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AUTHORS: Albora KACANI,Leonidha PERI

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Assessing forest governance in Albania

Albora Kacani[1,*] , Leonidha Peri[1]

[1,*]*Faculty of Forestry Sciences, Agricultural University of Tirana, 1029 Tirana, Albania*
Corresponding author: alborakacani@gmail.com

Abstract

In the last 20 years, Albania has transferred the ownership and the responsibility of the management of 80% of forest area from central government to local government. The process was part of a wide decentralization reform aiming to tackle the challenges related to illegal logging activities, weak institutions, and capacities, unclear laws and regulations, frequent reforms in forest administration, high sector informality etc. Due to decentralization forest governance involve two levels of government and a range of stakeholders with different interests (local communities, forest owners, private sector, etc.). Although the reforms are under implementation, there is a lack of assessments, to analyze the governance challenges for the sector. Therefore, the aim of this paper is to provide an assessment of the status of forest governance in Albania, using a comprehensive analytical framework developed by FAO and PROFOR. The framework is based on three columns (i) policy, legal, institutional and regulatory frameworks, (ii) planning and decision-making processes and (iii) implementation enforcement and compliance. A set of 84 indicators, considered to be relevant for Albania, has been chosen out of 130 indicators proposed by PROFOR. The assessment is carried out through a survey, with a cross-section of 30 experts from various forest - related institutions (state and non-state). The results show that forest governance in Albania is far from good forest governance, despite some positive efforts. The reasons for this are no clear set of policy directions, conflicting or confusing laws, complex forest law and bylaws, no secure access to forest resources by local communities, low capacities of government (central and local) and non-government stakeholders, lack of transparency and accountability etc.

Key words: decentralization reforms, forest governance, stakeholders, analytical framework, assessment

INTRODUCTION

It is increasingly recognised that governance problems underlie many forest problems (Mayers J et al. 2002, and 2006) and that governance is gaining importance in the forest sector (Muller E et al. 2010). According to Brito B et al. (2009), first, governance has to do with the process – that is how decisions are made, rather than what those decisions are. Second, actors and stakeholders beyond the government and beyond the forest sector are involved in governance. Consequently, this Initiative focuses on "governance of forests" to capture the range of actors and interests that affect forest management.

Forest governance has been defined in many different ways over the years. World Bank 2006 refers to forest sector governance as the ways in which officials and institutions (both formal and informal) acquire and exercise authority in the management of the resources of the sector to sustain and improve the welfare and quality of life for those whose livelihoods depend on the sector. According to Mayers J et al. (2006), forest governance has different meanings for different people – but is generally used as a means to tackle the qualities of decision-making processes rather than the formal political structures of government.

Forest governance includes the norms, processes, instruments, people, and organizations that control how people interact with forests according to Kishor N and Kenneth R (2012).

FAO 2012 describes 'Forest governance' as the way in which people and organizations rule and regulate forests. This relates to how they allocate and secure access to, rights over, and benefits from forests, including the planning, monitoring, and control of their use, management, and conservation.

While, recognizing the importance of forest governance research, the journal Forest Policy and Economics dedicated a special issue on the topic (Giessen L et. al. 2014). They propose a wide definition of forest governance which comprises a) all formal and informal, public and private regulatory structures, i.e. institutions consisting of rules, norms, principles, decision procedures, concerning forests, their utilisation and their conservation, b) the interactions between public and private actors therein and c) the effects of either on forests.

On the other hand, there is an increasing interest in the international community how to measure forest governance. Although there are significant gaps in our knowledge to identify and plan reforms to improve the governance of the sector, the challenges are best addressed by carrying out an in-depth diagnosis of forest governance through a comprehensive framework (WB 2009). Since the declaration of the Forest Principles at the Rio Conference in 1992, several initiatives have been taken by international organisations to develop indicators and criteria to assess and measure issues specific to the forest sector such as FSC Principles and Criteria for Forest Stewardship Council (1996), The CIFOR Criteria and Indicators Toolbox Series Center for International Forestry Research (1999), The Pyramid - A diagnostic and planning tool for good forest governance WWF, World Bank, IIED (2002), Revised ITTO criteria and indicators for the sustainable management of tropical forests International Tropical Timber Organization (2005), FAO and PROFOR (2011) Framework for Assesing and Monitoring Forest Governance, revised indicators of the World Resources Institute's Governance of Forests Initiative (2013) etc.

