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**European Cooperation in the field of
Scientific and Technical Research**

COST Action E19

Forests for the future

National forest programmes in Europe

Country and regional reports from COST Action E19

Edited by

David Humphreys

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“A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise.”

Aldo Leopold, *A Sand County Almanac – and Sketches Here and There*, 1949.

FOR ANNA

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The book is dedicated to my daughter Anna. May she always be happy.

David Humphreys
Bridge, June 2004

Foreword

The COST Action E19 on *National Forest Programmes in a European Context* assembled more than 70 researchers and civil servants from 20 European countries and the USA. Some meetings were also attended by scholars from Canada, China and Japan. The participants aimed to provide policy makers in Europe with improved means for the formulation and implementation of National Forest Programmes (NFPs) for ensuring sustainable forest management.

In order to accomplish this objective the work programme comprised the following tasks:

- to interpret the basic elements and institutional and procedural requirements of NFPs
- to assess the effects of these elements and requirements on NFPs
- to assess the supporting and impeding factors for the development of substantive NFPs
- to evaluate the significance of NFPs in comparison to other policy means.

The participating researchers represented many different scientific disciplines such as forest policy scientists, political scientists, forest economists, sociologists, lawyers, geographers, planners and others. Some of the civil servants involved in COST Action E19 have had key roles in the design and administration of the national NFP processes in their countries. Others were representatives of their countries in the expert level committee meetings of the Ministerial Conference on the Protection of Forests in Europe and worked, among others, on the formulation of Vienna Resolution V1 of 2003, “Strengthen Synergies for Sustainable Forest Management in Europe Through Cross-sectoral Co-operation and National Forest Programmes.” All involved with COST Action E19 benefited from each other. The researchers found many opportunities to test their propositions against the empirical evidence provided by the civil servants, while the civil servants took advantage of the growing knowledge base on NFPs, including their constitutional elements and procedures.

In this favourable atmosphere of co-operation between social scientists and knowledgeable civil servants the scope for a book of country reports on the formulation and implementation of NFPs in the participating countries was clear. David Humphreys declared his readiness to co-ordinate the contributions by elaborating a framework based on the work of the Action. The final result should enable the readers of this book to compare the NFP processes in the participating countries and to better understand their commonalities and differences. Furthermore, David Humphreys inspired the authors by his advice and commitment to the common European project on forest policy. His efforts and engagement cannot be sufficiently acknowledged.

Peter Glück

Chair of COST Action E19, Vienna, 15 December 2003

Chapter 1

National Forest Programmes in Europe: Generating policy-relevant propositions for formulation and implementation

David Humphreys¹

1.1 National Forest Programmes as policy vehicles for sustainable forest management

The concept of a National Forest Programme (NFP) is not new. It was first popularised in the 1980s when the Food and Agriculture Organisation, along with the World Bank, United Nations Development Programme and World Resources Institute, launched the Tropical Forests Action Programme (TFAP).² There were five action programmes within the TFAP: forestry in land use; forest-based industrial development; fuelwood and energy; conservation of tropical forest ecosystems; and institutions. Over 80 countries launched National Forestry Action Programmes under the auspices of the TFAP. However the TFAP itself encountered a legitimacy crisis in 1990 when two NGO reports and an internal review found that National Forestry Action Programmes had tended to be donor-driven, had prioritised forest development and industry at the expense of conservation, had failed to fully involve the participation of a broad range of affected actors, and had not succeeded in slowing deforestation (Humphreys 1996, pp.42–54).

In 1992 the United Nations Conference on Environment and Development (UNCED) endorsed, albeit with little enthusiasm, the concept of national action forestry programmes. The concept is clearly implicit in parts of the non-legally binding forest principles that the conference agreed:

National policies and programmes should take into account the relationship, where it exists, between the conservation, management and sustainable development of forests and all aspects related to the production, consumption, recycling and/or final disposal of forest products (United Nations 1992a, principle 6(b)).

The forests chapter of *Agenda 21*, chapter 11, went slightly further than this in paragraph 11.12(b):

To prepare and implement, as appropriate, national forestry action programmes and/or plans for the management, conservation and sustainable development of forests. These programmes and/or plans should be integrated with other land uses. In this context, country-driven national forestry action programmes and/or plans under the Tropical Forestry Action Programme are currently being implemented in more than 80 countries, with the support of the international community (United Nations 1992b).

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² Initially called the Tropical Forestry Action Plan.

