

EDITORIAL

HOW DO WE MANAGE FORESTS OF SMALL OWNERS/HOLDERS IN THE REPUBLIC OF CROATIA

The status of private forests in the Republic of Croatia has been treated in the Editorial section of the Forestry Journal on several occasions, and in 2017 “The status of private forests in the Republic of Croatia” was a topic discussed at the Day of Croatian Forestry.

According to the Forest Management Plan of the Republic of Croatia from 2016, forests and forestland in Croatia cover 2,759,039.05 ha. Of the overall area, state owned forests account for 2,097,318 a (76 %), while privately owned forests account for 661,721 ha (24 %).

Article 14 of the Law on Forests classifies private forest owners into three groups: small owners with forests and/or forestland of up to 20 ha, medium owners with forests and/or forestland of more than 20 ha but less than 300 ha, and large forest owners with forest area and/or forestland exceeding 300 ha.

According to this classification, over 99 % of the area of forests and forestland are owned by small forest owners (418,654 owners), which means that the average size of the forest property is 0.5 ha.

As you may have noticed in the introductory part, there is an ambiguity relating to the terms forest owner and forest holder, which is the result of the dual keeping of land books through the land register and cadastre. Their unsettled status makes it more difficult to define real relationships. We always stress that the regulation of property-legal relations is the priority and the first precondition for creating an organized society. We must also make a clear distinction between the purpose and the use of forest and agricultural land. The first division was made during the Austro-Hungarian monarchy, but despite numerous legal provisions we have not yet done so since. Thus, for example, a large part of privately owned forests came into being by agricultural land being overgrown, but in land registers they are still registered as meadows, pastures, or ploughland. At the same time, we raise olive groves and vineyards or issue permits for grazing over an absolute forest land in state forests ???

Due to historical circumstances, there are exceptionally small areas of forestland in private ownership today, and as such they do not ensure continuous income to their owners. Instead, there is an attempt to derive as much financial profit as possible through one operation without adhering to the principle of sustainability, the fundamental principle in forestry.

The awareness of the need to functionally merge and plan silvicultural treatments at the level of compartments and sub-compartments has regrettably not yet taken root among Croatian forest owners. Therefore, despite the fact that management plans have been drawn for most private forests,

in practice management is reduced to disconnected operations in individual plots.

Private forests of small forest holders are witnessing an increase in criminal actions such as felling without marking, theft, timber extraction by unregistered or unlicensed contractors, uncontrolled placing of timber on the market, illegal timber trade, etc. The absence of clear and transparent (market) price forming policy in Croatia favours various resellers, while valuable raw material, usually without any control, ends up on foreign markets.

All this makes us think about the responsibility of the state as a legislator and its attitude towards this category of private property, but also towards the common good protected by the Constitution of the Republic of Croatia. Let us also tackle the responsibility of the entire forestry profession and its institutions, as well as our colleagues, certified engineers, who mark trees or dispatch timber in the field guided by the principle “one must have something to live on”. If we, as a profession, turn a blind eye to this problem, we will hardly be able to boast in the future of the tradition of sustainable and close-to-nature management of our forests.

The first precondition for installing the order in private forests of small holders involves setting up a guard service. According to the valid Law on Forests, the guarding of forests is the responsibility of their owners, which is practically unfeasible given their condition and age structure, or this could be done by forest owners’ associations, which again rarely happens in practice.

Throughout history there have always been forest guards. Until the mid-20th century they were municipal (regional) forest rangers, and until very recently this job was performed by employees of the company Croatian Forests.

There are several options which might solve this situation:

- ⇒ Restore the jurisdiction of Croatian Forests Ltd by re-registering the company.
- ⇒ Implement guard services through local self-government bodies, similar to the regulations set down in the previous Law on Forests; however, this was not applied in practice.
- ⇒ Establish a “Forest Police” service with clearly defined powers to ensure order and prevent criminal activities.
- ⇒ Establish a State Forest Institution (Agency), which will exercise public powers and promote interests independently of forest ownership, as well as enable meaningful and comprehensive planning and management at all levels.