social needs of present and future generations. Forest management plans must integrate biodiversity conservation and ecosystem service preservation, encouraging closer-to-nature forestry principles.

Croatia is obligated to align its forest policies with EU strategies such as the EU Forest Strategy for 2030 and the European Green Deal.

Croatia, as an EU member state, incorporates Natura 2000 directives, which promote the conservation of habitats and species of European importance. Pursuant to Article 28 of the FA, the forest management unit management program with the ecological network area management plan prescribes operations on forests and forest lands, analysis of the condition of target species and habitat types of the ecological network area, management and conservation goals of target species and habitat types, conservation measures, activities to achieve the goals and indicators of the implementation of the plan for forest management units of public forest owners and private forest owners for a period of ten years (I/1 economic half-period), and plans the sustainability of the state's income for the next ten years (I/2 economic semi-period) and for the next 20 years (II economic period), and it is renewed every ten years.

The Nature Protection Act integrates nature conservation goals into forest management planning.

Croatia actively promotes certification schemes like FSC (Forest Stewardship Council) and PEFC (Programme for the Endorsement of Forest Certification).

Under the EU Common Agricultural Policy (CAP), Croatia's Rural Development Program provides funding for sustainable forestry practices.

The legal framework encourages public awareness campaigns and educational initiatives about sustainable forestry.

10.2. Legal or regulatory gaps in national forest legislation

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

As previously underlined, the main problem in the Republic of Croatia is fragmented Forest Ownership. With approximately 24% of forests privately owned by over 600,000 individuals, many holding parcels smaller than one hectare, achieving cohesive and standardised management practices across these fragmented holdings is challenging.

There are not enough financial resources for forest owners for the subsidies to implement SFM.

There is no difference between forest owners and forest managers in accordance to law.

National experts on forest legislation and references

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

Professor Ivan Martinić, PhD - imartinic@sumfak.unizg.hr
Professor Mario Božić, PHD - mbozic@sumfak.unizg.hr
Professor Mislav Vedriš, PHD - mvedris@sumfak.unizg.hr
Silvija Krajter Ostoić, PHD – Croatian forest research institute - ured@sumins.hr

- 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.

Characteristics of private forest owners in relation to their activities in enlargement of forest holdings, Mario BOŽIĆ, Marijana ANDABAKA, Mislav VEDRIŠ, Ernest GORŠIĆ, Krunoslav TESLAK, Faculty of Forestry and Wood Technology, University of Zagreb, 2022, Forestry paper Vol. 146 No. 1-2

The history of legal regulation of the protection of forests on Croatian territory, Dragan Medvedović, Faculty of law, University of Zagreb, 2015, Croatian Academy of science and arts

Croatian forest ltd. – feudal lord or enforcer of the law, Editorial board of Forestry paper; Croatian Forest Society, 2020, Forestry paper Vol. 144 No. 3-4

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