While the TFAP had established the idea of national programmes on forests in international discourse the UNCED outputs did nothing to progress it, although they did expand the application of the concept to non-tropical forests. However it was clear that the TFAP model was not appropriate for all forest types, indeed its suitability for tropical forests was highly questionable. More needed to be done to provide the idea with firmer conceptual clarity and coherence if it was to attract broad-based social support.

In 1993 at the second Ministerial Conference on the Protection of Forests in Europe (MCPFE) in Helsinki states committed themselves to “preparing, without delay, specific national or regional guidelines and to incorporating them into their forestry plans and programmes” (MCPFE 1993). One year later the Food and Agriculture Organisation attempted to progress the debate with the publication of a briefing note, *Monitoring National Forestry Action Programmes* (FAO 1994), that was intended as a contribution to strengthening the monitoring and evaluation of national level action.

However it was the Intergovernmental Panel on Forests (IPF), a temporary sub-group of the UN Commission on Sustainable Development, that significantly advanced the concept of national forest programmes. The IPF, which reported in 1997, produced proposals for action by governments and international organisations that related to the IPF’s five programme areas. There were some ambiguities in the IPF’s report, which led to some confusion on the precise number of proposals the IPF generated. The figures in Table 1.1 below are from a practitioner’s guide produced by the Six Country Initiative of the IPF’s successor, the Intergovernmental Forum on Forests (IFF). The authors of the practitioner’s guide screened the IPF’s proposals to eliminate duplication and overlap.

Under programme area I.A, “Progress through national forest and land-use programmes”, six discrete proposals for action at the national level can be identified. They have been summarised as follows in the practitioner’s guide:

- Develop and implement a holistic national forest programme which integrates the conservation and sustainable use of forest resources and benefits in a way that is consistent with national, sub-national and local policies and strategies.
- Develop and implement national policy goals and strategies for addressing deforestation and forest degradation in a participatory manner.
- Improve cooperation and coordination systems in support of sustainable forest management within national forest programmes which involve all stakeholders including indigenous people, forest owners and local communities in forest decision making.
- Develop and apply criteria for effectiveness and adequacy of forest programmes.
- Monitor and evaluate implementation and progress of a national forest programme including the use of criteria and indicators for sustainable forest management.
- Develop and promote the concept and practice of partnership agreements between all actors in the implementation of national forest programmes.

(FAO and UNDP 1999, pp.11–13)

There was one proposal for action on national forest and land use programmes requiring action at the international level. This proposal applied principally to forests in developing countries and was addressed to donor country governments, UN organisations and international financing institutions:

- Need for international cooperation, adequate provision of overseas development assistance and new and additional funding from the Global Environment Facility and other innovative sources

(FAO and UNDP 1999, pp.39).

Table 1.1 The proposals for action of the Intergovernmental Panel on Forests: Summary

IPF Programme Area	Proposals for action at the national (NFP) level	Proposals for action requiring only action at the international level
I. Implementation of forest-related decisions of the UNCED		
I.a Progress through national forest and land-use programmes	6	1
I.b Underlying causes of deforestation and forest degradation	3	4
I.c Traditional-forest-related knowledge	4	2
I.d Fragile ecosystem affected by desertification and drought	2	1
I.e Impact of airborne pollution on forests	3	1
I.f Needs and requirements of developing and other countries with low forest cover	4	1
II. International cooperation in financial assistance and technology transfer		
II.a Financial assistance	5	5
II.b Technology transfer, capacity building and information	4	3
III. Scientific research, forest assessment and criteria and indicators for Sustainable Forest Management		
III.a Assessment of the multiple benefits of all types of forests	2	4
III.b Forest research	3	3
III.c Methodologies for the proper valuation of the multiple benefits of forests	1	1
III.d Criteria and indicators for sustainable forest management	1	4
IV. Trade and environment in relation to forest products and services	10	3
V. International organisations and multilateral institutions and instruments, including appropriate legal mechanisms	2	3
Totals	50	36

Source: FAO and UNDP (1999) *Practitioner's Guide to the Implementation of the IPF Proposals for Action*. Eschborn: Gesellschaft für Technische Zusammenarbeit (GTZ). This table was originally published in Humphreys 2001a.

Note: The final report of the IPF has 149 paragraphs, most of which contained proposals for action. These paragraphs, however, vary considerably in terms of content and there is considerable overlap between them. The IFF's Six Country Initiative screened the proposals to yield 86 discrete proposals as shown above.

