



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

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

Minister of the Ministry of Agriculture, Forestry and Rural Development,

Pursuant to Article 33, paragraph 5, and article 62, paragraph 5, of the Law No. 08/L – 137 on Forests (Official Gazette, No. 9/3 April 2023), article 4 paragraph 1, sub paragraph 1.11, Appendix 1, point 11 of the Regulation (GRK)-No.04/2023 on the Areas of Administrative Responsibility of the Office of the Prime Minister and Ministries (16.08.2023) as well as Article 38, paragraph 6 of the Rules and Procedure of the Government No. 09/2011 (Official Gazette, No.15, 12.09.2011),

Issues:

**ADMINISTRATIVE INSTRUCTION (MAFRD) – NO. 11/2023 ON THE USE OF NON –
TIMBER FOREST PRODUCTS**

Article 1
Purpose

The present administrative instruction defines the collection, gathering, sustainable use of the non – timber forest products – NTFPs, such as forest fruits, medical plants, mushrooms, seeds and other products, if the regeneration is not endangered and no damage is caused to the forests, which contributes to the well-being and employment of community.

Article 2
Scope

The provisions of this administrative instruction are mandatory for implementation by the Kosovo Forest Agency and its relevant units as well as natural and legal persons, which determine the way of using non – timber forest products in forests, public forest lands, forest in national parks and areas protected, by fulfilling the socio – economic functions of the forest and compensation for their use.

Article 3
Definitions

1. Expressions used in this administrative instruction have the following meaning:

1.1. **Non – timber forest products (NTFPs)** – means forest products with the animals' origin or other minerals from forest products including mushrooms, forest fruits, medical plants, honey, humus, peat, turf, gravel, sand, soil, meat of wild game and fish;

1.2. **Collector** – means any natural person authorized for collection or extraction of NTFPs in accordance with this administrative instruction, according to the individual permission or on behalf of any operator;

1.3. **Operator** – means a legal person authorized for collection and collection of NTFPs through one or more collectors according to the permission issued in accordance with this administrative instruction;

1.4. **Methodology** – means the method for collection of NTFPs approved by the Ministry, in accordance with article 14 of this Administrative Instruction;

1.5. **Agency**– means the Kosovo Forest Agency.

2. Other expressions used in this administrative instruction have the same meaning as specified in the Law No. 08/L-137 on Forests.

Article 4

Support for the sustainable use of non-timber forest products

1. The Ministry and Agency shall provide the support for the sustainable use of NTFPs through:

1.1. Collection of information related to the NTFPs;

1.2. Realization of information campaigns for the products which have a good potential for the sustainable use;

1.3. Facilitation for the providing the technical assistance and training for the operators and collectors;

1.4. Development of researches, programs, financial schemes in order to support the sustainable use and development of NTFP-s.

2. In providing support from paragraph 1 of this article, the Ministry and Agency shall give the priority to the activities that are expected to benefit local residents, women in rural areas, and the associations of the private forest's owners.

Article 5

Project of the use of non – timber forest products and social functions

1. The Agency shall prepare the project for the use of non – timber forest products and other functions of forestry.

2. Project from paragraph 1 of this article should be prepared in accordance with the appropriate Administrative Instruction on the Forest Management Planning.

Article 6
Determination of collection's areas

1. The Agency determines the collection areas based on the multi – purpose Forest Management Plans, Forest Management Plans within the national parks, Programs, Projects for the use of NTFPs, and other annual planning documents.
2. For the determination of the areas according to paragraph 1 of this article, the Agency in consultation with the local residents identifies the areas of forests and state forest lands suitable for sustainable management of one or several types of NTFPs.
3. The areas defined according to paragraph 1 and 2 of this Article, considered areas of collection of NTFPs and are in function of sustainable management based on the fulfilment of socio - economic functions of forests.
4. The determination of areas according to paragraph 1 of this article within national parks and protected areas is done in harmony with article 47 of the Law No. 08/L-137 on Forests.

Article 7
Determination and division of quotas and permits for collection of NTFPs

1. Harvesting, collection and use of non – timber forest products are permitted such as: forest fruits, medical plants, mushrooms, seeds and other products for non-commercial purposes up to two (2) kilograms.
2. Harvesting, collection and use of non – timber forest products according to paragraph 1 of this article is allowed only if their renewal is not endangered and no damage is caused to the forests.
3. The collection of stones, gravel, sand, humus, soil and grazing can only be done in places that do not cause damage to forests and forest land, landslides or erosion and pollution of the environment.
4. The Agency in accordance with the Management Plan and the Project of the use of NTFPs until the end of the March of each calendar year, shall specify their quota/quantity that may be collected by the areas defined of the collection for the respective year.
5. Determining the quotas for the utilization of the NTFPs according to paragraph 4 of this article, must also be complying with the applicable management plan, the annual silviculture plan, the relevant special projects and the eventual restrictions applicable in the protected areas.
6. Determination of the quotas according to paragraph 3 of this article, is done by the Agency based on the data collected from the previous year.
7. The quotas as specified and in accordance with paragraph 4 of this article shall be published on the web site of the Agency with the invitation for the natural person and economic operators to submit the applications for the permit for the collection of NTFPs within a specified period.
8. In cases when the number of permit applicants is expected to exceed the quotas determined according to paragraph 1 and 2 of these articles, the Agency specify in the invitation the basis criteria for the selection of their applicants according to paragraphs 4 and 5 of these articles.

