

State of the art of land and soil management in Western Balkans

Case study North Macedonia



Soil legislation in North Macedonia



- Drafting of legal acts in the country is under the Government responsibility,
- Endorsement of the legal acts is under the responsibility of the Parliament,
- The Constitution of the Country contains provision (Article 8) states that “the regulation and humanization of space and the protection and improvement of the environment and nature” is one of the fundamental values of the Constitutional order,
- Two responsible Ministries, with Departments and Authorities that among the other responsibilities regulate issues related to soil,

Soil legislation status in North Macedonia



Legal documents addressing certain issues related to soil:

- Law on agricultural land - the rights of use, land tenure and concession, briefly enumerates the best practices for maintaining soil fertility, few provisions related to protection from soil erosion and fires
- Law on land consolidation - gives a legal round for the modalities, instruments and procedures of land consolidation
- Law on organic production - provisions that explicitly defines protection of soil fertility, soil cultivation, fertilizers use and improvement of soil properties,
- Law on fertilizers – provisions for the rules of import, storage, control of fertilizers and soil improvers,
- Law on mineral raw materials - provisions for the procedures for storing/piling of waste generated during exploitation of mineral raw materials, top-soil management and protection, etc.
- Rule book for Cross compliance measures,
- Rule book for procedures and rules in organic production
- Strategy for Agriculture and Rural Development – strategic goal 5 outlines the need for sustainable development and efficient management with natural resources, like: water, soil and air

•Law on soil protection as a 'lex specialis' has never been drafted, yet!

- One draft of the Law on soil protection has been prepared almost 10 years ago and has never been endorsed.
- Two attempts for preparation of National Action Plan for Land Degradation and Desertification, but both draft Plans have never been approved by the Government.

National soil legislation vs. EU legal documents - gaps and weaknesses



EU vs. North Macedonia-similarities

- EU and NM don't have a specific legal acts on soil, (*lack of a comprehensive and coherent policy framework to protect land and soil citate: Soil strategy*)
- Soil degradation until recently was not in the focus of the decision makers,
- Soil degradation and soil protection issues are addressed within other documents and strategies,
- There is no (except several cases) of monitoring programs with standardized methodologies, (measurements and monitoring of soil threats are incomplete. Harmonised, representative soil monitoring across Europe is needed: Decision of EU Parliament)
- Consistent set of indicators and representative databases for all soil threats are missing,
- Regional cooperation is still missing (except ESP),
- Awareness and political dialog is in initial phases,
- A systematic approach in implementing of SM practices,



National soil legislation vs. EU legal documents - gaps and weaknesses

EU vs. North Macedonia-differences

- EU have adopted the new Soil Strategy with a clearly defined long term and shorth term goals and action plan
- EU Mission: A soil deal of Europe – main goal is to establish 100 living labs and lighthouses to lead the transition towards healthy soils by 2030
- EU Parliament has tasked the EU Commission to prepare the legal documents,
- Some EU Member States have quite developed soil protection policies and rules,
- EU supports land degradation issues through LIFE and Horizon programs,
- EU has a centres related to soil issues
 - European Soil Data Centre (ESDAC) is the thematic center for soil related data in Europe,
 - EU Soil Observatory launched in 2020 with a mission to monitor trends of soil health in Europe
 - JRC - Institute for Environment and Sustainability,
- Public awareness is on a much higher level – European Citizen Initiative titled "People4Soil" is a prove for that,

Steps to align the national legislation with the EU

To bring all relevant institutions on the same table in order to:

- to put land degradation at the daily agenda of the decision makers and open a political dialogue for the importance of soils and their protection,
- define the needs and explain the importance of soil protection to reach a common understanding between all stakeholders,
- drafting the legal and strategic documents and programs of works in a line with the EU documents, to give an ground to the future actions,
- straightening of the institutional capacities needed for implementing of the EU and national legislation,
- enable the overall environments for implementing of the strategic goals and legal provisions,

Steps to align the national legislation with the EU

To establish a SYSTEM which will guarantee continuous and comprehensive monitoring of land degradation:

- to establish an *institutional arrangements* that will ensure effort sharing and coordination in implementing of legislation and its aligning with EU regulations,
- to establish an MRV (monitoring, reporting and verification system)
- to give an precise answers for the need, benefits and importance of monitoring to the stakeholders and wither public,
- to establish a methodology and relevant indicators, methodologies of work, and reporting,
- based on agreed methodology, collate and analyse relevant data on desertification and land degradation, and those that have already being collected, and regularly present it in a clear, user-friendly way for public use, preferably in the form of interactive maps for use in a line with EU regulations
- to set a roles to all institutions and entities involved in the system and to ensure data flow between data providers and data users,

Steps to align the national legislation with the EU

To enable environment to halt land degradation and reach land degradation neutrality in a line with the SDG-15 on a national and regional level

- identifying of management practices in different sectors acting as a drivers of land degradation,
- development of guidance's on practical aspects of preserving soil and achieving land degradation neutrality in the country in a line with EU regulations, including dissemination of good practices (e.g. Voluntary Guidelines for Sustainable Soil Management-FAO),
- development of the needed infrastructure for implementing of sustainable management practices in all sectors,
- soil does not move, but the impact of soil degradation has no borders. Soils play a major role in the nutrient, carbon and water cycle, and these processes are obviously not constrained by physical and political borders (EU Soil strategy), to this end, networking of the national capacities with those of the neighbouring countries within various initiatives, platforms etc. is essential

Soil in the national political discussions

Land degradation is an “enemy” that many of us are aware of its presence but no none knows where, why and how much and in which form it attacks,

Soil is not an issue present at the agenda of the politicians and the public

- until recent its is not treated as an transboundary issue,
- in most cases issues related to soil are with low visibility (until too late!!!),
- the effects of land degradation do not affects a wider groups, like climate and water,
- very limited financial resources either on a national and EU level

What do we need? We need to change the game!

- create an discussion groups and advocacy platforms to gather stakeholders on all levels in one place (central government, local government, CSO`s, NGO`s, farmer associations, academia etc,) to contribute in articulation of soil degradation issues and creating of policies,
- media campaigns to convey the messages to the wider audience, (TV, documentary programs, training programs for targeted groups, printed materials etc.)
- To put the issue of land degradation in the curricula of all levels of education, to work with youth in increasing their awareness,
- Most important and hard to do to convince our politician for the necessity and importance to combat land degradation.

A good asset is the new and “fresh wind” starting to blow from EU recently!

Thank you for your attention

Dusko Mukaetov,

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