

**Illegal Logging in SEE and EE
(Governance, Implementation and Enforcement)**

**Illegal logging activities in the Former Yugoslav Republic of
Macedonia
B. DIAGNOSTIC AUDIT**

**Skopje
April 2010**

Table of Content

1. GOVERNANCE.....	5
1.1 Policy Framework	5
1.1.1 Overall Forest Policy.....	6
1.1.2 Government Strategy for Illegal logging Reduction	7
1.1.3 Border control of illegal activities.....	8
1.1.4 Targeting of Government response	8
1.2 Legal framework	9
1.2.1 Constitution of the Republic	9
1.2.2 Law on forests	10
1.3 Institutional framework	11
1.3.1 Monitoring and control system	11
1.3.2 Task force for Forest Resource Protection.....	12
1.3.3 Shortcomings of the Present System.....	12
2. RECOMENDATIONS	13
3. CONCLUSIONS.....	13
4. REFERENCES	14

1. GOVERNANCE

1.1 Policy Framework

Republic of Macedonia has defined the forestry policy in the **Strategy for Sustainable Development of Forestry**. The Strategy was developed by the Ministry of Agriculture, Forestry and Water Supply in 2006 as a result of institutional development and capacity building in the forestry and forest industry sub - sectors. Sustainable management of the forests is an obligation of the FYRoM and the main priority of the Strategy is sustainable development through increasing forest surface. The Strategy with the Action Plan (2007-2009) was approved by the Government in July 2006. Priority actions defined in the strategy are establishing the Agency for Forestry and Hunting, transformation of the PE "Macedonian forests" for increasing its competitiveness, forests certification, forming of cadastre for forests registration, purchase of vehicles for extinguishing fire on forest land. According to the Action Plan (2007-2009) of the Strategy for Sustainable Forestry, some of the actions that should take place are following:

- adopting a Basic plan for forest management in FYRoM,
- introduction of licensed independent institutions that will perform operations of certification of the forest, hunting grounds and the design,
- development of forestry resources in the area of planning and environmentally acceptable management,
- study of the valorization of forests,
- development of a program for the adaptation of forests to meet challenges of global climate change,
- creating and maintaining permanent internet site for the competent forestry institution,
- transparency in informing all parties of activities undertaken in the area of forestry in order to obtain suggestions and comments from the public,
- promotional campaign for raising public awareness,
- reclamation of degraded oak forest area of 450 ha,
- afforestation of 2 500 ha,
- making a study of forest tourism resources and their potential for developing on local and regional level,
- undertaking study of the impacts of forestry activities on the forest eco systems,
- carrying out a study on forest areas at risk from erosion.

For realization of all that is predicted in the Strategy for Sustainable Development of Forestry in the FYRoM, the Government provided 15 million Euros which cover 60% of the activities predicted for realization in the following two years after adopting the Strategy. Also the Strategy is defining main directions of the law regulative from forestry sector with national interests and international obligations and many of them were included in the new Law on forests.

The Strategy for Sustainable Development of Forestry in the Republic of Macedonia was incorporated in the Law on Forests, Article 23:

- a. National Forestry Policy in the Republic of Macedonia is realized through the Strategy for Sustainable Development of Forestry in the Republic of Macedonia.
- b. Strategy for Sustainable Development of Forestry in the Republic of Macedonia is planning document that governs the expansion of quality and protection of forest fund in accordance with the Spatial Plan of the Republic of Macedonia, multifunctional forest management and forestry sustainable management, increasing of forests income and other related goods and services in the quality of life in rural areas, increasing of public and social functions of forests and forestry through out common strategy for development, with total valorization of its

useful and social functions and raising awareness for environmental and social values of the forests.

- c. Strategy for Sustainable Development of Forestry is adopted by the Government for period of 20 years.

With this incorporation in the Law of forests, the Strategy, along with the Action Plan has postponed/prolonged the realization of some of the activities defined in both of them, and some of the action that should take place defined in the Strategy and Action Plan are given other dimension – regulated in the Law of Forests. That should give legal framework for establishment and practice.

