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TENURE ISSUES IN FOREST AND PASTURE MANAGEMENT: A GPS/RAPID RURAL ASSESSMENT APPROACH

Background and Relationship to IPRSAP

A diverse array of agencies and NGOs, including the World Bank, GTZ, USAID, FAO, The European Bank for Reconstruction and Development, and others, are currently providing various forms of economic and technical assistance to Albania during its transition to a democratic, market economy. Numerous consultant documents and reports compete for attention as they are reviewed by funders and recipients seeking an appropriate level of investment and assistance. Undoubtedly, duplication, contradiction and gaps may be found among the various data bases evaluated and recommendations advanced in varying sectors. Any attempt to carefully review and contrast these (occasionally confidential) documents would be out-dated before completion given the current pace of activities; most people attempt merely to focus upon one small segment of Albania's development scene.

The Immovable Property Registration System and Land Market Action Plan (IPRSAP) currently is focussing upon the problem of private immovable property registration and its attendant details and problems. Following the collapse of the former communist regime in 1991, more than 70% of the agricultural lands formerly part of collective and state farms were privatized in the form of small 0.2 ha. parcels. Apartments, enterprises and other urban properties have also been privatized. Registration of the more than 2,800,000 such properties created, and development of policy instruments needed for creation of land markets, parcel aggregation and subdivision, rights of access and development, etc. will require an enormous training effort at every level of government for years to come. The IPRSAP is an integral part of this effort.

The Forest Situation

At the time that agricultural land was privatized, no such program was envisioned for the 1,038,000 hectare 'forest fund', the combined high, coppice and shrub forests of Albania. Albania's law "On Forests and Forest Service Police" (Law No. 7623, of 13 October, 1992) provides that the existing forest fund is the property of the state. Communal ('komuna') forest use is provided for in Article 4, but state ownership is maintained. Private forests include only those 'afforestations' on private land. Article 5 excludes various categories of trees, especially in urban and agricultural settings, from the 'forest fund', but it does not explicitly assign them to other owners. Numerous references in Law No. 7623 to 'special regulations' which have not been promulgated leave many questions of land and tree tenure unanswered. Even when rules and 'special regulations' are promulgated, they frequently go unpublished and are often unknown even to staff in appropriate directorates.

The World Bank has assembled numerous documents, including a 'country profile' on Albania's forest situation in cooperation with various consultants and members of Albanian government agencies. Forests, especially those areas used for fuelwood collection, grazing and a domestic forest products economy, have traditionally been essential components of Albanian life; even today, some 37% of the country is forested. During the past 5 years, rural residents have

expanded their herds of small ruminants as a source of income in uncertain economic times. This herd expansion, and unregulated fuelwood harvesting, have accelerated the rate of degradation of pastures and shrub and coppice forests.

The World Bank's consultants and staff of Albania's General Directorate of Forests (GDF) have correctly recognized this situation and have targeted a small proportion of the pending Albania "Integrated Forest Management Project" on 'silvo-pastoral management'. This program is designed to focus on cooperative, local-level management of the State's 'forest fund', especially at the forest-pasture interface and where degradation appears most severe. Given various uncertainties about the initiation and operation of such an arrangement in a society accustomed to authoritarian control, a 'pilot project' is planned for 3 komunas in the Elbasan District south of Tirana, to begin during 1994-95. The Albanian Rural Development Fund (RDF), an autonomous agency operating under the direction of the Council of Ministers, would be the in-country manager of the 'pilot project' as well as future expansion to other komunas if successful.

In the absence of effective state enforcement of its claim to forest ownership, and an expanded need for wood and fodder in a weakened rural economy, the current forest situation is more akin to open-access property than to the common-property one envisioned under successful communal management. The Bank endorsed the need for "Participatory Rural Assessment" (PRA) as a pre-implementation project to establish the basis for rural participation in management of the 'commons', and to learn about local expectations regarding rules, rights of access, and mechanisms for sustainable regulation of the resource bases. This assessment appears not to have been conducted.

We believe that the knowledge bases regarding rural communities, their needs, past resource use patterns, current demands, and future expectations are all sufficiently vague in the minds of donors, consultants and forest and pasture specialists to require further study. Even the appropriate unit of local management, the village or the komuna, appears uncertain given different consultant and specialist accounts. The local basis for management needs to be established if common-property schemes are to be successfully implemented in Albania. Work described below could permit the IPRSAP to extend its agricultural and urban land registration activities into rural areas in anticipation of the need to register common-property rights in forest and pasture lands.

