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Performance Audit Report

PROTECTION, DEVELOPMENT AND REGENERATION OF FOREST AREAS

Prishtina, August 2025

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This audit was conducted in accordance with International Standards of Supreme Audit Institutions (ISSAI 30001²).

Performance audits undertaken by the National Audit Office are objective and reliable examinations that assess whether government actions, systems, operations, programs, activities or organizations operate in accordance with the principles of economy³, efficiency⁴ and effectiveness⁵ and whether there is room for improvement.

The Auditor General has decided on the content of the draft audit report "Protection, Development and Regeneration of Forest Areas" in consultation with the Assistant Auditor General, Myrvete Gashi Morina, who supervised the audit.

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¹ Law no.05/L-055 on the Auditor General and the National Audit Office of the Republic of Kosovo.

² Standards and guidelines for performance auditing based on INTOSAI Audit Standards and practical experience

³ Economy - The principle of economy means minimizing the cost of resources. The resources used should be available at the right time, in the right quantity and quality and at the best possible price.

⁴ Efficiency - The principle of efficiency means getting the most out of the resources available. It is about the relationship between the resources involved and the result delivered in terms of quantity, quality and time.

⁵ Effectiveness - The principle of effectiveness means achieving the predetermined objectives and achieving the expected results.

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List of Abbreviations

KCA – Kosovo Cadastral Agency

PAK – Privatization Agency of Kosovo

KEPA – Kosovo Environmental Protection Agency

KFA – Kosovo Forestry Agency

KFVA – Kosovo Food and Veterinary Agency

EU – European Union

RCD – Regional Coordinating Directorate of the Kosovo Forestry Agency

KINP – Kosovo Institute for Nature Protection

KEDS – Kosovo Electricity Distribution Company J.S.C.

KEK – Kosovo Energy Corporation

ICMM – Independent Commission for Mines and Minerals

MAFRD – Ministry of Agriculture, Forestry and Rural Development (ministry)

MESPI – Ministry of Environment, Spatial Planning and Infrastructure

NFG – Norwegian Forest Group

SARD – Strategy for Agriculture and Rural Development for the period 2022-2028

NAO – National Audit Office

Executive Summary

Forests in Kosovo constitute a natural asset of particular importance for biodiversity, environmental protection and socio-economic development of the country. These forests are located both within protected areas, including the “Sharri” and “Bjeshkët e Nemuna” National Parks, and outside them, in areas that are under public and private ownership. However, their sustainable management remains a challenge, due to ongoing phenomena such as illegal logging, forest fires, illegal exploitation of resources and unauthorized construction in protected areas.

The National Audit Office has conducted a performance audit on the topic of ***Protection, Development and Regeneration of Forest Areas***. The objective of this audit was to assess the efficiency of the responsible institutions in the protection, development and regeneration of forest areas.

The audit covered the period 2020–2024 for the process of leasing forest areas and the level of achievement of management plans, while as for the analysis of cadastral changes, data from 2014 were processed.

Forest areas were among the most targeted and damaged public assets after the war, and according to Forestry Agency officials, this trend has been declining in recent years. The audit results show that serious challenges still exist. The lack of a clear legal/regulatory framework, effective control and institutional coordination has allowed illegal logging, usurpation and damage to protected areas, leading to significant economic and environmental losses.

Responsible institutions such as: the Ministry of Agriculture, Forestry and Rural Development, Kosovo Forestry Agency, Ministry of Environment, Spatial Planning and Infrastructure and Kosovo Environmental Protection Agency, have failed to properly manage the country's forest areas. The Ministry of Agriculture, Forestry and Rural Development has failed to prepare and adopt the necessary administrative instructions for forest management. As a result, the Kosovo Forestry Agency operates without a complete regulatory framework for some of its essential functions, including: forest inventory, drafting re-cultivation plans, and the process of leasing forest areas and resources.

Lack of Supervision of Public Forests. The Kosovo Forestry Agency has failed to effectively organize the protection of public forests, including the supervision and registration of forest areas. In recent years, there has been progress regarding field surveys on the state of forests; however, reports often do not reflect the actual situation due to incomplete reporting and lack of regular supervision in forest areas. Thus, due to the lack of proper supervision and controls in the field, there is damage to the wood mass in the country as well as significant losses from fires.

The lack of effective control by the inspectorate as a key mechanism has led to misuse of forests and damage to public property. By 2023, the Forestry Inspectorate has been functioning within the structure of Forestry Agency, while from 2023 it operates under MAFRD. Operating under the Forestry Agency for a long period has negatively affected the independence and objectivity of its inspection activities. The lack of effective inspections has created space for illegal actions by economic operators, resulting in damage to forests and abuse of public property.

The Ministry of Agriculture, Forestry and Rural Development is in the process of reorganizing/establishing central inspectorates, but has not yet created a legal/regulatory basis for the functioning of the forest inspectorate and has not managed to exercise effective

supervision and monitoring over the work of the forest inspectorate, which has caused institutions to not take actions towards damage to forest areas.

The inspectorate's influence on the conservation of forest areas was shown to be crucial in several cases by identifying and taking concrete measures against violations of the use of forest property by various operators for years without a contract or by requesting the establishment of second commissions for extraordinary forest registration or monitoring of forest lands, for an accurate reflection of the situation on the ground.

The "Bjeshkët e Nemuna" and "Sharri" National Parks continue to face serious challenges, including illegal logging and unauthorized construction, which have caused a deterioration of the situation within the protected areas. According to the Directorate of the "Sharri" National Park, about 70% of the territory is not covered by forest guards, which has led to a high level of illegal logging. Meanwhile, in the "Bjeshkët e Nemuna" National Park, the number of unauthorized constructions has doubled – for the period 2010 to 2024, from about 2,900 in 2010 to over 6,000 in the latest records of 2024.

Based on the assessment of the Kosovo Forestry Institute, about 3% of the forest area within these parks is affected by forest diseases and pests, which are not being treated due to the lack of inter-institutional coordination and the lack of appropriate response measures.

Lack of unification, and cadastral changes without the Agency's knowledge indicate serious weaknesses in the control of public forest properties. The Kosovo Forestry Agency does not possess accurate and complete data regarding the number of usurpations on public properties. By 2024, 246 cases of usurpations were identified, while after the entry into force of the Law on Forests⁶ a total of 2,242 applications for lease have been submitted by users of public properties. This discrepancy indicates widespread unauthorized use of public properties for years.

Furthermore, for over 20 years, the Forestry Agency has not addressed the issue of properties under its management. The Agency manages properties with around 500 different names, for which it has not yet completed their unification and verification. As a result, the Forestry Agency does not have accurate and up-to-date information on the properties it manages. In addition, based on the cadastral records, around 11,600 hectares of forest areas have undergone cadastral changes during the period 2014-2024. Some of these changes are related to the privatization process, decisions by the government and municipalities to change ownership, as well as court decisions, which indicates a significant lack of inter-institutional coordination and property control. In recent years, there have been initiatives to unify the naming of properties, however, according to the Forestry Agency, legal uncertainties have emerged as an obstacle.

Lack of forest inventory. The Kosovo Forestry Agency has not conducted a complete and updated forest inventory, which has resulted in a lack of accurate data on the current state of forest resources. This has hindered effective and sustainable forest management planning. Out of 76 existing management units⁷, 25 do not have long-term (10-year) management plans, limiting the institutional capacity to undertake meaningful forest development measures.

⁶ Law No. 08/l-137 on Forests, 2023

⁷ Forest management unit - is a spatial division for forest management planning divided into forest plots and subplots.

Insufficient achievement of objectives and endangerment of plant nurseries. Kosovo Forestry Agency has failed to achieve about 44% of the objectives planned in the annual plans. The setbacks are most pronounced in the cultivation, treatment and establishment of new forests. About one million seedlings located in the plant nursery of the Kosovo Forestry Institute are at risk of failure due to the lack of afforestation contracts from the Agency.

Problems in the leasing process and contract supervision. The process of leasing public properties by the Kosovo Forestry Agency has been characterized by significant delays and a lack of institutional transparency. In some cases, the process of addressing lease requests lasted for up to 38 months, creating uncertainty for tenants and negatively impacting the development of their business activities.

In addition, the Agency has not developed a regular and functional system for monitoring the implementation of lease contracts. As a result, a number of violations by tenants have been identified, including: use of the property other than for the intended purposes and exceeding the established time limits.

To eliminate these irregularities, the heads of responsible institutions must take immediate action to ensure adequate management of Kosovo's forest areas. Inter-institutional coordination is also necessary to preserve, develop and restore the country's forest areas. To this end, we have provided 11 recommendations, which are presented in Chapter 5 of this report.

Response of the auditees

The Ministry of Agriculture, Forestry and Rural Development, the Kosovo Forestry Agency, and the Kosovo Environmental Protection Agency under the Ministry of Spatial Planning and Infrastructure have agreed with the audit findings and conclusions and have committed to addressing the recommendations given. Meanwhile, we have received no response from the Kosovo Cadastral Agency. We encourage all the auditees to make every effort to implement the given recommendations.

1 Introduction

Forest areas in Kosovo comprise an area of about 481,000 ha or 44.7% of the total area in the country, of which 38% of the forest area is privately owned, while 62% are public forests, on an area of 295,200 ha.

The highest quality forests lie in the national parks of "Sharr" and "Bjeshkët e Nemuna" which occupy an area of 125,000 ha and are under the management of the Ministry of Environment, Spatial Planning and Infrastructure (hereinafter MESPI), where activity within the forests in the national parks is regulated by special laws.

Forests are one of our country's main natural assets. They play a vital role in mitigating climate change, such as extreme heat, drought and floods, are a major producer of oxygen and air purifier, absorbing polluting gases, such as carbon dioxide and storing it in their biomass to prevent its entry into the atmosphere.

Forest management is the 15th "Life on Land" objective of the Sustainable Development Goals (SDGs) set by the United Nations (UN) in 2015, to be achieved by 2030. This goal aims to protect, restore and promote the sustainable use of terrestrial ecosystems, sustainably manage forests, and halt land degradation and biodiversity loss.

Forests play a significant role in preventing soil degradation, tree roots strengthen the soil and control soil erosion, thus minimizing the effects of storms and floods. Trees manage to lower temperatures by up to 12°C, as well as store water. Root systems serve as catchment areas that promote infiltration. This prevents rainwater from polluting our water sources such as rivers or lakes.

Forests create economic opportunities, in addition to the use of various fruits, the leaves, bark, twigs, roots also offer the opportunity to process them, extracting by-products and providing more and more income. In addition to fruits for people, trees provide food but also shelter for birds and wild animals.

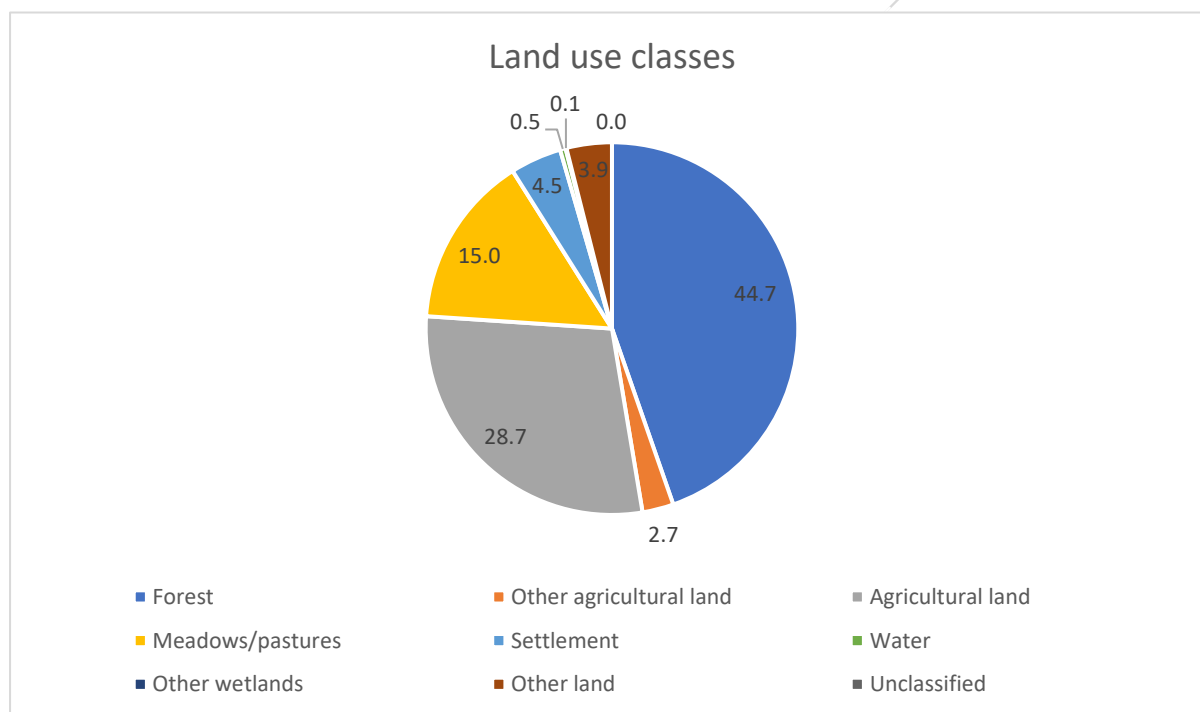
Forests and state forest areas are managed by the Kosovo Forestry Agency (hereinafter referred to as the Forestry Agency), as an agency of the Ministry of Agriculture, Forestry and Rural Development (hereinafter referred to as the MAFRD), while the management of forests within national parks is carried out by the Kosovo Environmental Protection Agency (hereinafter referred to as the KEPA), which operates within the framework of the MESPI. For the purposes of strategic planning and policy development for the sustainable use of forests in the country, the Forestry Agency conducts forest inventories every 10 years. The first forest inventory was conducted in 2002, and the second inventory was conducted in 2012.