It can be seen from the national level proposals that the concept of sustainable forest management (SFM) was central to the IPF's proposals. In addition to generating proposals on national forest and land use programmes, many of the IPF's proposals on other programme areas were relevant to NFPs, including addressing the underlying causes of deforestation, the impact of air pollution, scientific research and assessment of the multiple benefits of forests. The IPF's final report also incorporated some basic guiding principles for NFPs that had first been elaborated by the Forestry Advisers Group and then published

by FAO (1996) as a contribution to the work of the IPF.³ These principles include:

- Integration into wider programmes for sustainable land use
- Appropriate participatory mechanisms to involve all interested parties
- Decentralisation where applicable
- Recognition and respect for customary and traditional rights of, inter alia, indigenous people, local communities, forest dwellers and forest owners
- Secure land tenure arrangements
- Effective coordination mechanisms and conflict-resolution schemes
- Long-term iterative processes
- National sovereignty and country leadership
- Consistency with national policies and international commitments
- Integration with the country's sustainable development strategies
- Partnership and participation
- Holistic and intersectoral approaches.

(United Nations 1997, paras.8–10)

The IPF concept of a “national forest and land use programme” was thus very different to the TFAP concept of a “national forestry action programme”. The emphasis on land use emphasises the intersectoral and holistic nature of the new type of programmes. (This is worth stressing, as the term “national forest and land use programme” is commonly abbreviated to NFP, which can result in the emphasis on land use policy being neglected.) There are two other semantic differences between the TFAP and IPF concepts. First, the IPF had dropped the superfluous word “action”. Second the IPF used “forest” rather than “forestry”, indicating that NFPs are first and foremost programmes for forests, rather than for foresters. There are other important conceptual differences between the national programmes promoted by the TFAP and the IPF, as summarised by Pülz and Rametsteiner (2002) in Table 1.2 below:

Table 1.2 Conceptual comparison between National Forestry Action Programmes (TFAP) and National Forest and Land Use Programme (IPF)

National Forestry Action Programme (TFAP)	National Forest and Land Use Programme (IPF)
<i>Main objective</i>	
Slow the rate of deforestation in developing countries.	Enhance sustainable forest management in all countries
<i>Planning ideas</i>	
Technocratic	Deliberative and consensus-oriented
No iterative long-term planning	Iterative long-term planning
Participatory in implementation only	Participatory in both formulation and implementation
Intersectoral interpreted solely as the agriculture-forestry interface	Intersectoral between all sectors

Source: Pülz and Rametsteiner 2002, p.263 (amended).

³ As noted in Glück 1999, p.41.

Since the IPF reported the concept of NFPs has been further endorsed and developed by the international community. The Intergovernmental Forum on Forests (IFF) that met from 1997–2000 issued further proposals for action that recommended the use of NFPs in the implementation of the IPF’s proposals for action “in a coordinated manner and with the participation of all interested parties”, and further recommended that “[m]onitoring, assessment and reporting activities should be integrated into national forest programmes” (United Nations 2000, section A). In 1999 the secretariat for the MCPFE process held a workshop on NFPs that concluded that NFPs were relevant for all European countries and that “all specific elements and principles presented by the IPF would be relevant for Europe” (MCPFE 2000, p.55). Within the MCPFE process, the NFP is seen as a policy vehicle that can promote SFM. Finally, the concepts of SFM and NFP appear prominently in the Plan of Action adopted by the United Nations Forum on Forests in 2001:

Countries will develop or strengthen, as appropriate, national forest programmes, as defined in the IPF/IFF proposals for action, or other integrated related to forests, with the aim of achieving an holistic and comprehensive approach to sustainable forest management (United Nations 2001, p.15).

The NFP concept has thus been broadly legitimised internationally since the IPF concluded its work in 1997. But it was the IPF proposals for action that provided the initial springboard for the research that led to this book.

1.2 The conceptual approach of this book

The IPF’s proposals for action helped firmly to establish the concept of NFPs in the international forest policy dialogue and provided some indication of the principles that should be promoted by a NFP. However, they did not provide a clear and unambiguous operational definition of “NFP”, nor did they provide policy makers with any clear advice or propositions on how to formulate NFPs.

It was with the aim of repairing these omissions that in 1999 COST Action E19 on “National Forest Programmes in a European Context”⁴ was established. The Action ran until 2003 and brought together more than 70 researchers from 20 European countries and the USA. Scholars from Canada, China and Japan also participated.

