



# How communities manage forests:

selected examples  
from around the world



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Natural Resource Management  
Rural Economy  
Local Governance and Civil Society



## How communities manage forests:

selected examples from around the world

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This publication provides readers with an introduction to community forestry, taking eight country examples from Europe and Asia. In each example the legislation and organisational forms are described, and environmental, economical and social aspects discussed. The publication is intended for forestry students, forestry practitioners and policy makers, and interested members of the general public.

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We appreciate the support of Caroline Schlauffer, who was always en-

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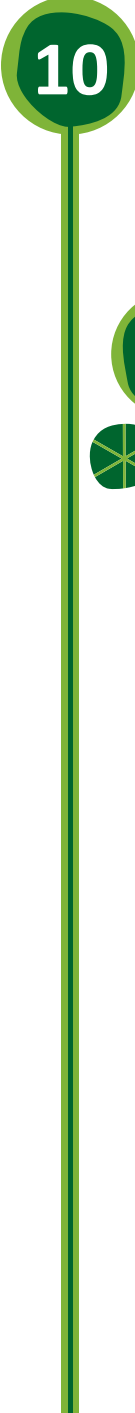
This publication was produced within the Swiss-Ukrainian Forest Development Project in Transcarpathia FORZA with the financial support provided by the Swiss Confederation, which we gratefully acknowledge. Nevertheless, the contents do not necessarily represent the official views of the donor; as coordinators of this work, we take the full responsibility for any errors that might unwittingly have been included.

*Lesya Loyko*  
*On behalf of the FORZA project team*

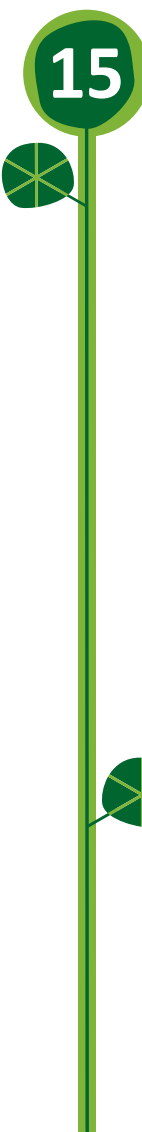
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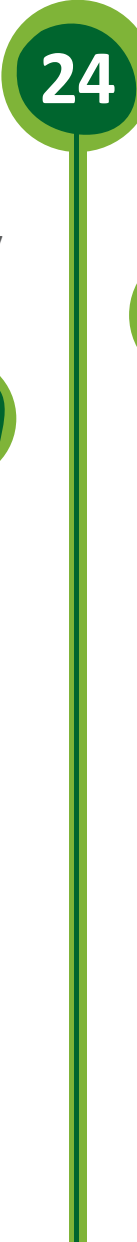
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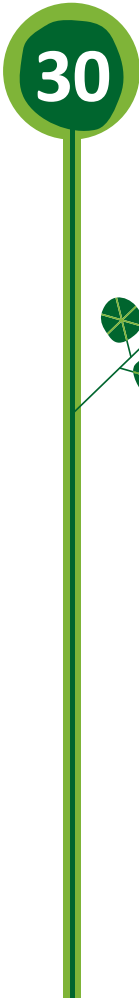
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# Introduction

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Jane Carter



The idea for this publication came from the realisation that very little published literature on community forestry exists in Ukrainian, at the same time that there is growing interest in the subject, and a demand for information about experiences in other countries. The text that follows is a first attempt to provide such information. The countries highlighted were selected on the basis of our professional contacts or experience, combined with certain characteristics that would make them particularly interesting to a Ukrainian audience familiar with the challenges of forestry in Ukraine, particularly in the Carpathian (mountainous) region. Thus, for example, the forests in most of the countries included are temperate (or at least important areas are), and are often located on steeply sloping land. We also deliberately chose to include experiences from a number of European countries, and from countries that are moving out of a formerly centralised, socialist economy. Many of the examples, although not all, are linked to Swiss development efforts. The selection was not intended to be fully representative of worldwide experience in community forestry, but it nevertheless provides a fairly broad overview.

## What is “community forestry”?

Forestry as a scientific discipline arose in response to the need of States to exert their jurisdiction over forested areas, and in so doing to control and manage them – chiefly to generate revenue. Such management regimes were often imposed in areas where local people were already living and using the forests. A broad distinction

can thus be drawn between

- professional forest management as a ‘scientific’ discipline practised by (usually) State-employed foresters; and
- indigenous forest management systems, developed locally by communities living in and around forests, and varying greatly in technical and social sophistication.

Professional foresters have not always recognised indigenous forms of forest management. Indeed, for many years people living in and around the forests tended to be viewed as those responsible for destroying it – degrading the resource through the harvesting of forest products, or clearing it completely for grazing and agriculture. As the global forest area shrinks, the reasons for forest loss have been subject to intense debate and analysis, and it has become clear that, of the many players involved in forest exploitation, local and indigenous peoples are often those who lose the most. If they gain anything, it tends to be the least. Furthermore, as local residents whose livelihoods – and in some cases cultural identity – depend on the forest, they can have a particularly strong interest in preserving it. In the past few decades, local and indigenous peoples have become better organised and more vocal in demanding a right in decision-making over the forests on which they depend. They are supported in this by a number of international agreements and conventions<sup>1</sup>. At the same time, forester perceptions have gradually changed, to the point that it is widely accepted, at least at an international level, that local and indigenous peoples have the right to participate in decisions over forest management that affect their livelihoods – or that they should

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<sup>1</sup> For example, the United Nations Declaration of the Rights of Indigenous Peoples (2007) and the Convention on Biological Diversity (1992). The participation of local people is also upheld in the Framework Convention on The Protection and Sustainable Development of the Carpathians (2003), and the Forest Stewardship Council certification Principles and Criteria (1998).

have, if they do not. Although some countries have practised community forestry for well over a century (Switzerland provides one example in this publication), the approach has become more widespread over the past 40 years.

Community forestry may thus be broadly defined as an approach to forest management that actively promotes the rights of people living in and around the forest to both participate in forest management decisions and to benefit (financially and in kind) from the results of this management.

The debate has in fact moved beyond decision-making rights to rights of forest ownership. The paradigm of State owned and controlled forests being managed by State-employed, professional foresters, is itself increasingly questioned. Although ownership of most forests of the world (some 75%) is still claimed by States, the current worldwide trend is towards local communities gaining either forest use rights or full legal ownership of (previously State-controlled) forests. This is particularly true in Latin America, where (according to 2008 figures) nearly a quarter of the entire forest area is now owned by communities and indigenous peoples<sup>2</sup>. In Eastern Europe, there has also been a major movement since 1991 towards communities and individuals regaining ownership of forests that they owned prior to the Soviet period. The Bulgarian and Slovakian experiences outlined in this publication provide two examples of countries implementing such a forest restitution process.

### Different forest tenure arrangements

The recent global trend towards local communities gaining full legal ownership of forest areas that they manage is reflected in the example of Scotland given in this publication<sup>3</sup>. There are nevertheless many other mechanisms through which local people's partici-

pation in forest management can be supported. A common one is for the State to hand over to local communities the right to manage and benefit from an area of forest, although it ultimately remains State property. In this case the State retains the right to renew the agreement on a periodic basis, and to rescind it if the stipulated conditions are not met. This is the form of community forestry currently practised in the examples from Bhutan, Nepal and Viet Nam outlined in this publication (although the right of the State to terminate a community forest is not usually enforced). Another mechanism is for communities and the State body (the forest administration or similar) to collaborate in joint decision-making and benefit-sharing – a system that is widely practiced in India, for example (as Joint Forest Management), although it is not documented here.

Another form of involving local people in forest management is through the lease of plots of State forest land to individuals, households, or groups of households. To be attractive to potential tenants, the lease usually needs to be for a substantial time period, and to include clear harvesting rights. This system is practised in a variety of countries, the example described in this publication being from Kyrgyzstan - although Nepal, Scotland and Vietnam also have provision for forest leases to individuals or community groups.

The form of tenure arrangement adopted in community forestry tends to reflect historical patterns as well as more recent political developments in the country concerned, as is illustrated perhaps particularly well in the examples from Bulgaria, Kyrgyzstan, Vietnam, Scotland and Slovakia.

The point here is that there is no single “model that fits all” – community forestry arrangements must be appropriate to the local context.

Given current global concerns over cli-

<sup>2</sup> See [www.rightsandresources.org/](http://www.rightsandresources.org/)

<sup>3</sup> Here we distinguish between recent transfer of ownership of forests from the State to local communities, compared with the long-established ownership rights over forests enjoyed by communities in the example of Switzerland



mate change and the development of mechanisms for offsetting carbon and payment for environmental services, the matter of who owns forests, who is in a position to manage them in a sustainable manner, and who should receive benefits in return for so doing, is of key international interest. It is thus likely that the legal provisions of community forestry in different parts of the world will come under increasing scrutiny in the future.

### Who is “the community”?

In general the definition of “community” in the context of community forestry may differ depending on the history, the background and local context in each particular country. Indeed, within one country, different forms of community forestry can exist, in which the community unit may be organised in different ways. Thus in the examples in this publication (and more widely), “the community” may be variously defined as:

- a group of people living in the same area (but not necessarily in the same settlement) and using the same forest area (Nepal, Bhutan);
- a local administrative unit/ municipality that manages and/or owns a particular forest area (Vietnam, Switzerland, Scotland, Slovakia, Bulgaria, Ukraine);
- a group of people who have an interest in a particular forest area (Scotland, Kyrgyzstan);
- an exclusive group of households with hereditary rights to a forest area (Switzerland);
- individual community members (Kyrgyzstan, and some cases in Bulgaria and Slovakia, Vietnam [land-use certificates]).

Early attempts to involve people living in and around forests in their management often failed to define exactly who belonged to “the community” – or to fully recognise the heterogeneity within “communities”. Both points are highly significant, not

only in terms of trying to ensure social equity, but also in terms of introducing an approach that is practical and sustainable. For example, in Nepal the early approach to community forestry entailed handing over forests to the village administrative unit (at the time governed through the single party State). The boundaries of the forests, however, do not conform to the village administrative boundaries – so one forest is commonly used by people belonging to a number of different villages. A further problem at the time was that the administration was highly political and not genuinely representative. The solution that was found was to start by defining the forest area, and to then identify all its users. All the user households then became a member of a legally recognised community forestry user group. This system of identifying users, organised into forest management groups, is also used in Bhutan.

In people-oriented approaches to forestry in Vietnam, Switzerland and Scotland, it has been found practical to define the “community” as the local administrative unit. Another possibility, as demonstrated in Scotland, is for a number of interested individuals to get together and form a group. In a separate form of community forestry in Switzerland, the “community” is made up of an exclusive group of households with hereditary rights – that is, people whose ancestors lived in the area.

Yet another possibility is for “community forestry” to involve community members on an individual basis, and not as a group at all. This was how the concept became popular (through long term leases) in Kyrgyzstan, and has also been the experience in some of the forest restitution cases in Bulgaria and Slovakia, as well as (for land-use certificates) in Vietnam.

Whatever mechanism is chosen for handing over rights to local people, it is of course necessary to have an appropriate legal framework. This has

often entailed a period of testing, and not one, but a series of modifications to the forest laws or regulations of the countries concerned.

All communities are of course made up of individuals – women, men and children living in different households, often gaining a living in quite different ways. In some communities, there may be considerable similarity between the member households, but it is more common for there to be significant differences – in social and capital assets, life opportunities, and interest in, or reliance on, forest resources. In some countries, strong social discrimination exists between different ethnic groups, between educated and non-educated persons, between men and women, etc (such discrimination is often illegal, but nevertheless occurs in practice).

Thus it is important that in any community forestry initiative, an assessment is first undertaken in each case to identify who comprises the community; who uses which type of resources, who decides, and who is marginalised from decision-making. This may be done through a stakeholder analysis or similar means, and usually takes some time. It may also be necessary to discuss representation and equity matters at length with community members. Sometimes pro-active measures are needed to ensure not only that all individuals and households are involved, but that any eventual benefits are distributed in an equitable (fair) manner. Equitable distribution may entail identifying the poorest households or those most in need, and making specific provision for them – as is demonstrated in the Nepal example. In Ukraine, of course, a similar logic is applied by the State in making certain households (those with large numbers of children, war veterans, disabled, etc) eligible for free or subsidised fuelwood. The difference in Nepal is that it is the user group members themselves who decide who should receive special benefits.

## The country examples

The examples provided in this publication of different country experiences in community forestry provide an overview – indicating the historical and cultural context of forestry, the reasons for community forestry being introduced, the legal framework adopted, and how the approach works in practice. The effect on the forests and the people involved is also considered from an environmental, economic and social viewpoint. Further reading (only available in English) is also indicated in a short reference section at the end of the publication.

It is hoped that these examples will stimulate further thought with regard to the undoubted potential for community forestry in Ukraine, and the mechanisms by which this may be implemented.