Based on the latest inventory in 2012, the state of forests in Kosovo and the land use classes are as follows:

Table 1: Development of total area by land use classes in 2012.⁸

Land use classes	Ha	%
Forest	481,000	44.7
Other forest land	29,200	2.7
Agricultural land	309,000	28.7
Meadows/pastures	161,400	15.0
Dwellings	48,000	4.5
Water	5,200	0.5
Other wet ground	800	0.1
Other land	42,400	3.9
Unclassified	0	0.0
Total	1,077,000	100

Chart 1. Land use classes in Kosovo (% of total land area)



Forests in our country are mostly of the deciduous type⁹. The dominant species of deciduous type hardwoods are: Oaks, Beech, Ash, Hornbeam, while softwoods are: Birch, Maple, Linden, Alder, etc. In coniferous forests, the dominant species are: Silver fir, Spruce, Pine species, etc.

Sustainable management of forest resources has an impact on the national economy by maintaining the balance between the economic, ecological and social functions of forests.

The concept of sustainable and integrated forest management consists, among other things, of determining the balance between the economic exploitation of forests and their regenerative capacities, namely their use, exploitation and management today, in line with the need to preserve their potential for the future.¹⁰

⁸ National Forest Inventory for Kosovo 2012, Kosovo Forestry Agency, Prishtina, 2013

⁹ Deciduous

¹⁰ Annual forest management plan, page 3, 2024

2 Audit objective and questions

The objective of this audit is to assess the efficiency of responsible institutions in the protection, development and restoration of forest areas.

This audit addresses the performance and efficiency of responsible institutions and provides recommendations for forest protection, development, and the implementation of transparent processes for the use of forest areas.

To answer the audit objective, we used the following questions:

1. *To what extent have the Kosovo Forestry Agency and KEPA managed to develop and protect forest areas?*
2. *How are the activities and processes for the use of timber and forest areas managed?*

The scope of this audit is within the MAFRD, namely the Department of Forestry, which drafts policies in the field of forestry, while through the Central Department of the Inspectorate for Forestry and Hunting, the MAFRD will ensure the implementation of the law on forests.

The audit was particularly focused on the activity of the Forestry Agency, which operates within the framework of the MAFRD. The scope of this audit is also KEPA, namely the Directorate of the National Park "Bjeshkët e Nemuna" and the Directorate of the National Park "Sharri".

Meanwhile, at the Kosovo Cadastral Agency, we have provided cadastral data of state forest properties with all the names under which they are registered. For the analysis of the processes of leasing forest areas, the level of achievement of management plans, the audit period included the years 2020-2024, while for the analysis of cadastral changes we used data from 2014.

The detailed methodology applied during this audit, sub-questions, criteria and detailed scope of the audit are presented in the Appendix.

3 Audit findings

This chapter presents the findings that are the result of the failure of institutions responsible for the conservation and protection of forests in the country to take appropriate actions.

As a result of poor management, forest areas continue to be degraded and used in an unauthorized manner, including illegal construction and damages to state properties that are under the management of the Forestry Agency.

The findings relate to: failure to draft regulations and guidelines for forest management, lack of forest inventory, lack of transparency and monitoring of leasing, inaccurate data on forest land registrations, lack of evidence of usurpations, improper treatment of forests in National Parks, lack of inspections and failure to handle whistleblowing cases, etc.

These and other findings presented below show that the country's forests have not been managed sustainably, resulting in their damage, which will take decades to restore to a quality state.

3.1.1 Lack of regulatory basis for key functions of the Forestry Agency

The implementation of forest policies in the country should be ensured by the forestry department in the MAFRD, which, among other things, has the following competencies: Proposes, drafts and ensures the implementation of policy/strategy documents in the field of forestry, conducts a general inventory of forests and wild animals, and organizes, processes and maintains forest statistics.¹¹

The Forestry Agency has been operating since 2003 based on the Law No. 2003/3 on Kosovo Forests and has adopted Administrative Instructions (hereinafter referred to as AI) on forest management. In order to create the most advanced legal basis for forest management and comply with EU Directives, a new law on forests was adopted in 2023¹². This law provided for the approval of sub-legal acts within six months. However, by the first half of 2025, four AIs had been approved and, according to the Ministry, for six AIs all procedural steps have been completed and are awaiting approval from the Minister. In the meantime, for three AIs the drafting process has not yet begun. Therefore, the new law on forests has not yet been followed by the approval of the necessary AI for the management of forest areas.

Meanwhile, the AI regulating the leasing procedures has not been approved due to obstacles presented by the Law on Public Property.

As a result, the Kosovo Forestry Agency continues to operate with AIs for essential areas, which are necessary for the regulation of key processes such as: national forest inventory, processes for forest re-cultivation, protection of forests from fires and other processes.

¹¹ Regulation (GRK) no. 37/2013 on the internal organization and systematization of jobs in the MAFRD

¹² Law No. 08/l-137 on Forests

The lack of administrative instructions creates gaps in the implementation of the law on forests, such as the process of re-cultivation of forests, their protection and other issues, hindering the standardization of key processes and increasing legal uncertainty. This weakens control and transparency, increasing the risk of mismanagement and damage to forest resources, and hinders the effective and sustainable management of public forests.

Failure to engage the working groups in a timely manner to draft guidelines by the MAFRD has caused significant delays in the approval of administrative instructions on forests, thus failing to fulfil legal obligations, the absence of which does not provide assurance for the effectiveness of the development of the Forestry Agency's activities and does not ensure sustainable forest management in the country.

3.1.2 Failure to achieve the objectives of the Strategy on Forestry Development

MAFRD has developed the Strategy on Forestry Development (SFD) 2022–2030. The primary goal of the SFD is to preserve, expand and ensure sustainable management of Kosovo's forest resources, in order to contribute to the national economy.¹³

The MAFRD report on the implementation of the Strategy on Forestry Development for the years 2022-2024 shows that out of 70 objectives, 28 objectives have been achieved, 26 objectives have not been achieved, and 16 have been partially achieved. This indicator is important given the fact that the Strategy is the main document of forest policies, with the primary aim of preserving, expanding and ensuring the sustainable management of Kosovo's forest resources.¹⁴

Table 2. Achievement of the objectives of the forest strategy according to the 2022-2024 action plan.

Objectives by level of achievement	Number
Achieved	28
Not achieved	26
Partially achieved	16
Total number of objectives	70

The MAFRD obtains the data on the status of objectives/policy implementation from the Forestry Agency. However, an analysis of the forest land registration reports (2020-2023) reveals that this data is neither complete nor accurate. During this period, the powers for utilisation and protection were under the municipal level, while forest land registration was conducted by joint commissions from the municipalities and the Forestry Agency. The inspectorate reports also indicate that the Forestry Agency's reports are inaccurate, particularly concerning land registrations, lease agreements, etc.

¹³ Strategy for Forestry Development (2022-2030)

¹⁴ Implementation report of the 2022-2024 AP for the year 2023

According to MAFRD, the reasons for failing to achieve these objectives are: low technical and institutional capacities, inadequate infrastructure, unsuccessful coordination and cooperation between relevant institutions, insufficient financial capacity, etc.

Another issue is the lack of communication between institutions responsible for forest management. The Department of Forestry and the Forest Inspectorate do not coordinate or exchange information necessary for the implementation of sustainable forest development policies, knowing that the Department of Policies is responsible for their development, while the Inspectorate is the guarantor of their implementation. According to the Department of Forestry, there is no line of communication between them and that reporting of activities is made only to the higher levels of the MAFRD.

Communication between these two actors is important, as the department responsible for policy development must be informed about their implementation status on the ground. The Inspectorate should therefore provide this data. The absence of such communication results in lack of awareness regarding the actual level of implementation of forest laws and policies.

3.1.3 Lack of efficiency of the MAFRD Inspectorate in forest protection

Through forest inspection, MAFRD ensures: supervision of all management activities carried out in forests, work facilities, means and all places where forest products are stored, processed and circulated, supervision of the implementation of management plans, checks the documentation of marking and origin of forest products.¹⁵

The Central Forest Inspectorate operates within the MAFRD and has at its disposal about 12 inspectors organized by two for six regions of the country (Prishtina, Prizren, Ferizaj, Gjiilan, Mitrovica, Peja). Until 2023, this inspectorate was located and operated within the Forestry Agency based on a Regulation¹⁶. The Chief of the Forestry Agency selected the Forestry Inspector. In this way, the activity of the inspectorate has not guaranteed the performance of inspections in an independent and transparent manner. Therefore, the functioning of the inspectorate within the Forestry Agency and at the same time the inspection of the Agency's activities had raised concerns about a possible conflict of interest. For this reason, in 2013, the Assembly of the Republic of Kosovo issued a recommendation to the Government of Kosovo, which emphasized the removal of the inspectorate from the Forestry Agency because it presented a conflict of interest. Thus, the Inspectorate Department was recommended to be established within the MAFRD. However, this had not happened for about 10 years or until 2023.

Its transfer to the Ministry in 2023 was made by a memorandum of understanding between the Forestry Agency and MAFRD, after the entry into force of the Law on Forests. However, the functioning of the inspectorate in MAFRD has not been included in the organization of the Ministry and a regulatory basis for their functioning within the Ministry has not yet been created.

The Inspectorate has consistently issued written communications to the relevant authorities concerning the condition of forests nationwide.

¹⁵Law No. 08/I-137 On Forests

¹⁶ Regulation GRK - No. 16/2014 on internal organization and systematization of jobs in the Kosovo Forestry Agency

Inspections are carried out in two forms:

- *Scheduled inspections*—which are based on annual planning. These inspections determine the areas and time periods in which controls will be carried out, such as: forest exploitation, quarries, leasing, etc.
- *Unscheduled inspections*—which are carried out in cases where inspectors are notified (signalled) by external parties about suspicious activities that may endanger forests and forest lands.

The Inspectorate did not have a defined methodology for selecting samples for planned inspection; however, with the adoption of the new law, a risk-based inspection guideline has been prepared.

Furthermore, the lease inspections of leases planned for 2024 were primarily focused on the mining sector, which has been categorised as high-risk. As a result, other leasing areas remained largely, uninspected, creating a gap in the oversight of public property utilisation and increasing the risk of irregularities or mismanagement. justified this by stating that these areas are not considered high-risk and, due to a lack of inspectors, inspections were prioritised accordingly; however, in cases where information is received regarding potential misuse of public property, extraordinary inspections are conducted. Nevertheless, inspections carried out in these areas have revealed irregularities, including unauthorised and non-compliant use of forest land.

This practice does not ensure that inspections are carried out in a risk-based, efficient and transparent manner and leads to the risk of damages to publicly-owned forest areas.

While carrying out planned inspections, inspectors sometimes notice suspicious activities or receive information from whistleblowers which lead them to submit requests to initiate an inspection. In order to proceed with the process of unplanned inspection, inspectors are required to obtain authorization from the manager/Chief Inspector. However, according to them, the Chief Inspector has not granted approval for conducting unplanned inspections in some cases.

In the Mitrovica region, a case was reported by whistleblowers regarding suspected misuse during the drafting of management plans within the Forestry Agency. The suspicion involves the award of two contracts for the drafting of long-term management plans during the years 2023/2024. These inspections authorization requests were rejected on the grounds that they did not meet the inspection criteria according to the Law on Inspections¹⁷ and the matter was addressed by the competent authorities. In Prishtina region, there was information about seven lease contracts for which there were indications that they were granted without meeting the criteria, as well as one case reported by the whistleblower who claimed that an operator was using timber of unverified origin. The Prishtina cases and the Mitrovica case were not approved for inspection by the Chief Inspector on the grounds that they were not discussed with the management to establish sufficient grounds and that the legal requirements for

¹⁷ Law No. 08/L-067 on Inspections

extraordinary inspections were not met. Meanwhile, an extraordinary/unplanned inspection was approved/carried out and resulted in the following irregularities.

Photo 1. Use of timber of unverified origin for the production of sawdust ¹⁸



The case concerns a company that operated initially in Lipjan and then in Mitrovica, and used wood for industrial purposes/as raw material for mushroom production. Inspectors inspected it at the end of 2023 and requested evidence of the origin of the wood, but did not obtain/receive it. In February 2024, the inspectors requested authorization to conduct a repeat inspection, but it was initially refused by the Chief Inspector.

The authorization to conduct the inspection was granted in April 2025,

during our audit process. The inspection report shows that the company had declared that the wood used was firewood, and that the company had continuously been supplied by private individuals and had not verified whether the wood was marked and whether it had documentation.