The main objective of the Action was to “to provide policy makers in Europe with improved means for formulating and implementing national forest programmes”. This task was interpreted to include the generation of policy-relevant propositions from which decision-makers could work when generating or considering policy proposals. Policy-relevant propositions were derived from two main sources:

- Theoretically-grounded research propositions
- Experience reports.

This chapter will present some policy-relevant propositions that emerge from the country and regional case studies included in this volume. These propositions represent the second set of propositions generated by the Action. 79 propositions are contained in the final report of the Action (Glück, Nendes and Neven 2003). It is emphasised that the propositions are not

⁴ COST is the acronym for “European Co-operation in the Field of Scientific and Technical Research”, or “Coopération européenne dans le domaine de la recherche scientifique et technique”, an organisation that has 28 member states from across Europe. COST Action E19 was originally an initiative of the Institute of Forest Sector Policy and Economics at the University of Natural Resources and Applied Life Sciences, Vienna. The Action was chaired by Professor Peter Glück and ran for four years from October 1999 to September 2003.

hard prescriptions. Rather they are suggestive generalisations that have emerged inductively from the case studies presented in this volume and which are intended to stimulate thinking on the policy options available within countries. As such they should be seen as a type of decision support tool that should be subjected to further scrutiny and empirical testing.⁵

From its inception the work of COST Action E19 faced a conceptual challenge. With no firm and commonly accepted definition of a NFP, and with some countries in the Action having neither a formal NFP nor any immediate likelihood of launching such a process, the challenge was to agree a theoretically sound conceptual framework that could apply to all countries. The solution agreed was to proceed on the assumption that a NFP shared, and was based upon, the main characteristics of modern *policy planning*. In Table 1.3 Glück presents the main tenets of the general paradigm of policy planning, and how they relate to the principles of a NFP as elaborated by the IPF and other actors (section 1.1 above).

Table 1.3 The general paradigm of modern policy planning and the main principles of a NFP

Objectives	General paradigm	National Forest Programme
Enhancing the rationality of policies	<ul style="list-style-type: none"> • Policy networks and bargaining systems • Participation of all relevant actors 	<ul style="list-style-type: none"> • Participatory mechanisms • Decentralisation • Empowerment of regional and local governments • Respect for local communities
Ensuring long-term orientation	<ul style="list-style-type: none"> • Fragmentation of the long-term strategy into an iterative planning process • Review and assessment of the achieved goals 	<ul style="list-style-type: none"> • Long-term iterative process
Improving coordination of political actors	<ul style="list-style-type: none"> • Consensus building processes via information and persuasion strategies • Intra-bureaucratic intermediation processes and capacity building 	<ul style="list-style-type: none"> • Consistency with national policies and international commitments • Integration with the country's sustainable development strategies • Holistic and intersectoral

Sources: Glück 1999, p.42; Glück, Mendes and Neven 2003, p.3.

Subsequent discussions in COST Action E19 led to agreement to concentrate on four core variables of a NFP:

- Participation
- Collaboration
- Intersectoral cooperation
- Long-term iterative adaptive approach

⁵ The propositions form just one output from COST Action E19. A special issue of the journal *Forest Policy and Economics* was produced (Glück and Humphreys 2002). A full list of the published outputs of the Action can be found on pages 48–53 of Glück, Mendes and Neven (2003).

Defining a NFP in this way has the advantage of escaping the tautology of accepting that a country has a NFP if its national forest policy makers say it has. It also enables analysis of the national forest policy of a country with no declared formal NFP process. A country may declare a formal NFP process, but this process may be purely *symbolic* in terms of the four core variables (symbolic participation, symbolic collaboration, and so on). Similarly, a country with no formal NFP process may, analytically and conceptually, have a *substantive* NFP process (substantive participation, substantive collaboration, and so on). The distinction between symbolic and substantive NFPs recurred throughout the work of COST Action E19. A substantive NFP is one that strives for meaningful policy change, while a symbolic NFP merely maintains the status quo.⁶