The setting up of State Forestry Agency with established departments on forestry, hunting, financing the improvement of the forestry and hunting and others, is an action provided in the Action Plan of the Strategy for Sustainable Development of Forestry. It has not been set up yet. With the setting up of State Forestry Agency as an independent administrative body would give the forest sector more important role in the state administration. With the position of an independent national body in the state administration, improvement of its the capacity, quality and effectiveness would contribute to improvement of the forestry sector.

The Action Plan includes specific actions that are related directly or indirectly to the necessary activities to be conducted in order to **suppress illegal activities in the forestry sector**. Some of them are:

- Restructuring of the State Inspectorate on Forestry and Hunting with 25 inspectors,
- Amendment of the operative forestry legislation and related normative acts, meaning amended Law on forests (new Law on forests is adopted - “Official Gazette of Republic of Macedonia” No 64/2009),
- Adoption of a Law on state inspectorate on forestry and hunting (Law on state inspectorate on forestry and hunting adopted “Official Gazette of Republic of Macedonia” No 88/2008),
- Technical and material equipment acquisition for the Forestry police, so that the Forestry police is equipped, forest guarding improved and illegal activities in forest are decreased.

For further implementation of the Strategy for Sustainable Development of Forestry in the Republic of Macedonia new Action Plan will be prepared and adopted for the period of 2010-2012.

1.1.1 Overall Forest Policy

The Strategy for Sustainable Development of Forestry in the Republic of Macedonia is not the first that treats the forestry sector. One strategy that included SWOT analysis of the forestry sector in FYRoM with defined key challenges, key goals, main goals and expected results in the forestry sector from sustainable point of view is the **National Strategy for Sustainable Development**. The analysis of the forestry sector in this strategy is very good and still applicable for some sub sectors, given that the strategic goals should be achieved by year 2030, comprising short, medium and long term goals. The long-term goals to be achieved are improvement of the forestry and rural economy in FYRoM and the rural regions in FYRoM to become social and economical balanced. The National Strategy for Sustainable Development determines avoiding illegal logging and organized crime as short term goals for achievement the medium term goal – implementation of law regulations leading to sustainable forestry and integrated and sustainable regional development.

The **Spatial Plan** of the FYRoM 2004 was the only strategic document where the strategic goals for development of forests have been formulated until 2020. Plan determinants of the afforestation projection were made on basis on existing natural conditions, above all climate, geological and pedological conditions, permanent condition of forests and forestland, land in danger of erosion, air pollution and the state of the living and working environment, as well as the economic conditions of the country. By year 2010, according to the Spatial Plan, 79 220 ha will be afforested – 41 300 ha of land within forest boundaries and 39 920 ha out of forest limits. Seventy thousand seven hundred and eighty hectares will be afforested in the period of year 2011 - 2020, 30 500 ha of which will be within

forest boundaries, and 40 280 ha out of forest boundaries. Bare land will be afforested with the intensity of 6 522 ha (47, 9%) within forest boundaries per year and 3 400 (52, 1%) ha out of forest boundaries. The afforestation projection suggests usage of 57% evergreen tree types and 43% broadleaved tree types. In year 2020, the total amount of land will increase to 1 039 560 ha or 44% of the territory of the country.

Goals to be achieved with realisation of the Spatial Plan:

- Enlargement of forest areas in accordance to the global regionalization and area categorization and enhancement of the quality of forests by advancing their type structure, transformation of low-growing to tall-growing trees, reconstruction of degraded forests and shrubbery, and their transformation into more productive forests;
- Taking cultivating measures in all development phases, especially in the case of young forests, as well as execution of revitalizing tree cutting by introduction of (direct conversion) much degraded areas;
- Afforestation of areas where the land has been demarcated, afforestation of areas that produce greatest results (increased growth, advancement of the environment, tourist and recreational aims, etc.) and areas of other justification or emergency (regulation of water regime, areas prone to erosion, protection of settlements, roads, wars, public and objects of other type of usage, hygiene and sanitary functions, etc.);
- Introduction of contemporary technology and techniques in the process of usage of forest products and rational usage of wood mass by increasing the percentage of technical wood as opposed to wood used for heating and cutting refuse and production of forest wood assortments.