According to the inspectors' report, this company had emphasized that in a week it spends approximately 30m³, and in a year it spends about 1,440m³ of wood, which means with no covering documentation.

Inefficient handling of inspections resulting from whistleblowing indicates a lack of efficiency in the functioning of the inspectorate and undermines the trust of citizens and whistle-blowers in public institutions. This situation can create the perception that operators can misuse public property and not be supervised, inspected or punished. Failure to respond to inspection requests resulting from internal or external information is contrary to legal requirements and poses a risk of misuse of public property by tenants and illegal users. Weak monitoring of the Forest Agency and the inspectorate contributes to a lack of information for damages to forest areas and does not guarantee the implementation of the law on forests in the country.

¹⁸ Raw material for mushroom cultivation

3.2 Lack of measures to protect public forests

No person may harvest trees from public forests unless the person has a valid license, and the trees have been lawfully marked before harvest. Licenses to harvest trees in a public forest are valid only if the harvest is consistent with a valid operational management plan covering the forest.¹⁹

From the registration of forest lands, which are carried out by the regional directorates of the Forestry Agency, it has been found that the number of forest damages caused by illegal activities is very high. According to the law²⁰ Municipalities are obliged to conduct regular or extraordinary registrations at least once a year, which are carried out in the event of a change of forest guard or in cases of suspicion by inspectors of large quantities of illegally cut trees, and to report to the Forestry Agency.

This process is an important instrument for identifying and eliminating illegal actions and illegal phenomena in forests, but also addresses the responsibilities and obligations of forest guards, serving as a supervisory mechanism for their performance.

By recording data in the relevant regions, the difference between the actual damages and those justified by the application form is verified. If this difference is greater than 20 m³ in high-stump forests, or 10 m³ in low-stump forests, then measures are taken and procedures are initiated against the forest guard.

Below is a table of forest inventories, which reflects the status recorded according to the annual reports of the Forestry Agency for the years 2020–2023. For 2024 the inventory process has been completed, but the analysis of the forest land inventory has not yet been finalized.

Table 3. Forest land registration for the years 2020-2023.

year	Unjustified damage (m3)	Justified Damage (m3)	Damage caused (m3)	Number of applications (m3)	Number of registered sites	Number of unregistered sites	Value in Euros
2020	3,513	5,835	9,349	2423	168	52	1,021,158
2021	3,827	4,626	8,625	1916	183	37	1,169,502
2022	4,507	4,781	9,326	2,403	183	37	1,270,011
2023	9,491	4,372	13,864	2,465	184	24	1,895,31

From the table above, it can be seen that forest damage for four years is estimated to exceed 5.3 million euros, and that there has been no improvement in this phenomenon over the years.

Furthermore, the Forestry Agency, in its annual analysis of the forest land inventories, states that the data received from the municipalities are incomplete and do not reflect the actual situation, despite the fact that the inventory commissions included officials from the Forestry Agency. There are many factors that contribute to incomplete forest land registration reports, such as: the large number of unregistered forest lands over the years due to lack of

¹⁹ Law No. 2003/3 on Forests in Kosovo, Article 20

²⁰ Law No. 03/l-153 on amending and supplementing Law No. 2003/3 on Kosovo Forests

coordination between the Forestry Agency and the municipal level for forest protection, the low level of registration of forest damage in sensitive areas, reporting of forest damage at the border level that does not hold the forest guard responsible and disciplinary proceedings cannot be initiated against him, incorrect verification of the number of court applications, incomplete documentation and technical errors in the registration forms.

The fact that the annual reports for the registration of forest areas are not complete and realistic is also shown by the Inspectorate's reports.

1. In the cases presented below as a sample, the Inspectorate has required the municipalities to establish joint with the regional units of the Forestry Agency to conduct extraordinary inventories of specific forest areas or to monitor forest lands, due to suspicions that the actual situation has not been accurately reported: During inspections in the Prishtina region in 2022, the Inspectorate issued a decision to assess the forest damage caused in the Municipality of Drenas, and ordered the establishment of a second commission on the grounds that the first commission had not presented the real situation of forest damage. The first commission had reported total damage of 25 m³, while from the report of the second commission the damage was 180 m³. This matter was latter addressed by the competent authorities.
2. In 2021, the registration of the entire terrain of Viti was mandatory due to irregularities found by inspectors in the Gjilan region, where the stumps were without forest damage stamps (tree stamps) and without forest control stamps and were not recorded with serial numbers as required by legislation.
3. In 2023, the inspectors received the report of the commission for the supervision of contracts in the Peja region. After analysing it, the Inspectorate suspected that the real situation of the use of public property by an operator was not presented. The inspectorate was requested to monitor the contract once again, the regional unit had prepared a supplementary report where the presented situation differed from the first monitoring report because the operator had exceeded the area of use of the contract by 1.65 ha.
4. The Inspectorate had initiated an extraordinary registration in 2021 in the municipality of Lipjan because it had encountered illegal logging. In addition, attempts were made to hide forest damage, as there were cases when not only branches and other waste were used to cover stumps, but also other inert materials.

During the review of the activities of the Forest Inspectorate and municipal structures in several regions, significant cases of inconsistency between official reports and the actual situation on the ground were identified. According to the assessment of the Forest Inspectorate, the registration of forest lands has not been carried out accurately and reliably in some cases. This is a frequent phenomenon and constitutes a constant concern, since it is impossible to inspect all the lands due to the large surface area. Moreover, the current method of registration by the commissions has shown a lack of objectivity and reliability.

These shortcomings contribute to significant deviations between records and the real situation on the ground, increasing the risk of mismanagement of forest resources, data manipulation, and unidentified or covered up damage.

According to the Law ²¹ on Forests, until 2023, the forests protection was under the responsibility of the municipalities and, in some cases, the communication between the municipalities and the Forestry Agency was not at the adequate level.

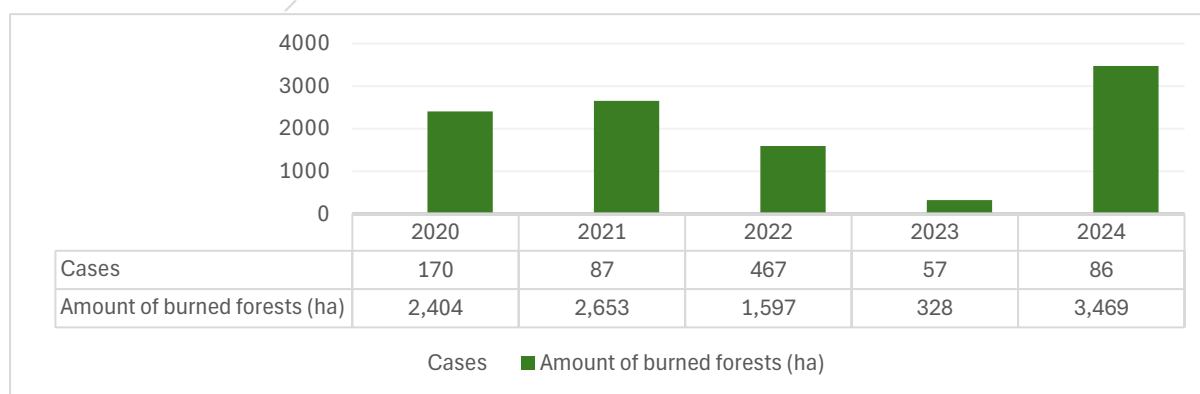
These cases point to significant weaknesses in the mechanisms for supervision, documentation and reporting by the responsible authorities, namely the municipalities and the Forestry Agency. Discrepancies between reports and the situation on the ground, as well as attempts to conceal damage, increase the risk of misuse of public assets and undermine the credibility of the forest control process and contract management.

Forest guards, are obliged to organize their eight-hour workday based on a risk assessment. However, we have not observed that forest guards conduct a risk assessment and organize their work therefrom. Taking into account the fact that the area covered by a guard is large and the riskiness of the work is high, it shows that the organization of forest protection is weak and the protection of public forests through forest guards is not at the appropriate level. According to reports, illegal logging in many cases has occurred outside their 8-hour workday. The Forest Agency possesses three drones, through which forests and potential logging should be observed at any time. The Agency claims that two drones are of high quality and that prior permission must be obtained from security institutions to use them, which takes time.

Wildfires represent another dangerous phenomenon that occurs in large numbers in forest areas. The Forestry Agency emphasizes that forest fires are, in most cases, caused by the human factor, such as negligence, arson, or high temperatures and other related causes. Therefore, the lack of protection of forest areas creates opportunities for forests damage and misuse, while also preventing the effective control or elimination of the factors that harm forests.

The data received by the Forestry Agency on forest fire cases is presented in the table below.

Chart 2. Amount of forest fires for the period 2020-2024.



The chart above shows the amount of wood burned, which for the last five years is 10,451 ha. This phenomenon causes great damage to the forests in the country, because in addition to the loss of wood, burned forests are hotbeds of infections from various diseases.

²¹ Regulation (GRK) - No. 05/2017 on the internal organization and systematization of jobs at MESP

3.2.1 Ineffective Management of National Parks

The Professional and Administrative Services Sectors in KEPA must take care of the natural resources of the National Parks and prevent illegal activities, deforestation, hunting, fishing, construction of facilities, usurpation of properties and identify persons who commit illegal acts.²²

Activities for national parks must be carried out based on a forest management plan. This plan is drafted by the Kosovo Forestry Agency and approved by the MAFRD, with the consent of the Ministry responsible for Environment.

Bjeshkët e Nemuna National Park

In the territory of the "Bjeshkët e Nemuna" National Park, among the biggest problems after illegal logging are the legal constructions that have continuously appeared since 2000.

The Directorate of the "Bjeshkët e Nemuna" National Park manages an area of about 63 thousand ha and according to the Directorate, the forests in this Park are completely covered with forest guards. According to the Forest Law, the Forestry Agency, in addition to the management plans for its parts, must also prepare a management plan for forests in national parks, but the Forestry Agency has not yet included the plans for forests in national parks in its management plans also as a result of the lack of budget, according to the Forestry Agency.

Regarding illegal constructions, before it was declared a National Park, there were 2,900 cases recorded on public and private properties, and this phenomenon has continued during the years of management by the Park Directorate. Currently, according to the records of the Park Directorate in 2024, there are a total of 6,083 constructions, of which 3,362 are on private properties and 2,721 on public properties, some of which have been traditionally used by local residents. Regarding court decisions on demolition, we have 94 decisions on demolitions on public property. According to the Kosovo Environmental Protection Agency (KEPA), the continuation of illegal constructions within the "Bjeshkët e Nemuna" National Park has persisted due to the absence of a Spatial Plan for this territory and Regulatory Plans for specific zones

Table 4. Criminal reports for construction in "Bjeshkët e Nemuna"

Year	2021	2022	2023	2024
Criminal reports for construction	215	170	185	217

Thus, the table above indicates that construction activities within the park are ongoing even though the park directorates file criminal reports in court.

Another problem is illegal logging in national parks. In 2020, the MESPI Nature Protection Inspectorate inspected several locations in the "Bjeshkët e Nemuna" National Park. The inspectors came across a location for a piece of wood where the marking was not in order. After analysing the documentation issued by the "Bjeshkët e Nemuna" directorate, which had emphasized that the piece of wood was approved for firewood, but, according to the situation ascertained by the inspectors, the piece of wood over two meters is not intended for firewood but for industrial technical wood, and as a result the inspectorate had issued a warning.

During the years 2021–2024, the National Park Directorate filed a total of 140 reports for illegal logging and confiscated 547 m³ of wood.

²² Regulation (GRK) - No. 05/2017 on the internal organization and systematization of jobs at MESP

The lack of proper supervision by forest guards has caused the forests and forest areas in the Bjeshkët e Nemuna National Park to be destroyed and degraded.

Sharri National Park

According to KEPA, the Directorate of “Sharri” National Park has an area of about 54 thousand ha. In addition to the lack of management plans, the “Sharri” Park Directorate also faces other difficulties such as: lack of guards, illegal logging, unauthorised construction, and lack of sanitary cleaning.

The relevant Directorate has only about 30% of its territory covered by forest guards, leaving most of the area without regular supervision. The situation is worse in the municipalities of Dragash, Shtërpçë and Kaçanik, where about 70% of the territory is not covered by forest guards at all. This has led to a serious situation in these territories due to illegal logging as a result of the lack of guards. In the absence of forest guards, KEPA hires interns with temporary contracts every year, but according to the Park Directorate, this solution has not yielded the expected results in the conservation and protection of forests.

Table 5. Illegal activities in “Sharri” Park

Year	Report sheet for illegal logging	Confiscation of timber	Illegal logging
2021	NA	86.79 m ³	2,252 m ³
2022	39	71.19 m ³	2,255 m ³
2023	53	58.95 m ³	3,247 m ³
2024	65	59.03 m ³	5,850 m ³

The table above shows a continuous increase in illegal activities in the forests, both in the number of reports and in the amount of illegal logging. However, the amount confiscated remains at a very low level.

According to criminal reports for illegal constructions, the Administration Directorate of the “Sharri” National Park has registered a total of 85 illegal constructions from 2020-2024, of which about 40 were built on public property.