9. During the determination of the criteria and the selection by invitation according to paragraph 8 of this article, in any case the Agency shall give priority to the residents of the relevant local assembly areas particularly women in those areas.

10. In cases where, for known reasons, the Agency fails to fulfill the allocation of NTFPs quotas to residents of local areas and operators, then organizes a public call for their sale, in accordance with paragraph 3 of Article 17 of this administrative instruction.

Article 8 Pricing

1. The Agency for each year keeps the statistical data of the sale price according to the types of NTFPs.

2. The Agency analyzes the statistical data of the sales price of NTFPs on an annual basis and determines the average market price for each category or type of NTFPs and the best practices for their collection that are increased.

3. The price determination period starts from March 31 of the current collection year and ends on March 30 of the following year.

4. The Agency, according to thresholds 1,2 and 3 of this article, issues and review on an annual basis the prices or the price list for NTFPs.

Article 9 Registration of collectors and operators

1. The Agency keeps the register of collectors and operators.

2. Permits according to this administrative instruction are granted to collectors and applicants registered as operators in the register according to paragraph 1 of this article in accordance with the multipurpose Forest Management Plans.

3. The Agency establishes requirements for the registration of operators under this article, including requirements for attending trainings defined for the identification of NTFPs and the best practices for their collection.

Article 10 Issuance of permits for collection

1. The Agency is responsible for the issuance of permits, for the collection, and commercial use and any other use in forests case and public forest lands.

2. Issuing permits for collection of NTFPs from forests and private forest lands is the responsibility of the owner based on the forest management program.

3. The Agency with the consent of the responsible Ministry for Environment approves the project for giving of permits for the use of NTFP and social functions of forestry, within the territory of the National Parks and Natural Protected Areas.

4. The request for renewal of permit for collection and gathering of NTFPs from the operators should be done three (3) months before the expiration date of the previous permit.
5. The request for the renewal of permit for collection and gathering of NTFPs from the individuals shall be done for every beginning year until 30 March of the current year.
6. Within 30 days from the submission of the application under this article, the Agency shall issue or refuse the permit with the respective justification.

Article 11

Content and the form of permits for collection

1. The permit issued according to this administrative instruction shall specify all applicable conditions related to the following:
 - 1.1. Quota and type of products that may be collected;
 - 1.2. The areas from which the products may be collected;
 - 1.3. The methods of collection, extraction and sustainable treatments of the products;
 - 1.4. Collection's period, and
 - 1.5. Grazing of bee societies.

Article 12

Applicable tariffs for collectors of non – timber forest products and operators

1. The payment for obtaining the permit for collection and gathering is done as follows:
 - 1.1. Payment for the application and obtaining the permit for the individual shall be done in the amount of 10 € per year;
 - 1.2. Payment for the application for obtaining of permit for the operators shall be done in the amount of 20 €.
 - 1.3. Payment for obtaining a permit from the operators shall be done in the amount of 200 € for 5 years.
 - 1.4. Payment for renewal of permit for the operators shall be done in the amount of 100 € for 5 years.
2. The Agency shall ensure that the permits issued under this administrative instruction are in a suitable form in order to be carried out in the field.
3. Any person obtained a permit according to this administrative instruction, shall be obliged to carry this permit with them during all the time while the activities of collection and gathering of NTFPs are carried out.
4. Applicable tariffs for collectors, respectively the operators for obtaining the permit for NTFP shall be determined and revised by the Ministry.

Article 13
Obligations of operators and collectors

1. Operators and collectors are obliged to provide information related to the quantity of products collected in the form as required by the Agency.
2. Operator is obliged to make available for the Agency the list of all collectors included in the activities of collection and processing, as well as any other information as required by the Agency.
3. Legal entities or operators are responsible to provide the adequate training for collectors included in the activities of collection and processing of NTFPs.
4. In cases where more than one permit is issued for the same area, each permit holder in that area must notify the other collectors.
5. Collectors are obliged to inform the Agency about illegal activities in that areas.
6. For activities according to paragraph 2 and 3 of article 17 of this administrative instruction, the legal entity is responsible for keeping the list of collectors and making it available to the Agency.
7. The legal entity is obliged to engage the local residents in and around the collection areas in the process of collecting NTFPs.
8. Legal entities have the right to participate in public auction calls for the purchase of quotas according to paragraph 3 of article 17, if they prove that they possess a certificate for training carried out for the collection and collection of NTFPs.
9. The certificate for legal entities according to paragraph 8 of this article must be issued by institutions or organizations accredited for training in the field of collection of these products.