The Spatial Plan was **directed primary to increasing the area under forests and the forests` economic and production functions**. Other functions and objectives of the forestry policy were not covered enough, especially not the environmental aspects of the forestry policy.

The strategies adopted by the Government of the FYRoM are in concordance with the Spatial Plan, which is a Spatial planning strategy that is long-term integral document of highest rank and lasting values. It is a document that presents the bases of overall development of the FYRoM. The Spatial Plan was developed in accordance to the method and the Spatial Plan Constitution and Establishment Program and was developed and adopted after the expiring of the previous Spatial Plan adopted in 1982. There are no known inconsistencies among the legislative acts and policies.

The area of forestry is covered partially in the development of the **Local Environmental Action Plans (LEAP)** of the municipalities in the republic that have forest under their territory. Also the forestry area is covered in the **National Environmental Action Plan (NEAP)** (the first and the second action plan) of the FYRoM.

1.1.2 Government Strategy for Illegal logging Reduction

There is not any developed and adopted strategy for illegal logging reduction as such in the state. The very high globes to be payed for the illegal activities defined in the Law on forests and other laws related to the forestry sector, especially related to the Law on forests, are presumed to be one of the pre conditions and repressive measures for decreasing of the illegal activities in this field.

Bodies for reduction of illegal activities

The Assembly of FYRoM formed State Commission for Prevention of Corruption on 12th November 2002, by appointing its members, in accordance with the Law on Prevention of Corruption (“Official Gazette of Republic of Macedonia” No 28/02). Although is formed by the Assembly, it is not government body or assembly`s body. The State Commission for Prevention of Corruption works in concordance with the above mentioned law and its supplementations and alterations (“Official Gazette of Republic of Macedonia” No 46/04, No 126/06, No 10/08 and No 161/08). According to the Article 1 of the law, the State Commission is constituted as an independent with the authority to apply the established measures and activities to prevent corruption in the exercise of power, public empowerment, office duty and politics, measures and activities to prevent conflict of interest, measures and activities to prevent corruption in performance of matters of public interest of the legal

persons connected with the fulfillment of public empowers as well as measures and activities to prevent corruption in trade companies. The Commission is autonomous and independent and leads investigative procedures and initiates criminal proceedings against all officials and employees in state and public administration if they abuse their powers. So far the Commission has brought two programs for prevention and repression of corruption. One was for the period 2003-2006 and the second one is for the period 2007-2010. Effective implementation of the anti corruption legislation, raising awareness for the corruption, forming culture and perception for the presence of the corruption in the society are ways towards reduction of the corruption.

The annual *Corruption Perceptions Index (CPI)* of Transparency International for FYRoM for 2009 is 3.8 and puts the country in the 71st place in the list of 180 countries. The evident jump from 105th to 84th place in 2007 shows the good fight and progress in the fight against corruption. With 72nd place in 2008, 84th in 2007, 105th in 2006, the progress of the country is slowed down in the last years and is on unsatisfactory level. If the neighbouring countries and countries in the region are compared, FYRoM is in the middle of the list. As little comfort, behind the county on the list are Republic of Serbia, Moldova, Albania and Bosnia and Herzegovina.

Many illegal activities in the forest sector are associated with corruption. The classic definition of corruption, followed by the World Bank and Transparency International, views corruption as the use of one's public position for illegitimate private gains. Abuse of power and personal gain can occur in both the public and private domains and often in collusion with individuals from both sectors. The corruption tends to include the following types of behavior: conflict of interest, bribery, fraud, political corruption, nepotism and extortion. Forests represent high value natural resource often under government control or regulation that offer an important potential source of political power and a correspondingly high risk of abuse of that power.