Also, the forests throughout the territory of the “Sharri” park are continuously threatened by other factors such as: fires, natural disasters, plant diseases, harmful insects, etc. In order to protect, preserve and maintain the forests, the Internal Regulation foresees felling and sanitary cleaning. Until 2023, the “Sharri” park directorate has carried out sanitary cleaning activities of forests damaged by fires, natural disasters, harmful insects and plant diseases. Since 2023, no cleaning activities have been carried out in public forests in national parks, as a result of the combination of management competencies after the entry into force of the Law on Forests. According to the relevant directorate, this situation has created institutional uncertainty for the implementation of operational responsibilities, jeopardizing the sustainable management and preservation of the ecosystem in protected areas. The lack of coordination between the institutions responsible for forest management and those of national parks constitutes a constant risk of functional negligence and environmental degradation.

Failure to implement forest management in national park areas poses a direct threat to biodiversity, negatively affecting the conservation of protected species and ecosystems. These areas, in addition to constituting national parks, are also characterized by high forest quality, which constitutes an important potential for the development of mountain tourism and local

economic sustainability. The lack of interventions for active forest clearance and management in these areas endangers both their ecological function and the possibility of sustainable economic exploitation.

Failure to treat diseases that appear in the forests of national parks

*The Professional and Administrative Services Sectors in KEPA must take care of the natural resources of the National Parks and prevent illegal activities.*²³

*The Forestry Agency and private forest owners are obliged to monitor the state of forest health and take the necessary measures to prevent and combat diseases and pests that endanger forests. The Forestry Agency, in cooperation with other institutions, ensures the implementation of activities to protect forest health.*²⁴

About 3% of the forests of the "Bjeshkët e Nemuna" national park are affected by various forest diseases that appeared many years ago, but so far no measures have been taken by the responsible institutions. MESPI and MAFRD have not yet reached coordination for the treatment of forests within the national parks.

Since 2019, municipalities in which national parks are located have continuously expressed concern about the lack of treatment of diseases in forests within national parks. They had directed the request for treatment to the Kosovo Institute for Nature Protection (KINP) within the framework of the MESPI. This institute had recommended that the Forestry Agency immediately takes measures to eliminate these pests in these areas in order to avoid their spread to other areas.

Such a request was also submitted to the Kosovo Forestry Institute, which had recommended that KEPA, specifically the Directorate of the "Bjeshkët e Nemuna" National Park, find legal ways to remove this dead wood mass from those areas and recommend sanitary felling, which means cutting and removing the dead wood mass from insects. Sanitary interventions and logging are permitted in the forests of National Parks, specifically in protection zones II and III, where the harvested timber is used as firewood for the local community, up to 12 m³ per household per year. However, such logging activities are strictly prohibited in protection zone I.²⁵

This restriction is stated in the Law on Nature Protection²⁶ and the Regulation²⁷ on the Internal Order of the National Parks, especially considering the fact that a significant part of the damaged areas are located within the first and second protection zones.

To enable the treatment of these diseases, KEPA in 2022 attempted to amend the Regulation on the internal order of National Parks, which would allow the cutting of timber over 12 m³. The amendment to this regulation required consent from the MAFRD, but according to KEPA, this consent was not granted. The reason for the lack of treatment of diseases by the responsible institutions is the lack of will to coordinate activities for the conservation of forests in national parks.

²³ Regulation (GRK) - No. 05/2017 on the internal organization and job systematization in the MESPI

²⁴ Law No. 08/L-137 On Forests, Article 37

²⁵ Regulation No. 21/2013 on the Internal Order of the National Parks

²⁶ Law No. 03/L-233 on Nature Protection

²⁷ Regulation No. 21/2013 on the Internal Order of the National Parks

Below we have presented some photos of the condition of forests in national parks, where it can be seen that a large part of the forest in these parks is infected with this disease.

Photo 2. Forest damage by insects



Source: Kosovo Forestry Institute

The lack of inter-institutional coordination and legal restrictions on interventions in protected areas have resulted in the deterioration of the forest condition in the "Bjeshkët e Nemuna" National Park. Failure to take the necessary measures risks the spread of pests to other areas, threatening biodiversity. Furthermore, the failure to provide institutional consent for regulatory changes demonstrates a lack of will to take concrete actions to protect forest resources.

3.2.2 Usurpation of properties managed by the Forestry Agency

The Ministry shall approve a new plan for each public forest region at least once every 10 years. All budgetary organizations are obliged to take the necessary measures to document, preserve, record, dispose of and report non-financial assets for the purpose of more effective, efficient and economical management, in order to protect non-financial assets from damage and misuse.²⁸

The Forestry Agency has not identified most cases of unauthorized use or usurpation of properties it manages.

Many of the unauthorised uses have occurred for generations by local residents, for which the responsible institutions have been notified, but measures to address them have been lacking. There are also new usurpations that occur due to the lack of monitoring by regional directorates.

The table below shows the data submitted by regional units regarding cases of usurpation in their regions.

Table 6. List of usurpations submitted by regional coordinating directors

Regional unit	Report Date	No. of occupied parcels	Criminal charges	Released properties
Ferizaj	19.05.2023	55	22	-

²⁸MoF Regulation No. 02/2013 on the management of non-financial assets in budgetary organizations

Pristina	24.05.2023	22	3	-
Gjilan	17.05.2023	43	3	-
Mitrovica	04.06.2024	4	3	-
Prizren	31.01.2025	94	73	21
Peja	23.11.2021	28	-	-
TOTAL		246	104	21

As shown in the table above, the number of cases reported by the regional coordination directorates for usurpations in our country for the years 2020-2024 is 246. The data above does not represent the real situation of usurped properties because the municipalities and the coordinating directorates of the Agency have not monitored the properties under their management and have not submitted reports for the territory they cover.

An example is the case of an operator who had signed a lease contract in 2017 for the use of inert materials on an area of 5 ha, but the inspectors noticed two hectares in its vicinity that had been used by the same operator for 18 years without authorization. The inspectorate forced the entity to pay €73,000 retroactively for this violation for the period 2004–2022, concluding the agreement in 2022.

With the entry into force of the new Law on Forest, the Forestry Agency has enabled all unauthorized usurpers or users of public properties to apply to enter into a lease contract for the purpose of using forest areas. During this process, the Forestry Agency received 2,242 applications. However, this process was suspended due to the entry into force of the Law on Public Properties, which provided for the establishment of the Public Property Administration Unit in the Office of the Prime Minister.

Although this number of applications may not reflect the real situation, as there is a large difference between the reported number of 246 and the number of applications of 2,242, the difference may be even higher considering that not all unauthorized users may have been informed about the possibility of applying.

3.2.3 The Forestry Agency does not have complete information on the extent of the properties under its management

*The Agency shall audit non-financial assets at least once a year to verify and assess the actual status of non-financial assets.*²⁹

The Forestry Agency still does not have a detailed list of the properties under its management, nor has it completed the unification of the properties it currently manages. These continue to be registered in the names of former forestry enterprises, of around 500 different entities.

The Forestry Agency has not provided justification for the lack of property records for more than 20 years of their management. In recent years, it attempted to unify the properties, but according to it, the entry into force of the Law on Public Property has created uncertainties/obstacles.

The Forestry Agency and other responsible stakeholders do not have accurate information on the location and coordinates of forest properties managed by the Forestry Agency. This has led to many of these properties being usurped or used in an unauthorized manner, leading to significant environmental and economic/social consequences.

In addition to the environmental impacts, the usurpation has caused financial losses to the state budget, as forest areas have been used without contracts. The poor functioning of the Public Property Administration Unit within the Office of the Prime Minister has also led to continued unauthorized use or usurpation of forest areas, as well as exceeding the time limits of the lease contract.

The agency has not made the forest cadastre operational yet, as required by the law on forests, regardless of the efforts made in this regard.

The functionalisation of the forest cadastre would help the proper management of forest areas, accurate information on the location of properties, with the aim of preventing usurpation or the development of illegal activities. In this regard, the Forestry Agency, in cooperation with the responsible institutions, should maintain and update data on the elements of the forest cadastre through the Kosovo Forest Information System, ensuring a more efficient and transparent management of these areas.³⁰

The lack of a forest cadastre does not justify not managing public properties properly because the Cadastral Agency has all the cadastral data for all properties in the country, and has even held training in this field for Forestry Agency officials, giving them access to their system, which has complete data. However, the Forestry Agency has not used this system.

3.2.4 Cadastral changes of properties managed by the Forestry Agency

*No person may acquire ownership rights over state forests and forest lands through exploitation or usurpation.*³¹

The properties managed by the Forestry Agency have undergone cadastral changes over the years. While analysing the Cadastral Agency data for these properties for the years 2014-2024, we found that 672 properties with an area of 11,600 ha have undergone cadastral changes. The

²⁹Regulation MF No. 02/2013 on the management of non-financial assets in budgetary organizations

³⁰Law No. 08/L-137 on Forests

³¹Law No. 08/L-137 on Forests

changes have occurred for various reasons, therefore, in order to assess the situation regarding these properties, we have selected 76 samples from the Cadastral Directorates of the seven main municipalities.

Table 7. Progress of cadastral changes of properties managed by the Forestry Agency.

City	Condition
Ferizaj	The analysis of 17 samples in the municipality of Ferizaj identified that 14 properties were sold through the privatization process, two were transferred to the ownership of the municipality of Ferizaj by decision of the Government, and one was transferred to a private person based on a 1990 judgment.
Gjilan	The analysis of three samples of changes of ownership showed that two are by decision of the Government of Kosovo for the construction of the Highway, while the third property has passed into the ownership of the Municipality of Gjilan by decision of the Gjilan Municipal Council.
Gjakova	From the analysis of 15 samples of cadastral changes, we have identified that 11 of them have passed into the ownership of the Republic of Kosovo, two parcels have passed into the ownership of the Radoniqi Water Supply Company with a 1978 Decision, while two parcels have undergone changes due to the land consolidation process of 2008.
Mitrovica	From the analysis of eight samples, we identified that five of them have undergone changes in ownership with the Government's decision to build the wind farm in Selac, while three others have had cadastral changes due to the use of the properties through leasing for a certain period of time.
Peja	From the analysis of seven samples of cadastral changes, we identified that two parcels have undergone cadastral changes because part of them has passed into the ownership of the Peja Municipal Assembly by a decision of the Government in 2016. One parcel was parcelized at the request of the Kosovo Privatization Agency (KPA) in 2019. In another case the cadastral change was made due to parcelization but the surface area remained the same and in the last three cases the parcel was divided into three units which have remained the same in surface area but have passed into the ownership of the Peja Municipal Assembly by a decision of 1962.
Pristina	From the analysis of nine samples, we identified that one cadastral change was made by a government decision where a property was given to the Kosovo Energy Corporation, then this property was transferred to the Kosovo Electricity Distribution Company JSC in Kosovo (KEDS) for a 99-year lease. In the other six samples, the cadastral changes occurred only due to their parcelization, but the surface area and owner remained the same. In one sample, the cadastral changes were made because a part of the parcel was transferred to a private person by a court decision in 2014, and the other change was made because of the sale of this property by the KPA to a private operator for 99 years.

Prizren	From the analysis of the samples, we identified that out of 17 samples analysed, 15 have undergone cadastral changes where some subdivisions of their plots have been transferred to the ownership of the Government of Kosovo, while the rest have remained in the ownership of the state or various public institutions. Two other samples have been changed by decision of the Directorate of Urbanism for the "Dardania 2" regulatory plan but have still remained state property.
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From the analysis of the samples, we found that most of the plots have undergone cadastral changes with decisions of the Government of Kosovo, some of them have been sold through the privatization process, some due to court decisions dating from the period before 2000 and other cases with decisions by the municipal assemblies of the respective municipalities for the transfer of public property as municipal property.

3.3 Lack of forest inventory in the country

The Forestry Agency should conduct inventories of public forests and collect sufficient data on forests to enable rational management planning. The National Inventory of Forests and Forest Lands is conducted every 10 years and is used for strategic planning and sectoral policy development purposes.

The Forestry Agency has conducted two national forest inventories, the first in 2002 and the second in 2012. According to European standards, this process should be carried out every ten years. The next inventory in 2022 has not yet been conducted. Therefore, the Forestry Agency carries out its activities without a forest inventory. The inventory process is very important because it provides a clear overview of the forests in the country, which helps the Forestry Agency develop ten-year management plans on a sustainable basis. The lack of an inventory prevents the MAFRD from developing policies that realistically reflect the situation on the ground and are in line with the current needs of the sector.

The Forestry Agency is still not independently developing the inventory process. According to the Forestry Agency, there is a lack of professional staff to carry out this major project, despite the fact that the Agency's staff has participated in previous inventories such as in 2012. Meanwhile, they have not undertaken any activities to achieve this objective.

Both National Forest Inventories are funded by the Norwegian Government and implemented through the international project of the Norwegian Forest Group (NFG). According to the Forestry Agency, in 2020, the Norwegian Forest Group (NFG) had expressed its willingness to continue cooperation in developing the inventory project, but requested that an official request be sent by the Minister to this organization. According to the Agency, such a request has not been sent to the NFG.

The inventory project is expected to be implemented within this year. This project is funded by the European Union and Sweden, and is expected to be implemented by Food and Agriculture Organization of the United Nations-FAO.

