

FoEI International Programs

2022 lobby & advocacy

**Project Name: Analyze CFM issues in Georgia and Preparing
the Ground for Lobby and Advocacy**

**Member Group: The Greens Movement of Georgia/
Friends of the Earth – Georgia**

Introduction

The main objective of the program (Analyze CFM issues in Georgia and preparing the ground for lobby and advocacy) was analyzing the current situation around communal forests to lay the groundwork for a future campaign for CFM.

For achieving the goal the following tasks have been completed:

- Analyzed of existed situation around CFM and the rights on CFM, legal frameworks;
- Conducted expert interviews;
- Survey with municipalities (63 units) and the locals (more than 100 respondent);
- Analyzed secondary data and desk research materials
- In-depth interviews with experts (who knows former communal forest management situation)
- Informative meetings with local, regional and national decision-makers and stakeholders

Desk Research and Expert Interviews

There were different forms and traditions of forest management in Georgia in different periods of history. Researchers distinguish 4 main periods, however we will briefly introduce the situation of the more recent past.

In the 19th century, forests in Georgia belonged to the state, private owners, churches, villages and individual families. Forest ownership by specific families was especially common in the highland regions. where the population still recognizes it today. Village forests were usually not divided into separate areas and were used collectively by the local people.

It is interesting, that in 1918, the distribution according to forest ownership in Georgia was as follows: state forests 57%, private forests - 43%. Now this proportion is dramatically changed.

After the establishment of the Soviet regime in 1921, all forests were declared state property. Agricultural commissariats were declared responsible for forests. In 1923, under new legislation, forests were divided into two groups: **primary state forests** and **local forests**, which were transferred to collective farms and Soviet farms for management. The last one were communal forests in a soviet manner, that is different from CFM practice, but is still the experience of Georgia's population and can be considered as a basic ground for CFM.

According to one of the experts, during that period, appropriate forest management services were established in every region. The functions of these services were to protect the agricultural forests, manage forest activities and supply the local population with firewood. Additional factories were established with the communal forests, which produced shirts, sarees, school supplies and other consumer goods. They also had nurseries to produce afforestation of 1000 ha in the agricultural area every year.

After the collapse of the USSR and Georgia's independence (1990), collective farms and Soviet farms were dissolved almost immediately, and the forests under their management (communal forests) remained completely uncontrolled and vulnerable.

In order to save the forests, the Parliament of Georgia issued resolution which refers to "Inter-agricultural and municipal forests of the Republic of Georgia", which instructed the executive authority to undertake the transfer of communal and municipal forests to the State Department of Forestry.

According to the official statistics, the total area of the former communal forests was 531 461 ha and only 329 616 ha is been transferred to the municipalities. It is another research topic to find out in what situation is the rest of the former communal forests.

Legal Frameworks

Of the international obligations officially recognized by Georgia, it is worth noting the Convention on Biological Diversity. It requires parties to the Convention to develop and implement local forest management systems that ensure the protection and conservation of forest biodiversity.

Georgia has taken responsibility in the field of environmental protection for a number of other international agreements (Association Agreement with the European Union, Ramsar, Bern, CITES, Forest of Europe, etc.), but they do not directly indicate the importance of forest management development at the local level.

In terms of national legislation, the following documents should be considered:

- Biodiversity Strategy and Action Plan of Georgia (2014)
- National forestry concept of Georgia (2013)
- Organic Law of Georgia "Local Self-Government Code" (2014)
- Law of Georgia "Forest Code of Georgia" (1999)
- Draft law of Georgia "Forest Code of Georgia"
- Resolution of the Government of Georgia "On the rules for determining the forest of local importance" (2007)
- Resolution of the Government of Georgia "On the rules for determining the border of the state forest" (2010)

Main points from Biodiversity Strategy and Action Plan of Georgia

According to the Forest Code of Georgia, the local forest fund should be managed by the local self-government bodies, but these forests have not yet been transferred to the local self-government bodies. Due to insufficient funding and capacity, municipalities are not ready to take responsibility for forest management. In order to solve this problem, it is proposed: "Community forests should be developed in Georgia and their management

should fully consider the role and rights of the local population, including women, in terms of collecting non-timber forest resources" (Article 6.2 - Strategic Approaches).

Main points from National Forestry Concept of Georgia

Principles of the national forestry concept:

- The principle of sustainable forest management;
- Precautionary principle to maintain the forest's protective functions and ecological balance;
- Principle: "All forests are local";
- Separation of policy, management and supervision functions;
- Forestry sector as a part of sustainable development of the country.

