

ANALYSIS OF THE CHANGES IN THE FOREST LEGISLATION IN THE REPUBLIC OF BULGARIA

Todor Stoyanov

Forest Research Institute –Sofia, Bulgarian Academy of Sciences

Abstract

The survey examines the historical development of forestry legislation in Bulgaria and its impact on the conservation of forest resources in different periods. It has made an analysis and evaluation of the existing legislation and the recent amendments in it. There are analyzed the threats in some amendments connected with the management and the build of infrastructure in agricultural lands, private, state forests and their impact in the protected areas, and proposals have been given. There are indicate, as threats to sustainable development adverse effects and some problems identified in studies of the impact of forest legislation on forest management. There are suggested tools for improving the forest legislation.

Key words: *Sustainable Development; Forestry; Government Policy; Forestry Act*

1. INTRODUCTION

Conservation of nature in Bulgaria has a long history and centuries-old traditions. The beginning originated in the late 19th century with the passing of the Land Act and later the Forest Act. The first Forest Act passed in 1870, marked the foundation of forest legislation. It defines four categories of forests: state, municipal, private and wetland forests - property of religious and charitable organizations. After the adoption of the Tarnovo Constitution in 1883, the Decree of Kniaz Alexander I Battenberg approved a new Forestry Act. This law has 73 articles and regulates forests as state, municipal and private. There are developed rules for the control, use, conservation and management of forests, as well as a special section for their management, with numerous restrictions and prohibitions. The aim is to take measures against the indiscriminate felling of forests, which is then a mass practice. Then are create the first structure directly related to the conservation of forest resources - Forest Management at the Ministry of Finance [1].

Forest legislation underwent a complex and long-lasting development as because of numerous forest laws, passed in 1889, 1897, 1904, 1922 and 1925. In 1925, there are adopted the last forest law before the first Republican Constitution of 1947. It created a centralized forest administration with a special body of the Superior Forestry Council, subordinate to the Ministry of Agriculture and State Property, which has broad powers related to the examination of bills, regulations and principles on the regulation of forestry. Along with the restrictions on the use of forests, wildlife and fish, these laws contain elements of nature conservation with care for the conservation of some renewable biological resources. The first attempt to create a general environmental law was in 1936 when there are created an Ordinance - Law for the protection of the native nature. In the same period, a Union for the Protection of the Nature was established [2].

2. MATERIAL AND METHODS / EXPERIMENTAL DETAILS / METHODOLOGY

3. RESULTS AND DISCUSSION

3.1. History of the legislation before the Liberation from Turkish slavery

At European level, forestry laws dates back to the 14th century. Forest laws first appeared in France (1318), and then in the Czech Republic (1379).

In Bulgaria, the forestry law appears immediately before the Liberation: during the Ottoman rule, the first laws governing the ownership and use of forests are the Lands Act (1858) and the Forest Law (1870), as well as the Instructions of the Turkish government since 1875, which have the force of a normative document. (3) The Forest Law regulates ownership, and it mentions that forest resources belong to the state and municipalities. The Land Act (1858) distributes the land in

five categories: the Memluke (Mulk) land - full private property; land "Mewqufe" - dedicated lands; land "Mirie" - state property; "Metruke" lands - common land - roads, squares, public markets, common pastures; land "Mewat" - lands that are not possessed by anyone with papers.

From the point of view of the forestry legislation, the land called "Mirie" is particularly important, as a small part of the forests fell into the category of common land. The share of privately owned forests is very small. (3)

3.2. History of the legislation after the Liberation from Turkish slavery

The forestry legislation in this period is experiencing a very rapid development. The interim Russian government elaborate the first rules of forestry legislation and appoints forest guards and clerks (1879).