The lack of a national forest inventory has major negative effects on the environment, economy and society, hindering the development of accurate ten-year plans on the basis of which annual operational work plans are determined. The lack of such information affects

unsustainable forest planning such as afforestation and forest regeneration, as well as unsustainable plans for the use of natural resources.

3.3.1 Lack of 10-year Forest Management Plans

The forest management plan is a long-term planning document that is drafted for ten (10) years, for the management unit, according to a unique methodology, based on the field inventory of forest stands and other areas included in the management unit.³²

The country's forest areas consist of 76 forest units for which 10-year management plans must be drafted. Of these, 25 forest units have expired management plans, and three of them have never had a management plan, while six management plans expire this year, bringing the total to 31 inactive management plans by the end of 2025. According to the Forestry Agency, some of the forest units that do not have management plans are mainly low-lying or degraded forests with less priority, where economic activities, such as timber exploitation or rehabilitation, are limited.

Three management units in the municipality of Mitrovica have never had management plans since 2000. The lack of these three management plans, according to the Forestry Agency, is also related to factors of the political situation and the lack of complete data on the state of forests. According to the Forestry Agency, the failure to cover all forest units with management plans is due to the limited budget, while in the absence of these plans, the Forestry Agency carries out activities in forests based on professional assessments according to priorities.

The lack of management plans poses a risk that a large part of the country's forests will remain without adequate treatment, as the development of activities is not based on the real needs of forest management in that area.

3.3.2 Failure to achieve annual plan objectives

The Forestry Agency in cooperation with its units must approve the annual operational management plan for each forest cluster of public forests under its administration. Operational management plans describe forest improvement activities and logging activities.³³

The Forestry Agency fails to implement about 44% of the annual plans set out in the annual management plan. Annual management plans are prepared based on 10-year plans, based on which the areas with the highest priority are identified.

Apart from 2023, where the Forestry Agency has managed to achieve the objective for the cultivation and regeneration of forests, in other fields in general there are major setbacks.

The table below shows the level of achievement of the objectives set in the annual plans for each planned category. The level of achievement has been assessed in areas such as: forest cultivation, forest treatment, establishment of new forests, cleaning of roads and trails, planning and utilisation in state-owned forests, planning and implementation in private forests, utilisation of forests through public tendering and utilisation for household needs.

³²Law No. 08/L-137 on Forests, Article 26

³³Law no. 2003/3 for Kosovo forests, article 18

Table 8. Level of achievement of the objectives of the annual plans for the years 2020-2024 in ha.

year	Planned objectives	Planned Value (ha)	Realized Value (ha)	Realization (%)
2024	Forest cultivation and regeneration	1410	325	23%
	Forest treatment	5409	757	14%
	The establishment of new forests	105	0	0%
	Cleaning of roads and paths	5	0	0%
		60,814	18,599	30.5%
		168,130	110,760	65.9%
2023	Forest cultivation and regeneration	1591	1624	102%
	Forest treatment	5858	1034	18%
	The establishment of new forests	372	95	26%
	Planning and utilisation in state-owned forests (m ³)	79,860	21,96	27.5%
	Planning and implementation in private forests (m ³)	192,000	107,223	55.8%
2022	Forest cultivation and regeneration	1605	18	1%
	Forest treatment	4682	312	7%
	The establishment of new forests	304	122	40%
	Planning and utilisation in state-owned forests (m ³)	56,654	22,121	39%
	Planning and implementation in private forests (m ³)	178,000	149,12	83.7%
2021	Forest cultivation and regeneration	8479	172	2%
	Planning and utilisation in state-owned forests (m ³)	67,972	27,221	40%
	Planning and implementation in private forests (m ³)	192,290	164,202	85.39%
	Forest Treatment	563	307	55%
2020	Forest cultivation and regeneration	7146	142	2%
	Planning and utilisation in state-owned forests (m ³)	67,514	26,229	38.85%
	Forest Treatment planning and implementation in private forests (m ³)	458 200,180	381 158,198	83% 79%

Afforestation activities are implemented by the Forestry Agency through public procurement procedures. The low rate of afforestation activities is related to budgetary constraints and the low level of interest on the part of economic operators in participating in the tender. Even in the auction processes, there was low interest from those interested in purchasing wood, due

to the orientation of citizens towards other alternatives for heating, improving the insulation of buildings and the orientation towards supplying raw materials from imports.

Although this afforestation is being carried out, according to the Forestry Agency and the assessment of monitoring reports of these planted areas, it is seen that a large part of the new afforestation fails. According to inspectors, the main factors for the failure of the afforestation of these areas are the lack of monitoring by the company that should carry out the maintenance during the period required by the Forestry Agency, but also damage from wild animals. While according to the Forestry Agency, this occurs due to climatic conditions, such as extreme heat.

On the other hand, the Kosovo Forestry Institute within the framework of MAFRD, in addition to analyses and professional work in forests, also has a nursery in which it cultivates seedlings, with which it supplies the contracted company for afforestation.

According to data from the Kosovo Forestry Institute and a visit to this nursery, there are currently about one million seedlings waiting to be planted, their age ranging from two to 11 years.

Photo 3. Cultivation of seedlings by the Kosovo Forestry Institute.



According to the expertise of the Kosovo Forestry Institute, the percentage of seedlings over two years old is low and they are at risk of failure.

Failure to achieve the annual objectives of the Forestry Agency has serious consequences for the environment, the economy and the quality of life in the country. Failure to cultivate and renew forests weakens the capacity of forests to regenerate themselves, increasing the risk of soil degradation, erosion and biodiversity loss. Also, financial losses to the country's budget, due to the cost of cultivating seedlings from the nursery. While the failure to establish new forests represents a stagnation in the expansion of green areas, which are vital for balancing carbon emissions and coping with climate change.

The Forestry Agency has failed to carry out road and trail clearance activities, which hinders access to forest areas, negatively impacting the management, protection and sustainable use of forest resources. These failures worsen the services that forests provide to society and the economy, and weaken efforts for sustainable development.

3.3.3 Lack of transparency in the property rental process

The process of leasing land where the owner/title holder is the state must be transparent and open in order to ensure accountability, equal opportunities for investors, as well as good governance and efficient use of land.³⁴

The Forestry Agency has not developed a transparent process for leasing forest areas, leasing procedures have been developed without public calls, while received requests for lease have been treated individually and separately without a unified process.

The Forestry Agency has continuously concluded lease contracts for the use of forest areas for quarrying activities and for the use of forest areas for other activities such as: grazing, planting fruit trees, installing turbines for electricity, erecting temporary buildings, hotel business activities, etc. To analyse the process of leasing forest areas, we selected 35 samples.

According to the regulation, a five-member commission should be established to evaluate rental applications. However, the evaluation of applications was conducted by only three members rather than five, as required by the regulation. The lack of full participation of members in this commission jeopardizes the transparency and legitimacy of the process. This constitutes a violation of the guidelines and creates space for unmeritorious or biased decision-making.

The Forestry Agency did not have a set deadline for processing lease requests. Of the selected samples, 16 of them had significant delays in processing them, ranging from six to 38 months.

Cases of unreasonable delays in processing rental requests from selected samples are presented below:

Table 9. Delays in processing rental requests

Request	CONSENT	contracts	Delay in months
January 2021	November 2023	March 2024	38
May 2023	September 2023	September 2023	6
March 2023	September 2023	March 2024	12
September 2021	September 2023	May 2024	32
October 2022	October 2023	October 2023	12
September 2022	February 2023	May 2023	8
June 2019	November 2019	January 2021	19
September 2020	November 2021	February 2022	17
February 2020	November 2021	April 2022	26
October 2019	May 2020	May 2020	7
March 2019	June 2019	August 2020	16
November 2021	July 2022	August 2022	8
December 2018	January 2019	September 2020	22
February 2020	July 2020	September 2022	31
May 2023	November 2023	March 2024	10
November 2022	March 2023	April 2023	6

³⁴Criterion determined by auditors based on professional judgment

According to the Forestry Agency, delays from consent to signing the contract may occur in cases where the parties have not yet brought the license from the ICMC or any documents from the relevant municipality, such as construction permits.

The Agency has not been effective in managing the forest lease process, reflecting significant shortcomings in all phases of this process. The lack of clear procedural standards leads to the reduction of the credibility of interested parties and affects the principle of equity, etc. This approach not only creates uncertainty among interested parties, but also directly affects their economic aspect, hindering them in planning and developing business activities.

While the parties that have requested the extension of contracts, in one way or another, have continued to use the forest areas, but without a contract.

From the evaluation of samples of lease contracts at quarries, it is seen that in two contracts, when expressing the request for lease, the parties have brought evidence of municipal development plans for the plots for which they have expressed interest, but that the activity presented in the municipal development plan was not in harmony with the nature of the contract, such as:

- In the contract with No. KE-409/24, the lessee has submitted the municipal development plan according to which part of the plot for which the request was made is agricultural and the other part is industrial, while the Forestry Agency has provided this space for quarrying activities.
- In contract no. KE-262/23, the lessee has submitted a municipal development plan according to which this area is protected for agricultural use, pastures and mountain tourism activities, while the contractor uses that space for quarrying activities.

Other cases of violations during the conclusion of contracts have also included the leasing of forest areas for properties that are not under its management. In two lease contracts, after the operators had started their activities, the Forestry Agency terminated the contracts on the grounds that there were property disputes, and in one of the cases, it even concluded a contract for the exercise of activities in a protected water area that is not permitted according to the MESPI.

The Forestry Agency has also drafted contracts with different terms for different lessees for the same activities. Failure to draft the same contract for different contractors shows unprofessionalism and creates opportunities for unequal treatment of contract terms for different lessees, which may also have consequences during the implementation of the contracts.

The Forestry Agency has not been effective to timely review the applications submitted by existing lessees for the continued use of forest areas under new contracts. As a result, even after the expiration of existing contracts, lessees continued to use the areas for several years until their applications were reviewed and new contracts were signed with retroactive effect. In such cases, payment for the use of forest land was made for the period starting from the expiration date of the previous contract, thereby retroactively covering the use of the area during the entire period between the two contracts.

These cases are shown in the following table.

Table 10. *Retroactive entry into force of contracts*

Contract No.	Retroactive entry into force of the contract	Contract No.	Retroactive entry into force of the contract
Contract 1	10 months	Contract 9	1 year and 1 month
Contract 2	11 months	Contract 10	10 months
Contract 3	1 month	Contract 11	3 months
Contract 4	2 years and 7 months	Contract 12	2 months
Contract 5	3 months	Contract 13	1 year and 10 months
Contract 6	7 months	Contract 14	2 months
Contract 7	2 years and 2 months	Contract 15	10 days
Contract 8	7 months	Contract 16	1 year and 9 months

As can be seen in the table above, retroactive entry into force occurred in 16 out of 35 selected samples, where the deviation between the day of signing and the date of retroactive entry into force was up to 2 years and 7 months.

According to the Forestry Agency, the retroactive entry into force is intended to collect payments during the time the premises were used without a contract. However, this shows an inadequate level of responsiveness in handling requests in a timely manner, even though the lessees had applied in time for an extension of the contract before its expiration.

This practice also creates a legally undocumented retroactive period, where there was no valid contract in force, but with a presumption of a contractual relationship.

The leasing of public properties has been suspended after the entry into force of the Law on Public Property. According to this law, the Public Property Administration Unit has the competence to grant consent for leasing. The delay in the operationalization of the Public Property Administration Unit has resulted in the non-processing of new leasing requests and the non-renewal of expired leasing contracts. As a result, operators continue to use the spaces without valid contracts. During the audit, we also encountered 44 contracts signed after the entry into force of the Law on Public Property, according to which the Forestry Agency did not have the competence to sign contracts.

3.3.4 Lack of supervision of rental contracts

*The Forestry Agency should supervise lease contracts on an annual basis through the supervisory commission in coordination with the regional management directorates, while the MAFRD should regularly monitor lease contracts for forests or forest lands every three months through the Commission.*³⁵

The regional directorates of the Forestry Agency have not regularly monitored the lease contracts during the time they have been active, but they have not supervised the termination of the contract and the return of the leased space to its previous condition. The Forestry Agency does not exercise regular control over the regional directorates, which are obliged to continuously monitor the lease contracts.

From the assessment of the monitoring reports for the years 2020-2024 of the lease contracts of the regional directorates, it is seen that there are many shortcomings and that they have not been monitored on a regular annual basis.

- The Gjilan Coordination Directorate has not submitted monitoring reports for the years 2020, 2022, 2023.
- The Mitrovica Coordination Directorate has not submitted monitoring reports for the years 2021, 2022, of the contracts that were active at that time.
- The Peja Coordination Directorate has not submitted monitoring reports for the years 2022, 2023 and 2024.
- The Prizren Coordination Directorate has submitted reports only for 2023, while it has not submitted monitoring reports for other years.
- The Ferizaj Coordination Directorate has submitted a summary of the lease contracts for its area, with a description of their extent and photos of the plots, but without any monitoring report on compliance with the contract conditions for each of them.