Main Points from Organic Law of Georgia "Local Self-Government Code"

Article 16. Authority of the municipality: c) management of natural resources of local importance, including water and forest resources and land resources owned by the municipality, in accordance with the law. Article 24. Authority the municipality council: f) determining the rules for managing the forest and water resources owned by the municipality in accordance with the legislation of Georgia. Article 107. Property assigned to the municipality by this law: d) forest and water resources of local importance; 2. The following agricultural land is not considered the property of the municipality: h) Land of the State Forest Fund.

General main point from Georgia's national law

- Georgian forest can be three type of status: state, municipal and private property;
- A municipal forest is a forest of local importance owned by a self-governing unit;
- A forest fund of local importance is a forest fund that is owned by local self-government bodies and that can be used to meet the personal consumption needs of the local population in accordance with the law;
- The formation of the forest fund of local importance takes place: on the territories of the former communal forests;

- To obtain the status of municipal forest, the municipality needs to apply for this status.

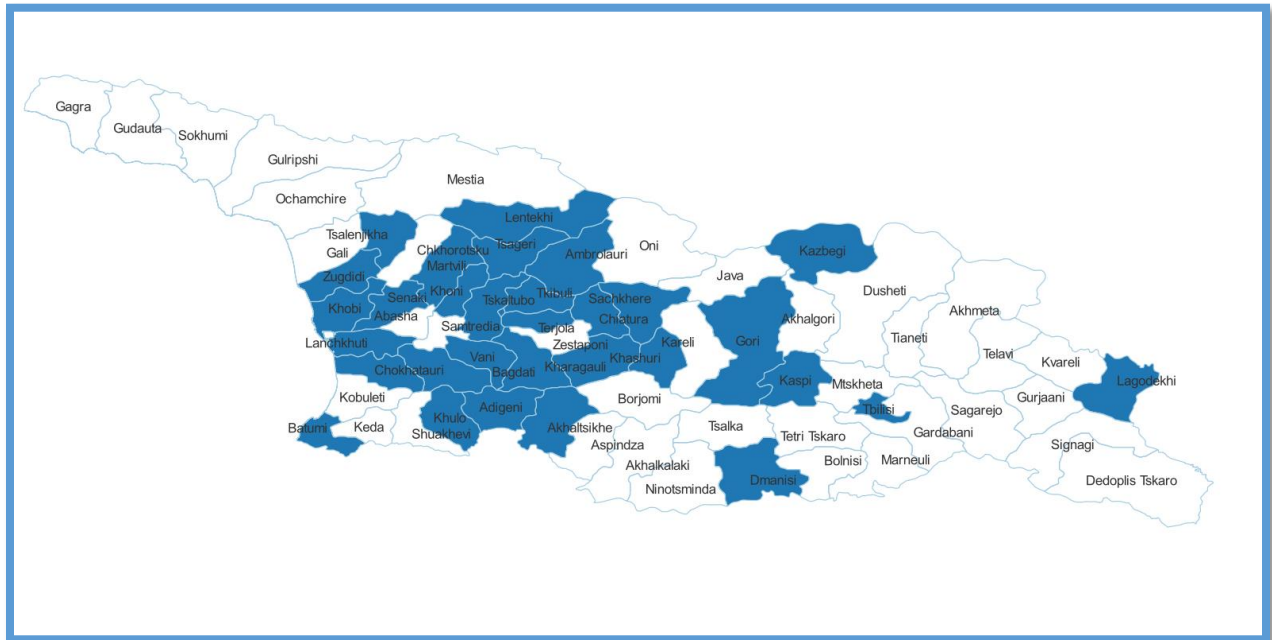
Empirical Studies

As for empirical research, an online survey of representatives of municipalities was conducted, as well as interviews with local residents - in-depth interviews.

Survey of Municipalities

A semi-structured questionnaire was sent to 63 units, municipalities and self-governing cities in Georgia, all except the occupied territories. 32 of them returned answers (see the map 1).

The purpose of the questionnaire was to determine the readiness of the municipalities to manage the forests within the boundaries of the municipality, to study their attitudes and to identify the current situation.



Map 1. Municipalities that responded to the survey

As a result of the survey, it was determined that not a single municipality (except Tbilisi, which manages 100% of the forest within its borders) does not manage the forests within its borders. The governing bodies are the National Forestry Agency and the Administration of Protected Areas (in the case when the protected area falls within the boundaries of the municipality). Although part of the area of the former communal forests was "transferred to the municipality", in reality this transfer and management responsibility was transferred to the National Forestry Agency.