MATERIAL AND METHODS

Among the global initiatives mentioned above, a more widely accepted framework (Avdibegović M et. al., 2014) for assessing and monitoring forest governance is the one developed by FAO and PROFOR in 2011. It facilitates description, diagnosis, monitoring, assessment and reporting on the state of governance in a country's forest sector.

The foundation on which the framework is built consists of 3 main pillars and 6 principles generally accepted as the principles of "good" forest governance (Figure 1). Each pillar is divided into components and subcomponents (elements of a component that can be identified and assessed) (Maidell M et. al. 2012).

Subcomponents can be considered as a starting point for assessing and monitoring different forest governance aspects. For monitoring and evaluation purposes, depending on interest and objectives, it can be focused only on a few subcomponents, changing them, or adding new subcomponents. Subcomponents are evaluated and measured by indicators that are quantitative, qualitative or descriptive qualities/attributes. The indicators reflect six common principles of good governance: Accountability, Effectiveness, Efficiency, Fairness/equity, Participation and Transparency.

The Framework builds on the understanding that governance is both the context and the product of the interaction of a range of actors and stakeholders with diverse interests. According to it, "forest governance" includes the norms, processes, instruments, people, and organizations that control how people interact with forests (FAO & PROFOR, 2011).

The reasons why we choose the framework for our study were: (i) it draws on several approaches currently in use or under development in major forest governance-related processes and initiatives including those mentioned above (ii) it is flexible and can be used by governmental and non-governmental actors involved in forest governance (iii) its 6 principles of "good" forest governance are generally desirable/accepted from other sources and experiences like in the Institutional Analysis and Development Framework developed by Ostrom (1990, 2005).
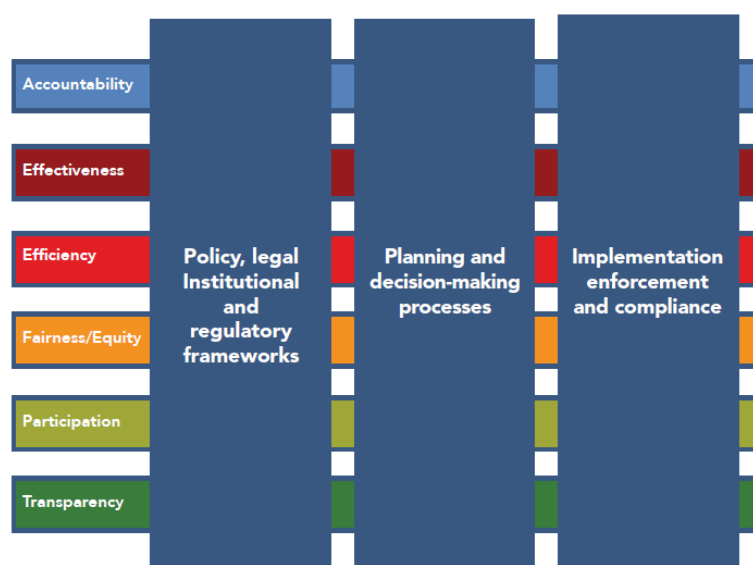
Figure 1: Pillars and principles of forest governance (Source: FAO and PROFOR 2011)

To analyze the situation in Albania, the assessment included a literature review and the use of FAO-PROFOR 2011 diagnostic tool. The use of this tool enabled researchers to identify the main forest governance issues in the country and provide recommendations to improve forest governance.