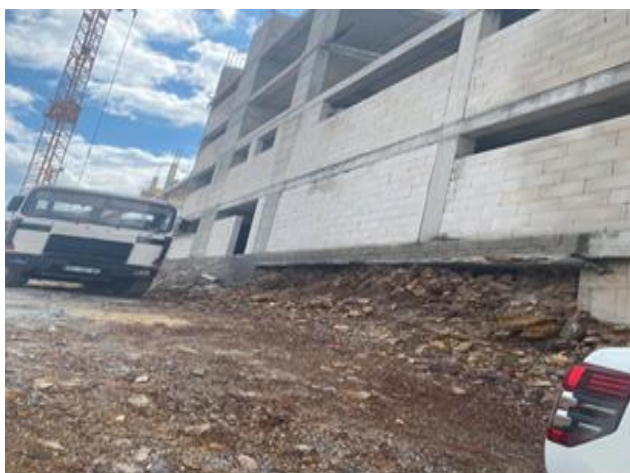
In the selected samples, we noted a case where the monitoring commission intervened in the termination of the contract after it was found that the party had not respected the terms of the contract for the use of the forest area for the purpose for which it was acquired for grazing, but had built a building with walls and concrete blocks.

But not in every case has the Forestry Agency carried out regular monitoring and consequently identified any potential violations. After analysing the inspection reports, we have come across several cases where only after intervention by the inspectorate, the Forestry Agency terminated the contract with the party that used the contract outside its terms.

The forestry inspectorate's reports indicate an inadequate level of monitoring of contracts by the regional coordination directorates, as in the following case reported by the inspectorate.

³⁵ Administrative Instruction (MAFRD) No. 01/2020 on supplementing AI 01/2006 on changing the temporary designation of forest land.

Photo 4. Strong constructions in the lease contract (photo inspectorate)



Inspectors of the Pristina region have identified that in the forest area given for temporary use for the construction of a hotel facility, a facility has been built with strong materials, exceeding the terms of the contract. The contract for the use of this space was in force from 2017 to 2022, while the Forestry Agency has not provided a monitoring report for its completion. However, the use of the space has continued during 2023, when the inspector identified violations and the Forestry

Agency filed a lawsuit.

Failure to monitor the use of forest areas according to the terms of the contract and heavy construction in forest areas causes damage to forests, change of destination and deterioration of soil quality.

3.3.5 Lack of re-cultivation of areas after exploitation

In addition to the request for a construction permit for the temporary use of agricultural/forest land for other purposes, as well as for temporary construction that results in damage to the surrounding agricultural land, the user is obliged to submit a re-cultivation project, which is carried out in accordance with the technical construction documentation.³⁶

According to the lease contract, economic operators are obliged to return the space they rent to its original condition after the end of their activity. As for quarries, they are obliged to re-cultivate the used area, which means levelling the terrain, covering it with layers of fertile soil, planting vegetation (generally grass, wood or shrubs), and in some cases, converting the area for other uses such as agriculture, pasture, etc. The re-cultivation process must be carried out by the lessee at least three months before the end of the license, based on the "Re-cultivation Plan" compiled by the Kosovo Forestry Institute, which they submit at the time of application.

The re-cultivation process is assessed by an inter-institutional commission between the Independent Commission for Mines and Minerals (ICMM), the KPA and the MESPI. The commission consists of five members, two from the ICMM, two from the KPA and one from the MESPI.

From the analysis of all cases of requests for re-cultivation during the years 2015-2024, we found that out of 19 such requests, three cases were not approved for re-cultivation by the Inter-Ministerial Commission, because the lessees had not carried out the re-cultivation according to the plan. These cases were followed up with lawsuits in court. Three operators had applied for an extension of the lease contract, while 13 other operators had re-cultivated the areas according to the plan.

The reason for the lack of re-cultivation of the areas is the irresponsibility of the lessees who try to avoid their responsibility and the delays in handling these processes in the courts, etc.

³⁶Law 02/L-26 on Agricultural Land, Article 17

Below we have presented two cases through photos from forest areas before the use of the forest space, during use and after the end of the activity.

First case: *Photo 5. Forest area before exploitation*

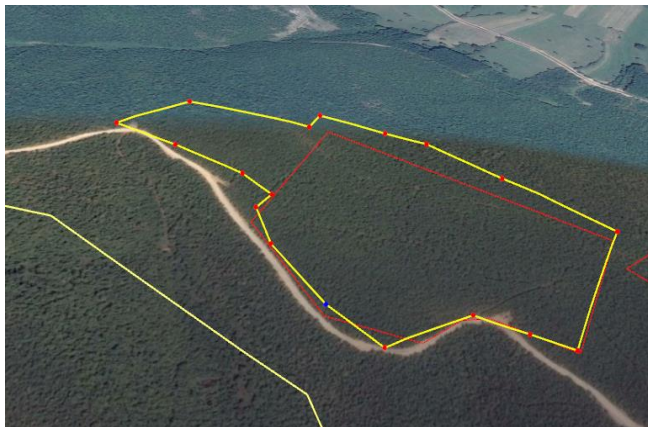


Photo 6. Forest area during exploitation



Second case: *Photo 7. Forest area after exploitation (no re-cultivation)*



Below we have presented photos of another forest area that the same operator used and did not re-cultivate after the activity ended.

Photo 8. Forest area before exploitation

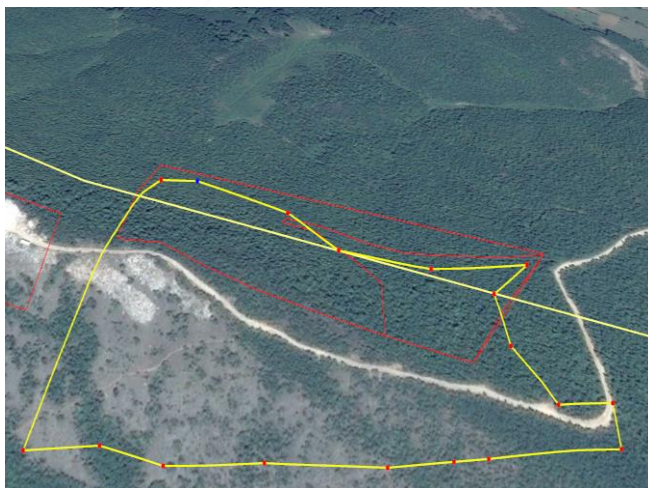


Photo 9. Forest area after exploitation



Failure to re-cultivate them according to plan poses a risk to the living things in that area, but also results in the loss of the wood mass of that area.

4 Conclusions

The management of forest areas in the country is facing numerous challenges, related to legal and regulatory changes, the coordination and reorganization of responsible bodies and the ongoing process of registering/scanning the situation in the field. These developments have highlighted weaknesses in the management of this area and show that there is still much to be done to ensure the protection and sustainable development of forests in the country.

The management and leasing of forest areas by the Forestry Agency and relevant institutions have been characterized by a lack of transparency, coordination, and institutional accountability. The lack of a list and unified registry of forest properties managed by the Forestry Agency leads to unauthorized uses and cases of continuous usurpation of forest areas.

The Ministry of Agriculture, Forestry and Rural Development has failed to establish a fully functional regulatory framework for sustainable forest management. The lack of administrative instructions for the implementation of the new Forest Law has led the Forestry Agency to operate without Administrative Instructions, leaving important areas such as forest inventory, reforestation and fire protection uncovered.

The Forestry Agency does not have complete information on the properties under its management. Around 500 cadastral properties appear with unverified and non-unified names, which makes effective planning and supervision of the forest territory difficult. The lack of a national forest inventory in Kosovo since 2022 has made it impossible to draft policies based on real data and sustainable strategic planning.

The Inspectorate of the Ministry of Agriculture, Forestry and Rural Development has failed to implement its annual inspection plan for forest protection. Internal organization and inability to follow risk-based priorities hindered the effective implementation of inspection tasks.

MAFRD has failed to supervise and monitor the Forestry Agency and to ensure the proper functioning of the forest inspectorate and supervise its work, resulting in damage to forest areas.

There is no standardised and transparent process for leasing forest areas by the Forestry Agency. The leasing process has been accompanied by procedural violations such as: incomplete commissions for evaluation of applications, lack of monitoring, Furthermore, the lack of inter-institutional coordination for the treatment of forest diseases and damage caused by insects has resulted in significant losses of timber, especially in protected areas of national parks, where interventions are limited by current legislation.

5 Recommendations

To improve forest management and ensure the implementation of sustainable policies, it is recommended that the Government of Kosovo, the Ministry of Agriculture, Forestry and Rural Development, the Ministry of Environment, Spatial Planning and Infrastructure, the Kosovo Forestry Agency and the Kosovo Environmental Protection Agency undertake measures that are under their responsibility for the conservation and protection of forests in the country, we recommend:

1. The Government of Kosovo to operationalize the Public Property Administration Unit to address regulatory and functional issues for public properties after the entry into force of the Law on Public Property.
2. MAFRD and the Forestry Agency to ensure an efficient process of drafting and approving relevant guidelines for the most effective management of forest areas in the country.
3. MAFRD to carry out a national forest inventory by engaging its professional capacities, and to ensure the drafting of ten-year management plans for all forest units.
4. MAFRD to establish adequate cooperation between the Department of Forestry and the Forestry Inspectorate, to ensure the exchange of necessary information and to coordinate in order to develop appropriate forest policies.
5. MAFRD to provide a clear legal and regulatory basis for the functioning of the Forest Inspectorate and ensure effective supervision over it, to guarantee the implementation of legal responsibilities and regular reporting on the implementation of the law and the effectiveness of inspection actions.
6. The Forestry Agency to create a unified register of all forest properties under its management. This register should be comprehensive and up-to-date, enabling the location of properties and the identification of possible encroachments.
7. The Forestry Agency to ensure efficient monitoring of regional coordination directorates.
8. The Forestry Agency to ensure the achievement of objectives and take all measures to ensure that the afforestation process of forest areas is effective so that the seedlings located in the Nursery are planted at the right time.
9. The Forestry Agency to strengthen the forest protection management system to increase and utilize its technological capacities in areas that pose the highest risk of damage and illegal logging.
10. MESPI and KEPA to create a functional mechanism for the effective management of national parks, by improving the regulatory framework for sanitary interventions, increasing field surveillance, and implementing measures against illegal logging and construction, with the aim of sustainable conservation of forests and biodiversity.
11. MESPI, respectively the Kosovo Environmental Protection Agency and the Forestry Agency, to increase the level of cooperation to improve forest management and their protection from diseases and pests. These two institutions should analyse international good practices and take rapid and coordinated measures to eliminate and prevent the spread of diseases in forests.

Appendix 1. Audit rationale, criteria, questions, audit scope and methodology

Motive for the audit

Although the country's forest areas constitute a significant natural asset, the country's institutions have consistently faced challenges in their conservation and sustainable management. The problems of forest management and protection in Kosovo are numerous and closely linked to various challenges that affect the health and sustainability of these natural resources. The main problems are related to illegal deforestation and forest degradation, caused by illegal logging and unsustainable use of forest resources.

According to the Kosovo 2024 progress report, deforestation and illegal logging remain issues of concern. This was also noted in the analysis of the Forestry Agency reports, which identified problems in the supervision of logging and the conversion of forest lands for construction purposes. Illegal activities for the construction of facilities in these forest areas have contributed to rapid illegal logging and the degradation of forest ecosystems.

The use of forests by the local community for firewood and as raw material for the development of the wood industry, or other economic activities has had a major impact on the overall condition of the forests in the country. The lack of a comprehensive program to engage the local community in sustainable forest management has created vacuums in the conservation of these spaces. The data analysis made during the pre-study phase, indicates that alienation and exchange of public forest properties have occurred, this phenomenon has included the transfer of public forest properties to municipalities, etc.³⁷

According to the Forestry Agency, companies that exploit forest areas for the extraction of stone minerals fail to re-cultivate those areas, causing a general risk.

In addition to natural and biotic factors such as forest wildfires, diseases and insects affect the health of forests, causing loss of wood mass and reduction of forest productivity. In order to avoid a large number of problems faced by the institutions responsible for forest management, the challenge remains the lack of qualified professional staff, unfitting policies for the management of forest guards by the KFA, and the failure to properly manage lease contracts and the process of re-cultivating forest areas.

The lack of coordination between responsible institutions such as the Forestry Agency and the Ministry of Environment and Spatial Planning as institutions responsible for forest management within the "Sharri" and "Bjeshkët e Nemuna" national parks and the lack of harmonization of legislation for the management of those forests has caused damage and degradation of forests in those areas. During 2022 alone, for the damage caused to natural resources, the Directorates of the Sharri and Bjeshkët e Nemuna National Parks filed 66 criminal reports with the basic prosecutor's offices, which according to KEPA estimates have damaged natural resources by about EUR 80,594.³⁸ According to the 2012 inventory report, the forests in these two national parks include almost all of the high forests in our territory. While

³⁷Judgment, 514/19

³⁸Annual report on the state of the environment 2022 (KEPA)

according to estimates by the Forestry Agency, damages from illegal logging in public forests reach over EUR 5.3 million in four years and over 10,000 hectares have been burned in the last five years, the main cause for this is humans, whether through carelessness, ignorance or pyromania, as well as high temperatures.

As elaborated above, in terms of the protection, development and renewal of forest areas, the main problems are: illegal exploitation, failure to re-cultivate forest areas by lessees, alienation of state-owned forest areas, lack of qualified staff and poor management of technical staff.