# Bhutan: Community forestry as a fast growing national movement

*K.J. Tempel and Kaspar Schmidt*



## Legal status of forests



In Bhutan, all forests, with the exception of land under shifting cultivation, were nationalised in 1969 under the Forest Act and declared to be Government Reserved Forest.

The first National Forest Policy of 1974 included as a long term goal the maintenance of “a minimum of 60 % of the total land under forest cover for all times to come”, which was later included in the Constitution.

The 1995 Forest and Nature Conservation Act of Bhutan recognised the traditional and cultural rights of local people to access and use forest resources. It also introduced legal provisions for private forestry and for community forests (see box).

## Main facts



**Area of national forest land:** 2,471,815 ha

**Area covered by forest:** 72.7 % of the land area

**Area of forest under community management:** 21,024 ha

**Proportion of the overall forest area under community forestry:** 0.85 % (but growing)

**Number of people participating:** Approx. 8,650 households as members of 173 Community Forest Management Groups (CFMGs) (July 2009)

### Main forest types:

- Subtropical and warm broadleaved forest (*Shorea robusta*, *Dalbergia sissoo*, *Tectona grandis*, *Duabanga grandiflora*, *Gmelina arborea*, *Castanopsis indica*, *Engelhardia spicata*);
- Cool broadleaved forest (*Quercus spp*, *Terminalia spp*, *Albizia spp*, *Michelia spp*);
- Mixed conifers (*Pinus wallichiana*, *Abies densa*, *Picea spinulosa*, *Larix griffithiana*, *Tsuga dumosa*).

## Legal forest categories in Bhutan



**Government Reserved Forest** comprises all forests not registered under an individual's land title document.

**Community Forest** is government-owned forest lands for which communities, organised as Community Forest Management Groups (CFMGs),

have been granted management and use rights under conditions set out in a management plan approved by the Department of Forests.

**Private Forest** is forest on privately registered land under a land title document.

## Community participation



The past decade has seen a gradual change of emphasis in the management of forests. There has been a shift from a primary focus on the protection of forests towards a focus on balancing conservation with sustainable management. Associated with this change of emphasis has been a move towards a more decentralised and people-centred approach to forestry, with a strong agenda directed at poverty reduction. The first Community Forests in Bhutan were established in the late 1990s following the legal recognition of community forestry in 1995. Since 2007, the number of new community forests

has increased rapidly and community forestry has become an important part of the national forest policy and a significant movement in the country. By July 2009, there were 173 Community Forests approved by the Department of Forest and handed over to Community Forest Management Groups (CFMGs).

The Forest and Nature Conservation Rules 2006 are currently again under revision in order to incorporate recent changes. Government policy aimed at using participatory forestry approaches to contribute to poverty reduction

and socio-economic development. The revision aims at liberalising and simplifying community forestry rules and regulations so that community forestry can benefit even more local communities.

Any interested rural community can apply to the Department of Forest to establish a Community Forest. A CFMG typically includes all local households. The members of the CFMG define the rules governing the functioning of their group and elect an executive committee to represent their interests. These rules are incorporated into the Community Forest management plan as by-laws. The CFMG members agree on objectives for their Community Forest and develop a management plan taking into account the local ecological conditions, the production capacity of the forest, the community's demand in forest products and the availability of products and ecosystem services provided by the forest. The management plan includes annual harvest limits for timber and provisions for the sustain-

able harvesting of non-wood forest products (NWFPs). The entire process of establishing a CFMG and planning forest management is facilitated and supported by local, specially trained forest extension staff. The final management plan – incorporating recommendations made by the local government and the district administration as well as a technical review by the territorial forestry service – is put to the Department of Forest for approval. Approved management plans have a duration period of ten years, after which they can be revised and renewed every ten years. The Department of Forest and its local staff monitor progress of the Community Forests and support CFMGs in the implementation of their management plans. The Department of Forest also holds the right to revoke its approval of the Community Forest if the management plan is not followed or if there is a lack of compliance with directives issued by the Department of Forest. To date, the Department of Forest did not have to use its powers to cancel any Community Forest.

## Environmental aspects

The first Community Forests are now old enough to demonstrate their long term impact in terms of environmental conservation. Of the total 173 Community Forests, 114 have the explicit objective of environmental conservation and conduct activities accordingly. So far, more than 346 ha of plantations have been established in Community Forests, mainly with native species, to protect water sources and to rehabilitate degraded or barren land and areas prone to landslides.

Many foresters report an increase in vegetation cover in Community Forest areas. CFMG members observe improvements in forest conditions since they gained the rights to regulate harvesting of forest resources and grazing in Community Forest ar-

reas. Foresters also report a decrease in the number of forest fires thanks to the increased sense of ownership and protection of forests by the CFMGs. In general, CFMGs harvest timber conservatively and below the annual harvest limit prescribed in the Community Forest management plan.

The CFMGs also invest labour in the Community Forest to improve forest quality. Three Community Forests (Dozam, Yakpugang and Masangdaza) have, for example, invested 7,524 person days during the period from 1997 to 2006 in silvicultural treatments of forest stands, fire line construction to protect the Community Forest from forest fires, production of seedlings and cane planting. In monetary terms, this investment amounts to Nu. 752,400 (or 16,720 US\$).

## Economic aspects



In most Community Forests, economic benefits have started flowing to the members of the CFMGs. They use forest products for subsistence and are entitled to market products if their own demand is satisfied. Thus CFMGs increasingly generate income from the sale of timber and NWFPs.

In all Community Forests, community funds are established. These funds often start as saving funds, but with the time, the proceeds from fees for the use of forest products, sale, fines

for illegal activities and donations by visitors contribute to the funds. To give a figure: by 2007, 31 Community Forests had accumulated a total of Nu 546,772 (US\$ 12,150) in Community Forest funds since their establishment.

Through the sale of timber and NWFPs and the establishment of CFMG funds, the Community Forest programme has the potential to really contribute to the improvement of rural livelihoods.

## Social aspects



The Community Forest programme generates substantial social benefits. After the approval of the Community Forest management plan by the Department of Forest, the communities have access to their forest resources as per their management plan. Having their own harvest rights, the member households of the CFMG no longer have to go through a lengthy process to get timber permits from the territorial forestry office. CFMG members often mention an increased sense of ownership over, and easy and secure access to, their resources as the main motivations to establish a Community Forest (legally speaking, ownership is still with the Government, as only management rights are handed-over to the CFMGs).

The establishment of CFMGs with their own by-laws enables the community to better organise itself for the benefit of all its members. These groups of villagers managing their designated forest in a sustainable way build important social capital. As an organised group, the members can better express their concerns and pri-

orities and defend their rights in the local Block Development Committee. In many instances, the CFMGs also serve as platforms for discussion of issues other than community forestry. In this way, community forestry also contributes to improved local governance and devolution.

The Royal Government of Bhutan promotes community forestry as one means to reduce rural poverty. To realise this potential of community forestry to contribute to poverty reduction, it is important to make sure that benefits are shared in an equitable way amongst the members of the CFMGs and that poorer households thus benefit particularly. A number of CFMGs have included specific pro-poor provisions in their by-laws.

Community Forests can also serve as a platform for developing social cohesion by bringing together people with different ethnic backgrounds, languages, customs and beliefs to talk about issues of common interest and about doing something to benefit their children and grandchildren.

# A practical example: Dozam Community Forest



Dozam Community Forest has gained organic certification for the **lemon grass oil** that it produces

Dozam Community Forest covers 300 ha, and is managed by a CFMG of 114 households. The CFMG determined that the main forest management objectives should be to promote peoples' participation in environment conservation and forest management; restock the degraded forest by planting trees and managing the current forest stock; and protect the regeneration from forest fires and from unlawful extraction of resources.

The CFMG has been operational for 13 years, and the Community Forest management plan has already been revised once. The Dozam Community Forest has been certified for organic lemon grass oil production. From 1997 to 2006, the Community Forest has generated Nu. 53,841 (about US\$ 1,200) in lemon grass distillation fees for the Community Forest funds. The CFMG was able to hold up the construction of a farm road planned to

go through their Community Forest area. The main reasons for this community action were the potential damage that would be made to a plantation established by the CFMG, and the non-compliance of the contractor with the terms and conditions agreed. Eventually, the road was built through the Community Forest area, but under the condition of strict protection of drinking water sources and adherence to environmentally friendly road construction practices.

The main challenges faced by the CFMG have been the restocking of the barren area under grazing pressure; poverty reduction; and keeping the CFMG going despite the conflicts created by the construction of the above-mentioned farm road. Only some households benefit from the road, and others were frustrated in seeing their plantation efforts destroyed by it.



# Bulgaria: Municipalities take action in forest management

*Natalya Voloshyna and Christoph Dürr*



## Legal status of forests



As a country that became a communist state after the Second World War, Bulgaria was governed as a Soviet-style centralised economy from 1946 to 1989. Following the collapse of the Soviet system, the country adopted a new constitution allowing for multi-party elections, and introduced a series of market-oriented economic reforms. A major thrust in this process was privatisation, particularly land restitution – returning land that had been taken over by the State (for collective management) to the previous private owners. In the forestry sector, this meant that the

former State Forest Enterprises were disbanded, with the process of restitution beginning in 1997, following the introduction of a new Forest Act. Previous owners to whom forest plots have been returned include numerous private individuals, communities and churches. By 2006, more than 25% of the forest area had been returned to previous owners. There are now more than 550,000 private forest plots and 780,000 people (individuals and members of communities) who are forest owners. Before nationalisation in 1946, 57% of the Bulgarian forests were managed by communi-

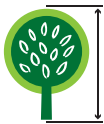


ties, some with ownership and some with user rights provided by the state in earlier times - even back to the Ottomanian period during the 19th century. The clarification of these rights is the subject of thousands of legal cases pending in the Bulgarian courts up to the present day.

These changes have been both positive and challenging for the forest sector of the country. The possibility of communities being able to manage their own forests once again has brought significant benefits to them, especially to those communities with forests as their main natural resource in the area. Private ownership consists of many small forest plots with an average size of 0.6 ha, often frag-

mented in different places, with different owners who often live far away in the cities. This creates an enormous challenge for effective management. The technical knowledge and managerial skills of the new forest owners are also limited because the forests were nationalised for over 40 years and traditional knowledge was eroded or lost. In addition, in the absence of a cadastral survey in Bulgaria, it is generally not possible to identify the boundaries of private and communal forest property in the field. Legal management guidelines for private and communal forests are still not fully developed, and the forest administration lacks the capacity to provide advisory services to the private owners.

## Main facts



**Area of national forest land:** 3.63 million ha<sup>1</sup> (including 0.57 million ha in protected areas)

**Area covered by forest:** 32.5% of total land area<sup>1</sup>

**Area of forest under community management:** 0.53 million ha

**Proportion of the overall forest area under community forestry:** Approx. 13%

**Number of people participating:** Approx. 780 000 people, members of communities that own forest land

**Main forest types:** Coniferous forests 32%, broadleaved forests 68%

<sup>1</sup> Data source: FAO Global Forest Assessment 2005, [www.fao.org/](http://www.fao.org/)

## Legal forest categories in Bulgaria



**State Forests:** 74%. These forests are managed by the state forestry agency with its 141 State Forest Management Enterprises and 37 State Hunting Enterprises in accordance with forest inventory and forest management plans, which are developed for a 10-year period.

**Community Forest:** 13%. Such forests are owned by the municipalities, which are governed by democratically elected bodies. Management of Communi-

ty Forests is done either by a specially established Community Forest Management Department within the structure of the municipality, or by the Forest Management Enterprise, which is an independent legal entity, reporting and subordinated to the municipality. Management can also be delegated to the State Forest Enterprise. Community forest management, as with forest management in State Forests, is conducted according to a 10-year forest management plan. The plan has to be

approved by the State Forest Agency. A recent development in forest management planning is the new approach of participatory multifunctional forest management planning. The protection of Community Forests is an obligation of the State Forest Enterprises.

**Private Forest:** 11%. This is the forest land under private ownership. Management plans are done by licensed foresters and have also to be approved by the State Forest Administration, which is in charge of checking implementation.

**Religious Forest** comprises less than 2% of the overall forest area, and belongs to religious institutions (mainly monasteries).

**Protected Forest** is that forest which has special environmental, scientific or cultural value. Protected forest areas can be located in the forests of any ownership type; their management is dictated by special rules developed by the state administration. Some of these forests are managed by the State Forest Agency, and some by the Ministry of Environment.

## Community participation



The management of Community Forests is carried out by the State Forest Agency or by forest management bodies that are similar to the State Forest Management Enterprises, but under the supervision of the municipality. This can be either an independent legal entity or a separate department integrated in the municipality.

Forest management planning in Community Forests is done every 10 years, and annual operation plans have to be approved by the municipal council. The municipal council also decides on the distribution of the income from community forest management; as a general rule this is spent on community needs (schools, kindergartens, infrastructure, fuelwood) and sometimes returned back for forest management purposes.

Bulgaria's forests are also intensively used by the local people for non-timber forest products such as mushrooms, herbs, and berries. The regulation of these uses is however not included in the community plans, but is still under the state administration; the same is true for game hunting.