As we mentioned above, at this stage, the area of the former communal forests has not been fully transferred, which means that a certain part of the forest is left "responsible manager". However, this issue needs further investigation. During the in-depth interviews, the population pointed to the "lack of ownership" of a certain part of the former communal forests.

The ownership and management of the forest by a private person was officially confirmed only by Chokhatauri Municipality.

On a 5-point scale, where 1 means very bad condition, and 5 means very good condition, the representatives of the municipality evaluated the condition of the forests within the borders of the municipality on average 3.5 point. This evaluation is explained mainly in two ways:

a) Those who evaluated the situation with a low score considered the consequences of the unrest in the 90s and also, in some villages, the need for firewood due to the lack of gasification and alternative sources of energy. In many villages, firewood is still the only means of energy in winter.

The representatives of the municipalities generally do not have a clear and precise idea of what is needed to transfer the former communal forests to the municipality. Only a few of them officially named the way to go according to the national law.

The majority of municipalities answered "no" or "we are not interested at this stage" when asked if they intend to apply for "municipal forest" status. For them, the independent management of forests is still not a actual topic until a number of issues are resolved and they have no hope of their own resources in terms of financial, technological or qualified personnel.

The average answer to this question – “on a 5-point scale, rate how self-sufficient the municipality is in terms of **qualified personnel** to manage the forests within its borders. (1 means "not at all self-sufficient", 5 means "completely self-sufficient")” was 3.15 point. The representatives of the municipalities think that they are self-sufficient at the average level in terms of qualified personnel.

Self-sufficiency in terms of **proper equipment** (average score 2.15) and **financial resources** (average score 2.55) is less valued.

The local population shares the same view. According to them, without external resources, the municipality and local people will not have the ability to independently manage and take care of the forest at this stage.

Therefore, taking into account the situation that there are various resource shortages at the local level, majority of the representatives of the municipalities are less willing to take responsibility and manage the forest in their territory at this moment.

The majority of municipalities do not have a special service that will be responsible for the prevention of disasters in forests, also some of them do not have a forest management plan or an alternative document, they do not know where the forest archive is kept, etc. This situation is also logically explained by the fact that the forest within their borders is managed by other entities (National Forestry Agency and Agency of Protected Areas) and therefore they are not interested enough.

That there is a history and traditions of forest management by local people and/or with their active participation (in the form of agricultural forests and also in the form of the so-called "icon forest"), this fact was confirmed by the interviews of the representatives of the municipalities, as well as by the local population.

In some mountainous regions of Georgia, there was an informal tradition of forest management by people. Based on specific mystical or mythological beliefs, the local community has a certain area of the forest as an "icon forest", which is considered a sacred place, which it looks after and where the rules set by the local people apply. This issue requires more in-depth research, although the very fact of its existence indicates that the local population has some kind of experience in managing the forest independently.

The municipalities of **Lanchkhuti, Kharagauli and Tbilisi** are going to grant the status of municipal forest. Therefore, we can consider these as pilot areas.

Population Survey

The main purpose of the population survey was to assess their willingness to participate in the management of nearby forests, and also to study their dependence on forests.

More than 100 people were interviewed. Most of them believe that the condition of the forests around their living environment has been deteriorating in recent years. The main reasons for this are illegal cutting firewood, fires, diseases, and in certain cases, the population not having any alternative for heating other than firewood.

From the interviews, it became clear that the population considers a number of regulations related to forests to be illogical and inconsistent. They think that local specificities and their needs are not taken into account and have their own opinions.

Most of them are well aware of the role of the forest in their lives, what benefits they receive, why it is important to protect them.

Most of the population welcomes the declaration of a part of the forests as protected areas, but without violating the fundamental rights of the local population and limiting their vital activities. Sympathy for protected areas is mainly due to two factors: 1. They hope

to develop tourism and in this way economically develop the village, organize the infrastructure and create jobs; 2. They think that it is necessary to preserve the forest for their own health and healthy environment in general.

Management of forests with the involvement of the local population is considered positive by respondents. They see it as a good idea, but if we asked them how they would like to be involved in the management of forests, they would limit themselves to planting trees and cleaning environment. This fact shows that they have not understood in a complex and deep way what community forest means and participation in its management, although they like it as an attractive idea.