Audit questions

To answer the audit objective, we posed the following audit questions:

1. To what extent have the responsible institutions succeeded in protecting forest areas?
 - 1.1 *To what extent does the MAFRD ensure the implementation of its policies in the field of forests by the responsible institutions?*
 - 1.2 *To what extent have the KFA and KEPA succeeded in ensuring the protection of forests from illegal activities?*
 - 1.3 *To what extent has the KPA succeeded in protecting state properties from usurpation and alienation?*
2. How are the activities and processes for the use of timber and forest areas managed?
 - 2.1 *To what extent has the KFA succeeded in implementing plans for the development and renewal of forests?*
 - 2.2 *Is the process of leasing state properties managed transparently by the Agency?*
 - 2.3 *How much has been achieved in reforestation of areas after the completion of projects?*

Audit criteria

The audit criteria for the manner of protecting, developing and regenerating forest areas are based on the law on forests and other laws for the protection of national parks. The strategic plans of responsible institutions were also used.

The implementation of forest policies in the country should be ensured by the forestry department, which, among other things, has the following competencies: Proposing, drafting and ensuring the implementation of policy/strategy documents in the field of forestry, conducting a general inventory of forests, wildlife, and organizing, processing and maintaining forest statistics, supervising the implementation of laws, by-laws and forestry management plans related to forestry, and supervising logging, afforestation of degraded forests and bare, erosive forest land, etc.³⁹

MAFRD through the forest inspectorate ensures supervision of all management activities carried out in forests, work facilities, vehicles and all places where storage, processing and circulation of forest products are carried out, supervision of the implementation of management plans, checks the documentation of the marking and origin of forest products. In cases where it is established that the law or other regulations have been violated, the forest

³⁹Regulation (QRK) No. 37/2013 on the internal organization and systematization of jobs in the Ministry of Agriculture, Forestry and Rural Development (Article 18)

inspector takes the following measures: prohibits logging, temporarily confiscates illegally felled trees, the means with which such actions were carried out.⁴⁰

No person may cut wood in public forests unless the person has a valid license, and the trees, in accordance with applicable law, are marked before cutting. A license to cut wood in a public forest is valid only if the cutting is in accordance with a valid operational management plan covering that forest.⁴¹

The Professional and Administrative Services Sectors in KEPA must take care of the natural resources of the National Parks and prevent illegal activities, deforestation, hunting, fishing, construction of facilities, usurpation of properties and identify persons who commit illegal acts.⁴²

The Ministry shall approve a new plan for each public forest region at least once every 10 years. All budgetary organizations are obliged to take the necessary measures to document, preserve, record, dispose of and report non-financial assets for the purpose of more effective, efficient and economical management, in order to protect non-financial assets from damage and misuse.⁴³

The Agency must audit non-financial assets at least once a year to verify and assess the actual status of non-financial assets. The Chief Administrative Officer, when there is suspicion of fraud, misuse, theft or loss of non-financial assets, must make decisions for partial or complete inventorying whenever such a situation is ascertained.⁴⁴

The Forestry Agency should conduct inventories of public forests and collect sufficient data on forests to enable rational management planning.

The Forestry Agency, in cooperation with its units, shall adopt an annual operational management plan for each forest cluster of public forests under its administration. Operational management plans shall describe forest improvement activities and logging activities. The Forestry Agency shall consult with the municipal authorities concerned for the approval of such plans. The Forestry Agency shall make such plans available for public review, except for provisions in the plan, the release of which may impede the enforcement of laws or endanger forest resources.⁴⁵

The Professional and Administrative Services Sectors in KEPA shall draft plans for the management and development of projects for the protection, development and rational use of natural resources of the "Sharri" and "Bjeshkët e Nemuna" National Parks, and must also plan and implement measures for the protection and development of forests.⁴⁶

⁴⁰Law No. 08/I-137 On Forests

⁴¹Law No. 2003/3 on Kosovo Forests, Article 20.

⁴²Regulation (GRK) No. 05/2017 on the internal organization and systematization of jobs of the Ministry of Environment and Spatial Planning (Article 57 and 60).

⁴³Regulation of the Ministry of Finance – No. 02/2013 – on the management of non-financial assets in budgetary organizations, Article 2.

⁴⁴Regulation of the Ministry of Finance – No. 02/2013 – on the management of non-financial assets in budgetary organizations, Article 18.

⁴⁵Law No. 2003/3 on Kosovo Forests, Article 18

⁴⁶Regulation (GRK)-no. 05/2017 on the internal organization and systematization of jobs of the Ministry of Environment and Spatial Planning (Article 57 and 60).

The process of granting agricultural land where the owner/title holder is the state must be transparent and open in order to ensure accountability, equal opportunities for investors, as well as good governance and efficient use of land.⁴⁷

The allocation of forest land for use is based on clear, objective criteria, in accordance with the public interest and based on the Agency's professional assessment, excluding the "first in time, first in right" principle.⁴⁸

In addition to the request for a construction permit for the temporary use of agricultural/forest land for other purposes, as well as for temporary construction that results in damage to the surrounding agricultural land, the user is obliged to submit a re-cultivation project, which is carried out in accordance with the technical construction documentation.⁴⁹

If during the exploitation of industrial and other mineral resources from agricultural land, the water regime is disturbed, or floods and water accumulation occur, the user is obliged, before carrying out new biological cultivation, to carry out hydro-technical works with which he will establish the previous water regime on the land. If the user, after completing the exploitation of industrial and other mineral resources, does not carry out the re-cultivation of agricultural land, the competent authority for agriculture will engage another organization that will re-cultivate the land at the expense of the user of agricultural land for non-agricultural purposes.⁵⁰

Audit scope

The scope of this audit is the Ministry of Agriculture, Forestry and Rural Development, namely the Forestry Department, which drafts policies in the field of forestry, while through the Central Department of the Forestry and Hunting Inspectorate, the MAFRD will ensure the implementation of the forest law.

The audit focused with particular emphasis on the activity of the Kosovo Forestry Agency, which operates within the framework of MAFRD.

The scope of this audit is also KEPA, namely the Directorate of the "Bjeshkët e Nemuna" National Park and the Directorate of the "Sharri" National Park.

Meanwhile, at the Kosovo Cadastral Agency, we provide cadastral data on state forest properties with all the names under which they are registered. We will also focus our scope through sampling.

To analyse the processes of leasing forest areas, the level of achievement of management plans, the audit period included the years 2020-2024, while data from the year 2014 were used to analyse cadastral changes.

⁴⁷Criterion determined by auditors based on professional judgment

⁴⁸Law no. 08/L-137 on Forests, article 14

⁴⁹Law 02/L-26 on Agricultural Land, article 17

⁵⁰Law 02/L-26 on Agricultural Land, article 18

Audit Methodology

To answer the audit questions, the audit team performs several activities in the responsible institutions using a variety of audit techniques:

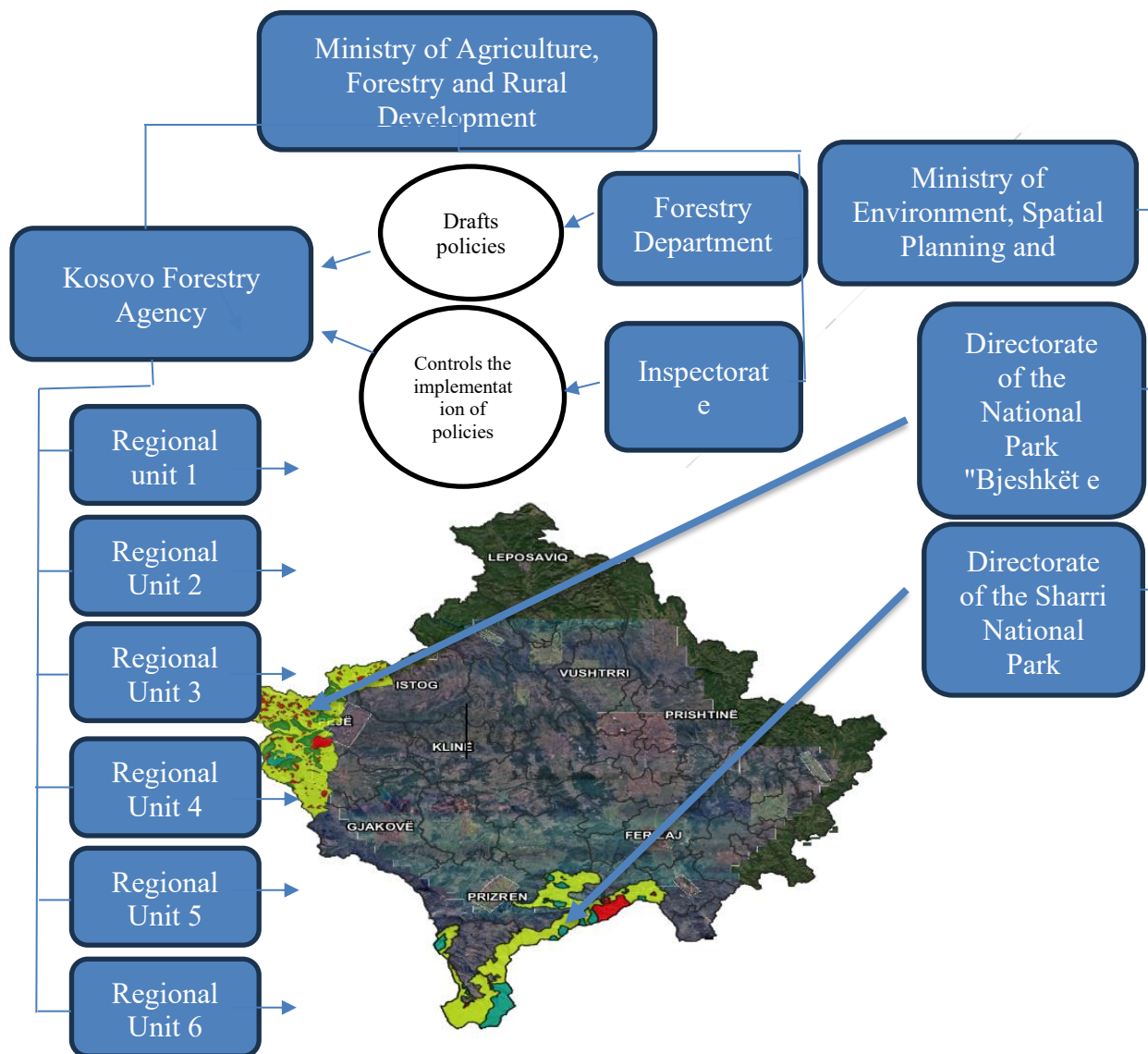
- Analysing the legal and regulatory framework of MAFRD for forests;
- Analysing the legal and regulatory framework for forests of the Kosovo Forestry Agency and the Kosovo Environmental Protection Agency.
- Interviewing responsible persons and the management structures of responsible institutions;
- Kosovo Forestry Agency reports on the properties it manages;
- Forest management plans for the years 2020-2024;
- Analysis and comparison of property certificates managed by the Kosovo Forestry Agency and the Kosovo Cadastral Agency from 2014 to (10.12.2024);
- Analysis of the history of the current properties of the Kosovo Forestry Agency and those alienated;
- Interviews with cadastral officials at the Kosovo Cadastral Agency;
- Analysis of annual work plans and their implementation by the KFA and KEPA;
- Public calls for auctions or tenders for the use of forest products by the Kosovo Forestry Agency;
- Minutes of commissions regarding leased properties;
- Lists of properties that have been in a new cultivation plan for the period 2015-2024.

Description of the system and relevant actors

State forests in Kosovo are under the administration and management of activities through an inter-institutional link.

The relationship between duties and responsibilities between state forest management institutions is presented below:

Chart:3 The process of forest management in the country by MAFRD and MESPI.



The Department of Forestry under the Ministry of Agriculture, Forestry and Rural Development, within the framework of its duties and responsibilities, among other things, performs the following tasks:

- Proposing, drafting, issuing development policies and strategies for the forestry sector;
- Implementing legislation and strategies in force, related to the forestry sector;
- Proposing, drafting and issuing various projects for the development of the forestry sector;

- Approving and issuing decisions on documents, reports, plans and development projects from the forestry sector drafted by various governmental and non-governmental organizations;
- General forest inventory, wild animal inventory, forest pest inventory, etc.
- Reviewing, supporting various licensing requests and issuing licenses for the development of various activities in the field of forestry;
- Overseeing the implementation of various laws, legal acts, strategies and projects related to the field of forestry;
- Supervising the implementation of management plans, annual forest plans, hunting, eco-tourism, forest treatments with various silvicultural measures⁵¹ in cutting, pulling.
- Proposing measures for the protection of forests, forest land, animals and birds, biodiversity, landscape, etc.;

The Central Department of the Forestry and Hunting Inspectorate exercises its function with the aim of supervising the implementation of the law.

The Kosovo Forestry Agency (KFA) as an executive agency, carries out its functions based on the policies and plans drafted by the forestry department within the MAFRD.

The Forestry Agency carries out its activities by implementing strategic plans for the development and protection of forests, then the development of all forest areas is carried out through interventions through sanitary logging activities, cleaning or thinning by engaging specialized companies for those services through public procurement, while the plans for sustainable development of private and state forests, consequently planned logging, are carried out through auction processes. It carries out its activities through six regional units, which execute the plans approved by the Agency and closely monitor the forest areas of certain regions.