The community is involved in forest management issues through the dissemination of information via the mass media and through public meetings, but more indirectly through community deputies in the municipal council. The new approach of participatory multifunctional forest management planning includes consultations within the community, and the participation of community members as well as other stakeholders in the working groups and forums within the planning process.

Logging operations can also be auctioned to private contractors. The municipality also sometimes has infrastructure for timber processing, thus adding value to the round wood. Rules and procedures are still being developed by the state administration, and change frequently. Capacity building on managerial skills is still needed at the different levels.

## The main benefits

The main benefits of community forestry to date are as follows:

- Decentralisation of decision making processes, good governance and local responsibility for managing natural resources
- Access to the forest resources and forest benefits for community members
- Increased financial resources at the community level for re-investment at this level
- Community forest management promotes community solidarity
- Community infrastructure is improved
- Local ownership provides a good basis for the effective monitoring of sustainable forest management.

## Challenges

There are also a number of challenges:

- The country is currently in an interim period of changes, and the legislation on ownership and user rights is not yet fully settled
- There are difficulties in forest management related to the territorial division of forest plots under different ownership
- Clarification of property boundaries is needed in a cadastral survey, with public access to information
- Responsibilities and rights in forest planning procedures are unclear, as is the mechanism for the approval and implementation of the plans
- Community forest management is heavily dependent on the personality of the head of the municipality or the local deputies, as well as the local forest administration.

## A practical example: Vetovo Community Forest



The Vetovo Forest Enterprise has established a successful partnership with the local state unemployment office, employing local people for seasonal works in the forest

Vetovo Community Forest covers an area of 4,594 ha, comprising 4514 ha broad leaved forest and 80 ha coniferous forest. It is managed by the Vetovo Forest Enterprise. The community forest members number 18,045 people.

The main forest management objectives are as follows:

- Planting of forests – 10 ha annually
- Forest nursing/ maintenance measures
- Forest harvesting – annually 14,5 thousand m<sup>3</sup> (90% of the annual growth) for commercial profit
- Supply of fuelwood to local people with preferential or free provision to the socially disadvantaged.

The enterprise has established a suc-

cessful partnership with the local state unemployment office, employing local people for seasonal works in the forest. It has also steadily improved in its financial effectiveness; during three first years of operation, the value of the enterprise's shares more than doubled, going from 197 lv. (100 euro) in 2006 to 397 lv. (200 euro) in 2008.

Besides the improvement in the supply of timber products to the local population and the employment of 40 local people, the enterprise has become a stable financial resource for the local community budget. Taxes paid to the community budget over the last two years amount to 3,565,000 lv. (175, 000 euro).

# Kyrgyzstan: Forest leases as the choice of the people

Ennio Grisa and Patrick Sieber with Jean-Marie Samyn



## Legal status of forests

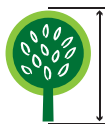


According to the Kyrgyz legislation, forests can be State owned, communal or private. Most of the Kyrgyz forests are State owned (78%), 22% are under communal ownership and very few are privately owned (only plantation forests can be private). State owned forests are located in the National forest territory (Goslesfund) and State reserve territory (Goszemzapaz).

The State Agency for Environment Protection and Forests (SAEPF) is the responsible body (since 2005) for the

implementation of the national forest policy. Provincial forest administration units are in charge of forest management at the level of the province (oblast), while at the local level State Forest Enterprises (*leshozes*) and special protected territory units (notably reserves, national parks) are responsible for the protection and management of both forests and non-forest lands of the State national territory in their designated areas. Municipalities are responsible for the forest occurring within their territory.

## Main facts



**Area of national forest territory (Goslesfund):** 3,321,500 ha<sup>1</sup> = 16.6% of the land area. This is under the management of the national forest administration bodies and is covered by forest on 26 % or 864'900 ha.

**Area covered by forest:** approx. 1'390'000 ha of Kyrgyzstan is covered by forest. This represents almost 7% of the total area of the country. While the area covered by forest has for many years been indicated to be about 4.5%, this figure was recently adjusted with the publication of the new digital forest map produced with the support of KIRFOR<sup>2</sup> that covers the entire national territory. This map shows that forests are also located outside the Goslesfund. Their distribution is as follows: Goslesfund 59%, State reserve territory 19% and municipalities 22%.

**Area of forest under Collaborative Forest Management:** approximately 8,300 ha is under Collaborative Forest Management leases. The total forest land leased out under other leasehold systems makes up 317,650 ha, most being pasture. Available data do not indicate the amount of forest given in such leases.

**Proportion of the overall forest covered area under Collaborative Forest Manage-**

**ment:** about 0.6% of the total forest covered area in the country has been leased out under the Collaborative Forest Management the leasehold system.

**Number of people participating:** by the end of 2009, 1,266 Collaborative Forest Management contracts had been signed. In most cases, various members of the family are involved in carrying out the work fixed in the contract, and it is estimated that at least 5,000 persons are involved in one way or the other in the scheme. The number of other types of leases amounts to some 20,000.

**Main forest types:** There are four main forest ecosystems in the country: 1) Coniferous forests in the North and centre of the country comprising Spruce (*Picea schrenkiana*) and Fir (*Abies semenovii*) – the latter limited to a small endemic area; 2) Walnut-fruit forests in the northern Fergana slopes comprising Walnut (*Juglans regia*), Apple (*Malus spp.*), Maple (*Acer spp.*), Hawthorn (*Crataegus spp.*) and various *Prunus spp.*; 3) Juniper forests (*Juniperus spp.*) in the South and everywhere at higher altitudes and 4) Riverside forests comprising Willow (*Salix spp.*), Poplar (*Populus spp.*), Birch, (*Betula spp.*) and other species growing along most of the country's rivers.

<sup>1</sup> ENAFLEG, 2005 figures. See: [www.worldbank.org/enafleg](http://www.worldbank.org/enafleg)

<sup>2</sup> KIRFOR: the Kyrgyz-Swiss Forestry Support Programme

## Legal categories in the State forest territory of Kyrgyzstan



**State Forest** territory is subdivided into forest and non-forest land. Forest land is exclusively foreseen for forest use and may or may not be under current forest cover. Non-forest land is not foreseen for forest use.

Forest and non-forest land can be leased out according to mechanisms defined in the Kyrgyz legislation.

**Collaborative Forest Management leased forest** is the forest land leased

to individuals or groups of individuals for long-term management and use (49 years) under conditions set out in a management contract.

**Other leased forest** is forest or non-forest land that is managed by individuals on the basis of leasing agreements which's term can vary according to the use and terms of leasing.

# Community participation



Collaborative Forest Management was introduced to Kyrgyzstan on an experimental basis in 1998 through the support of KIRFOR<sup>3</sup>. While other forms of access to forest resources by private persons already existed at that time, the key features of the Collaborative Forest Management leasehold system were that it aimed to provide tenants with long-term user rights. This would encourage the tenant to manage the entrusted forest plot in a responsible manner. Collaborative Forest Management further envisaged letting the tenant become part of the decision-making process regarding the management of resources – rather than just allowing the harvest of products from the forest plot. Based on the pilot experiences, clear rules and regulations were elaborated for the allocation of forest land under this leasehold scheme. They include application criteria for would-be tenants, how and by whom applications are considered, and the arrangements needed to ensure that any problems in fulfilling the contractual agreement at any stage can be settled in the most objective way possible. Being aware of the high demand for access to the walnut forest resources, the CFM regulations further stipulate

the maximum area of walnut forest that can be allocated per family under this scheme as 5 ha.

All of this found its legal expression in the governmental Collaborative Forest Management decree 377 which was endorsed in 2001. Together with a number of other key policy documents, this decree ensured that the participatory resource management system gained a consolidated position within the Kyrgyz forest policy framework. At one stage there was a risk of Collaborative Forest Management being undermined by the existence of another earlier and broader decree allowing for the leasing of forest land; however, decree 482, passed in 2007, ensured that all forest leases must be conducted according to Collaborative Forest Management principles.

Whilst for the time being the majority of Collaborative Forest Management contracts are issued to individuals or families, there is an increasing trend towards group contracts. In parallel, the more engaged participation of municipalities in joint forest management in the pilot areas is a further positive development.

<sup>3</sup> The Kyrgyz-Swiss Forestry Support Programme operated from 1995 to 2009, finally closing in early 2010. It was implemented by Intercooperation on behalf of the Swiss Agency for Development and Cooperation, SDC

## Environmental aspects

After the collapse of the Soviet Union, the forestry authorities in Kyrgyzstan faced more and more difficulties in managing and protecting the forest resources of the country.

Many of the daily products previously imported during Soviet times were no longer available, and people had to find substitutes – including an alternative source of energy from electricity and gas.

This situation resulted in considerable pressure on the natural resources.

The introduction of the participatory forest resource management system has provided a way of fostering collaboration between the people living in or next to the forest resources, and the forest authorities in charge of implementing the defined forest policy.

Through CFM it is possible to achieve productive, sustainable management (harvesting, re-planting and the encouragement of natural regeneration), at the same time as promoting the protection of the forest from illegal exploitation.

Kyrgyzstan has experienced violent political unrest in recent times, with considerable loss of life in the Southern part of the country. In such times of conflict, forests are often quickly destroyed. Strong local commitment to forest conservation is needed, and it is hoped that CFM leases will en-

sure this commitment. Beyond this, the multi-stakeholder negotiation processes that have been started in CFM implementation provide one example of the type of approach needed more widely in seeking a constructive future for the country.

## Economic aspects



The forest resources of Kyrgyzstan are an important source of revenue for the local population. Although the harvesting and sale of timber remains the realm of the State Forest Enterprise (*leshoz*), Collaborative Forest Management tenants have the right to other forest products on their plot. Their leases allow them to collect firewood, to harvest fodder for livestock – and most importantly in terms of financial income – to harvest non-timber forest products (pistachio, almonds, apple and above all walnuts) and sell them freely on the market. In good harvesting years,

walnuts can represent a significant part of household incomes, but as the yield varies greatly from year to year (due to climatic conditions), they are not a reliable source of income. Even so, tenants generally consider that their Collaborative Forest Management plots have provided a means to improve their livelihoods significantly. The main economic interest of the State Forest Enterprises in the Collaborative Forest Management system is to fulfil their annual work plan and to carry out labour-intensive forest management work, for which their budget would otherwise be insufficient.

## Social aspects



The Collaborative Forest Management approach provides an example of how multi-stakeholder negotiation processes can deliver widely accepted results. Exchanges between policy makers and local level representatives contributed to the linking of actors and institutions in the sharing of information, and promoted a common understanding of processes occurring in the forestry sector. This has contributed to increased mutual respect between the different levels, and a marked change in perceptions. This changed perception of greater mutual understanding can be considered one of the major social benefits triggered by CFM. The other benefit

is a greater sense of pride and self confidence amongst tenants, in being able to manage a forest plot over which they have long term (49 year) user rights.

# A practical example: Collaborative Forest Management in Toskolata *leshoz*



Tenants in Toskolata *leshoz* are involved in diverse forestry activities in return for being able to use the non-timber forest products from their leasehold plots

Toskolata *leshoz* was the last State Forest Enterprise in southern Kyrgyzstan to introduce the Collaborative Forest Management leasehold system, in 2004. Located in Nookan district and situated north-west of Jalalabad, the forest territory of Toskolata *leshoz* is made up of pistachio and almond stands in the lower and drier parts of the *leshoz*, and walnut-fruit forests in the upper valleys. Some 30,000 ha of the *leshoz* area (or about 40%) is covered by forest, and is divided into five forest ranges.

By the end of 2006, 49 Collaborative Forest Management contracts had been signed, making up an area of 287.3 ha of forest area leased out. This area includes 90 ha of walnut-fruit forest in the upper part of the valleys, which is particularly interesting for tenants due to the higher expected returns from harvesting walnuts.

Collaborative Forest Management tenants in Toskolata *leshoz* are involved in diverse forestry activities such as forest protection and guarding, plantation works, the collection of forest seeds and nursery establish-

ment in return for being able to use the non-timber forest products from their allocated leasehold plots. This provision of labour to settle the leasehold obligations allows the *leshoz* to conduct their planned forestry activities for which their limited financial resources would otherwise be insufficient.

Over the last few years, Toskolata *leshoz* has gained special attention due to its pioneering role in fostering collaboration between the forest administration, the local government (village administration) and the local population. Such collaboration between the three important local stakeholders has been very much neglected in Kyrgyzstan to date. With the lower lying areas of Toskolata *leshoz* being in the direct vicinity of the densely populated areas fringing the Fergana valley, a closer and successful collaboration between the two local institutions and the inhabitants is considered a prerequisite to ensuring sustainable local development and finding ways to deal with the growing human pressure on the natural resource base.