1.1.3 Border control of illegal activities

According to the Law for Control of the State Border ("Official Gazette of Republic of Macedonia" No 71/06), the control of the state border is in competence of the Ministry of Internal Affairs, and the matters concerning the control are done by the police. In fulfilling the control of the state borders, the Ministry of Internal Affairs cooperates with other state organs that have authorities in border management according to law. National coordinative centre for border management is formed for accomplishing effective coordination, facilitation of data and information exchange and bigger integration in border management. There is a representative from the Ministry of Agriculture, forestry and Water Supply in the National coordinative centre for border management. Its role is in taking measures and activities appointed towards the control of import, export, transit of the consignments of animal and vegetative origin and providing fast and easy, but controlled and safe flow of food from animal and vegetative origin. Ministry of Agriculture, Forestry and Water Supply has three core functions within the border management and these are: phytosanitary control, veterinary control and monitoring and logging of forests. Also in the centre participates the Ministry of Finance – Custom administration. The custom law is harmonized with the EU directives concerning the area of the trade of wood and wood products and the custom nomenclature is in coordination with EU nomenclature.

Cross border cooperation with the neighboring countries concerning the forestry sector for combating illegal wood/timber trade is not established as official bilateral process. The control of the cross border trade is done by the custom officers and adequate inspections.

Illegal wood cross border traffic is done throughout developed channels and the perpetrators are rarely caught, almost never. The illegal flow that is commonly noted is mostly towards Kosovo and Albania. The border demarcation with Kosovo is done in 2009, leaving gap space for operation of the illegal chains, not only for illegal loggings and illegal wood trade, but for other illegal activities also.

1.1.4 Targeting of Government response

Implementation of the Law of Forests is done by the Basic Courts, Judge Individual in the offences, in the criminal acts judge professional along with two juries. After appeals Court of Appeals decides and gives verdicts (there are four Courts of Appeals in FYRoM: Skopje, Bitola, Shtip and Gostivar). The

decision on verdicts is brought in council of three judges. Under the request for protection of legality of the public prosecutor, the Supreme Court governs further appeals.

For the supervision of the implementation of the Law on forests, responsible is State Inspectorate for Forestry. In the area of trade – sale of wood/timber and other wood products responsible is the State Market Inspectorate.

By Government`s recommendation and according to the laws concerning the forestry sector, court proceedings are done under urgent procedure. That means that the inspector or the forestry policeman are obliged to submit to the court the request for initiation of misdemeanor procedure in timeframe of 15 days since the offence has been established along with the wood and transport vehicle - the evidence. After receiving the request, the court takes the subject into consideration and gives an order for temporary withdrawal/seizing of the proof of evidence and with that order the evidence is taken to the Agency for management and storage of seized property. Besides this proof of evidence, towards the request must have an evaluation of the real made damage, taking in consideration the current real market conditions (ex. Price of wood). The Court has always in consideration the real made damage and it governs upon it in the part of the verdict of property and legal demand if there is any. Requests of the inspectors and forestry police are good, so that the court does not have obstacles to act upon them. In addition to the requests, there are witnesses who can testify about the event and also there is the signature of the offender. The courts lead the procedure in urgent matter that usually lasts 3-12 months. The fines are issued according to the Law on Forests or Law on misdemeanors and simultaneously the court takes into consideration the family, material condition of the offender, the impulse that lead the offender to do the misdemeanor, as well as if the offender is recidivist or not. Subtraction of the wood and transport vehicle is mandatory.

In the new Law on Forests, the penalties for this kind of misdemeanors are very high, so that the height of the fines to be paid lowered this kind of misdemeanors. The new Law on Forest, compared to the old Law on Forests has 3 to 5 times higher sanctions.

As far as the criminal deeds in this area are considered, they are less numerous. In the Criminal Law of the FYRoM, there are only two kinds of criminal deeds: devastation of forest and causing forest fires. For them, prison penalty also is predicted and the penalty is 3-10 years in prison. So far the courts have not sentenced that penalty and only fine is sentenced.

1.2 Legal framework

1.2.1 Constitution of the Republic

The Constitution of the Former Yugoslav Republic of Macedonia is the highest act in the Republic. All the laws must be in concordance with the Constitution.