In addition to examining the four core variables that are internal to a NFP, the research also explored those factors in the external policy environment that affect the formation of a substantive NFP. A *supporting factor* is one that contributes to the substantive development of the core variables of a NFP, while an *impeding factor* is one that inhibits or constrains the substantive development of these core variables. It is, of course, possible that a particular factor may serve as a supporting factor in some countries, yet be an impeding factor in other countries. It should also be borne in mind that the concept of NFP is based upon the idea of forestry as a multifaceted welfare-oriented sector, with forests providing a broad range of goods and services. Given that there are so many dimensions to a NFP, what may be a supporting factor for one dimension of a NFP (such as participation) might be an impeding factor for another dimension (such as intersectoral coordination). Notwithstanding these points, the COST Action E19 framework had the advantage of allowing for inductive analysis across case studies of countries with NFPs in different stages of formation, including countries with no NFP at all. Amongst the supporting and impeding factors examined on COST Action E19 were political culture, legal aspects, financial incentives, advocacy coalitions, institutional aspects, multilevel governance and land tenure.

The framework is summarised in diagrammatic form in Figure 1.1 below. As the figure indicates, a NFP or alternative policy means will generate a particular *policy output*, such as a declaration, plan, programme or set of desired actions. When implemented this policy output will result in a specific *policy outcome*, namely impacts in the forest. In the case of a NFP the intended policy outcome should include the realisation of SFM.

1.3 Methodological framework

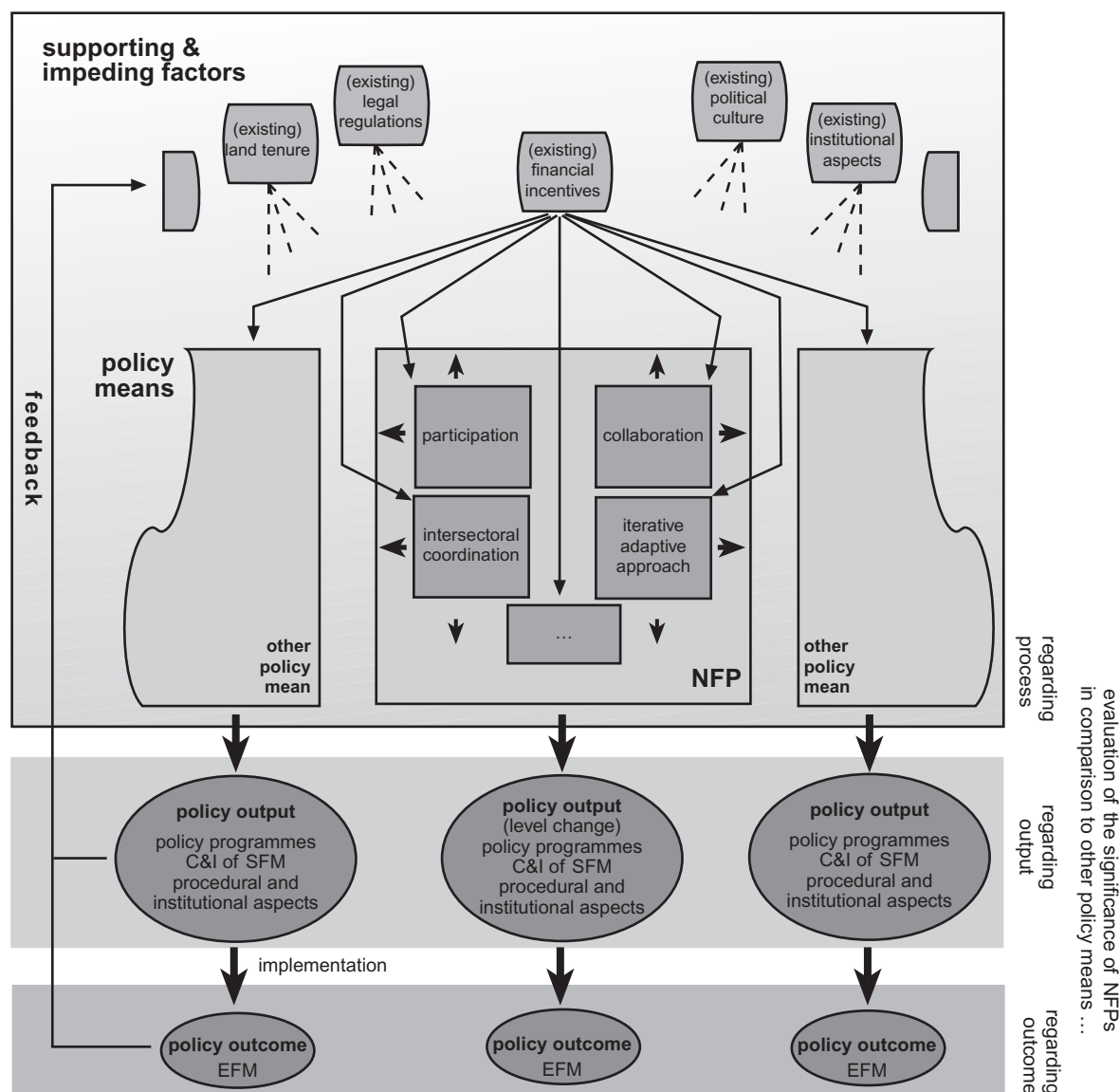
The conceptual approach illustrated in Figure 1.1 was adopted as the guiding framework for the country and regional case studies in this volume, although three points should be noted. First, it was agreed to concentrate upon a particular dimension of collaboration, namely negotiation and conflict resolution. Given the broad approach to participation that the IPF proposals for action have promoted, it is clear that a substantive NFP could result in increased conflicts between stakeholders at varying levels of the policy making process. The negotiation and resolution of such conflicts is thus a crucial aspect of the NFP concept. Second, whereas Figure 1.1 states “iterative adaptive approach”, the equivalent heading in this volume is “long-term iterative planning”. Third, five specific supporting and impeding factors were selected for analysis, namely land tenure, law and regulations, financial incentives, political culture and institutional aspects.