# Nepal: Benefitting the poor and disadvantaged through community forestry

*Jane Carter and Bharat K. Pokharel*



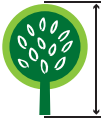
## Legal status of forests



Nepal's forests may be very broadly divided into those at high altitude (sub-alpine and upper temperate); those of the middle hills (lower temperate and sub-tropical); and those in the Southern plain that borders India (the Terai – tropical). Nepal nationalised its forests in 1959, and under its most recent forest legislation (the Forest Act 1993), all trees and forests other than those growing on

private land are national forest – that is, owned by the State. The national forest (which includes large areas which are not tree covered) is further divided into five categories, some of which are particularly associated with certain areas. Thus community forestry is particularly found in the middle hills, whilst collaborative forest management is only practiced in the Terai.

## Main facts



**Area of national forest land:** 5,828,000 ha (including 2,391,000 ha of protected areas)

**Area covered by forest:** Approx. 3,636,000 ha = 25.4% of the land area

**Area of forest under community management:** 1,219,000 ha

**Proportion of the overall forest area under community forestry:** Approx. 33%

**Number of people participating:** Approx. 14,300 Community Forest User Groups (CFUGs) whose membership consists of about 1.67 million households.

### Main forest types:

- Tropical – dominated by Sal (*Shorea robusta*) or Dalbergia *sissoo*;
- Subtropical – Four forest types, comprising Chir Pine (*Pinus roxburghii*); mixed broadleaves (*Schima-Castanopsis*); Alder (*Alnus nepalensis*); and dry forest (*Albizia spp*);
- Lower temperate – Mixed Oak (*Quercus spp*); or Blue Pine (*Pinus walichiana*);
- Upper temperate – Mixed broadleaves, mainly high altitude Oaks (*Quercus spp*); or Fir (*Abies pindrow*);
- Subalpine (*Abies spectabilis*; *Betula utilis*; *Rhododendron spp*).

## Legal forest categories in Nepal



**Government Managed Forest** is managed by the central Government of Nepal based on a Work Plan that is approved by the Ministry of Forest and Soil Conservation.

**Protected Forest** is that designated as having particular environmental, scientific, cultural or other importance. Within this category falls national parks, reserves, strict nature reserves, wildlife reserves, hunting reserves, conservation areas and buffer zones.

**Community Forest** is forest that has been handed over to local communities (organised into Community Forest User Groups, CFUGs) for their use, conservation and development according to an agreed management plan (developed by the users and approved by the District Forest Officer).

**Leasehold Forest** is national forest for which management responsibilities are handed over for a fixed time period (usually 40 years) to either commercial enterprises or to groups of people living below the poverty

line. This is a relatively small forest category.

**Religious Forest** is national forest of religious significance that is entrusted to local bodies (religious groups, communities, etc) for management. Data on the extent of religious forest is limited, but it is small.

**Collaborative Forest** is a relatively new forest tenure arrangement in Nepal, dating from 2000, and specifically concerns the high value tropical forests of the Terai. It differs from community forestry in that it seeks to involve both primary and secondary forest users, coordinated through a District Forest Coordination Committee (DFCC).

**Private Forest** is forest that has been planted, nurtured or conserved on any land over which legal title is held by an individual or legal body.

During the 1970s and 1980s, there was much concern that the middle hills of Nepal were being rapidly de-

forested and that this would have drastic implications on downstream areas as far as India and Bangladesh. Community forestry was seen as an answer to this problem. Subsequent research has shown that the Himalayan “disaster scenario” was over-estimated; nevertheless, community

forestry has undoubtedly contributed to a major improvement in the forests of the middle hills. The part of Nepal in which deforestation is still taking place is the Terai; here attempts to introduce participatory approaches have been far less successful.

## Community participation



Community forestry is the main mechanism for local people’s involvement in forest management in Nepal.

The concept was introduced in the late 1970s, and has undergone a series of refinements (both in legislation and in the accompanying rules and regulations) to become what it is today. A crucial element is that all households using a given forest are first identified, and formed into a user group, through external facilitation.

This facilitation is conducted either by Forest Department staff or by (non-government) service providers. Neither the forest area nor the group is necessarily determined by existing political or administrative boundaries (which often differ).

The group first determines its constitution (membership, frequency of meetings, etc), and elects a committee to represent its interests. For important decisions, a general assembly must be held. The management objectives of the forest are then discussed, and a management plan determined. This must take into consideration the productive capacity of the forest and the sustainable levels of harvesting, the products required, the species to be promoted, etc.

In Nepal forests have a wide variety of uses for subsistence and income-generating purposes; thus objectives

of management might include (for example) livestock fodder, fuelwood, food and fibre, as well as timber. If subsistence needs are met, the group also has the right to sell all products derived from the forest, including timber (which is generally the highest value).

The management plan agreed by the group is submitted to the District Forest Officer; on its approval, the group officially becomes a Community Forest User Group (CFUG) and can open a bank account in its name.

Normally the management plan should be revised every five years and re-approved by the District Forest Officer – who holds the right to deny approval if the management plan has not been respected. Whilst there may be problems in adherence to plans and constitutional requirements, it is rare that these cannot be rectified. Thus normally the user group is granted the right to continue.

Nepal is a country with huge social inequities, and widespread discrimination on the base of caste, class and gender. This formed the background for civil unrest which eventually led to outright civil conflict between the government and Maoist rebels over the decade 1996 to 2006. During this time, and indeed to date, the local administrative bodies, Village Development Committees, were unable

to function effectively, and in many instances Community Forest User Groups became the main body of local level development – taking on responsibility for matters such as path maintenance, repairing important buildings (such as schools), and similar issues.



## Environmental aspects

Data shows that forests managed by Community Forest User Groups have, overall, significantly increased in forest density, whilst the species composition has been maintained or improved. Thus community forestry has been beneficial for Nepal's biodiversity. The tendency early after hand-over was for Community Forest User Groups to be highly conservation-ori-

ented, and to place heavy limits on harvesting. As experience has grown, more productive management practices have been adopted, but harvesting levels are still generally set at quite conservative levels. Community Forest User Groups are legally required to invest 25% of their income in forest management.

## Economic aspects

In the early years of community forestry in Nepal, the focus was on subsistence products. As community forests have increased in productivity, more opportunities for economic benefits have been explored.

Products that have been developed commercially include essential oils, resin (from pine), paper (made from the bark of shrubs), and juices made from forest fruits. Timber sales from community forests are also increasing, but are limited as a result of restrictive

rules and regulations (such as the need to obtain permits to transport timber, etc). Currently Community Forest User Groups are not required to pay taxes or royalties to the government, although there are some government officials who believe this should change. Community Forest User Groups have the right to impose a (usually small) fee for the use of the forest for specific purposes and to fine those committing offences, and thus gain some income from this.

## Social aspects

Partly because of the political context of the civil conflict, community forestry in Nepal has become a vehicle for social change. As democratic, self governing bodies, Community Forest

User Groups are expected to be representative of their membership – especially those who have been traditionally discriminated. For example, projects supporting community for-

etry generally monitor the number of women and members of other disadvantaged groups who participate in meetings, and are members of Community Forest User Group committees. Community Forest User Groups are legally required to put aside 35% of their income for the poorest members, who are identified by the group itself, using a system of well-being ranking. Activities in favour of such persons include preferential employment opportunities in communi-

ty forest activities, the allocation of small plots of land for growing non-timber forest products, scholarships for children to attend school, loans at favourable rates, small grants to set up income-generating activities, etc. Community Forest User Groups are also represented at national level through the Federation of Community Forest Users of Nepal, which is vocal in ensuring that the rights of its members are respected<sup>1</sup>.

<sup>1</sup> For more information on FECOFUN, see <http://www.fecofun.org/>

## A practical example: Harrabot Community Forest, Thulachhap VDC, Okhaldunga District



Harrabot Community Forest User Group was established in 1998, and has a current membership of 141 households managing a forest area of 18.3 ha. The forest area is relatively small compared with other Community Forest User Groups with a similar size of membership. Most of the households belong to the more privileged caste groups in Nepali society (Brahmins, Chhetris and Newars), although there are also five Dalit households (castes responsible for demeaning types of work, who were traditionally “untouchable”) and twelve households belonging to ethnic groups. This composition is reflected in the committee membership; nine belong to the privileged castes, with one Dalit and one representative of the ethnic groups. Significantly, six of the eleven committee members are women.

The Harrabot community forest mainly comprises broad-leaved species (dominated by *Castanopsis hystrix*, *Alnus nepalensis* and *Schima wallichiana*) although there is also some Chir Pine (*Pinus roxburghii*). The Pine is native to the area, but in this case was planted in the early 1990s and has now reached maturity. In reversal of the general tendency of Community

Forest User Groups to favour broad-leaved species (which are valued for animal fodder, fuelwood and leaf litter to fertilise the fields) this Community



Community Forest User Groups are legally required to put aside **35%** of their income for the poorest members, who are identified by the group itself, using a system of well-being ranking

Forest User Groups is trying to convert the forest to Pine. This is because there is a major demand for timber in the nearby district town of Okhaldunga. Being not far from a road, the Community Forest User Group can supply timber relatively easily. They have been harvesting the Pine since 2006, according to an annual allowable harvest of 237 cubic feet (6.7 m<sup>3</sup>) per annum. Their current bank balance stands at approx. Rs 38,000 (approx. US \$ 512), although they have given out almost the same amount in loans to members, at an interest rate of 24% per annum (excepting to the identified poor, see below).

Through discussions and a selection process approved at a full meeting of all the Community Forest User Group members, the group has identified ten households from amongst their membership who are exceptionally poor. Such persons are known as bipanna or identified poor. The bipanna are eligible for interest free loans from Community Forest User Group funds for any livelihood improvement activities that they wish to conduct (such loans are not extended, however, for social expenses such as wed-

dings). The bipanna have also gained a number of other benefits. One example is Susa Kumari Bhujel (the ancestors of the Bhujels were slaves, and many remain highly disadvantaged). She was able to buy a piglet with a grant of Rs 5,000 (from the project, channelled through the group); when it had grown, she sold it and bought a buffalo. The committee members also supported her husband in getting a job as a school assistant, and Ms Bhujel was elected the Community Forest User Group vice chairperson. Thus the family's social as well as economic status has increased considerably.

Harrabot Community Forest User Group is provided not as a particularly outstanding example, but as an ordinary one. The area of forest that it manages is of course very small, but this should be set in the context of some 270 Community Forest User Groups in the district. The forest area of Okhaldunga district covers some 37,530 ha, of which 68% is under community forest. An important feature of Community Forest User Groups is that they have become an effective tool for working towards local development at their own level.

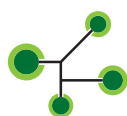


# Scotland: Mobilising rural communities through forest ownership

*Piers Voysey and Jon Hollingdale*



## Legal status of forests



Some historical background on land ownership in Scotland is necessary to appreciate the current situation of forests and their legal status.

Scotland became joined to England as Great Britain in 1707, at a time when most Scots lived a poor subsistence lifestyle, organised in family clans with allegiance to the clan chief. Although there is a popular image of wide tracts

of native woodland remaining up to this point, in fact much of the land was already deforested, with forests covering only 5% of the land area by as early as 1500. Land ownership progressively passed to a small number of wealthy private owners, some Scottish and others English, who used the land for sheep farming and hunting deer and grouse. During the period 1650 to 1900, large numbers of people left

the land, either as a result of poverty or through forcible evictions on the part of the large land owners. Some of these people were resettled by the coast or but most migrated overseas (particularly to America).

Following the war, in 1919, the UK<sup>1</sup> government established the Forestry Commission – a government department with the overriding objective of planting forests to create a strategic national reserve of timber (an objective that has broadened with time to include other aspects such as rural development, public recreation and biodiversity).

From the 1950s onwards, considerable areas were also planted up by private owners, supported through tax incentives and grants. This combined effort by the government and private owners has seen the forest cover expand to 17% (of which about 35% is government owned) – transforming much of upland Scotland through the widespread planting mainly of exotic conifers (notably Sitka Spruce, *Picea sitchensis*). This policy eventually became

widely criticised by the Scots public for a variety of reasons, including the significant impact on the landscape and biodiversity.

From the last decade of the 20th century, forestry policy has encompassed an increasingly wide range of objectives including biodiversity and community engagement as well as timber production. Whilst land ownership in Scotland remains largely under the UK and Scottish governments and a limited number of wealthy individuals or corporations, there is a growing movement towards communities buying up land and managing it themselves.

The Scottish Land Reform Act (2003) specifically gives communities the right to buy rural land when it comes up for sale, whether it is privately or publically owned, and the Forestry Commission Scotland is now actively supporting this (see next section). Whilst as yet community forests cover only a very small area of Scotland, they are very significant in terms of their historical context.

<sup>1</sup> The United Kingdom is made up of England, Wales, Scotland and Northern Ireland. Great Britain excludes Northern Ireland

## Main facts



**Area of National Forest Land:** 447,000 ha (the land managed by the Forestry Commission Scotland)

**Area covered by forest:** 1,341,000 ha = 17.2% total land area (compared against the total wooded area in the UK of 2,841,000 ha)

**Area of forest under community management:** approximately 25,000 ha

**Proportion of the overall forest area under community forestry:** approximately 2%

**Number of people participating:** approximately 20,000

**Main forest types:**

- Coniferous forest approx. 1,041,000 ha in particular introduced Sitka spruce (*Picea sitchensis*), and indigenous Scots pine (*Pinus sylvestris*);

- Broadleaved forest approx. 300,000 ha comprising mixed Oak (*Quercus robur*), Birch (*Betula spp.*), Alder, (*Alnus glutinosa*), Beech (*Fagus sylvatica*) and others.