KEPA, within which the “Bjeshkët e Nemuna” National Park Directorate and the “Sharri” National Park Directorate operate, manages the forests within the national parks. A description of their functions is presented below.

Directorate for the Administration of the “Sharri” National Park and Directorate for the Administration of the “Bjeshkët e Nemuna” National Park:

- Carry out activities for the planning, conservation, and sustainable management of forest resources;
- Carry out control and prevention activities of illegal activities in the park;
- Initiate reports on illegal actions within the territory of the National Park.

Forests in national parks are managed by KEPA until 2023, with the entry into force of the new law on forests. National Parks are managed by two institutions, the Kosovo Forestry Agency and KEPA.⁵²

⁵¹Law on Forests No. 08/L-137 Article 3 Silviculture includes: treatment, afforestation, regeneration and conversion of forests

⁵²Law No. 08/L-137 on Forests, Article 4. The National Park Forest Management Plan is drafted by the Agency and approved by the Ministry, with the consent of the Ministry responsible for Environment. 5. The National Park Forest Management Plan is implemented through annual plans and projects drafted based on the Forest Law, the Laws on National Parks and the Law on Nature Protection, 2023.

Annex II – Letters of Confirmation

REPUBLIKA E KOSOVË REPUBLIKA KOSOVA-REPUBLIC OF KOSOVO			
ZYRA KOMBËTARE E AUDITIMIT			
NACIONALNA KANCELARIJA REVIZIJE NATIONAL AUDIT OFFICE			
DATE PRANILAS/DATE SUBM. DATE PRANILAS/DATE SUBM.			
DATE PRANILAS/DATE SUBM.			
Nr. Org. Org. Unit	Klasif. Kod Class. Code	Nr. Prot. Br. Prot. Prot. No.	Nr.faqeve Br. Stranica No. Pages
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REPUBLIKA E KOSOVË REPUBLIKA KOSOVA-REPUBLIC OF KOSOVO	
QEVERIA E KOSOVË Vlada e Kosovës GOVERNMENT OF KOSOVO	
MINISTARSTVO POLJOPRIVREDE, ŠUMARSTVA I RURALNOG RAZVOJA	
MINISTRY OF AGRICULTURE, FORESTRY AND RURAL DEVELOPMENT	
A.K. e QEVERISË - Centralna Shërbimi - Central Archive	
Nr.Br.No.	2525
Nr.faq./Br. Str./No. pg.	1
Data/Date/Date	28.07.2023
PRISTINE - PRISTINA - PRISTINA	

Republika e Kosovës
Republika Kosova-Republic of Kosova
Qeveria – Vlada - Government

Ministria e Bujqësisë, Pylltarisë dhe Zhvillimit Rural
Ministarstvo Poljoprivrede, Šumarstva i Ruralnog Razvoja
Ministry of Agriculture, Forestry and Rural Development Agency

LETËR E KONFIRMIMIT

Për pajtueshmërinë me të gjeturat e Auditorit të Përgjithshëm për raportin e auditimit të performancës “Mbrotjtja, zhvillimi dhe ripërtëritja e hapësirave pyjore”, dhe për zbatimin e rekomandimeve.

Për: Zyrën Kombëtare të Auditimit

Vendi dhe data: Prishtinë, 28.07.2023

I nderuar,

Përmes kësaj shkrese, konfirmoj se:

- kam pranuar draft raportin e Zyrës Kombëtare të Auditimit “Mbrotjtja, zhvillimi dhe ripërtëritja e hapësirave pyjore” (në tekstin e mëtejshëm “Raporti”);
- pajtohem me të gjeturat dhe rekomandimet dhe nuk kam ndonjë koment për përmbajtjen e Raportit; si dhe
- brenda 30 ditëve nga pranimi i Raportit final, do t’ju dorëzoj një plan të veprimit për implementimin e rekomandimeve, i cili do të përfshijë afatet kohore dhe stafin përgjegjës për implementimin e tyre.

Venera Çerkini

Sekretare e Përgjithshme MBPZHR





REPUBLIKA E KOSOVËS • REPUBLIKA KOSOVA • REPUBLIC OF KOSOVO			
ZYRA KOMBËTARE E AUDITIMIT			
NACIONALNA KANCELARIJA REVIZIJE / NATIONAL AUDIT OFFICE			
DATE PRANIMAR: 27-07-2025			
DITË PRANIMAR: 27-07-2025			
Nr. Org. / Org. Unit	Shif. Klasif. Klasif. Kod Class. Code	Nr. Prot. Nr. Prot. Prot. No.	Nr.faqeve Nr. Stranica No. Pages
06	47	1416	1

Republika e Kosovës
Republika Kosova-Republic of Kosovo
Qeveria – Vlada-Government

MINISTRIA BUJQËSISË, PYLLTARISË DHE ZHVILLIMIT RURAL
MINISTARSTVO POLJOPRIVREDE, SUMARSTVA I RURALNOG RAZVOJA
MINISTRY OF AGRICULTURE, FORESTRY AND RURAL DEVELOPMENT


Agjencia Pyjore e Kosovës
Agencija za Šume Kosova
Kosovo Forest Agency

DE-341/2025
30.07.2025

LETËR E KONFIRMIMIT

Për pajtueshmërinë me të gjeturat e Auditorit të Përgjithshëm për raportin e auditimit të teknologjisë së informacionit **“Mbrojtja, zhvillimi dhe ripërtëritja e hapësirave pyjore”**, dhe për zbatimin e rekomandimeve, duke përfshirë komentet dhe plotësimet e adresuara përmes formularit për **“Komente nga institucioni i audituar në draft raportin e auditimit”**.

Për: Zyrën Kombëtare të Auditimit
Vendi dhe data: Prishtinë 30.07.2025

I nderuar,

Përmes kësaj shkrese, konfirmoj se:

- kam pranuar draft raportin e Zyrës Kombëtare të Auditimit **“Mbrojtja, zhvillimi dhe ripërtëritja e hapësirave pyjore”** (në tekstin e mëtejshëm “Raporti”);
- Pajtohem me të gjeturat dhe rekomandimet.
- Brenda 30 ditëve nga pranimi i Raportit final, do t’ju dorëzoj një plan të veprimit për implementimin e rekomandimeve, i cili do të përfshijë afatet kohore dhe stafin përgjegjës për implementimin e tyre.

Fidan DEMA
U.D Drejtor Ekzekutiv



REPUBLIKA E KOSOVËS REPUBLIKA KOSOVA-REPUBLIC OF KOSOVO			
ZYRA KOMBËTARE E AUDITIMIT			
NACIONALNA KANCELARIJA REVIZIJE / NATIONAL AUDIT OFFICE			
- 7 - 08 2025			
DATA PREREDIMIT / DATE RECEIVED SUBMITTED			
Njësia Org. Org. Unit	Shif. klasif. Klasif. Kod	Nr. Prot. Br. Prot. Prot. No.	Nr. faqeve Br. Stranica No. Pages
06	47	1417	1



REPUBLIC OF KOSOVO / REPUBLIKA KOSOVA	
Organizimi Org. Unit	AMMK
Nr. i faqeve No. Pages	01
Procedura Proc. No.	5616/25
Data Date	23.07.25
PRISTINE / A No 1	

Republika e Kosovës
Republika Kosova-Republic of Kosovo
Qeveria - Vlada-Government

Ministria e Mjedisit, Planifikimit Hapësinor dhe Infrastrukturës
Ministarstvo Životne Sredine, Prostornog Planiranja i Infrastrukture
Ministry of Environment, Spatial Planning and Infrastructure

AGJENCIONI PËR MBROJTJEN
E MJEDISIT TË KOSOVËS

KOSOVSKA AGENCIJA
ZA ZAŠTITU SREDINE

KOSOVO ENVIRONMENTAL
PROTECTION AGENCY

Ref.60/AMMK/2025
Me datë 23.07.2025

LETËR E KONFIRMIMIT

Për pajtueshmërinë me të gjeturat e Auditorit të Përgjithshëm për raportin e auditimit të teknologjisë së informacionit “Mbrotjtja, zhvillimi dhe ripërtëritja e hapësirave pyjore”, dhe për zbatimin e rekomandimeve.

Për: Zyrën Kombëtare të Auditimit
Vendi dhe data:, Prishtinë 23.07.2025

I nderuar,

Përmes kësaj shkrese, konfirmoj se:

- kam pranuar draft raportin e Zyrës Kombëtare të Auditimit “Mbrotjtja, zhvillimi dhe ripërtëritja e hapësirave pyjore” (në tekstin e mëtejshëm “Raporti”);
- pajtohem me të gjeturat dhe rekomandimet e raportit;
- brenda 30 ditëve nga pranimi i Raportit final, do t’ju dorëzoj një plan të veprimit për implementimin e rekomandimeve, i cili do të përfshijë afatet kohore dhe stafin përgjegjës për implementimin e tyre.

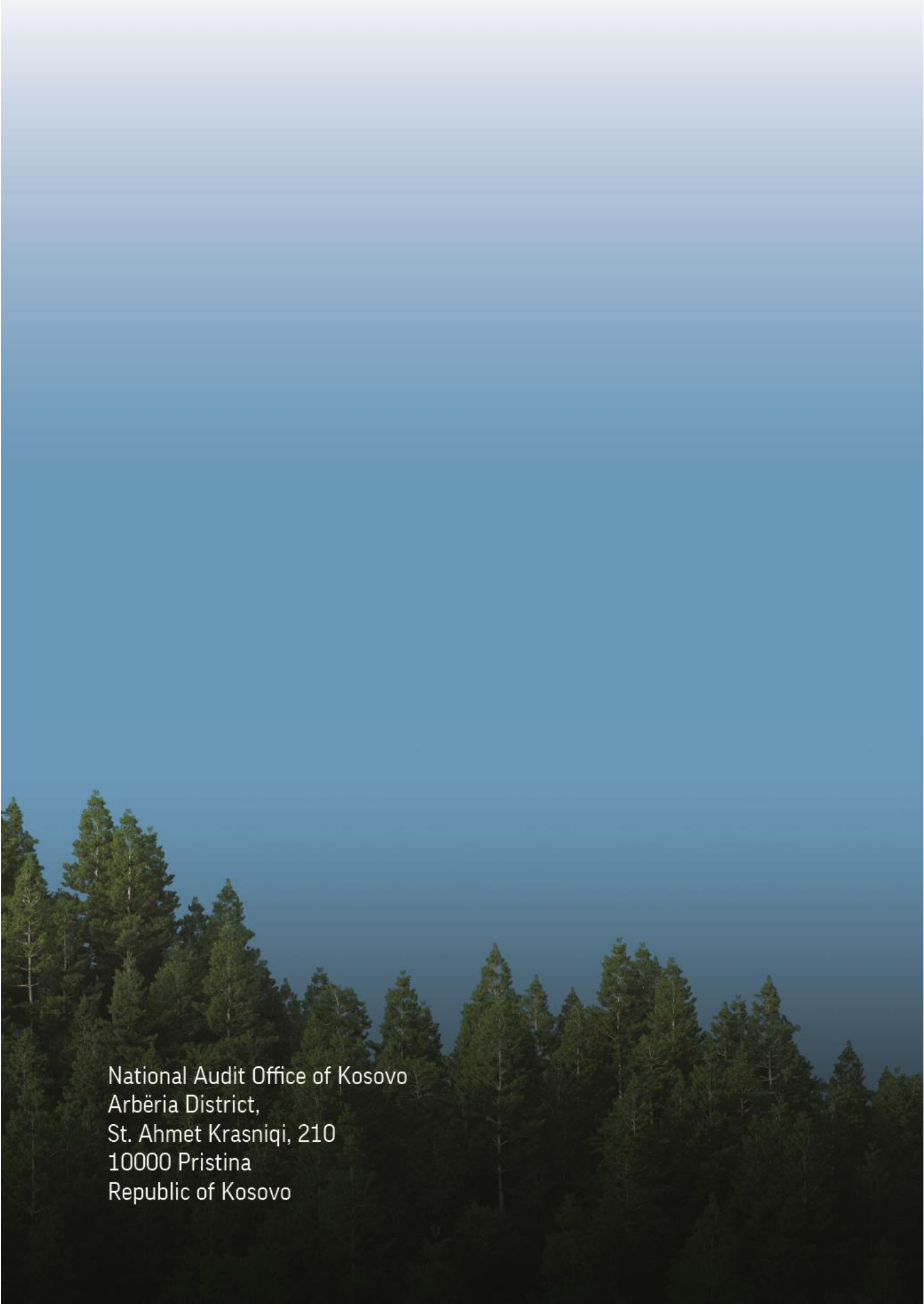
Afrim Berisha

Zëvendësuesi i Drejtorit të Përgjithshëm



Agjencioni për Mbrojtjen e Mjedisit të Kosovës (AMMK)

Adresa: Rruga “Luan Haradinaj”, ish pallati i mediave “Rilindja”, kati XV/04, 10000 Prishtinë
Tel: 038 200 74 093, web: www.ammk-rks.net, Email: ammk@rks-gov.net



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