



Гражданско обединение
Устойчиво ползване на пасища, мери и ливади



Providing conditions for the sustainable management of grassland habitats in Bulgaria

Lessons learned by the project

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Best practices for sustainable use of common grasslands
in the Western Balkans and Europe
SEE Round table

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С ФИНАНСОВАТА ПОДКРЕПА НА
ПРОГРАМАТА ЗА МАЛКИ ПРОЕКТИ НА ГЛОБАЛНИЯ ЕКОЛОГИЧЕН ФОНД



Outline of the project

- Partners: Civil Association for the Sustainable Management of Pastures, Commons and Meadows; National Association of the Municipalities in the Republic of Bulgaria; European Forum on Nature Conservation and Pastoralism
- The project is funded by GEF SGP - Bulgaria
- The **project aim** is the creation of suitable conditions for the sustainable management of grassland habitats and for conserving biodiversity on pastures, commons and meadows that are municipal property.
- **Specific project objectives:**
 - ✓ Sustainable management of HVV municipal grasslands in 3 pilot municipalities - Dragoman, Kardzhali, Ivailovgrad;
 - ✓ Improving the methodological and legal base for the governance of municipal pastures, meadows and commons;
 - ✓ Increasing the knowledge and the understanding of the farmers and municipal administrations of sustainable land management and biodiversity conservation

Project findings(1)

The municipalities do not have up to date information on:

- The real area of the municipal grasslands – MAF data and the municipal data are different;
- The current situation regarding the use of the municipal grassland;
- LPIS data – physical block eligibility;
- The actual extent and location of the municipal grasslands designated as Natura 2000 sites

Project findings(2)

- The municipalities are lacking (and not motivated to acquire!) the necessary human capacity for analysing the existing situation of the municipal grasslands and monitoring and controlling the way they are managed;
- Most municipalities also lack equipment capable of preparing an up-to-date database;
- In many cases the cooperation between MAF municipal offices and the local administration is very limited.

Project findings (3)

The approach to distributing the rights to use municipal grasslands is different in each municipality; legal documents may exist or may not; the relationship between individual and common use varies:

- In some municipalities grasslands are not rented out at all (though the grasslands may be used and even claimed by farmers without the municipality being notified), while in others the first distribution is for individual use
- There is no difference in the way the grasslands in Natura 2000 sites are managed – no monitoring is done by the municipalities - sanctions are applied only on SAPS and LFA scheme beneficiaries (i.e. the obligations are treated solely as a matter of CAP cross-compliance).

Project findings (4)

Farmers are not interested in forming associations for the common use of municipal grasslands – by mid 2012 only 10 associations of livestock farmers had been legally registered as NGOs and only 1 of them registered under the Trade Law (that of Tutrakan, with 100 livestock farmer members)

Issues arising from the legal framework and its implementation by the municipalities (1)

Inconsistencies between legal acts (Law on municipal property and Law on the ownership and use of agricultural lands) on whether grasslands can be rented without tender procedures is a serious issues. **The existing rules for the common and individual distribution of the pastures and commons are not agreed and generally applied.**

At present:

- The tender procedure is the main one; it must be applied whenever there is more than one candidate for using a single parcel. The tender procedure is justified by competition and State Aid rules – the issue needs to be further clarified;
- Exceptions to the tender procedure can be justified only on the basis of the Law on civil participation in state authorities and local governance. In practice this is done in Kardzhali where the municipal commons and pastures are used in common by the local population.
- Big physical blocks in LPIS – how to regulate their division without an adequate legal basis for their allocation.

Issues arising from the legal framework and its implementation by the municipalities (2)

At present:

The potential tenants of the municipal grasslands must fulfill MAF requirements for 'big holdings/ farms'. According to MAF instructions the tenants have to be livestock keepers in the settlement or in neighboring settlements in the municipality that are registered in Livestock register of the National Veterinary Service and have :

- a) ≥ 10 bovines;
- b) ≥ 5 cows/heifers registered in the suckler cow scheme;
- c) ≥ 50 small ruminants;
- d) ≥ 5 equines

What about the smaller livestock breeders?