# Legal forest categories in Scotland



The 447,000 ha of National Forest Land is land owned by Scottish ministers on behalf of the nation and managed by the Forestry Commission Scotland. A further 894,000 ha of forest is under “other ownership”.

*Owners include:*

- **Public bodies:** the UK government (Ministry of Defence etc), UK Crown Estates, the Scottish Government (Scottish Natural Heritage, Scottish Ex-

ecutive Environment Directorate, etc), and local authorities;

- **Private landowners:** individuals, investment companies, pension funds, forest sector companies including sawmills;

- **Environmental NGOs:** Royal Society for the Protection of Birds, Scottish Wildlife Trust, etc;

- **Diverse other bodies** such as the Church of Scotland;

- **Communities**, in the form of Community Forests.

# Community participation



The Forestry Commission Scotland has a partnership programme which allows local communities to participate in management decisions over forests in which they have a particular interest. Beyond this, a National Forest Land Scheme now gives community organisations, recognised non-governmental organisations (NGOs), and/or appropriate housing bodies the opportunity to buy or lease National Forest Land.

The most common mechanism is through community acquisition, for which seven criteria are given. To be eligible, the “community” may either be

the Community Council (the statutory body of local government) or a group of people sharing an interest in the given woodland, who form a community organisation with a constitution.

Community Acquisition goes a step further from “the right to buy” under the Land Reform Act (2003), because it even allows communities to buy (or lease) National Forest Land that has not been put up for sale (or lease) – that is, the communities can demand the right to purchase. The land first needs to be formally valued at its full market value by a District Valuer, a process assisted by the Forestry Com-



mission Scotland - which is obliged to provide a map, inventory, and details of any relevant legal aspects (rights of way, etc). The community then has to find the necessary funds for the purchase (or lease); in the case of community organisations, this is often done by forming a charity and seeking donations. The application itself must include a map and details of the land, as well as details about the community; and an explanation of how the seven community acquisition criteria are fulfilled (including a forest management plan). The decision on whether to approve the purchase or lease is then made by the Director of the Forestry Commission Scotland, who is advised by an independent Evaluation Panel.

### The seven Community Acquisition criteria

1. The community organisation must be eligible to buy the land
2. The community must have a substantial connection with the land
3. The community must have the capacity to manage the land
4. The proposal must have community support
5. The proposal must be consistent with the principles of sustainable development
6. The proposal must be in the public interest
7. The proposal should not be significantly detrimental to the management of the national forest estate

Source: Forestry Commission Scotland, 2008

## Environmental aspects

The management of most community forests specifically seeks to promote biodiversity and enhance the landscape. Where existing forests are taken over by communities there is usually an effort to increase the proportion of native species – often broadleaved species, but also the native Scots Pine, *Pinus sylvestris*. At the same time, planted conifers are often

maintained for timber production. Woodland newly planted by communities tends to comprise mainly native species. Management often includes effort to expand any remaining area of the original forest (called ancient woodland) and to improve the habitat for protected and endangered species such as bats, woodland grouse and red squirrels.

## Economic aspects

The cost of purchasing a community woodland is commonly borne by donations from private individuals and government grants. The cost of maintenance can often be covered through productive, sustainable management, supplemented by a government grant which seeks to support public benefits (access, recreation and biodiversity). In some cases this may eventually



also recuperate the investment made (depending on the forest type and the management options available). Community forests can be managed to provide a sustainable source of local timber to the community members, and may result in the development of small businesses and employment in remote areas where few such opportunities exist. These may not only be based on

timber, but on tourism and non-timber forest products. For example, the membership organisation “Reforesting Scotland” suggests a huge range of such products that can be harvested from Scottish forests and sold commercially, including honey, edible mushrooms, and a variety of berries (especially when processed into jellies and jams).

## Social aspects

In the quite often physically scattered settlements of Scotland, community forests have served to increase community cohesion, especially at the time of making an application.

Since the main motivation often comes from a limited number of people, the challenge is to continue the momentum in the years after a successful application and to ensure that a broad section of people are involved. In a number of successful cases, this has been done through com-

munity forests becoming a venue for cultural events and artistic installations, although simply having a pleasant space for recreational opportunities – playing, walking, jogging, cycling, horse riding, orienteering – can generate a strong sense of community ownership. Often community forests are used as sites for educating school children and the general public about the environment, and may also be included in wildlife surveys, monitoring and research.



# A practical example: Wooplaw Community Woodland, Scottish Borders



The very first community forest in Scotland, Wooplaw Woods, emerged through the determined efforts of a local wood sculptor

Wooplaw Woods are owned and managed by Wooplaw Community Woodlands – a charitable organisation run entirely by some 100 volunteers who believe it is important to promote woodland culture and keep traditional woodland skills alive. The Community Woodland consists of 20 ha of mixed native hardwood trees and commercial Sitka spruce. The long-term management objective is to harvest most of the Sitka spruce and replace them with native hardwood trees, thereby adding to the wildlife potential of Wooplaw Woods.

The overall aim is to manage the woods for the benefit of the local community – in particular education, training, recreation, and the sustainable production of forest products. This includes providing a year round programme of events aimed at promoting a woodland culture, making the woods available as a free venue for other organisations to run events associated with music, arts, woodland skills, wildlife studies and other cultural studies, and also providing completely open access for members of the local community.

Wooplaw Woods was the first Community Woodland in Britain. It was the brainchild of Tim Stead, a wood sculptor and furniture maker who lived in a nearby village. He specialised in using native British hardwoods, rather than imported timber. On hearing that the

land could become available for purchase, he starting raising ‘seed’ money (£3,500) by making and selling 365 wooden axe-heads in what he called his “Axes for Trees” project. Each axe-head was unique and made from various species of British hardwood. As a result of the publicity for his “Axes for Trees” project, other people joined his campaign. The land was purchased with grant funding from WWF and the Countryside Commission and an organisation called Borders Community Woodlands was set up to manage the site.

When the site was first purchased, only half of it was covered with woodland – the rest was just fields. Over the years, with the help of volunteers, thousands of trees have been planted in those fields and in areas where some of the original Sitka spruce have been harvested. Ponds have been dug, an otter holt has been built and installations such as a log cabin, a thatched roundhouse and a toilet have been constructed. There is an extensive barbecue area, which is a favourite with visitors, some of whom stay overnight in tents or in the log cabin. Paths have also been laid to ease access for the disabled, and boardwalks, bridges and stiles constructed.

The ongoing challenge for Wooplaw Woods is vandalism, litter and deliberate rubbish tipping, and large overnight parties with loud music.

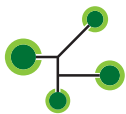


# Slovakia: Returning the forests to their original owners

*Zuzana Sarvašová and Peter Šiška*



## Legal status of forests



Modern Slovakia is of course a recently constituted state. The management of the country's forests must be set against the backdrop of Hungarian domination up to the First World War, followed by the formation, dissolution and reformation of Czechoslovakia in the next decades, and then the period of Soviet occupation from 1948 to 1989. Associated with these major changes in rule were a number of mass migrations of different population groups. It was with the end of

Communist rule that the Slovak Republic finally emerged as the independent state that it is today.

During the Communist period, land was brought under collective ownership and management. With independence and the new constitution of 1989, a Land Act (no. 229/91) as well as other restitution acts restored land ownership to private individuals. The restitution of forest property to former owners is still in progress, and

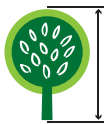
is characterised by a diversification in forest management. It is a complicated process, further hampered by the fact that it is not always easy to trace former owners (as a result of earlier migrations) – thus some forests remain unclaimed.

It may be noted that whilst State agencies manage 55.1% of the total forest area, the State holds property rights to only 40.2% of the area. The category of non-state forests includes those under private, community, church, agricultural cooperative, and municipal ownership. The most common legal and organisational forms of non-state forest include land associations (with or without the status of corporate entities); limited companies; shared companies; individual persons with or without a business li-

cence; and administrative units (commercial, semi-budgetary) attached to municipalities.

Slovak forests represent an important natural heritage, reflecting their ecological and environmental worth (as repositories of biodiversity and cover for watershed catchments), their economic value, and their cultural significance. All these values may be appreciated in a national, European and global context. The objectives and priorities of the national forest policy are defined in the National Forest programme, the main goal of which is sustainable forest management. This assumes the management of the forest resources in an economically viable manner that satisfies social and ecological (nature protection) needs.

## Main facts



**Area of national forest land:** 2,007,441 ha = 40.6% of the land area

**Area covered by forest:** Managed forest land covering 1,933,591 ha, plus approx. 275,000 ha agricultural and other land covered by forest vegetation

**Area of forest under community management:** 519,361 ha plus 170,264 ha of municipal forests

**Proportion of the overall forest area under community forestry:** approx. 26% of the managed forest land

**Number of people participating:** This is

a difficult figure to calculate, because of shared ownership types

### Main forest types:

- Coniferous 40.3%. Of this, the main species are Spruce (*Picea spp.*) 30%, Fir (*Abies spp.*) 4.4%, Pine (*Pinus spp.*) 7.6%, with other conifers 3.3%

- Broadleaved 59.7%: The main species comprise Oak (*Quercus spp.*) 11.2%, Beech (*Fagus sylvatica*) 30.1%, Hornbeam (*Carpinus betula*) 5.6%, Maple (*Acer spp.*) 1.7%, Ash (*Fraxinus spp.*) 1.2%, Poplar 0.9%, others 4.5%

## Legal forest categories in Slovakia



**State Forests:** (including military occupied land) 40.2%. Forests in state ownership are managed by the following state agencies: the Forests of the Slovak Republic, eg. Banská Bystrica; Forest-agricultural Estate eg. Ulič.; and the State Forests of Tatras National Park. All these fall under

the Ministry of Agriculture. The Military Forests and Estates, eg. Pliešovce are administered by the Ministry of Defence. State agencies also manage un-claimed forests (some 8.2% of the total forest area) and forests leased from non-state agencies.

**Municipal Forests:** 9.7%. As the owner of a forest, a municipality can manage its own property or rent it. Where the municipality adopts the former option, it can establish a business entity. Municipalities realise their ownership rights through municipal office bodies, local councils or company boards (limited companies, business companies) through the approval of the budget, balance sheet of the forest enterprise and management of the forest enterprise (director, deputy, staff numbers, etc.). Municipalities do not intervene in matter of professional forest management. The biggest owner of municipal forests in Slovakia is the city of Kosice (19,432 ha).

**Community Forests:** 25.6%. These forests belong to many co-owners and cannot be divided, because the forest should be managed as a whole. By adoption of Community Land Law No. 181/1995 all entities that existed previously to manage such areas (before they became community forests as such), were rendered defunct. Other mechanisms for the management of these forests were also adapted –

such as their legal and economic status, method of management, and duties and relations between community land members.

**Church-owned Forests:** 3.0%. These are forests privately owned by churches and religious communities. They were established under laws 282/1993 and 161/2005, respectively. Forests that were returned to church ownership can be managed by an association, for example the company PRO POPULO Poprad was set up in 1991 to manage the 11,700 ha forest and agricultural estate owned by the Roman Catholic bishopric of Spišské Podhradie.

**Private forests:** 13%. Individual private forests generally cover a very small area, and may be managed through a forestry cooperative or land community (i.e. limited company and others).

## Community participation



There are two legal forms of community forest. One involves the establishment of a legal entity (association) by the persons with title to the forest; the other entails management without establishing such a legal entity. The first case generally involves larger areas of forest land with favourable production and logging possibilities; here management usually develops quite positively. The second case usually concerns the management of small forest areas, where the possibility of rational, productive management is limited. Usually the owners themselves undertake forest management activities. They

use the timber either for their own consumption (especially heating) or sell it to various entrepreneurial bodies. The main way by which small private forest owners can be involved in forest management is through participation in joint meetings at which collective decisions are made regarding the exploitation of the timber resources of their forests.

The interests of community forestry associations are to co-ordinate activities aimed at securing the sustainable management and prosperity of forest estates; to comment on proposed

policy and legislative documents; and to organise capacity building (training) of their own members. Some of these associations are further associated in larger organisations. Amongst the most active non-state associations are the Association of Municipal Forests

of Slovakia (62 members, 134 054 ha), the Union of Regional Associations of Non-state Forests (10 members, 276 200 ha) and the Association of Owners of Private Forests and Forests in Shared Ownership in Banská Bystrica County (534 members, 134 011 ha).