Prior to the emergence of a specialized law in the Principality of Bulgaria, such a law appeared in Eastern Rumelia (Administrative Forestry Regulations - 1881), and in 1883 the first Bulgarian forest law was adopted. There are attempting to put the order in forest conservation and management. Three property categories in the forests affirms the first Forest Law. (4)

There are establish a Forest Management Unit at the Ministry of Finance dealing with state forests. The forest management consist of one chief and three aides. In each county is appoints "lesnic", which supervises all types of forests. For protection of state and municipal forests, are appoint forest guards, for which forestry education is not required.

The Forestry Act also has its criminal section defining seven offenses for which fines are impose and damages are paid.

The first Bulgarian law on forests introduces clarity in the recognition of rights over forests, as well as rules for their exercise. It creates rights and obligations in the management and exploitation of forests, determining more rational and more profitable management, and the goal is to preserve the forest for "perpetual, permanent and continuous use".

The first law exist for 6 years (until 1889) when the Second Forest Law is adopt. A novelty in the law is the creation of forests with protective function. They are place under particular legal protection regardless of ownership. (5)

There is only one change in the forest administration - a Forest Inspector is appointed, who must have forestry education. This law also provides a special procedure for offenders.

In the Third Forestry Act (1897) (6), a definition for "forest" is given. Under the name "forest" is meant a space of not less than 0,1 ha, overgrown with trees that are subject to forestry management. The law introduces an obligation for artificial afforestation to reach at least 5% of the area of the settlements' lands. The planned of forest felling start is perceived, and the foresters draws a plan for felling every year. According to the changes in the Forest Administration, the country is divided into 12 forest regions, as in each region is appointed Regional Forest Inspector, and for each region - one forester.

The next Forestry Act is adopted in 1904 (7) with the primary objective of creating a framework for defining the boundaries of forests. It defines three ways of using state and municipal forests: economically, through concession and by auction. The country separates into six forest regions, as in each it has 40 forestry's, and each forestry comprises several forest holdings.

The 1904 Act applied for approximately 18 years, creating a good basis for establishing the rights and obligations of forest owners. His great merit lies in delineating the boundaries of forests according to their ownership and establishing relatively permanent practices regarding their conservation and reproduction.

In the conditions after the First World War they are adopted the Fifth Forestry Act of 1922 (8), which has a very short application. Despite its short existence, it introduced provisions that are relevant to the legal regime of forests. This law repeals the spatial criterion for defining a forest. According to Art. 21 of it, a forest is any area that is overgrown with forest trees or shrubs, regardless of its size and current condition. The definition of forest also includes mountain pastures and all empty spaces in forests, as well as those declared as protective and strictly protective or subject to afforestation. By these provisions, it makes changes to the subject of forestry. There is a

new categorization, with the forests divided into two groups according to ownership: public and private. The public forests include state, municipal and forests on public institutions, and in private - owned by a natural or legal person. An educated forest administration is set up. Was founded an institutions of Forestry (medium and practical forestry schools). A new mode of exploitation - forest cooperatives is emerging. For the first time was made it a nationalization of all sawmills built by private persons in the public forests.

This, in turn, affects a greater number of persons, who should comply with the exercise of their rights with the special provisions of the forestry legislation.

The Forest Law of 1925 (9) is the sixth in succession and it has been applied for over 20 years. It makes a further distinction in ownership of municipal forests and public institutions. At the Ministry of Agriculture and State Property there are establish a new body - Supreme Forestry Council. This includes representatives from ministries, the Union of Bulgarian Foresters and others. The management of country's forestry reorganized in a new way. Private forestry practice admitted. There are develop in detail new ways of forest use, creating new forests, preserving them, their financing, etc.

After the Liberation, it is create a special administrative legal regime, through which regulate the conditions and order in the exercise of the rights of individual owners/users of forests. The aim is to ensure the protection and preservation of the forest resource and the diverse functions of the forests.

Because of the above, it can conclude that with the first forest laws after the Liberation, the content of the right to ownership of forests gradually included its "social function". Forests and forest territories become the object of a property right, which creates a need for the intervention of the state in the implementation of this right. This intervention is consequence by the public interest and implement through legal norms, which have a restrictive effect on the volume of powers in the exercise of rights over forest territories. The aim is to balance the interests of forest owners with the public interest requiring the preservation of the forest as a natural, economic and ecological product.