In the article 43 of the Constitution of the Former Yugoslav Republic of Macedonia is stated that “Every human has a right to a healthy environment. Everyone is obliged to improve and protect the environment and nature. The Republic provides conditions for exercising the citizens` right to healthy environment.” The right to healthy environment means environment that provides welfare and dignity, obligation for compensation of the damage caused to the environment and efficient allocation and exploitation of the resources that are borrowed from the future generations. The forests are natural resources part of the environment. The status of forests is defined in article 56 of the Constitution of the Former Yugoslav Republic of Macedonia as natural resource of public interest that is placed under special protection regulated by law. The Constitution assures the right of forest ownership. All types of forests ownership are equal under the law. But that does not mean that the use of the forests by the forests owners (of by illegal perpetrators) can compromises the right to healthy environment, which right is established as individual right to every human, but also as collective obligation of the hole community and as obligation of the state to provide conditions of every citizen to fulfil the right to healthy environment. The Constitutions gives the obligation to everyone to protect the nature, and also the forests as natural resources. This includes the forest protection from all illegal activities and the sanctions to the perpetrators of this obligation that arises from the other laws concerning this matter.

1.2.2 Law on forests

The new Law on Forests has a wider scope and regulates more than the old law. It is applicable since June 2009, but it will take some two years to develop and adopt the secondary regulations. Until the date of entering into force of the new sub - law regulations, the existing secondary regulations will apply. Proceedings commenced before the entry into force of the new Law shall be completed in accordance with the provisions of the old law.

Preservation of forests in state and private property is done by the Forestry Police in the Ministry of Agriculture, Forestry and Water Economy. Members of the Forestry Police in particular are authorized to:

- Keep the forest;
- Intervene, to stop and detain persons or legitimate persons caught in the exercise of criminal offenses relating to forests, or where there is reasonable doubt that they have committed such acts;
- Carry out review of all assets that transfer or transport wood and other forest products, in all places where they keep wood and other forest products, perform temporary removal of objects and resources with which the crime or the offence is made, and subjects that occurred or are assigned to carry out such work;
- Monitor and report on the state of forests in connection with illegal logging and forest theft, forest fires, plant diseases, forest pests, and other disasters and
- Inform the competent authorities for illegal appropriation of forests and forest land, and brings proceedings against offenders before the competent authority.

The Forestry Police control all entities that manage the forests, other legal persons and citizens and they must not hinder the execution of its powers.

In performing their duties, the members of Forestry Police may use firearms to prevent the escape of a person caught in committing a crime with which causes damage to the forest, if there are reasonable doubts that the person will set use of fire or other type of weapon and to protect themselves against direct attack that endangers their lives.

In these cases, members of Forestry Police will use fire weapons only if the use of physical force or other means of coercion are not efficient. If the means of force and fire weapons are used in line with their authorizations, the responsibility of the member of the forestry police is wavered.

This law empowers the Forestry police in the fight against illegal logging in the forests. The Forestry police have almost all the rights as the regular police in Ministry of Internal Affairs. In the combat against illegal logging, there is cooperation at high level between the Forestry Police and the police from the Ministry of Internal Affairs. The police authorities, who are responsible for suppression of all illegal activities in the country, including illegal forest activities, take action against perpetrators together with the forestry police. The low number of police workers, lack of material equipment, insufficient professional capacity is situation that should be overcame for efficient combat against illegal logging. The institutional capacities for prevention of illegal logging inside institution are insufficient. In 2009, 25 new employees are part of the team of the Forestry police that will fight illegal activities according to the National Programme for Approximation of the EU Legislation. In 2008, the number of new employees in the Forestry Police was 20. With this programme implementation of necessary policies, reforms and measures are needed for harmonization of the national legislation with the EU *acquis communautaire*. The complexity and size of the EU legislation requires strong administrative capacity of the relevant institutions for harmonizing regulations with EU legislation and implementation. The current situation in FYRoM is characterized by insufficient number of employees both at central and local level.