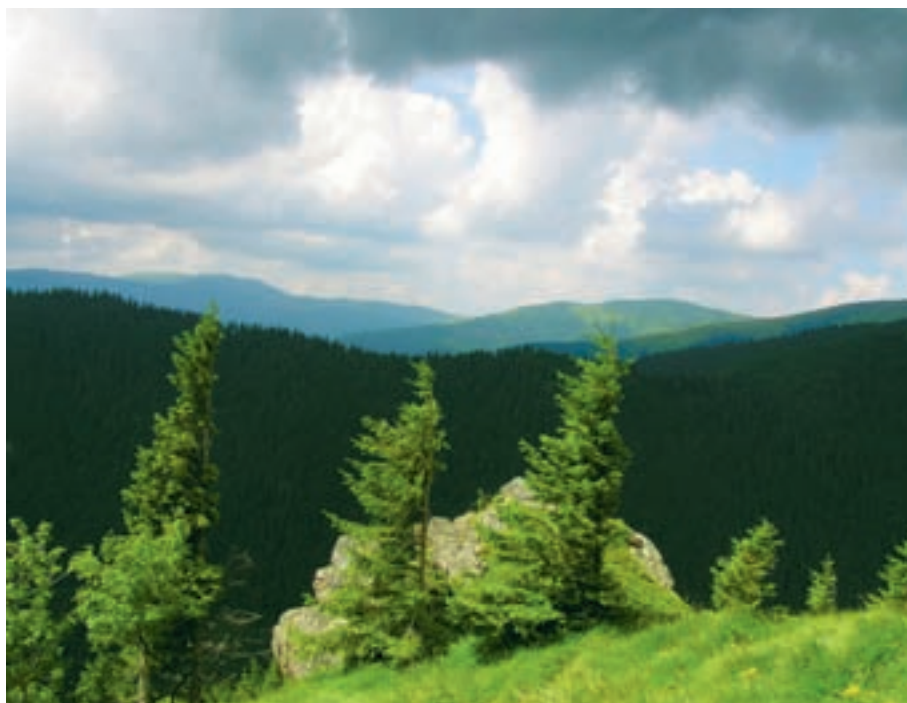
## A practical example: The *Urbarium* forests of Veľký Klíž



The village Veľký Klíž is situated on the lower slopes of the mountain Trábeč, in Partizánske district (West Slovakia). According to the cadastral survey, the territory covers 4,241 hectares with a population of 920 inhabitants.

The *Urbarium* (a term denoting property rights to an area) of the village of Veľký Klíž associates some 600 owners of agricultural and forest land, covering a total area of 786 hectares. The main forest species are Turkey Oak (*Quercus cerris*) and Pine. The annual cut is about 800 m<sup>3</sup> of which about half is for fuelwood. Some 248 ha of pasture land under the *Urbarium* is leased to the Hunters' Association "Vrch Hora".

Under good economic conditions, the harvesting of Pine reaches almost 420 m<sup>3</sup> annually, and breaks down to roughly 30% saw logs (mostly lower quality to large knots), 60% pulpwood and 10% poles and fuel wood. Pine is the species giving the best economic return: overall, the forest managers of the *Urbarium* can only produce some 10% saw logs (lower quality), 60% pulpwood and 20% fuelwood, depending on timber prices and the needs of the association. Turkey Oak is the more common species, making up nearly half of the standing stock, but it is not used in saw log production as there is almost no demand for it, due to its low quality (many knots,





The most important challenge for the *Urbarium* is the diversification of production activities, ensuring additional income to the members

curvature and cracks due to frost). Turkey Oak thus forms the main component of fuelwood for the members of the *Urbarium*. The *Urbarium* supplies some 4-6 regular customers with logs and pulpwood when economic conditions are good.

In times of economic crisis, the forest managers fell only broadleaved species, almost solely for fuelwood consumption by their own members. The *Urbarium* has one customer for Oak saw logs as an occasional product, supplying this customer on the basis of mutual agreement.

The most important challenge for the *Urbarium* is the diversification of production activities, ensuring additional income to the members – and using the forest to enhance the development of the municipality and the region. Velký Klíž *Urbarium* offers various recreational services for visitors, including accommodation (forester's house), a playground for children in the surroundings of the forester's house, a sport trail, a football playground, and tourist hiking trails.

In the beginning it was necessary to persuade the *Urbarium* shareholders

about the necessity of investing in developments. This required, in addition to other measures, the suspension of payment of member shares for a period of two years.

The results and benefits of the project can be divided into economic and other benefits, the former being:

- receipts of about 3,000 euros per year for recreational services, especially accommodation,
- receipts of the municipality related to the provision of tourist services
- the creation of new jobs for local craftsmen.

Other benefits include:

- recreation and education for the inhabitants of the municipality (mainly pre-school children and pupils from elementary schools)
- a venue for regular meetings of municipal organisations (Hunters' Association Vrch Hora and local unit of the Slovak Tourists club Ostrá, pensioners club, etc.)
- participation in activities for the public good (e.g. waste collection) and
- more generally, an improvement in the surroundings of the municipality and facilities for local inhabitants.



# Switzerland: A long history of community forests

*Raphael Schwitter and Erich Oberholzer*



## Legal status of forests



Switzerland's federal forest law dates back to 1876, important revisions having taken place since then, the most recent being dated October 1991.

The law was formulated primarily to ensure the conservation of the forests of the country at their existing geographical extent and to promote their multiple functions (protective, social, economic). The safe-guarding of for-

est-based industries is also foreseen, as is the protection of communities from natural hazards such as landslides, avalanches and rock-falls.

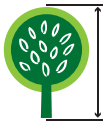
The law is currently being revised and updated, but this will not change the ownership pattern in a significant manner. Some 58% of the forest is under direct community control – either through the communes or “group in-

heritance”, whilst a further 29% is privately owned (see table below).

The federal law essentially set a framework that applies to all forests, regardless of their ownership. The implementation is mainly the responsi-

bility of the cantons, which have their own regulations and laws within the framework of the federal law. The communities often have additional rules regulating the management of their forests.

## Main facts



**Area of national forest land:** 1,247,856 ha (2007 figures) = 30.2% of the land area

**Area covered by forest:** 1,247,856 ha (all land that is officially forest is indeed forest covered)

**Area of forest under community management:** 725,541 ha (Communal forest and “citizens” forest – see below)

**Proportion of the overall forest area under community forestry:** 58.1%

**Number of people participating:** This is a difficult figure to calculate

**Main forest types** (with dominant species): Coniferous (69% overall, occurring particularly at higher altitudes) – Fir (*Abies alba*), Spruce (*Picea abies*), Pine (especially *Pinus sylvestris*), Larch (*Larix decidua*) Broadleaved (31% overall, occurring particularly in the plains and lower mountain slopes) – Beech (*Fagus sylvatica*); Ash (*Fraxinus excelsior*), Sycamore (*Acer pseudoplatanus*) and others.

## Legal forest categories in Switzerland



**Communal forest** (covering approx. 28% of the total forest area) is forest owned and managed by communes, the smallest administrative and political unit in Switzerland. All households within the territory of a commune are automatically under its administration, but only those with Swiss citizenship can participate in its political functions. Decisions over the management of communal forests are made by the elected village (commune) council, who are usually advised by a forester employed (full or part time) by the commune.

**“Group inherited” forest** (covering approx. 30% of the total forest area) is forest that belongs jointly to a group of households (Bürgergemeinden or

Ortsgemeinden) who trace their ancestors back to the locality and who have inherited ownership rights. The nature of this ownership and associated rights varies somewhat in different parts of Switzerland (often pre-dating modern Switzerland under the 1848 constitution), but is generally a privilege that is not shared with households that have settled in the area more recently. Thus there is not full community participation in management decisions.

**Cantonal forest** (covering slightly over 4% of the total forest area) is forest owned and directly managed by one of the 26 the cantons. The amount varies considerably by canton, being highest in the cantons of Bern and Vaud.

**Federal forest** (under 1% of the total forest area) is forest owned and directly managed by the Swiss Confederation – this concerns protected areas of national importance, and is not a large category.

**Corporate forest** (covering nearly 5% of the total forest area) is forest owned and managed by corporations (some of which are very old, and have an inherited membership) or (industrial) cooperatives.

**Private Forest** (covering some 29% of the total forest area) is forest owned and managed by private individuals or entities.

**Other “public” forest** includes forest owned and managed by religious or similar organisations – a small category.

## Community participation



In general all persons have free access to forests in Switzerland and are allowed to collect mushrooms and berries from them; this is true even in private forests. The harvesting of other products is, nevertheless, restricted – being regulated according to ownership.

There are clear provisions in Switzerland for the general public to have the opportunity to become involved in forest management planning at the regional level.

The cantons are required by law (ordinance on forests Art 18) to ensure that people in the area are

- properly informed regarding the objectives of the planning and its timing;
- able to participate in the appropriate manner;
- consulted once the planning documents have been drafted.

The cantons have developed guidelines for a sort of “two-level-planning”. The first level is effectively a “regional forest management plan”, which can cover several communities. The second level is the forest management plan, which sets out the concrete measures for implementation.

At the level of the communes, participation in forest management decision-making is possible through the:

- development of additional regulations (in keeping with the regional plan) that specify the details of forest management and the allocation of benefits
- approval (or amendment) of the annual budget
- election of the local forester.



## Environmental aspects

Switzerland's forests have been well protected since 1876, and it is difficult to determine the environmental benefits of community forestry in particular – all forests provide such benefits, which are enjoyed by all people.

That said, protection against natural

hazards is very important, especially in the more mountainous areas of the country where the risk of avalanches, landslides and flash floods is potentially high. Up to now no tools have been employed systematically to calculate the real environmental benefits of the forests.

## Economic aspects

In the past, community forests were a source of revenue to communities – especially from the sale of timber. In some cases this used to be shared in the form of an annual cash payment to each household. Other benefits included the possibility to buy fuelwood at a subsidised rate; cattle grazing rights; and a free Christmas tree. Some of these benefits are still enjoyed, although most households no longer use fuelwood as their source of heating or own cattle to graze. (See, however, the case example of Rheinau community forest).

Nowadays the management of forests is often more an obligation than

a benefit for communities, due to the low price of timber. Whilst this is slowly improving, prices are still generally below that which provides a good return on the investment required for management. The poor timber market can sometimes even serve as a temptation for undesirable management practices, such as postponing thinning (resulting on dense, under-productive stands), or over-harvesting highly accessible forests. The provision of timely advice and supervision by the forest service is thus very important.

## Social aspects

Given the fact that most people living in Switzerland are not immediately dependent on forests for their livelihoods, community forestry has little potential as a vehicle for social change in the way that has happened in Nepal.

Sometimes people are not even aware of their rights to participate in decision-making over forest management. However, forests are very important in enhancing the quality of life of both rural and urban dwellers.

They are highly used and appreciated for recreation – including walking, jogging, mountain biking, the rental of forest huts for festivities. The health benefits of exercise in the open air is recognised by health insurance companies, which have sponsored exercise trails in forests as a means of encouraging people to stay fit and healthy.

# A practical example: Rheinau communal forest



The commune of Rheinau covers **30%** of its total heating energy consumption from firewood harvested from its own forests

The commune of Rheinau has 1,350 inhabitants (some 300 households), and owns 240 ha forest. In addition, some 50 households are owners of private forest – small plots averaging 1 ha in area.

A five-member committee is elected by the inhabitants every four years to take responsibility for commune affairs. One of these committee members is responsible for the management of the communal forest, and prepares all forest related issues for decision by the committee.

The main tasks are to

- employ a forest ranger, usually shared with other communes (one ranger manages up to 1,000 ha);
- participate in the management planning process guided by the cantonal forest service;
- supervise all management activities of the forest ranger in the communal forest and the advisory services of the ranger in the private forests (free of cost for the owners).

The Rheinau community forest comprises mainly natural oak (*Quercus spp*) forest. This type of forest is rare in Switzerland, and is of special interest as a habitat of many endangered plant and animal species (e.g. woodpeckers). The forest is therefore of national importance for nature conservation.

In order to maintain an optimal habitat for the endangered species, special management practices have to be applied which are in contradiction with the most economical forest management regime (in particular harvesting the annual allowable cut, AAC, of 1,200 m<sup>3</sup>).

To solve this problem a contract was developed under the guidance of the

cantonal forest service. In this contract the commune fulfils the special standards of management, whilst the cantonal services (forest and nature conservation) pay full compensation for the additional cost and the reduced benefits accrued from the forest.

The harvest obtained from Rheinau community forest comprises 75% firewood and only 25% timber. As there is no market for such quantities of firewood, the commune (in its general assembly of all inhabitants) decided to install a communal heating system fuelled by wooden chips. This produces and delivers heating to the com-



munal buildings (e.g. school buildings, indoor swimming pool) as well as to private houses. All house owners pay commercial rates for their heating. The commune of Rheinau is thus covering 30% of the total heating energy consumption out of firewood of its own forests.

The commune solved the problem of making the best use of the huge quantities of firewood produced from its forest and at the same time became a pioneer in replacing fossil fuel with renewable energy.

# Viet Nam: Timber harvesting for community funds

*Patrick Rossier and Bui Phuoc Chuong*



## Legal status of forests



Forests in Viet Nam are classified into three different use categories:

- Production forests (36% of the forest area)
- Protection forests (48% of the forest area) and
- Special-use forests (16% of the forest area).