In connection with the management, use and protection of forests during the period from 1878 to 1944 a number of laws, regulations and ordinances governing forest ownership, management and exploitation of state, municipal and private forests have been adopted (10,11,12,13,14,15,16 and 17).

3.3. Forest legislation in the period 1944 -1990

In 1947, a new Constitution (18) passed in Bulgaria, in which, according to Art. 7, forests are proclaimed as state (public) ownership. It stated that a special law would determine the use of forests by the population.

In order to meet the requirements of the Constitution, several laws governing the management of private and state forests have been adopted (Act on the Ownership and Management of Private Forests (State Gazette No. 292/15 December 1947) (19), Act on Management and Use of Forests (SG No. 71 / 27.03.1948) (18), and Act for Amendment and Supplement to the Forestry Management and Use Act (State Gazette No 270 / 16.11.1950) (20).

In 1958 adopt a new Forestry Act (Extraordinary State Gazette 89 / 7.11.1958) (22), which have been in force for 39 years (until 29.12.1997).

The Forestry Act of 1958 perceives the concept of State Forest Fund defines the category "forest", makes a new categorization of forests - forests with economic and special purpose. It introduce a requirement for development and acceptance of forest management projects for forestry's and the uses in forests are defined as basic and side. It give requirements with respect to afforestation, erosion control and conservation of the State Forestry Fund and the principles of financing the forestry activities are developed. As result of the implementation of the Forest Act of 1958, are achieved very good results in the field of afforestation, erosion control and creation of new plantations, but the use of wood over a long period is higher than foreseen in the forest management plans.

3.4. Development of forestry legislation after 1990

Changes in the economy since 1990 require the development and implementation of a new

Forestry Act and a Forest Restitution Act. After lengthy debates, discussion and development of many options at the end of 1997, a Law for Restoration of the Ownership of Forests and Lands from the Forestry Fund (State Gazette No. 110 / 25.11.1997) (23) and the Forestry Act (SG, 125 / 29.12.1997) (24).

The Law on the restoration of ownership of forests and forestry lands determines the order of restoration of the nationalized forests of their owners and heirs, and the Forestry Act creates prerequisites for the diversity of forests ownership and forestry lands. The types of ownership of forests and forestlands are state, municipal and private. Except to the state and municipalities, Bulgarian and foreign legal entities (schools, community centers, monasteries, churches, mosques, co-operatives, etc.) may be holders of the right to property.

In developing the new forestry regulation, the basic principles laid down in the Resolution of the Ministerial Conference held in Helsinki (1993) (25). In the resolution "sustainable management" is understood to mean management and use of forests and forest land, in a manner and degree that preserves and sustains their biodiversity, productivity, regenerative capacity, vitality and their potential to implement now and in the future the relevant ecological, economic and social functions at local, regional and National level. Taking into account the responsibility of the Republic of Bulgaria, the management of forests is based on a policy of their reproduction and use over a long period, in the conditions of the different types of ownership, primarily aiming at the preservation of the forest ecosystems in a good functional state.

The new criteria for the management of the forests are to preserve the Bulgarian forest as a national treasure - the main medium-acting factor, through its reproduction and sustainable development and multipurpose use in the interest of the owners and society.

The provisions of the Forests Act apply to all forests, as well as to the lands of the forest fund, regardless of their ownership. The provisions of this law do not apply only to forests and lands from the forest fund in the protected areas - exclusive state property. According to their basic functions, for environmentally friendly management and multifunctional use, the forests divided into forests with mainly wood-producing and environmental functions, protective and recreational forests and forests in the protected areas (Article 4 of the Forestry Act). The main purpose of forest management is their reproduction, which encompasses various felling systems. The priority of reforestation is to maximize the use of their regeneration potential to ensure their natural seed or vegetative resumption in their use. In forests with difficulty of natural regeneration will carry out measures for its recovery and, where there are no conditions for this, or it is impossible to resume the natural tree growing in a natural way, artificial regeneration takes place. (26)

Art. 39 of the Forestry Act allowed also private forestry practice in forests and forestry lands of persons with higher or secondary forestry education who are licensed under conditions and by a procedure established by Ordinance for the licensing of natural and legal persons for exercising private forestry practice in the Republic of Bulgaria.