Article 14
Methodologies of collection

1. The Ministry with the proposal of the Agency shall approve and review periodically the methodology for collection of types as specified of the NTFPs, complying with the international standards that the Ministry considers as suitable, including Fair Wild, Eu Organic, FSC or others.
2. During the performance of activities, permits of collection issued under this administrative instruction, the collectors and operators respect the methodology as specified paragraph 1 of this article.
3. In any case, unless otherwise provided in a methodology approved under paragraph 1 of this article:
 - 3.1. Methods of collection must not damage the environment of growth providing the optimal conditions for regeneration of any collected plant type;

3.2. Collection and cultivation are allowed exclusively in areas identified as non – polluted with appropriate distance from potential source of pollution such as roads, industries, residential areas, waste dumps and agricultural areas;

3.3. Plant species are collected in adequate weather condition avoiding wet soil, dew, rain or extremely high air humidity;

3.4. If the leaves are collected, 70% of plant's leaves are left in place;

3.5. If the flowers are collected, 30% of flowers of each plant and 20% of all population of flowers are left in place;

3.6. If the seeds are collected, 30% of them are left in place;

3.7. If the fruits are collected, 20% of them are left for the regeneration.

4. The Ministry, in cooperation with the experts shall prepare and update the guiding of NTFPs for collection considering the herbarium prepared by the educative scientific institutions.

Article 15 Prohibited types

1. The Agency, from time to time recommends to the Ministry the revision of the Red Book of NTFPs.

2. It is prohibited to collect, gather, transport and trade NTFPs.

3. The collection of NTFPs is prohibited in the strict protected natural areas.

Article 16 Transportation of NTFPs

Any person who transports NTFPs during the movement in quantity bigger than 2 kg should proof the permit of collection and gathering of these products.

Article 17 Commercial use of NTFPs

1. The selling and buying of NTFPs is made by the collectors and operators who have the permission issued under this administrative instruction.

2. The selling and buying of the NTFPs types are not allowed that are not defined in the official quotas according to Article 7 of this administrative instruction.

3. Through the call for public auction, the agency sells NTFPs quotas from the collection area to legal entities.

4. The form, content, criteria and way of organizing the public auction are determined by the Law on Public Procurement and the provisions of this administrative instruction.

5. For the purchases according to paragraph 3 of this article, the legal entities are subject to the process of equipment with a contract for carrying out activities of collection of NTFPs.
6. The contract must specify the collection area, the amount of quotas and the types of NTFPs sold.

Article 18
Data that are kept by the Agency

1. The Agency keeps the following data:
 - 1.1. Permits issued according to this administrative instruction, collectors and operators to whom the permit was issued;
 - 1.2. Quantity of collected NTFPs;
 - 1.3. The collection prices are determined and revised for the planning year by the KFA, based on the market prices of the previous year.
2. The Agency shall keep and report data for the permission issued for the collectors and operators according to the structure of the gender with the request of the relevant institutions.

Article 19
Appendixes

The format of permits for collection from the natural persons, the format of permit for the operator and the collectors involved by the operators are specified in the Appendixes 1, 2 and 3, which are a component part of this administrative instruction.

VI. FINAL PROVISIONS

Article 20
Abrogation

With the entry into force of this Administrative Instruction, Administrative Instruction No. 04/2008 on the cultivation, collection, circulation and use of non – timber forest products dated march 6, 2008 shall be abrogated.

Article 21
Entry into force

This Administrative Instruction shall enter into force seven (7) days after the Publication in the Official Gazette of the Republic of Kosovo.

Faton PEÇI
Minister of the Ministry of Agriculture, Forestry and Rural Development



Appendix 1

The format of permit for collection by natural persons

Logo of the Ministry/Agency

Designation: Permit for Collection of Non – timber Forest Products

Permit No.

Name/Surname _____

Date of birth _____

Identification card No. _____

Area/location of collection _____

Date of issuance ___/___/___

Expiration date ___/___/___

Signed by the reasonable person

The back of the permit contains; Types of plants/products that can be collected

-VV-

Appendix 2

The format of permit for operators (legal entity)

Logo of the Ministry/Agency

Legal basis

.....
P E R M I T

For the collection of Non – timber forest products

No. XX/2023

Collection area;, Management unit.....

Name of operator; “.....”

No, of business.....

Name of the owner.....

Date of issuance

Pristina,

Headquarter

Address

Expiration date.....

Director

Appendix 3

The format of permit for collectors involved by the operators (legal entities)

Logo of the operator

Designation: Permit for Collection of Non – timber Forest Products

Permit No.

Name/Surname of employee: _____

Date of birth _____

Identification card No. _____

Area/location of collection _____

Date of issuance __ / __ / ____

Expiration date __ / __ / ____

Signed by the manager

-VV-

The back of the permit contains: Types of plants/products that can be collected