The approach for data collection was by designing a structured questionnaire for key experts involved in forest governance in Albania. The questionnaire was customized, according to the context of Albania, based on the framework for the assessment and monitoring of the governance of FAO and PROFOR 2011 and by doing a detailed review of the available literature and similar assessments in other countries (FDA, 2012; Raonintsoa et al. 2012; Bonkoungou, 2013). The questionnaire consists of 84 multiple choice questions/indicators about the aspects of forest governance. It covered the three pillars of the framework with the six principles considered as the components of good governance.

Respondents were selected from cross-section experts representing different perspectives on governance. They were 30 experts from central and local governments, civil society, academia, private sector and international organizations. (Table 1) who are experienced in and well-informed about the forest governance. The survey was conducted from July 2017 – October 2017.

Respondents were asked to score various issues concerning forest governance using the four - point response scale from 0 (worst) to 3 (best), corresponding to 4 different scales. The final results were calculated as the weighted average of all points given by each expert.

Similiar assesments include the preparation of a background report on the status of country forest governance followed by a 1-2 days workshop where stakeholders meet to discuss governance and try to come to an agreement on scoring the indicators but due to limited financial reasons the above materials and methods were chosen.

RESULTS

Each expert scored the indicators for the three governance pillars based on their own expertise, knowledge and perception using the four-point scale from 0 (worst) to 3 (best). This scale offers a set of choices for scoring each indicator from undesirable to desirable level. The final scores were calculated as the weighted average of all points given by each expert. The average score captures the status of components and pillars of forest governance, as perceived by the group of experts. For those indicators

where the score falls below the highest possible, there is a governance weakness and indication for improving governance.

In total, 84 indicators grouped in 14 components were scored and presented graphically in Figures 3,4 and 5. The results are presented by charts which show the scoring of indicators for each pillar. Figures present governance weaknesses, shown as the difference between desired level for the indicator and the actual scores assigned by the respondents. Each chart is color-coded to depict the governance gaps (Figure 3).

Table 1. Stakeholder group.

| Stakeholder group	Institution	No. of interviewed experts
Central government	Ministry of Environment	2
	National Environment Agency	2
	State Environment and Forestry Inspectorate	2
	National Agency for Protected Areas	2
Local government	Municipalities	8
Civil society	Forestry Experts	2
Communities	National Federation of Communal Forests and Pastures of Albania	1
	Regional Forest and Pasture Federations	4
Private sector	Diava Consulting	1
International actors	CNVP Foundation	2
	Environmental Services Project Unit	1
Academia	Faculty of Forestry Sciences	2
	Polis University	1
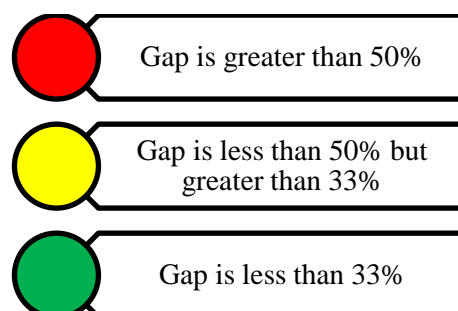
Figure 2. Charts colors showing governance gaps. (Source: Modified by FDA 2012)

Indicators scores assigned by the group of experts

Based on the scoring of the questionnaire, the results show that most of forest governance elements need to be improved. However, there are some positive elements such as the existence of a forest national strategy, importance given in the law to sustainable forest management and preparation of inventories and management plans, presence of forest civil society organizations, existence and effectiveness of informal mechanisms for resolving disputes and conflicts over forest resources.

Regarding Pillar I, dealing with Policy, legal, institutional and regulatory frameworks, the scoring indicates large gaps on legal framework supporting and protecting land tenure, ownership, and use rights (Figure 3). Notable weaknesses (over 70%) are found in the extent to which the legal framework recognizes traditional rights of local communities including ownership of other resources tied to the

land (e.g., carbon, genetic resources, wildlife, water, minerals) and its effectiveness to resolve disputes related to land tenure, ownership, and use rights. The biggest governance gap (80%) in Pillar I is in the area of devolution of management authority where the law does not include clear ways for local communities to share or obtain management authority over some public forests. The law is perceived as unsuccessful at harmonizing formal and informal rights to forest resources (70%). Important gaps exist in legal provisions for equitable sharing of forest revenue with local communities. Distribution of access to forest is generally viewed by forest communities inequitable and not fair.

