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# Recording special legal regime in cadastre and land registry as contribution to more efficient management of protected areas

Presenter: Maja Pupačić

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# SPECIAL LEGAL REGIMES

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*... are statuses established on cadastral parcels in line with special legislation that are of particular cultural, archaeological, historic, economic and ecological significance for the RoC and enjoy its special protection.*

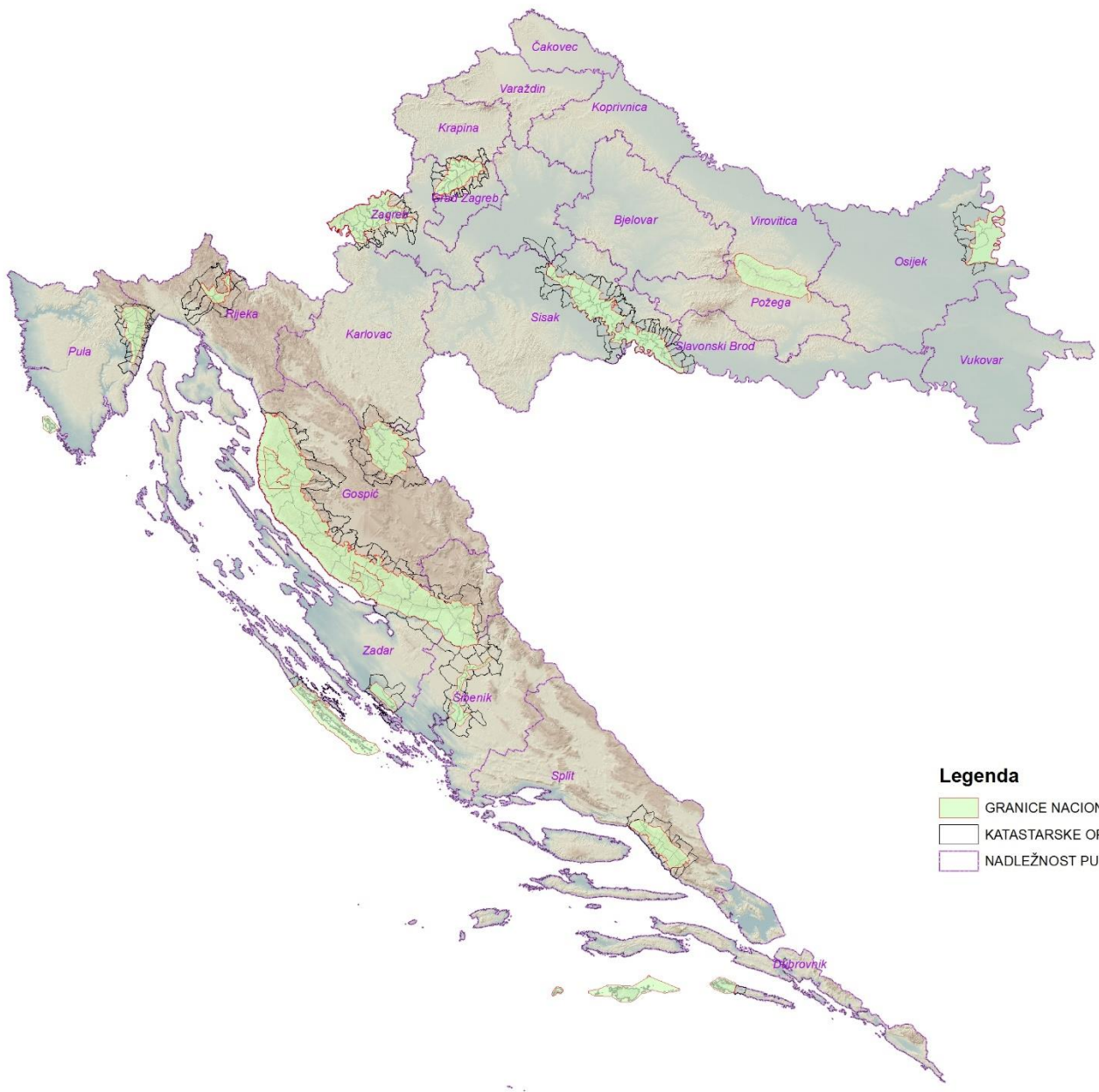
*The Nature Protection Act (NPA) determines the possibility of registering a special legal regime in official registers (cadastre and land registry) on parcels located within the boundaries of protected areas.*

*Protected area categories are:*

***Strict reserve** declared by a decree of the CG,*

***National park** and*

***Nature park** stipulated by laws passed by the CP.*



*Since 1949 - 21 protected areas in the RoC (470,000 hectares of the continental part of the RoC) have been declared as Strict reserve, National park, Nature park.*

*In accordance with the Nature Protection Act, **the protected areas are managed by public bodies** performing activities related to protected area protection, upkeep and promotion.*

