

One action plan of Albanian Government, how to finalize the transfer of forest and pasture in all communes of the country in half of next year

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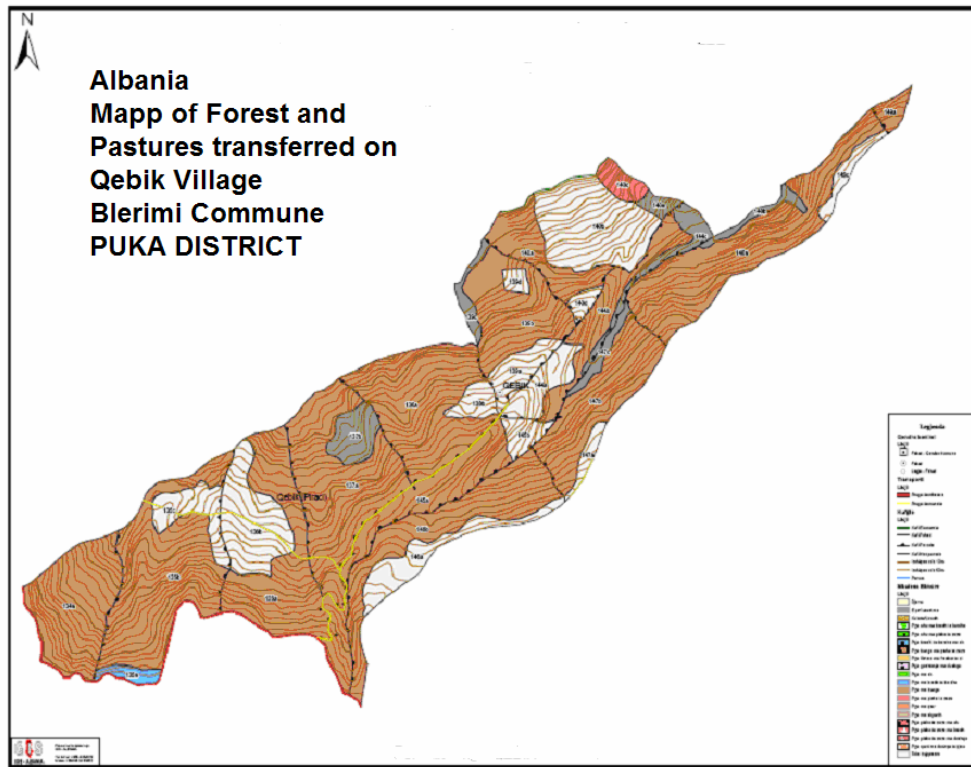
Recently, Albania has had major transition from a state-controlled to a market economy. The economic reformation has led to widespread liberalization of prices, external trade, and domestic marketing. These changes have been positive for some segments of the economy, but to date the forestry sector has been negatively affected by the transition. The decline of forest resources accelerated and continues. An artificially high rural population, well-beyond the carrying capacity of the land created by the communist regime, inefficiencies of centralized state forest management, vague user and ownership rights, rapid expansion of livestock, and illegal harvesting point to further forest and pasture degradation. Environmental degradation and impoverishment have been most profound where rights are vaguely defined and where neither the State nor local community are in positions to uphold rights, whether based on custom or through formal legal assignment

Supporting the process of forest transfer and capacity building of the forest users, Albanian National Association of Communal Forest and Pastures (NACFP) with the support of International Land Coalition (ILC) undertake a project, aiming through four surveys in communes of Kukes-Puke, Elbasan, Diber and Korca regions to highlight the traditions on the establishment of forest and pastures lands boundaries in different levels from village to clans and families, one old reality resisting in the centuries the foreign occupiers, but not considered by the central and local state institutions. Edit Durham pointed out a century ago “Tribe frontiers have never yet been mapped. They are very well known to the people, who point out some tree or stone as one crosses the line. I am not able to do more than roughly indicate their position¹”. Based on the project findings and recommendations the objective of second phase, was the preparation and approve of the guidelines helping the acceleration of forest and pasture transfer to communes, the clarifying of ownership right and responsibilities in forest use and their sustainable management.