Significant gaps are also identified in the second governance pillar dealing with planning and decision-making processes (Figure 4). Stakeholder participation was scored low by the respondents indicating inadequate mechanisms and processes for people to influence forest policy. So as perceived by the group of experts' gaps occur in the mechanisms for people to influence forest policy, stakeholder's consultations, extent to which government engages with civil society and communities in forest-related processes and decision making and capacity of central and local governments to engage stakeholders. Participation of women in forest-related decision-making processes was particularly scored very low with 80%. Quality and accessibility of forest-related information available to stakeholders and political interference in the freedom of forest institutions were identified as major weaknesses (over 70%) of transparency and accountability component. Quality of decision-making and planning in the forestry sector are perceived as weak by the group of experts in areas such as government demand for information and government consideration to non-marketed goods & services.

The scoring highlights that most gaps exist in Pillar III related to implementation, enforcement and compliance (Figure 5). Biggest governance weaknesses (over 75%) are found in forest administration related to: staff capacity and effectiveness of institutions responsible for forest administration, quality of information, effectiveness of monitoring and evaluation, effectiveness of collection, sharing, and redistribution of forest taxes and tariffs and extent to which on-the-ground management of forests follows adopted policies, laws, and plans. Further, significant gaps are found in the area of forest law enforcement specifically in the investigation and prosecution of forest crimes (88.9%). Insecure forest tenure for communities and inaccuracy of documentation and information related to forest tenure and rights are