Are these requirements binding for the municipalities?

Issues arising from the legal framework and its implementation by the municipalities (3)

At present:

In accordance to MAF Ordinance 5/2010 the **minimum area** per grazing animal in the municipal grassland should be as follows:

On productive pastures :

- Not less than 1 ha per bovine over 24 months;
- Not less than 0,6 ha per cattle less than 24 months;
- Not less than 0,4 ha per small ruminant;
- Not less than 1,1 ha per equine.

On low productive pastures :

- Not less than 1,2 ha per bovine;
- Not less than 0,5 ha per small ruminant;
- Not less than 1,3 ha per equine .

On commons :

- Not less than 1,2 ha per bovine;
- Not less than 0,6 ha per small ruminant;
- Not less than 1,3 ha per equine.

These are minimum areas - grassland condition is not taken into account !

Issues arising from the legal framework and its implementation by the municipalities (4)

At present:

The methodology for the initial tender prices for municipal pastures and commons is not set up. In accordance to MAF order № RD-09-116 /21.02.2011 g. The initial tender price for municipal pastures and commons for individual use cannot be lower than the initial tender price set up for the tender procedures for state pastures and commons.

For 2013 the initial tender price for state pastures and commons is 60 BNG/ha.

These prices are high for pastures and commons, especially in the mountain areas!

Issues arising from the legal framework and its implementation by the municipalities (5)

At present:

The change of the status of pastures and commons from agricultural to non agricultural land is possible only when property rights are set up. However the scope of the exceptions is very broadly defined : for investment projects, related to the socio-economic development of the municipality .

In practice this does not protects the pastures area !

Our recommendations:

Methodology for managing the municipal grasslands (1)

Governance of municipal pastures – recommendations for the municipality:

- Carry out **situation analysis of the existing municipal grasslands** (classification, condition, LPIS layers, productivity (LU/ha), Natura 2000 restrictions, number of animals for common and individual grazing , pastures and commons in “bad” condition);
- **By 1 November** - the municipality to give a list of the grassland parcels to the mayor;
- **By 15 November** – the mayors prepare a list of all livestock keepers in the settlement;
- A **working group** is set up in the settlement - mayor, veterinary doctor, livestock keepers;
- **By 30 November** the working group checks the submitted applications for use of grasslands and allocates the pastures, allocating grasslands for **common use** first

Our recommendations:

Methodology for managing the municipal grasslands (2)

- When distributing the grasslands for **individual use**, advantage should be given to local keepers of outdoor livestock, followed by local keepers of indoor livestock and local farmers without livestock
- If the pastures in that **settlement are not sufficient**, pastures can be allocated from the neighboring settlement;
- In case of surplus grasslands, there could then be leasing to 'outsider' livestock keepers and farmers;
- **By 31 December** the mayor must send the proposed allocation list to the municipality;
- **By 31 January** the Municipal Council takes a decision on the working group proposal;
- Contracts are signed after the decision;
- The municipality sets up a register of municipal grassland users.

Our recommendations:

Methodology for managing the municipal grasslands (3)

Grassland users obligations are listed in the Contract:

- **By 15 November** the livestock breeders should **submit a request** to the mayor (including a declaration of the number and type of livestock to be grazed and a declaration that they know the requirements for the use of the municipal pastures);
- The users have to follow:
 - Natura 2000 restrictions;
 - Statutory management requirements ;
 - GAEC;
 - The pastures cannot be sublet;
 - Livestock density should depend on the condition of the pastures and their productivity
- Annual monitoring of the condition of the pastures and commons should be carried out.

Final words...

The traditional moderate common use of pastures in Bulgaria has deep historic roots and as taken different forms over the centuries, but it has proved out to be an economically-rational and efficient model for the sustainable use of natural resources. That is why it is an important tool for biodiversity and landscape conservation and we must find ways to secure its continuation.