Being implemented under support and monitoring of ILC in close cooperation with SNV, the project is considered successful and good progress is realized by NACFP and five regional forest and pastures federation including more than hundred commune based forest and pasture users association (FPUA-s) on realize the findings coming from targeted regions and very detailed public explanations on the improvement proposed in the forest laws and sub laws through non stop awareness campaign including:

- Green Crone, a monthly newspaper in each editions by 1000 copies in the last two years is supporting the awareness and informing campaign, in the same time

¹ Edit Durham High Albania



- publishing and different initiatives of councils of the communes on forest management. National and Local TV as well as national newspapers are used to inform the public opinion on the importance of a deep reform in ownership and administration of forest and pasture.
- Different posters and leaf lets are spread in communes and villages
 - Apart the activities supported by ILC project on land tenures security in four communes, workshops are organized by NACFP in ten other communes with broad participation of local communities and different important stake holders from parliament and Local government representatives on the land tenure and legal frame improvements.
 - International Workshop on Participatory mapping on communal forest and pasture supported and financed by ILC in the end of May 2007 was finalized by a Resolution in the name of all international and national representatives aiming to clarify the right and responsibilities of forest and pastures users and to deep the reform in forestry following the four resolute submitted to the Ministry of Environment and Forestry, the Prime Ministers to different donors (World Bank, Representatives of Sweden Government, UNDP) during last two years.

Trough above mentioned activities and the experience gathered during the last ten years, it was identified and explained that the transfer of forests in the philosophy of the NACFP is not just to return forest, but to give back the forest management the old tradition and responsibility to the people who live there. The process is long and not a simple transfer of a forest and pasture area “in use” to the Communes / villages, it is the process of the transfer of State competence and responsibilities (forestry service) to the local government (Communes) and the community (villagers and families). Thus the rules established by the formal legal system and beliefs governing customary access to and transfer of forest and pastures –and means by which they are interpreted and enforced- are important to the development of the country. Usually the ownership is regulated at family level, individuals of a family know their limited and traditional rights on the land and the uses of the family property. This is for example, shown by the stones delimiting the forest of Qebiku Village Blerimi Commune, Puka District. Villages have

in general some common land, where the livestock of the whole village can graze under the supervision of one villager.

According to customary law, the user or ownership right to forest and pastures belonged to the family as a unit. The head of household, usually a man, was considered to be the “representative” owner of forest and pasture land, and all family member however had right to their productions in accordance with a traditional view of the head as “benevolent” family figure². Woman like other families family members, gained access to immovable property though their membership in family unit.

After long discussions with the NACFP the Parliament of Albania approved in July 2007 the amendments on forest law without having in considerations a lot of proposals from NACFP. Current forest and pastures users lack any document that links them to a given plot of land. Another area calling for attention spelling out rights to collect and sell fuel wood and medicinal plants, which are a major source of income for village families living in mountainous areas. After the approval of amendments, NACFP prepared a short term strategy, based on the intensification of the communications and explanations to the Prime Minister, President, Parliamentary and donors. The first signs of reflections to the advocacy and suggestions of NACFP, were presented in media by Prime Minister, after heavy fires covering all Albanian state forest during last August. In other side the main donors on forestry intensified requests to the government on the improvements of legal framework for communal forest and pasture management.

This concerted efforts brings in the end of October 2007 an important decision of MEFWA, to prepare one very detailed action plan on supporting the process of transfer of forest and pasture in 308 communes of the country up to the end of May 2008. In the same time one detailed work plan was prepared by this Ministry to establish in the same time the national extension service in communal forest and pasture with a training program that will be supported by the Natural Resource Development Project financed by WB and Sweden Government. The land administration offices in all the communes will host the documentation and registers of users of CFPM as well as expertise in forest management and the monitoring of their everyday use. The national agency on inventorying and transferring of immovable state properties will be supported and trained as the main actor on the forest transfer. Forest Service in all the country will support the communes and the forest and pastures village commissions, on village boundary identification and mapping of forest and pastures in the traditional boundaries of communes. One draft decision of the councils of Minister on the procedures of the use forest and pastures products, is under preparation and will be approved by the government before the end of the year.

Taking these sorts of steps would move the entire participatory resource management model toward the following vision: a wide variety of local actors --- families, villages or associations formed on a variety of bases and for a variety of purposes --- exercising wide discretion over use and proceeds of their interactions with natural resources in their

² Past and present land tenure systems in Albania: Patrilineal, Patriarchal, Family Centered, Rachel Wheeler May 1998. University of Wisconsin Madison, Albanian Series p.9.

vicinity through enhanced property rights. Linkages among these actors are likely to be more networked than linear/hierarchical. Roles of local government or forest service, will be re-oriented more toward technical support, enforcement backup and coordination rather than direct management, control and the imposition of strict technical standards. Production and income generating activities of local people will be promoted and help to cover the overhead for umbrella associations representing local user interests to commune, regional and national government bodies and agencies, and generating income from services to members by providing marketing information, arranging for training, and contributing to the revenue base of local governments. While this vision is not likely to be realized in the immediate term, it is worth keeping in view as something to work toward.