With respect to supporting and impeding factor, each factor may be divided into two sub-categories:

- those that directly affect forest use, and
- broader factors that may indirectly affect forest use.

⁶ On the distinction between symbolic and substantive NFPs see Schanz 1999.

Figure 1.1 The COST Action E19 conceptual approach to National Forest Programmes



Source: Hogl and Pregernig 2000, p.8

The distinction is shown in Table 1.4.

Many of the factors in the second column will form part of the NFP, broadly defined. They may be seen as “internal” impeding and supporting factors. Those in the third column are unlikely to form part of the NFP in most countries, and may thus be seen as “external” impeding and supporting factors. The “success” of a NFP depends in part upon, first, the extent to which external impeding factors are addressed and negated and, second, the extent to which external supporting factors are harnessed in the pursuit of SFM.

The proposed section headings that authors were asked to work to are shown in Box 1.1 below. This framework was designed to apply both to countries that have launched a formal NFP process, as well as to those that have not. The full guiding framework is available on the Internet (Humphreys 2001b). Country authors were urged to adhere to the framework as far as possible in order to ensure the consistency necessary to enable comparative analysis across case studies.

Table 1.4 **Supporting and impeding factors**

Supporting and impeding factors	Directly affects forest use	May indirectly affect forest use
Land tenure	Land tenure patterns in forests	Land tenure in areas surrounding forests e.g. the agriculture-forestry interface, urban areas.
Legal regulations	Legal regulations designed exclusively or principally for forests.	Legal regulations on national sustainable development policy and agriculture. Other legal arrangements that may affect forest use.
Financial incentives	Grants and tax breaks directed at forest owners and users.	The broader national tax/revenue structure. The national budget and financial plans.
Political culture	The culture of national and regional forest authorities.	The national political culture.
Institutional aspects	Institutions with an exclusive or predominantly forest mandate.	Institutions with other mandates, including (i) those that include an indirect forest-related mandate, and (ii) those with no forest-related mandate but which may affect forest use.

Box 1.1 Proposed headings for country authors

- 1 Introduction
- 2 Supporting and impeding factors
 - Land tenure
 - Law and regulations
 - Financial incentives
 - Political culture
 - Institutional aspects
- 3 Participatory mechanisms
- 4 Negotiation and conflict resolution
- 5 Intersectoral approaches
- 6 Long-term iterative planning
- 7 [Optional section: Other NFP elements, other aspects of the NFP]
- 8 Conclusions

However methodological consistency can have a price. It was recognised that an overprescriptive framework would not only constrain the authorial voice of contributors, but could also squeeze out the uniqueness of individual country experiences. Hence authors were given the opportunity of opting out of parts of the framework if this was necessary in order to relate an innovative aspect of their country's experiences that has broader relevance to other countries, but which would not be captured by strict adherence to the framework.