For accomplishment of sustainable forest management and forest preservation, the bans regarding illegal loggings are the bans for: illegal logging of forest, pure logging that is not approved in the planning documents as regular measure for forest renewal, every logging that is not in concordance with the planning documents, logging of rare and protected tree species, logging of seed trees and plantations and clear loggings that are not predicted in the special plan, with the exception for building objects according to the Law on Forests. Also, for quality planning in the forestry, as well as

precise combat towards illegal activities in this sector, national inventory of the forest resources is predicted for conduction. For the needs of forestry policy and forestry operative, ecology, hunting, environment protection, nature protection, wood industry, the data for forest condition will be gathered.

The change of the forest purpose could be done under the special conditions prescribed in the Article 14 of the Law on forests. For permanent change of forest and forest land, compensation is paid in the amount of the caused damage (Article 15) according to the Article 60 of the Law on forests. The payment of the compensation is by a Pricelist for forest damages adopted by the state organ competent for the affairs of the area of forestry. The paid compensation is an income for the subjects that manage the private and state owned forests that should have special evidention and usage for simple forest reproduction. The exception of these articles is when the permanent change of the forest and forest land is for construction of objects of public interest when the investor is Republic of Macedonia.

New areas that are in the Law on forests is the regulation of the infrastructure in the forests, prescribing conditions for planning and construction of forest roads, their maintenance and usage; establishment and managing the Cadastre of forest and forest land in the state organ competent for the affairs of the area of forestry for evidence of the forests and forest land; forest monitoring over forest ecosystems and forest fires; licences for performing professional tasks in the forestry. What is new is that the penalties prescribed in this law are severe. The Law on Forests provides measures for misdemeanour offenders not complying with the provisions of the law. Various fine ranging from 1 500 to 20 000 Euros to punish legal entities and individuals who do not comply with the provisions of the law. Where somebody is caught in the act of carrying out illegal logging, the penalties are higher, i.e. from 3 500 to 4 000 Euros. If the logging is causing a more extensive damage the fine can be up to 8 000 for natural persons. For legal persons the penalties are up to 20 000 Euros.

1.3 Institutional framework

Institutional framework of the forestry sector in the Republic of Macedonia is similar to the forestry sector to any European states, especially to the Balkan states. The difference between Macedonia and the other European country is the economic capability of better enforcement of policy frameworks, laws and obligation of the administrative institutions. Economic standard of the people drags into practicing illegal activities in any sectors, forestry sector included. In conditions of low economic and social standards, illegal logging for providing fuel wood to many families is common situation that puts specific treated categories into profile of perpetrator.

In concordance with the National Programme for Approximation of the EU Legislation, the activities described below are going to be taken. Realization of new employments and capacity building based on the new systematization of the Ministry of Agriculture, Forestry and Water Supply and State Inspectorate for forestry and hunting, maintenance of professional trainings for the employees, gear procurement (vehicles, terrain vehicles, computer gear, software..). Trainings and study visits for straightening the capacity of the State Inspectorate for forestry and hunting, as well as workshops aimed for straightening the capacity of the administration involved in protection of forests and hunting will be conducted.

With a goal for gaining quality information in forestry area, GIS software and hardware are planned to be purchased. Training of the employees for its usage is going to be conducted with the purpose of forming informatics network and introduction of GIS technology.

With sufficient capacities and improved institutional weaknesses, as well as rising of the economic and social standard of the population, the volume of illegal activities is expected to be reduced.

1.3.1 Monitoring and control system

Monitoring is mainly referred as a system of constant following and analysis of complete condition of forests ecosystems, especially their vitality, health condition and biodiversity for taking preventive measures and protection. The monitoring of forests in the Law of forests defined monitoring of forest

ecosystems and monitoring of forest fires. Uniform monitoring and control system regarding illegal activities in the forestry sector is not defined. Regulations related to the illegal loggings include Forestry Police and forest inspections as competent for control of the situation on the field.

1.3.2 Task force for Forest Resource Protection

Every year a Programme for expanded reproduction of the forests is brought and the following year a report for its realization. Also, there is yearly information on health conditions of the forests in the Republic of Macedonia, with proposed measures that should be taken in the following period.

Based on the Law on forests, sub laws should be adopted. The sub laws will edit monitoring of the forest ecosystems and monitoring of the forest fires and by that, Regulative 1737/2006 for the implementation of the Regulative 2152/2003 for monitoring of forests and interactions with the environment in the community (Forest Focus) will be transposed.