With Article 53 of the Forestry Act stipulates that the use of forests mean the use of wood and by-products of forestry. The uses for state-owned forests that apply are: by tariff for charges of wood root; by auction or competition; by negotiations with a potential user and through concessions, and the use itself organized by the NFM (National Forest Management), its bodies and divisions and is carried out in one of the above-mentioned ways. The use of forests by their owners carried out according to development plans, plans and programs. The use of wood from private forests done by their owners in complete freedom of use and disposal of harvested materials, without prejudice to the rights of third parties and the provisions of the Forestry Act. The preparation and adoption of the Forestry Act (1997) and the Rules for its Implementation undertake a thorough reform of the forestry sector.

With the participation of the forestry specialists, other sub-legislative acts was developed, adopted and implemented, in which the rules for the practical application of the forest science have been developed in detail. (27, 28, 29, and 30)

In the course of the implementation of the Forest Act 1997 to 2010, a total of 38 additions and

changes have been proposed and adopted which, by their nature, have significantly changed the initial requirements. Furthermore, its implementation was required forestry professionals to comply with numerous secondary legislation, regulations, and instructions. They also made it difficult to comply with the law. Much of it did not correspond to the new realities of the country, the economy, and in particular the forestry sector.

The existence of different types of ownership of forest areas required legal regulation of new public relations, reduction of administrative burdens and creation of conditions for equality of owners, such as the Forest Act 1997 did not sufficiently foresee. Existing multiple authorization regimes and constraints hampered private initiative and effective forest management.

The adoption in 2007 of Bulgaria as a member of the European Union obliges it to introduce in the management of forests the new and modern principles for sustainable, environmentally friendly and multifunctional forest management.

The legal framework of the 1997 Forest Act did not allow for solving some problems of management and disposition of forests related to the monopoly situation in the management of state forests. Administrative procedures and regimes, related to forest management are severe. There are risks to sustainable and multifunctional management and the protection of public functions of forests, pro resulting from the impossibility of planning the activities and setting of long-term goals in the forests of up to 2 hectares - property of individuals and legal entities. There is missing a real opportunity to involve all stakeholders in forest planning and management, related to management and disposition of the state forest fund and insufficiently effective management structure of the sector.

All this led to the adoption of the last Forestry Act (SG 19 / 8.03.2011). (31)

The new law creates the opportunity to solve the problems that arise through separation of control and public functions from economic activities in forests and establishment of independent state bodies to control all forests. It create equality of ownership, simplification and transfer of responsibilities from the state to registered forest holders and forest owners, decentralization of responsibilities and reduction of the state administration. There are define clear and appropriate regimes of resource use and access to forests. There are developed precise and clear regulation in separate chapters of the law for the principles in the management of ownership of forest areas of municipalities, natural and legal persons. It is introduced mandatory operational / short-term and regional / long-term planning, organizing and conducting planning, tailored to the availability of different types of property and to the many stakeholders. It is introduced modern regulations on land relations, narrowing the possibility of disposing of deals, leading to the reduction of the area of the forest territories at the expense of the regulation of more possibilities for their rental, lease, establishment of right to construction, without change of the purpose, for the establishment of easements and right of use. The Executive Forest Agency (EFA) and its structures receive control functions. Established state forest enterprises will carry out the economic activity in the industry.