Objectives

The proposed work would have three objectives:

- 1) Conduct a Rapid Rural Assessment (RRA) of selected komunas and villages throughout the forested areas of Albania;
- 2) Create local and komuna-level resource use maps from the RRA, updating existing maps where possible and perhaps using GPS techniques recently tested for land parcel mapping where existing mapping is inadequate;
- 3). Provide a listing of 'registerable rights' for rural populations to forest and pasture resources.

Methods and Relationship to Ongoing Work

1. Rapid Rural Assessment is a well-developed technique for ascertaining past and present resource access and use in rural societies. Several of its most able practitioners work with the Land Tenure Center and could conduct/assist with such a study in Albania. The 'pilot study' managed by the RDF (discussed above) will involve only 3 komunas in one district chosen more for the convenience of consultants and resource conditions than for other important sociological, regional, or demographic factors. This limited assessment will need to be expanded to more regions and komunas to permit planned program expansion to 55 komunas (about 18% of Albania's total).

Rapid Rural Assessment can provide, among other things, information on current forest resource uses patterns for fuelwood, fodder, hunting, collection of herbs and medicinal plants, and other resources. Maps of such use could delineate boundaries of resource access and permit an elaboration of 'registerable rights' in rural forested landscapes.

The current IPRSAP-supported project "The Development of Policies for Environmental Protection and Management", under the direction of Dr. V. Muharremi, addresses some concerns regarding rural resident perceptions of forest and pasture condition, and proposed approaches to better management via a questionnaire (attached). However, local resource use patterns are not established, nor are concerns regarding management authority and 'registerable rights' considered. Ideally, the project proposed here would build upon what is learned during the next few months from the Muharremi project.

2. The IPRSAP recently completed an assessment of Global Positioning System (GPS) techniques as an aid to mapping agricultural land parcels. The technique appears workable under Albanian conditions, is not prohibitively expensive, is portable allowing field mobility, and could be a very useful future technique to aid in GDF and district-level forest and pasture management activities. Some of the short-comings of using GPS in very small-scale mapping of agricultural parcels are absent in rural areas where distances are much longer and topography makes taping more tedious.

In reviewing Forest and Pasture Research Institute (FPRI) management plans and related resource maps, it became clear that boundaries for new administrative structures envisioned for local resource management (e.g. komunas or villages) have not been authoritatively delineated in the fashion of District boundaries. Nor do maps exist for such administrative structures; a map showing approximate komuna and village boundaries for 'Komuna Gjinar' created as part of the WB/RDF 'pilot project' in Elbasan is a unique exception. Such maps will be essential aids to komuna administrations attempting to register rights of access, leases and contracts, and other forest/pasture-based resource activities. To the extent that village boundaries parallel visible landscape features on existing topographic maps, village councils under the coordination of Komuma technicians should be able to delineate village boundaries on the existing maps. Where boundaries are not easily identifiable, GPS techniques might provide for rapid mapping here also.

We note that the dual objectives of RRA and the production of village boundaries through the forests and pasture lands would also provide Albanian specialists with something they desperately need and desire, practical training in modern resource management methods.

3. The production of maps of current local resource use patterns in pastures and forests

would also provide an invaluable source of documentation for 'registerable rights'. At present, no such listings exist, but they are likely to vary from region to region and even district to district given historic community structures (especially clan membership) and the very unequal distribution of forest resources in Albania. Such mapping might also provide a currently weak komuna administrative structure with an opportunity to strengthen its legitimacy at a local level.

Policy Implications

The most obvious policy implication of the proposed work would be the logical extension of registration and mapping of agricultural and urban land parcels to the rural 'forest fund' as well as pasture lands. The identification of 'registerable rights' in rural communities would greatly improve chances for implementation of common-property systems of management in a changing economic and social climate. We do not pretend that this proposal will be a panacea for all rural problems regarding tenure and access rights, but it should help define future opportunities based on traditional use patterns.

We also note that most discussions to date regarding forest and pasture ownership, management and use take a somewhat monolithic view of possible arrangements. Usually the extreme ends of the spectrum (i.e. State vs. private, or State vs. komuna) are offered as either-or choices with no consideration of more flexible arrangements. Identification and mapping of local resource ownership and use could facilitate consideration of arrangements such as State ownership/management of high forest, komuna ownership and management of most coppice and shrub forest and remote meadows, village and private ownership and management of nearby shrub and coppice forest and pasture. Variations of this 'mixed management' hierarchy can be devised depending upon resource distribution, claims of access, and management capacity. This could also help suggest benefit flows among komunas and villages resulting from unequal resource bases.