In the spirit of forest resource protection and reproduction, Law for supplementation and alteration of the Law of reproductive tree species will be adopted until June 2011. With that, total harmonization with the Directive 1999/105/EC for marketing of forest reproductive material will be achieved. This Directive is partially transposed with the already adopted sub laws in 2008.

In the following period and for the creation and implementation of the forestry policy, the strategies for protection of forest land at risk of erosion and strategy for development of forest road infrastructure in FYRoM are going to be developed. Afforestation of bare and erosive land in five regions of the river Vardar on area of 2 300ha is planned.

1.3.3 Shortcomings of the Present System

With the process of decentralization, the role of forest guard system was given to the municipalities. The forest guard report to the mayor of the municipalities. Until then, the PE "Macedonian forests" had the monopoly of the forest guard service. Now the situation is similar. Since the PE manages the state owned forests, the state loggers have less control from the state inspectorate and forestry police compared to the private loggers, especially when the logging is in the private owned forests. The trucks that transport the logged wood often is not checked where the private owners do not get the same treatment and sanctions are prescribed for the littlest lack. The privately owned forests do not have forest guards and often the illegal loggings are in the private owned forests.

The enforcement of the system needs resources that often lack. The lack of vehicles, proper equipment is most common. Lack of presence of the inspectors and forestry police in the time of the conflict and post conflict period resulted in increased illegal logging in the areas affected by the conflict.

2. RECOMENDATIONS

Recommendations for decreasing of illegal activities in forestry:

- Straightening the personal capacities of the members of the inspection and the forestry police, as well as improvement of their working conditions. In order to perform effective work and with that better fight against illegal activities in the forestry sector, they need to be equipped with good terrain and safe vehicles, equipped with cameras so that the perpetrators can be caught and use it as evidence if the police cannot arrest the perpetrators, mobile phones and other technique that will allow them proper conduction of the control. Also the increasment of the number of the members so that the territory of the country can be properly covered.
- Constant education and training of the forestry police, inspectors, police, forest guards, judges, persecutors and state market inspectorate. This is mostly for the market inspectorate, because it is new competence appointed in 2009.
- In the frames of the Ministry of Agriculture, Forestry and Water Supply, forming special sector with departments responsible for bringing annual work plans and programs and for internal control over the work of the inspectorate and forestry police. This would be measures for straightening of the responsibility of the direct executors of the Law on Forests, and with that decreasing the abuse of their function.
- Revise and update of the Cadastre of forests. The actual condition on the site in some cases does not correspond with the condition on the maps. For example the onsite situation is weekend settlements on a place where the map says there is forest.
- Development and adoption of Strategy for forest protection of illegal activities of forestry sector.

3. CONCLUSIONS

In the Republic of Macedonia overall conclusion is that the implementation of the Law of Forests from all subjects involved in its implementation is good. The institutions know the legislative and it is well applied. For better protection from illegal activities and more efficient implementation of the laws, the above mentioned activities should be fulfilled (especially the first recommendation).

4. REFERENCES

- Law on Forests (“Official Gazette of Republic of Macedonia” No 64/09)
- National Programme for Approximation of the EU legislation
- Spatial Plan of Republic of Macedonia (“Official Gazette of Republic of Macedonia” No 39/04).
- Strategy for Sustainable development of Forestry in the Republic of Macedonia, 2006.
- The National Strategy for Sustainable Development (NSSD) of the Republic of Macedonia
- Law on Prevention of Corruption (“Official Gazette of Republic of Macedonia” No 28/02) and its supplementations and alterations (“Official Gazette of Republic of Macedonia” No 46/04, No 126/06, No 10/08 and No 161/08)
- Law for Control of the State Border (“Official Gazette of Republic of Macedonia” No 71/06)
- Constitution of the Republic
- Best practices for improving law compliance in the forestry sector, FAO, 2005
- Rules for coordination of measures and activities taken by the institutions for border management, National coordinative centre for border management, Government of the Republic of Macedonia, 2008