The law has 18 chapters, for the first time legally regulate forestry certification, access to forests, branch organizations in the forestry sector, vocational training, qualification and re-qualification, forest associations and the social ecosystem benefits of forest areas. Separate chapters regulate the management of the state forests, the municipal forests, as well as the forests - property of physical and juridical persons.

The subject matter and objectives of the law, its scope are clearly and precisely defined. There are updated the term "forest", using existing definitions in the legislation of other countries. It introduced the term "forest territory", which replace and expanding the content of the so-called "forest fund".

Three levels of forest planning - national, regional and local, reflected respectively in the National Strategy for Development of the Forestry Sector and in Strategic Plan, District Plans for Development of Forest Areas and Forestry Plans and Programs protect sustainable development of forest areas. These plans, which are mandatory, protect the interest of the entire society and of the forest owners. There are removed option, given in the Forests Act of 1997, private forests with a surface area of up to 2.0 hectares to manage and operate without setting long-term goals. The law

give an opportunity to carry out a national inventory of forest resources.

Was regulated Forest certification, through which a continuous public inspection of forest management, control of the origin and transport of timber and manufactured products also transparency of the management of forest areas was ensured.

The possibility of selling forest areas - private state property is limited. When has to terminate co-ownership of forest areas between the state and third parties and when a modified land use plan has entered with an enacted general development plan the sale is possible.

There are reduced the possibility of disposing of transactions leading to a reduction of the area of the forest territories at the expense of their rental, lease, establishment right to construction without change of purpose, easements and right of use is reduced.

It is introduced a ban for the purpose of changing the purpose and carrying out of construction works in real estate acquired through substitution by the state.

The Law only regulate basic public relations related to afforestation, cutting and protection of forest areas from erosion. Specialized ordinances regulate forestry requirements and good forestry practices, as is the practice in European countries.

Natural regeneration and afforestation with local tree and shrub species has priority. It is introduced a ban on the clear cuts of all forests except poplars and low-stem forests.

The existing regime for the issue of felling permits has been relieved and the municipalities and persons registered in the public register for forestry practice have the power to do so.

The current regulation on the protection of local wood users, as well as the possibility to conclude long-term contracts for the harvesting and sale of timber retain, while defining the criteria has to meet by the users. The order for the use of non-wood forest products is facilitate, with the possibility to conclude long-term contracts and to lease forest areas for rent and lease.

As far as grazing livestock is concerned, the mayors of the settlements have the power to designate the grazing sites, subject to the limitations of the law and with the consent of the forest owners.

Protection of forests includes measures for the prevention and control of diseases, pests, fires and other abiotic impacts.

Fire plans for the forests should be develop for the whole territory of the country, planning the events at the expense of the state budget, and the concrete execution - at the expense of the owners.

Similarly, to forest laws in other European countries, the Act provides for rules on access to forests. There is preserved principle of free access of citizens to forests and there is prohibited the close of forests in a way that impedes the free movement of people, game and waters.

The purpose of the introduced rules and constraints is to protect forest ecosystems, prevention of forests from fires and violations in forests, preserve forest infrastructure and, finally yet importantly, ensure tranquility and relaxation for citizens.

There is allow construction in forest areas only for sites directly related to the management and management of forests and wildlife and for which there is no need to change the designation of the forest territories.

The law defines the structure and functions of the state forest administration in the face of the Executive Forest Agency and its structures - the regional forest directorates and the specialized territorial units. The main difference from the previous law is that the Executive Forest Agency and its structures participate directly and indirectly in the control of forests, but they has not possibility to implement economic functions.

For the management of the forest territories - state property, the state creates six state enterprises under article 62, paragraph 3 of the Commerce Act. (32) State enterprises have a two-tier structure - headquarters and territorial units (the existing state-owned and hunting forestry's).

In order to preserve state property, a number of safeguards have been introduced - a ban on businesses to carry out disposal of forestry transactions, mortgages and bets on them, to create and participate in commercial companies, a ban on the opening of insolvency proceedings and privatization.