perceived as serious issues based on the scoring of the experts. Further, specific indicators on coordination and cooperation indicate gaps related to coordination between local and national governments and among national institutions. The scoring shows that little coordination occurs inside and outside of forest - related institutions to combat forest crime (governance gap 76%). Finally, low scores are given to indicators related with measures to address corruption specifically those dealing with the standards of conduct to address corruption for institutions staff and investigation of forest corruptions.
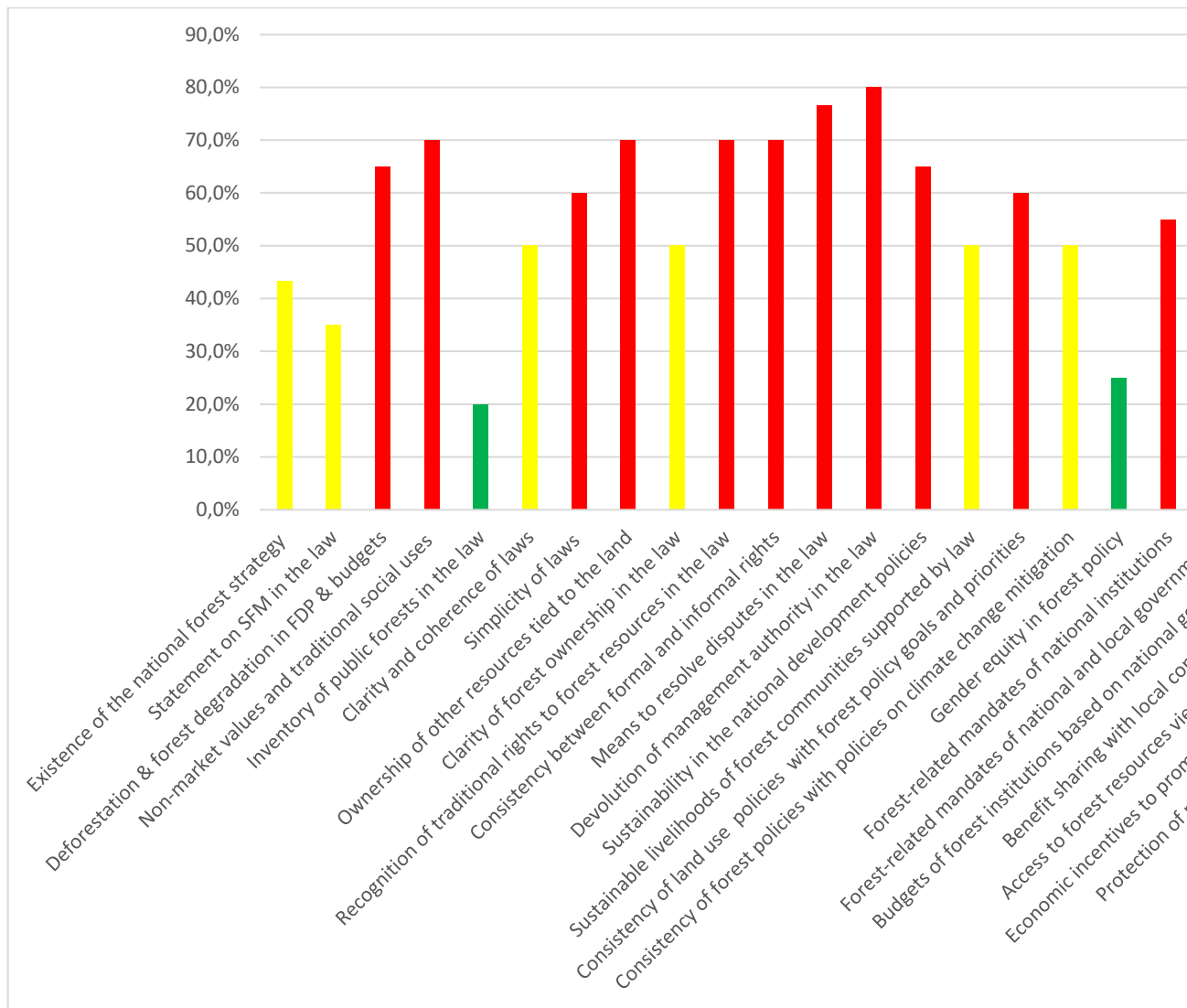
Figure 3. Indicators scores for pillar i: policy, legal, institutional and regulatory framework
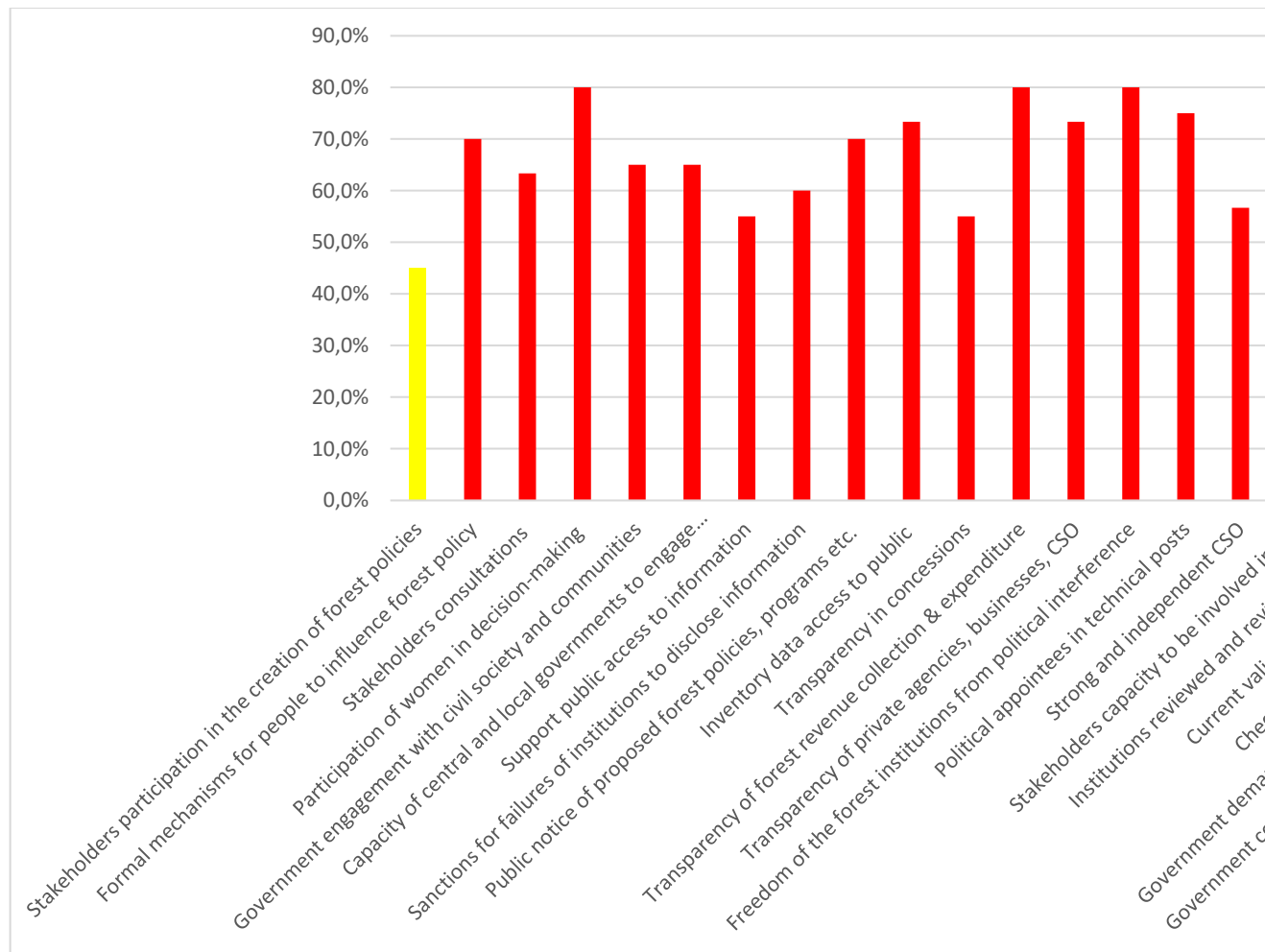
Figure 4. Indicators scores for Pillar II: Planning and decision-making processes.
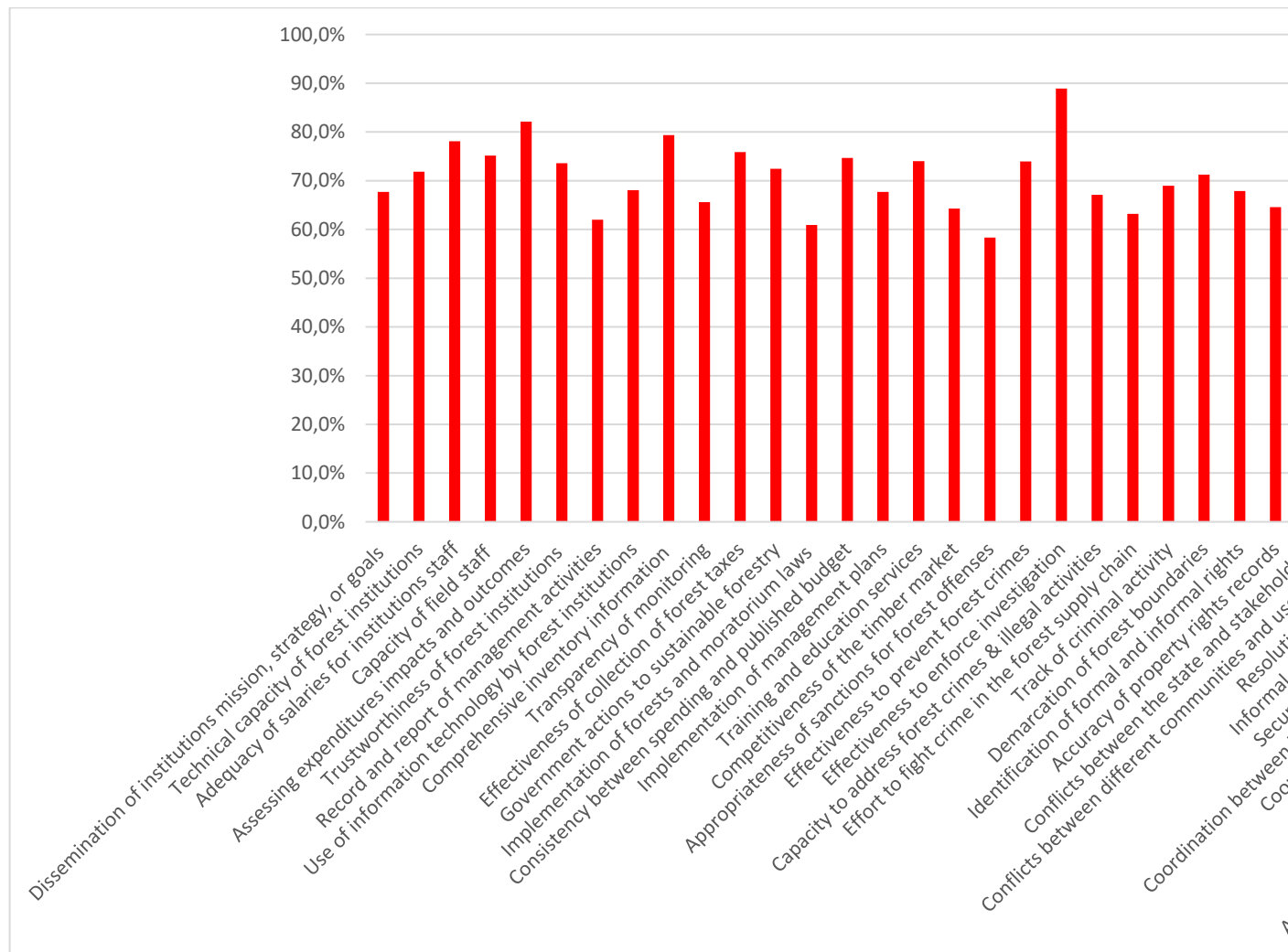
Figure 5. Indicators scores for Pillar III: Implementation, enforcement and compliance.