- Legenda**
- GRANICE NACIONALNIH PARKOVA I PARKOVA PRIRODE
  - KATASTARSKE OPĆINE U NP I PP
  - NADLEŽNOST PUK-a



# PRE-EMPTIVE RIGHT OF PURCHASE

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*The Nature Protection Act determines the **pre-emptive right of purchase** of the real properties located within the Strict reserve, National park, Nature park for the **RoC, regional and local government units**.*

# SPECIAL LEGAL REGIME&PRE-EMPTIVE RIGHTS – PROBLEM

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- *The special legal regimes as well as pre-emptive rights **have not been recorded in the official registers** for the greater part of the protected area territories which puts the **bodies responsible for nature protection often in difficulties when trying to prevent the acts that are in contravention to the NPA.***



# SPECIAL LEGAL REGIME&PRE-EMPTIVE RIGHTS – PROBLEM

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- *Acts on promulgation (Croatian Government Regulations or Laws) define their boundaries **by describing them textually and presenting them as drawn on topographic maps** at scales 1:50,000 or 1:100,000, which means that, for most protected areas, **it is not exactly known which cadastral parcels are located within their boundaries**, as the boundaries of protected areas have never been transferred onto cadastral plans, which will be done under this Project.*



# SPECIAL LEGAL REGIME&PRE-EMPTIVE RIGHTS – SOLUTION

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*In order for the problem to be solved,*

- *it is necessary to **register special legal regimes** for about 8% of the continental State territory (435,000.00 ha) **and pre-emptive rights** for about 80,000 ha in the official registers, which is an extremely comprehensive task.*

- ✓ *Producing Geodetic Elaborates*
- ✓ *Performing Cadastral Resurvey*

# SPECIAL LEGAL REGIME – PROJECT

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- *Project: Recording special legal regime in cadastre and land registry as contribution to more efficient management of protected areas (Croatian strategic project)*
- *Project value: Total* *EUR 5.000.000*
- *Source of finance: EU*
- *Project duration: October 2019 – December 2022*

# SPECIAL LEGAL REGIME – OBJECTIVES

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- ***Project objectives are:***
- ***Recording the special legal regime in official registers for all protected areas (Natura 2000 ecological network area) under the category of strict reserve, national park and nature park.***
- ***Creating preconditions for recording and implementing pre-emptive rights in official registers in all protected areas under the „national park“ category.***

# SPECIAL LEGAL REGIME – OBJECTIVES

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- ***Project objectives are:***
- ***Contribute to strengthening awareness of the protected area stakeholders by allowing them access to up-to-date, accurate and transparent information on the statuses and rights in protected areas and Nature 2000 ecological network areas***
  - *Raising awareness of RoC citizens about the role and achievements of cohesion policies and funds*
  - *Informing protected area stakeholders about the statuses, rights prescribed by law*

# PROJECT vs EU STRATEGY

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- *The Project contributes to the **EU Biodiversity Strategy to 2020:***
  - *through registering the statuses and rights,*
  - *to more efficient management of protected areas, that are also ecological network areas,*
  - *Raise the stakeholders' awareness and involve them in order to improve implementation of the Strategy.*

# PROJECT vs EU STRATEGY

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- *The Project contributes to the **EU Strategy for the Danube Region**:*
  - *directly contributes to Pillar 2 of the EU Strategy for the Danube Region, 'Protecting the Environment in the Danube Region' (preserve biodiversity, landscapes and the quality of air and soils)*
  - *to more efficient management of protected areas and those of the Natura 2000 Ecological Network*