As part of the survey, we were also interested in how much they remembered the period of the communal forests and how they would evaluate it. According to the majority, the forest was better managed and in a better condition.

SWOT

Strengths	Weaknesses
<ul style="list-style-type: none">• Traditions of forest management by local people ("icon forest" - informal management, former communal forests - formal management, with active participation of local people).• Relevant legislation, enough to create a community forest at the municipal level.• Willingness of the population to be involved in the process of forest management.• International obligations, which push the country towards the development of community forests	<ul style="list-style-type: none">• Lack of qualified personnel, appropriate technologies and financial resources, based on which the municipalities, together with the local population, will be able to manage the forest on their own.• Low level of awareness of necessary bureaucratic procedures in the municipalities.• Current gender inequality during the forest management process

Opportunities	Threats
<ul style="list-style-type: none"> • International grants and finding donors at the initial stage of forming the communal forest • A successful example of several municipalities, which can be early birds in the creation of community forests and be as role model for the others • Involve women in the forest management process 	<ul style="list-style-type: none"> • Forest management by local people without eliminating the weaknesses can produce a negative result - a mismanaged forest.

Additional Discussion

Currently, in Georgia the lowest level of self-government is a municipality. Therefore, the initiation of local forest management is possible only at the level of the municipality according to the current legislation.

The following listed below are necessary prerequisites to be able to start the transfer of former communal forest to the municipalities procedure:

1) The area of forests of local importance and their boundaries should be clearly defined and demarcated.

According to the Organic Law of Georgia "On Local Self-Government" of 2014, "forests of local importance" should be transferred to local municipalities. The Government of Georgia, by Resolution #240 of 2010, gave municipalities an active role in the process of the forest transfer. They have the right to submit an appropriate application for the forests that they intend to receive and.

As we mentioned, at this moment, only three municipalities (Tbilisi, Kharagauli, Lanchkhuti) declared that they want to apply for the “municipality forest” status.

2) The rights and responsibilities of the local legal entity (the municipality) in the field of forest management must be clearly established.

According to the Organic Law "On Local Self-Government", municipalities have ownership rights over forests of local importance transferred to them. Property rights usually include the right to use in all forms.

3) The local legal entity must be able to manage the forests independently, including taking into account financial issues.

As empirical research revealed and the experts mentioned, at this moment municipalities do not have adequate capacity to manage forests according to international standards. They do not have an appropriate budget allocated for forest management. There is no qualified technical staff at the level of municipalities to learn, understand and implement forest management maps and plans and so on. In short, without intensive professional and technical assistance, even at the initial stage of communal forest management, it will hardly be possible to manage forests at an appropriate level.

Summary

- The current legislation of Georgia allows the initiation of forest management at the local level.
- Currently, the lowest level of self-government is a municipality. Therefore, the initiation of local forest management is possible only at the level of the municipality according to the current legislation. Accordingly, "forests of local importance" cannot be transferred to the village level and must be transferred to the municipality. He will be the owner or owner of the municipal forests.
- Municipalities do not have the capacity to manage forests according to international standards. Nor do they have an appropriate budget allocated for

forest management. There is no technical staff at the level of municipalities to learn, understand and implement forest management maps and plans and so on.

- But Georgia has a tradition of local-level forest management in both formal (former communal Forests) and informal ways (this is still existing).

Guideline for the development of forest management at the local level in Georgia

According to expert Merab Machavariani, we offer the step by step guideline of the essential actions for development of sustainable forest management at the local level:

Before transferring local forests to the municipality:

I stage - selection of project municipality/municipalities based on appropriate selection criteria, which will be the successful case(s).

II stage - determining the forests area to be transferred in the selected municipality and obtaining basic quantitative and qualitative indicators about them, such as forest maps and information on forest resources (frequency, volume, distribution of woody species, productivity, renewal, etc.).

III stage - assistance of the representatives of the municipality in preparation of appropriate documentation for transfer of forests.

IV stage - registration of transferable forest and preparation of management plan.

V stage - development of a unified local forest management rule and promotion of the approval procedure.

After transferring local forests to the municipality:

VI stage - development and discussion of various alternative institutional models of organizational, administrative and physical management of local forests.

VII stage - support of the municipality in establishing the management structure according to the selected model.

VIII stage - promotion of forest management structure to achieve sustainable management of forests. Facilitation should include all administrative and professional forestry activities related to management issues. The initial major part of the promotion should be devoted to the training of personnel, the establishment of effective management structures and the implementation of forest management plans.