DISCUSSION

The study confirmed the challenges faced by Albanian forest sector and its poor governance.

Our finding that most forest governance gaps exist in Pillar III related to implementation, enforcement and compliance is in line with other studies carried out in Balkan Region (Avdibegović M et. al., 2014). For example, both assesments found that biggiest governance gaps are found in aspects such as effectiveness of monitoring and evaluation, staff capacity and effectiveness of forestry institutions and quality of information.

The results show that forest governance in Albania is far from ideal/good governance despite some positive elements. The biggest gaps are in the areas such as land tenure, ownership and use rights, coordination of national plans and strategies with forest policies, existence of financial incentives, economic instruments, and benefit sharing, transparency and accountability and law enforcement. Similar assessments carried out in Liberia (2012), Madagascar (2012) and Congo (2013) also found that most of forest governments elements need to improved.

It is recommended to develop a forest policy, including a national strategy and program with a clear vision and objectives. A new forest law should reflect the new context of decentralization, enabling the local communities to be directly involved in the management of transferred resources. The involvement of local communities should be secured regardless of whether they have legal rights or not over forest. Relevant institutions should provide adequate access to information, wider stakeholder participation and find a benefit sharing mechanisms for local communities. The informality of forest sector should be reduced. Illegal logging and other forest crimes should be pursued and monitored. The government should promote income generating - activities such as agro-forestry. Finally, it is recommended to put in place a mechanism for monitoring and evaluating the effectiveness of forest governance.

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