Management bodies are the Minister of Agriculture, Food and Forestry, the Management Board and the Director, detailing their powers.

In order to ensure financial stability and to ensure targeted investments, the law provides for the formation of funds "Investments in forests" and "Reserve" in the enterprises. The Minister of Agriculture, Food and Forestry spends the funds for a comprehensive set of activities following a decision.

For the first time in the law, there are regulated rules for the management of the forest territories - municipal property. There is an obligation to set up municipal structures, when the forest area is more than 1500 hectares if there is no management contract with the state forest / hunting forestry's. There are equalize the appointment requirements and the powers of the employees in the municipal and state-owned enterprises.

A new situation in the law is the regulation of forest associations as associations of forest owners for the purpose of joint management of their properties. The state encourages the creation of such associations by assisting in the development of the common forestry plan, the procedures for consolidation of the properties, technical and administrative assistance, assistance in the construction of forest roads and anti-erosion facilities and protection of forests. Stimulating the creation of forest associations aims to improve the management of forest areas and to overcome the inconvenience of the limited area and fragmentation of the forest private property

A new moment in the law is the transfer of powers and responsibilities to protect the forests of their owners.

State-owned enterprises and municipalities - owners of forests must employ staff with forestry education. A possibility is the protection of forest areas to award by contract to the Ministry of Interior, and Municipalities, natural and legal persons - owners of forests also to entrust the protection of forests persons registered under the private security sector.

The foresters appointed by the owners has the power to draw up acts under the Forestry Act. The same powers has and the mayors of settlements within the boundaries of the territory of the settlement for all forest territories, regardless of their ownership.

The Executive Forest Agency and its structures has the obligation to control the compliance with the law.

Forest inspectors - employees of the Executive Forest Agency and its structures, carry out immediate control over activities carried out in forest areas.

Forest inspectors have extensive powers, including those under the Ministry of the Interior Act, which is in line with the status of forest employees.

For the first time the Forestry Act regulates the status of the branch organizations in the forestry sector, regulating in a modern way the relations between the business and the administration. There will establish two national branch organizations - the forestry branch and the branch "Wood and furniture industry", as mergers of existing and newly established branch organizations. National branch organizations represent their members in front of the State, the Ministry of Agriculture and Food and municipal administrations, participate in working groups on the development of forestry regulations, help to observe good commercial practices and rules of loyal market behavior in the branch, organize and carry out professional training, qualification and re-qualification of its members. The state and the municipalities are able to assign to the national branch organizations the performance of their functions by decision of the Council of Ministers, respectively with a decision of the municipal council.

A further new point of view is the introduction in the law of education and qualification requirements for persons engaged in forestry activities. The Executive Agency for Forests has responsibilities for coordination and control of the professional training in the field of forestry. There are introduced employers' obligations to create conditions for the vocational training and qualification of employees. It is the responsibility of the Executive Forest Agency to require specialized training for certain activities in forests under a program approved by it. In this way, the new law encourages the introduction of modern methods and technological solutions for forest

management.

A significant change compared to the previous Act is that all persons carrying out activities in the forest areas has to register in the public registers of the Forestry Executive Agency. With registration of foresters, carrying out activities in state-owned enterprises, municipalities and private owners aligns the rights and obligations for all types of property. Law, not secondary legislation, as it was in the previous law, regulate the terms and procedure for registration of natural persons and traders.

Regarding the requirements to those who carry out assessments of forest areas, the law refers to the Independent Appraisers Act. In this way, the persons carrying out assessments of forest areas acquire the status of independent appraisers and are subject to control under the Independent Appraisers Act. (33)

Traders engaged in forestry activities are subject to restrictions at the registration, when there is evidence of violations in the course of their activities.

Forest Law regulate for the first time public ecosystem benefits of forest areas. As public ecosystem benefits of forest areas, the law mention - protection against soil erosion, avalanches and floods, ensuring water quality and water supply, maintaining biodiversity, noise absorption and pollutants, providing social, educational, scientific and recreational benefits to society, including tourism, maintaining the traditional landscape, protection of natural and cultural heritage, protection of infrastructure and facilities and slowing down climate change.