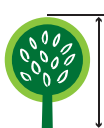
Viet Nam is a single-party socialist republic, in which the Communist Par-

ty plays a central role in all aspects of life. However, over the past three decades, economic development has become a greater national priority than communist orthodoxy. Against this background, radical changes have occurred in the country's forest tenure system. Until the late 1980s, most of the area under forest was owned and managed by the State (through State Forest Enterprises). The subsequent

decline in the forest area, the inefficiencies of forest management by the State, and the recognition of the role of local people in forest management, led to a progressive devolution of the forest land. Since the early 1990s, local people have been involved in forest management through protection contracts. In a further step, private households have been given the opportunity to obtain long-term land-use certificates (so-called Red Books), which have a duration of 50 years. Such certificates are given for barren land that is classified as forest land. The new Land Law of 2003 has also opened the possibility for the allocation of land (including forest land) to communities (defined as groups of households or villages).

portunity to obtain long-term land-use certificates (so-called Red Books), which have a duration of 50 years. Such certificates are given for barren land that is classified as forest land. The new Land Law of 2003 has also opened the possibility for the allocation of land (including forest land) to communities (defined as groups of households or villages).

## Main facts



**Area of national forest land:** 19,000,000 ha (58% of the total land area)

**Area covered by forest:** 13,118,800 ha (38.7% of the total land area) out of which 10,348,600 ha is natural forest and 2,770,200 ha is plantation forest

**Area of forest under community management:** 691,261 ha

**Proportion of the overall forest area under community forestry:** 5.3%

**Number of people participating:** Difficult to estimate

**Main forest types:** Evergreen and semi-deciduous broad-leaved forests, deciduous forests, bamboos and palms, coniferous forests, opened broad-leaved forests

## Legal forest categories in Viet Nam



There are currently four major forest tenure systems in Viet Nam

**State Forest:** The State is still the largest forest owner in Viet Nam (around 50% of the total forest area), comprising the following three entities: State Forest Enterprises, Management Boards for protection forests and Management Boards for special use forests.

**Private Forest:** Households and joint ventures are the second owner group in Viet Nam (around 25% of the total forest area). It is particularly plantations that are under private ownership.

**Community Forest:** Either groups of households or village communities can own forests. This category was introduced in 2003 and is still under development.

**Contracted Forest:** A contract is agreed between the State and an organisation, household, group of households or village to protect the forest. Under this arrangement, ownership remains with the contractor (the State) and the contracted party has the rights specified in the contract.



# Community participation



Over the last 30 years, the political system of Viet Nam has progressively decentralised.

In 1986, the Communist Party launched policy reforms towards economic liberalisation and institutional restructuring at all levels. This provided a favourable environment in which community forestry could develop.

However, the concept of community forestry has only recently been officially approved, in the new Land Law of 2003 and the new Forest Law of 2004.

In the 1990s many internationally supported projects (especially those of the German technical cooperation body, GTZ, and the Swiss, through SDC/Helvetas) explored the ways in which community forest management might be best introduced in Viet Nam's rapidly changing policy landscape. This was done without any legal basis at the time to legitimise such new approaches.

The strong legal basis for Community Forest Management now in place in Viet Nam means that the concept can be implemented widely. Howev-

er, there is still a long way to go, given that this change requires the involvement of many stakeholders who must learn new skills – and most of all, change attitudes. The community plays a central role in all steps of Community Forest Management in Viet Nam.

Participatory methods are used in the allocation of forest land allocation and in forest development planning. Simple methods and tools have been developed to allow community members to participate in the inventory of the forest resources. Forest management objectives are defined in village meetings. The community elects a forest management board of five persons that is responsible for the implementation and the monitoring of all forest activities. In addition, there is a community forest protection group and a community forest harvesting group, both composed of villagers. Village meetings are organised for taking decisions related to the way in which forest protection, timber harvesting, and especially the benefit-sharing of forest products, will be conducted.



## Environmental aspects

In most of the pilot areas of community forestry, it was observed that the forest condition has improved since the introduction of forest management by the community. The improved forest condition brings benefits to the environment in a broad sense, especially soil conservation

and the reduced risk of erosion and floods. Watershed protection is very relevant in Viet Nam, where two thirds of the land mass is mountainous. Secondly, forest management by communities tends to result in an increase in species diversity, and is thus a positive step for biodiversity.

## Economic aspects

Economic benefits are crucial for the success of community forestry. Community forestry has two kinds of economic benefits, namely labour and income generation, and income from the sale of timber products. In Viet Nam, the income generated through the forest varies enormously according to the situation and especially the quality of the forest that is allocated to the community. If the community is able to obtain a productive forest in good condition, it is possible to generate a large and significant income for the community (as is the case for Bu Nor village, described in the text box, where the community generates a sustainable annual income of approximately 30,000 USD). These financial

benefits are very important for communities in the remote and mountainous areas of Viet Nam.

However, many forests allocated to communities are of poor quality (degraded forest land) and provide no short-term benefits to the community. In such cases, additional and external incentives must be given in order to motivate communities to embark upon the long-term investment needed for forest management. Payments for Environmental Services (PES) and Reducing Emissions from Deforestation and Degradation (REDD) mechanisms have been tested, but without significant results so far.

## Social aspects

Forests are an integral part of the livelihoods of people living in the uplands of Viet Nam. Forest land is used for cultivation purposes (swidden agriculture) and for the collection of a wide range of NTFP's (non-timber forest products) for food, fodder, medicines and other subsistence needs. As a result of the financial benefits mentioned above, Community Forest Management can play an important role in poverty reduction in the re-

mote and mountainous areas of Viet Nam.

The participatory process also helps to increase community awareness and organisational skills amongst local people. In building the capacities of rural ethnic minority communities to take decisions that make a difference to their lives, Community Forest Management serves as a vehicle for empowerment.

# A practical example: Bu Nor Community Forest (Dak Nong Province)



The community of Bu Nor is able to generate a net annual income of around **US \$ 30,000**, using selective cutting and low impact logging methods

Bu Nor village is a Mnong (ethnic minority) community of 98 households to which a natural evergreen rainforest of 1,016 hectares has been allocated. During a long three year process (from 2005 to 2007), supported by the project ETSP<sup>1</sup>, the community of Bu Nor succeeded in introducing and carrying out the full cycle of community forestry, from forest land allocation, to forest management planning, timber harvesting and benefit sharing. Bu Nor village is a concrete example showing that community forestry can generate income and also contribute to poverty reduction in the uplands of Viet Nam.

In the first pilot timber harvest, 476 m<sup>3</sup> of timber was harvested and generated a net income of 26,500 USD. The felling activities were conducted by the community forest harvesting group composed of villagers, while the skidding activities were handed over to a local private logging company. Selective cutting and low impact logging methods were used in order to ensure the sustainability of the forest management.

Optimal pre-conditions could be met in Bu Nor village. The community

is living in close proximity to a large area of natural forest that is in good condition. Furthermore, the community members have considerable indigenous knowledge about the forest – the different species and their uses, local management practices, etc. Forestry has become a very significant source of income for the local community through the collection of a variety NTFPs in addition to the timber harvesting.

One of the major difficulties in introducing Community Forest Management in this case was that policies and procedures were not yet in place, and the roles and responsibilities of the stakeholders were not yet defined. Furthermore, the local authorities were at first very reluctant to hand over the forest management to a community. The process therefore faced many administrative hurdles, especially for the issuance of the harvesting permit. Another challenge was the lack of technical and managerial skills available in the community with regard to timber harvesting. Capacity building therefore played a crucial role in the preparation phase of the process.



<sup>1</sup> ETSP – Extension and Training Support Project in agriculture and forestry in the Uplands of Viet Nam: a project funded by the Swiss Agency for Development and Cooperation, SDC and implemented by Helvetas in collaboration with the Government of Viet Nam (<http://www.helvetas.ch/Vietnam/wEnglish/programme/program-etstp.asp>)

# Conclusion: What future for community forestry in Ukraine?

*Jane Carter and Natalya Voloshyna*



## Legal status of forests



We start this chapter by considering how the forestry situation in Ukraine compares with the other countries described in the preceding chapters.

The most recent legislation governing Ukraine's forests is the Forest Code of 2006, in which article 7 states that all forests within the boundaries of Ukraine are ultimately the property of the Ukrainian nation. Article 8 then goes on to outline that own-

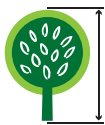
ership of forests can be vested in the State, communal bodies, or private entities – with State ownership being the norm unless other rights are proven. According to Article 9, communal forest ownership is applicable to any forests lying within the boundaries of communal property, unless they are already otherwise defined as being State or privately owned.

What this means in practice is that

most forests belong to the State, under the State Forestry Committee of Ukraine (an autonomous State body lying outside any of the Ministries). As was the case during Soviet times, they remain territorially divided into State Forest Enterprises (lishops), which are responsible for their management. There is nevertheless legal provision for communal property rights over forests, as outlined in arti-

cle 11 of the Forest Code. This states that forest plots can be handed over from the state to village administrations (territorially community), or to self-governing bodies established by the community.

## Main facts



**Total area of national forest land:** 10,8 million ha (including 1,6 million ha of protected forests)

**Area covered by forest:** 9,7 million ha, or 15,7% of the land area

**Area of forest under community management** not yet implemented in a form comparable with the other case studies

**Area of forest under the management of communal bodies:** 950 thousand ha (9% of the total forest area).

**Main forest types:** Pine (*Pinus sylvestris*), Oak (*Quercus robur*), Beech (*Fagus sylvatica*), Spruce (*Picea abies*), Birch (*Betula pendula*), Alder (*Alnus glutinosa*), Ash (*Fraxinus excelsior*), Hornbeam (*Carpinus betulus*), Fir (*Abies alba*).

## Legal categories of forests



All the forests of Ukraine are currently under the jurisdiction of different ministries and state institutions, as follows:

- State Forestry Committee of Ukraine: 7.4 million ha (68% of forest area);
- Ministry of Agriculture: 1.8 million ha (17%);
- Ministry of Defence: 0.2 million ha (2%);
- Ministry of Emergencies: 0.2 million ha (2%);
- Ministry of Natural Environment Protection: 0.1 million ha (1%);
- Ministry of Transport and Communication: 0.1 million ha (1%);

- Other ministries and institutions: 0.2 million ha (2%);
- State reserve forest lands: 0.8 million ha (7%) – local decision making at Rayon (district) level.

A number of communal enterprises have been established in Zhytomyr, Ivano-Frankivsk, Chernihiv, Sumy, Cherkasy, Lviv, Vinnytsya, Ternopil and Khmelnytskyi regions. They are commercial enterprises established through the local village administration (territorial community), and their operations include the processing of forest products.

# Community participation



The usual forestry planning practice in Ukraine is for plans to be elaborated at regional (oblast) level by the state forest inventory unit (*Ukrderzhlisproject*) – the sole organisation in Ukraine with the necessary inventory expertise) as well as other forestry specialists. As was the case during Soviet times, they follow a ten year planning cycle. Responsibility for implementing the plan is then allocated to lishops and regional forest administration. The possibility of local communities participating in this very technical process was not foreseen, although village council leaders were sent a formal invitation to the technical meetings of the forest inventory specialists.

The Swiss-Ukrainian Forest Development Project in Transcarpathia (FORZA) has sought to promote greater local people's participation in forest planning and management. To this end, it has worked in two pilot areas in collaboration with the relevant authorities – namely the Transcarpathian Forest and Hunting Ad-

ministration (TFHA), the Ukrainian state forest inventory, the district (*rayon*) and village authorities, local *lishops* and forest ranges, and the water management administration. These pilot areas were the villages of Nyzhniy Bystryi and Bohdan, and the respective forest ranges. The pilot approach of two-level planning was developed over the period 2004 – 2008, and was viewed in a similar perspective to that of the pilot activities described in Vietnam and Kyrgyzstan in this publication. The idea was to test the new approach on a small scale, and to foster a spirit of collaboration and learning amongst the key stakeholders so that eventually the experience would be taken into account in formulating more participatory approaches in Ukraine's forest policy. The project also supported study tours and exchange visits to a number of other countries implementing people-oriented forest management in order to expose Ukrainian policy makers and forestry specialists to such approaches.



The two-level planning approach followed in the pilot examples comprises a *strategic plan*, prepared by and for the community and an *operational forest management plan* prepared by the forestry authorities. The communities in this case were taken to be the village authorities, although discussions were not limited to members of the village council; wide consultation was actively sought. Through the strategic plan that was eventually drawn up, the communities are empowered to influence decision-making about the management of the forests in the vicinity of their homes. The natural resource development priorities identified in the strategic plan are important guidelines for the foresters, who will have to consider these priorities for the formulation of the operational Forest Management Plan.