# PROJECT vs EU STRATEGY

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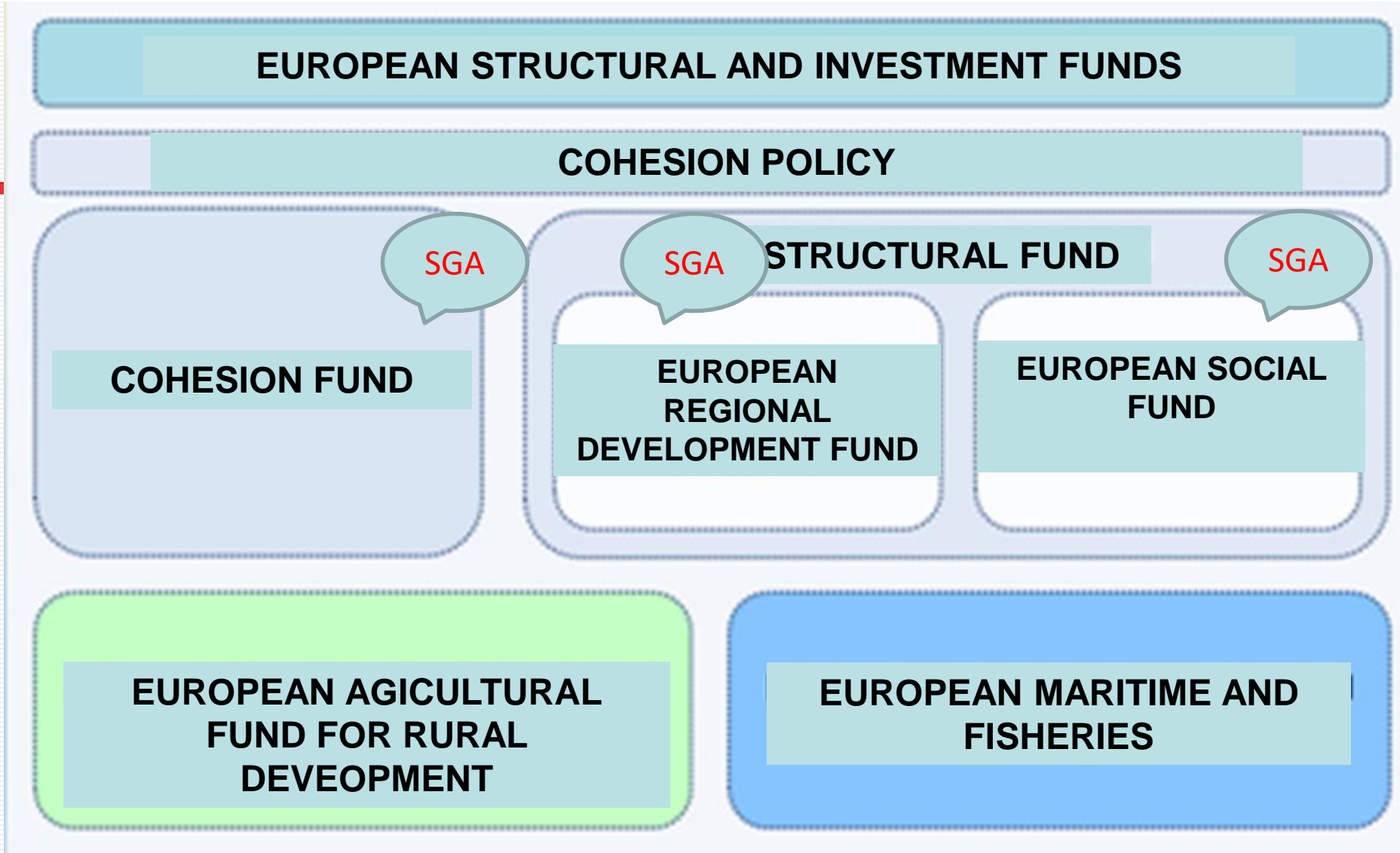
- *The Project contributes to the **EU Strategy for the Adriatic-Ionian Region:***
  - *directly contributes to Pillar 3 of the EU Strategy for the Adriatic-Ionian Region, 'Environmental Quality', Topic 'Transnational Terrestrial Habitats and Biodiversity' (achieving and maintaining a good environmental status, preserving protected areas and ecologically significant areas of the Natura 2000 Ecological Network)*
  - *to more efficient management of protected areas and those of the Natura 2000 Ecological Network*

# PROJECT vs NATIONAL STRATEGY

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- *The Project contributes to the **Strategy and Action Plan for the Environmental Protection of the RoC 2017-2025:***
  - *recognises that more efficient management of protected areas is hindered by their imprecisely defined boundaries*
  - *fully in line with Specific Objective 1.2 'Form and establish a representative and functional network of areas of significance for environmental protection'. Activity 1.2.3 'Register the boundaries of protected areas in the cadastre and land books'.*







# OPERATIONAL PROGRAMMES 2014 - 2020

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- ESF: Efficient Human Resources
  - Priority Axis 4: Smart Administration
- ERDF and CF: Competitiveness and Cohesion
  - Priority Axis 2: Using Information and Communication Technology
  - Priority Axis 5: Climate Change and Risk Management
  - **Priority Axis 6: Preserving and Protecting the Environment and Promoting Resource Efficiency**



# OPERATIONAL PROGRAMMES 2014 - 2020

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- ESF: Efficient Human Resources
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  - Priority Axis 2: Using Information and Communication Technology
  - Priority Axis 5: Climate Change and Risk Management
  - **Priority Axis 6: Preserving and Protecting the Environment and Promoting Resource Efficiency**
    - Investment priority 6iii – Protection and renewal of biodiversity and soil and **promotion of eco services**, including NATURA 2000 and „green“ infrastructure
    - Specific objective 6iii2 – Establishment of the framework for managing biodiversity (primarily NATURA 2000)
      - • Show in detail the data on the boundaries of protected areas (on cadastral maps) by developing geodetic and technical documents ready to be registered in official registers (cadastre and land registry)
      - • Implementation of communication, education and public awareness activities aimed at promoting the overall bio diversity, especially the NATURA 2000 network



# TOTAL AMOUNT OF SGA PROJECTS FINANCED FROM ESI FUND

Sources	Status	Total amounts (HRK) EU 85%, RoC 15%
ERDF	Contracted	46,448,194.00
ERDF	In preparation	135,800,000.00
ESF	Contracted	10,616,676.00
CF	In preparation	36,700,000.00
<b>TOTAL</b>		<b>229,564,870.00 HRK</b> <b>31 mil EUR</b>

**State Geodetic Administration (SGA)  
Croatia**

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