In order to realize and maintain these benefits, some activities are carried out, which are not a legal obligation of the owners and therefore they have the right to compensation from the state and the municipalities for the costs incurred for their realization. It also indicates which ecosystem benefits favoring the performance of specific economic activities has to compensate. All owners of forest areas have the right to receive compensation, and the law regulate order in which the funds are distributed. The aim of the proposed change is to encourage forest owners to maintain their forests in a condition that provides ecosystem benefits to society.

The offenses are defined more general in order to cover a greater number of offenses and the amount of the sanctions envisaged is in line with the gravity of the offenses. At the same time, in order to increase the efficiency of the administrative-criminal pro The law does not envisage the adoption of rules for the implementation of the law, and the specific requirements for carrying out the activities in the forest areas will be regulated by regulations, as is the practice in the European countries.

4. CONCLUSION

Changes in the economy since 1990 demand the development and implementation of a new Forestry Act and a Forest Restitution Act. After lengthy debates, discussion and development of many variants at the end of 1997 were accepted a Law for Restoration of the Ownership of Forests and Lands from the Forestry Fund (State Gazette (SG) No. 110 / 25.11.1997) and Forestry Act (SG, 125 / 29.12.1997). The preparation and adoption of the Forestry Act and the Rules for its Implementation required a thorough reform of the forestry sector. With the participation of the forest' specialists develop, adopt and implement other sub-legislative acts, in which develop the rules for the practical application of forest science in detail.

In the course of the implementation of the Forest Act during the period from 1997 to 2010, a total of 38 additions and changes have been proposed and adopted which, by their nature, have significantly changed the initial requirements. Much of it does not correspond to the new realities in the country, the economy, and in particular the forestry sector.

National strategy for sustainable development of forest sector in Bulgaria 2006 -2015 and Strategic plan for the development of forest sector 2007-2011 also was developed and accepted. The adoption in 2007 of Bulgaria as a member of the European Union obliges it to introduce in the management of forests the new and modern principles for sustainable, environmentally friendly and multifunctional forest management. All this led to the adoption of the last Forestry Act (SG 19 /

8.03.2011). The new law creates the opportunity to solve the problems that arise through separation of control and public functions from economic activities in forests, establishment of independent state bodies to control all forests, decentralization of responsibilities and reduction of the state administration and definition of clear and appropriate regimes of resource use and access to forests, etc.

With the adoption of the Forestry Act (2011), a reallocation of functions between the Ministry of Agriculture, Food and Forests and the Executive Agency and introduce coercive administrative measures to prevent violations in the forest territories. The EAF has two management levels - central and 16 Regional Directorates of Forests and specialized territorial structures - the Directorates of Nature Parks. The six forest enterprises, with their territorial units - 164 State Forestry and Hunting Enterprises, manage the forest territories – state property. According to the requirements of Forestry Act (2011) has to elaborated and accepted National Strategy for Forestry Development in the Republic of Bulgaria 2013-2020 and Strategic Plan for Development of Forest Sector 2014 – 2023. (34)

In conclusion, we can summarize that despite the many and constant changes in forestry legislation, it is on the right track.

REFERENCES:

1. Rizov K., Development of nature protection work in Bulgaria (Otechestven Front ed., S., 1987), 71 p. (Bulgarian)
2. Petkov S., N. Stoyanov et all., Collection of the union for the protection of native nature, vol. 2 (ed. Kultura, S., 1939), 165 p. (Bulgarian)
3. Radenski, At., 1999, Bulgarian Forest, Plovdiv. (Bulgarian)
4. Forestry Act, 1883, SG, No 2 of 1884 (Bulgarian)
5. Forestry Act, 1889, SG, No. 26 of February 1, 1890. (Bulgarian)
6. Forest Act, 1897, SG, No. 92 of 1897 (Bulgarian)
7. Forest Act, 1904, SG, 6 No.8 of April 1, 1904. (Bulgarian)
8. Forest Act, 1922, Handwritten collection, Sofia, 1939 (Bulgarian)
9. Forest Law, 1925, Handwritten collection, Sofia, 1939 (Bulgarian)
10. Law on the Sale of Some State Forests in Stanimashka District, 1911(Bulgarian)
11. Ordinance - Law on the Management and Operation of State Forests, 1935, Handwritten collection, Sofia, 1939 (Bulgarian)
12. Law on the Joint Management of Private Forests, 1942, Handwritten collection, Sofia, 1939 (Bulgarian)
13. Law on the Strengthening of Torrents and Afforestation in Bulgaria, 1942, Handwritten collection, Sofia, 1939 (Bulgarian)
14. Hunting Law 1880, 1897, 1904, 1924, 1926, Handwritten collection, Sofia, 1939 (Bulgarian)
15. Fisheries Act, 1936, Handwritten collection, Sofia, 1939 (Bulgarian)
16. Law on Medicinal and Fragrances Plants, 1941, Handwritten collection, Sofia, 1939. (Bulgarian)
17. Ordinance-Law on the Protection of the Native Nature, 1936,
http://www.ekoarhiv.bg/system/files/documents/360309_ukaz_zakon_zashtita_rodna_a_priroda_MZDI_1936.pdf (Bulgarian)
18. Constitution of the Republic of Bulgaria, 1947, www.parliament.bg/bg/18 (Bulgarian)
19. Law on Ownership and Management of Private Forests, SG No. 292 / 15.12.1947. (Bulgarian)
20. Law on Management and Use of Forests, SG No. 71 / 27.03.1948 (Bulgarian)
21. Law for amendment and supplement to the Forest Management and Use Act, SG, No. 270 / 16.11.1950 (Bulgarian)
22. Forestry Act, Izv. No. 89 / 7.11.1958 (Bulgarian)

23. Law on restoration of ownership of forests and lands from the forest fund, SG No.110 / 25.11.1997 (Bulgarian)
24. Forestry Act, SG No.125 / 29.12.1997 (Bulgarian)
25. Second Ministerial Conference on the Protection of Forests in Europe, 16-17 June 1993, Helsinki / Finland, Resolution H1, H2, H3, H4,
https://en.wikipedia.org/wiki/Ministerial_Conference_on_the_Protection_of_Forests_in_Europe
26. Stiptsov V., K. Mavrov, R. Petrov, M. Trifonova, 2000, MANAGEMENT OF PUBLIC AND PRIVATE FORESTS, Management and Sustainable Development, no 1-2, University of Forestry, Sofia; (Bulgarian)
27. Rules for Implementation of the Law for Restoration of the Ownership of Forests and the Lands of the Forestry Fund, SG, No. 29 / 13.03. 1998 (Bulgarian)
28. Ordinance N 17 on the Licensing of Natural and Legal Persons for the Exercise of Private Forestry Practice in the Republic of Bulgaria, SG, No. 80 / 14.07.1998
29. Ordinance N 30 on the use of wood from forests, SG, No.146 / 11.12.1998 (Bulgarian)
30. Instruction N 33 on the terms and conditions for the use of forests by auction, competition and negotiation with a potential user, SG, No. 109 / 14.12.1999 (Bulgarian)
31. Forest Act, SG No. 19 / 8.03. 2011 (Bulgarian)
32. Commercial Law, SG No. 48/18.06.1991. (Bulgarian)
33. Independent Assessors Act, SG No. 98/14.11.2008. (Bulgarian)
34. Rogelja T., D. Vuletic, M. Stojanovska, Z. Poduška, D. Čomić, M. Čurović, T. Stoyanov, M. Miovska, D. Bećirović. 2018. Identifying good governance principles in forest laws of selected South-East European countries, Forest Policy and Economics.