As a result of the positive experiences in the two pilot areas, the THFA has decided that the new ten year planning process in the Transcarpathian region should provide an – albeit limited – opportunity for local consultation in the planning process. A further factor militating towards this decision is the requirement under the Forest Stewardship Council (FSC) certification of good forest management that local people are consulted in forest management decisions. In a significant change from the past, the planning process will be devolved from oblast (regional) to rayon (district) level. Given that there are 351 Village Councils in Transcarpathia, involving them all in a new process, when they do not expect to be consulted (since they never were in the past) is a major challenge. Thus a first step has been to ensure that information about the new process is widely disseminated – through official communication to the village administrations and through local mass media.

The consultation process itself has been foreseen as follows. A central part is the organisation of two

rounds of district level technical meetings, to which representatives of all the village councils, TFHA officials, district ecologists and other district (administrative) officials, the *lishosps*, forest ranges and inventory specialists. A first round of such meetings – one in each of the 13 districts – has already taken place, and served both to inform village councils about the current status of forest management and on the process and to give them the chance to express their particular needs and interests. The latter was done in the form of a questionnaire, which village councils were asked to complete after the meeting to give time for discussion at village level. Unfortunately not all the village councils took part; eventually 80 completed questionnaires were received. The results of these questionnaires have been taken into consideration in drawing up guidelines for the planning process.

At the time of writing this publication, the second round of the consultation process had started. The so-called “First forest inventory meeting” involved the same stakeholder groups, but this time at the level of 18 *lishosps* and the regional TFHA. Representatives of the forest inventory unit informed participants about the results of their preparations, and the readiness of the *lishosps* to be involved in the forest inventory activities. Participants had the opportunity at the meeting to discuss the practical details of the field inventory, as well as the major issues of forest management planning for the *lishosps*. Decisions made on these issues were fixed in the minutes of the meeting at the regional level, approved by TFHA with the agreement of State Department for Environmental Protection. This is a necessary formal step for activities to continue further.

The forest inventory will now take place on the ground. This will result eventually in the elaboration of a forest management plan for each particular forest range. It is envisaged that each plan will be presented to the corresponding village council in order to gather feedback before the final plan is approved. The forest management plans will be compiled at the level of the *lishosp*. The key aspects of each *lishosp*'s forest management plans will then be considered during the "Second forest inventory meeting". Their approval by the TFHA will become the basis of a consolidated regional forest management plan, which provides the legal basis for the implementation of all plans under it. Each *lishosp* under the TFHA will then receive its new approved forest management plans for the next 10 years. The new plans will follow the principles of close-to-nature silviculture, and will at least have involved some consultation with some community representatives.

another. Those primarily responsible for implementing the new FMPs will be the *lishosp* staff, but the intention is that they will strive to be more participatory and consultative in future, working in close collaboration with the village authorities.

Developing a Forest Management Plan is one thing; implementing it is





# Nyzhniy Bystryi pilot forest range of Khust State Experimental Forest Management Unit



The new two-level participatory planning process in Nyzhniy Bystryi met with many challenges but resulted in increased mutual understanding between foresters and villagers

Nyzhniy Bystryi, in Khust *rayon* (district) was the first pilot community-forest range partnership to undertake the two-level planning approach. Strategic development goals were formulated in the Community Development Plan (first level plan) and taken onto account in the new multifunctional Forest Management Plan (second level plan).

The forest range covers 4,782 hectares, and the number of community members involved (that is, influenced by the plan) is some 2,400 people (715 households).

The strategic goals of the Community Development Plan are as follows:

1. Tourism development (rural tourism, active tourism)
2. Wood processing/ value added productions
3. Improvement of community infrastructure and local conditions

The main forest management objectives under the new Forest Management Plan are:

1. Formation of uneven aged mixed forest
2. Improvement of forest access network and low-impact harvesting
3. Provision of local community with fuelwood
4. Conservation of forests around tourism areas
5. Increase of protective forest plots share
6. Improvement of hunting management

The main achievements of the community-forest range partnership are generally considered to be the following:

1. Mobilisation of the community in flood protection activities through riverbank enforcement with the use

of local renewable resources – 425 m of wooden enforcement.

2. Increase of energy efficiency of the local school through insulation of doors/windows, and later improvement of the heating system.

3. Experimentation on the efficiency of fuelwood use in eight households of the community, bringing practically checked information on the heating efficiency of different types of heating systems.

4. Development of rural tourism: basic training of local community members on rural tourism development, establishment of eight rural guesthouses, ecological certification of six guesthouses, promotion of the attractiveness of the area for tourism through the marking and signing of 40 km of hiking trails around the village, and the construction of a tourist recreation site.

5. Establishment of sample plots in the forest range and conduction of conversion cuts, replication of the experience by other forest ranges.

The new two-level participatory planning process met with many challenges. Foresters who are used to forest management planning according to top down directives, without any local consultation process, found it challenging to accept different perspectives. Villagers who had had no previous opportunity to participate in natural resource planning also found it challenging to think along these lines.

The whole process took a lot of time (partly because it was the first time for everyone), but resulted in increased mutual understanding.

# What can be learned?



## Changing attitudes amongst professional foresters

Perhaps one of the most striking things that can be drawn from most of the case studies outlined in the publication – which was also remarked in the Ukrainian pilot of Nyzhniy Bystryi – is that community forestry requires a change in the attitude and perception of professional foresters. Whilst there is widespread international recognition of the need to involve local people in forest management to a greater extent, this recognition is not necessarily shared by forestry officials on the ground – especially ones who were trained in centralised, top down management practices based on the concept of policing the forest on behalf of the State. It is important that curricula in forestry training schools are changed to reflect more modern practices, orientating those starting their professional forestry careers to a participatory mindset. This curriculum change has indeed been introduced at the National Forest Technical University of Ukraine in Lviv and the Carpathian Regional Training Center in Ivano-Frankivsk. At the same time, it is also important that older persons with years of experience are given the opportunity to refresh their ideas through in-service training – either at training institutions or through exposure visits to pilot sites.

Many professional foresters fear that community forestry approaches will result in a loss of their personal power and authority. However, there remains an important advisory role for foresters in community forestry, one that can give foresters much prestige and respect. Another concern commonly expressed by foresters is that local people will not manage forests in a responsible or sustainable manner. Yet there is very little evidence of

community forests being poorly managed – to the contrary, they are often extremely well managed (particularly when appropriate guidance is provided by professional foresters). The long experience of community forestry in Switzerland bears particular witness to both these points.

## Policy and legal changes

The introduction of community forestry in a country often requires significant changes in national forest policy and legislation. Even if the overarching national legislation allows for community management, often the rules and regulations guiding its implementation in forestry need to be worked out. The experiences of Nepal, Viet Nam and Kyrgyzstan, in particular, show how it is useful to build up experience in a concerted manner, to devise legislation, rules and regulations accordingly, and to remain open to further modifications in later years should this prove necessary. Policy and legislation need to guide field implementation, and visa versa.

## Community forestry is not always an appropriate mechanism

Readers may have noticed that even in the countries in which community forestry is considered to be particularly successful – such as Switzerland and Nepal – other forms of forest management still exist alongside. Community forestry is likely to be particularly successful where significant numbers of people are living close to or within forests, and have a clear interest in their management. This may even be the case for the majority of forests in a particular country. Nevertheless, for forests lying far from human habitation, or those hav-

ing particular national significance for reasons of environmental protection, biodiversity or other reasons, it may be more appropriate that they are managed by a State forest administration or another qualified body.

### **Rural livelihoods, rural economies**

As the various country examples have shown, community forestry can often provide a boost to rural communities, in strengthening a sense of ownership over the local forests and raising opportunities to generate income from forest products. Often timber resources provide the greatest opportunity for generating revenue, but this is not always the case; community forestry can be a means to promote the sustainable exploitation of a range of forest products, from fruits for making jams to essential oils to firewood. This can benefit the whole community directly, if profits are shared; it can also result in the generation of impor-

tant jobs in rural areas where these are difficult to find.

### **Local governance and community well-being**

A number of the country examples touch on how participating in discussions and decisions over forest management helped members of the community to gain skills, knowledge and self-confidence. They became active in governing the resources that contribute to their livelihoods – this is perhaps particularly well illustrated in the examples from Bhutan, Bulgaria, Nepal and Scotland. Participation in decisions that affect one's life can be a significant means to enhance people's sense of well-being and responsible citizenship.



# Final words



Whilst community forestry in Ukraine is not yet an established practice, the pilot experiences of Nyzhniy Bystryi and Bohdan provide examples on which it is possible to build. Furthermore, the ten-year forest plan for the Transcarpathian area provides the first general opportunity for greater local input into forestry planning. It is of course a limited opportunity, especially when compared against the rights to decide over forest management that are exercised by community members in some of the other countries discussed in this publication. Given that it is the first time that any consultative process in forest planning has been instigated in Ukraine, it is not surprising that village council participation has been somewhat limited. In any case, not all village councils lie close to forest resources, so some may consider the process irrelevant to their situation. The experience of other countries is that participatory processes take time – and that it is best to start where there is clear interest amongst the stakeholders. The nearly one quarter of all Transcarpathian village councils that have formally expressed their opinions on forest planning (though completing a questionnaire) represent a significant mass. It is important that they not only continue to play an active role in the forest planning process, but also that they seek to represent all the interests within their villages in a responsible manner. The role of *lishosp* staff and other forestry specialists in supporting the consultative approach and respecting the village council contributions is crucial. Apart from the principles of democracy upheld in this process, local consultation is essential to fulfil FSC forest certification.

Like the other countries in transition that are detailed in this publication – Bulgaria, Kyrgyzstan, Slovakia and (to a lesser extent) Viet Nam, forestry in Ukraine is adapting to modern, post-Communist times. Participatory approaches to forestry are part of this modern trend. It is hoped that this small publication contributes to a better understanding within Ukraine about community forestry, in showing that it is widely accepted and well functioning approach in many different parts of the world.

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# List of authors

**Jane Carter** (DPhil) is Co-Head, Governance and Natural Resources, Intercooperation Bern, Switzerland and has particular experience of participatory forestry in Nepal, Kyrgyzstan, Bhutan and Ukraine.

**Natalya Voloshyna** is the coordinator of social/community development activities in the Swiss-Ukrainian Forest Development Project in Transcarpathia, FORZA.

**Kaspar Schmidt** (PhD) is the Advisor for the Participatory Forest Management Project, Helvetas, Bhutan.

**Karma Jigme Tempel** is the Focal Officer of the Participatory Forest Management Project and Head Social Forestry Section (SFS), Ministry of Agriculture and Forests (MoAF), Bhutan.

**Christoph Dürr** was Chief Advisor to the Bulgaria-Swiss Forestry Project, Intercooperation, Bulgaria. He is now Scientific Officer, Department of Environment, Energy, Transport and Communications, Federal Office of the Environment, Switzerland.

**Ennio Grisa** is Chief Adviser to the Kyrgyz-Swiss Forestry Support Programme and Representative of Intercooperation in Kyrgyzstan.

**Jean-Marie Samyn** is a Programme Officer, Governance and Natural Resources, Intercooperation, Bern, Switzerland and desk officer for the Kyrgyz-Swiss Forestry Support Programme.

**Patrick Sieber** is a Programme Officer, Governance and Natural Resources, Intercooperation, Bern, Switzerland and previously worked in Kyrgyzstan as CFM Advisor, Kyrgyz-Swiss Forestry Support Programme.

**Bharat K. Pokharel** (PhD) is the Director of the Nepal-Swiss Community Forestry

Project and Representative of Intercooperation in Nepal.

**Jon Hollingdale** is the Chief Executive of the Community Woods Association, Scotland.

**Piers Voysey** is a member of the Community Woods Association, Scotland.

**Peter Šiška** is the Manager of the Košice Municipal Forest Company, Slovakia.

**Zuzana Sarvašová** (PhD) works in the Department of Forest Strategy, Policy and Economy in the National Forest Centre, Forest Research Institute, Zvolen, Slovakia.

**Erich Oberholzer** was, at the time of writing, District Forest Officer, Winterthur, Canton of Zürich, Switzerland. He is now enjoying having more time with his grandchildren.

**Raphael Schwitter** is Forest Management and Ecology Officer, Forest Training Centre, Maienfeld, Switzerland.

**Bui Phuoc Chuong** was Project Coordinator of the Extension and Training Support Project (ETSP), Viet Nam over the period 2003 to 2007. He is currently studying at Clark University in Worcester, Massachusetts, USA.

**Patrick Rossier** was Technical Advisor to the Extension and Training Support Project (ETSP), Helvetas, Viet Nam over the period 2004 to 2007. He currently works for the forestry consultancy company «Nouvelle Forêt Ltd», Fribourg, Switzerland.

# List of authors of the photographs

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## **How communities manage forests:** selected examples from around the world

This publication provides readers with an introduction to community forestry, taking eight country examples from Europe and Asia. In each example the legislation and organisational forms are described, and environmental, economical and social aspects discussed. The publication is intended for forestry students, forestry practitioners and policy makers, and interested members of the general public.

**English editing:** Jane Carter  
jane.carter@intercooperation.ch

**Ukrainian editing:** Nataliya Voloshyna  
nvoloshyna@forza-ic.com.ua

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<http://www.forza.org.ua>; [pcu@forza-ic.com.ua](mailto:pcu@forza-ic.com.ua)

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