It was felt that this “semi-structured” approach would both enable comparative analysis yielding findings of general applicability, while also encouraging expression of the strengths and innovations of individual countries. This approach was felt to be a distinctive one of value in its own right that would allow researchers to meet the main objectives of the Action – “to provide policy makers in Europe with improved means for formulating and implementing national forest programmes” – using the full range of approaches and empirical material available.

1.4 Contributions to this volume

In chapter 2 Jeremy Raynor and Michael Howlett provide an analysis of NFPs in Europe based on surveys carried out for COST Action E19, national reports to the United Nations Forum on Forests, chapters in this volume and other source material. They view NFPs as “next generation” policy instruments. Next generation instruments can be viewed as part of a broader effort to restore the balance between public and private sector capabilities. They are experimental forms of governance that aim explicitly to involve private sector actors in national policy processes following the roll back of the state from many areas of public policy making. Raynor and Howlett present four ideal-type regulatory regimes that can emerge from the new mix of private and public sector governance (Figure 2.1) before going on to present a schema of four types of NFP depending on whether the programme is substantive or symbolic, and formal or informal (Figure 2.2). This schema is then applied to the status of NFPs in Europe in 2003. The latter part of chapter 2 analyses the Canadian National Forest Sector Strategy in terms of the components of what can be viewed analytically as an informal NFP.

The bulk of this book comprises 17 national level case studies from across east and west Europe.⁷ These countries include some that at present have no formal NFP process (such as France, Sweden and the Netherlands). The majority of countries are in the process of actively formulating a NFP (such as Austria and Switzerland). Some have finished the formulation of their NFP (such as Germany). At the time of writing (May 2004) only one country has commenced implementation and evaluation of its NFP, namely Finland.

The structure of NFPs varies greatly across countries, especially where there are major sub-national power centres. For example, in the United Kingdom the situation has been complicated by devolution from London to Scotland, Wales and Northern Ireland (although at present the Northern Ireland assembly has been dissolved). Some countries, such as Germany, Switzerland and Spain, have federal political systems and as well as a NFP also have regional forest programmes (RFPs) at the sub-national level. Chapter 20 presents a case study of a German RFP, that of Bavaria, while chapter 21 examines the case of the Flanders RFP in Belgium. The two RFPs are very different. The Bavarian case is an example of a RFP that has been designed under the overarching framework of a NFP; the German NFP. However the Flanders RFP is in effect “freestanding”: there is no Belgian NFP, neither as yet is there a RFP for the Walloon region of Belgium.

The final case study presents an example of national forest policy making from a North American country, Canada. Whereas the latter sections of chapter 2 examine the Canadian experience in terms of the component parts of what can be seen as an informal NFP, chapter 22 explains the national forest policy direction of Canada using the methodological framework used in the other case studies.

⁷ Only one of these countries is not now a member of the European Union, namely Norway. Three others joined the EU in 2004 after COST Action E19 had ended, namely Hungary, Lithuania and Poland.

Boxes 1.2 to 1.12 below present the main policy-relevant propositions that emerge from a comparative analysis of chapters 3 through to 22. The credit for these propositions belongs to all members of the Action. Most of these propositions have been derived inductively from across the case studies. In some cases the propositions contain language used in one or more chapters. Some propositions generated in working groups at the final meeting of the Action at Vienna in 2003, and which were not published in the final report of the Action, are reproduced here.

1.5 Supporting and impeding factors: Land tenure

Land tenure refers to the pattern of the ownership structure, that is “the degree to which the ownership of forest areas is fragmented over different types of ownership and size classes”.⁸ One conclusion that emerges from the country studies in this volume is that where private forest ownership is highly fragmented, and where private forest owners are poorly organised, then this will impede the participation of forest owners in a NFP.

Under conditions of fragmented forest ownership, participation can only be achieved where there is a mechanism that can harness and synthesise the various viewpoints of forest owners, such as a national level umbrella organisation. Such mechanisms are absent in some European countries, with Lithuania being one example. Fragmented ownership is also reported in other countries, including Austria, Italy and Finland. In Norway, for example, 88 per cent of the forest is under private ownership and there are over 120,000 non-industrial forest owners with different motives and objectives.

Public sector ownership is not necessarily a supporting factor. As the Greek report makes clear, “[s]tate ownership has empowered the well-intentioned forest authorities to make decisions for the greatest collective good of society, but provided limited opportunities for building an efficient collaborative dialogue between the state authority and various users”.⁹ In this respect the land tenure arrangements in Greece serve as an impeding factor, as they block the meaningful participation of other stakeholders. Once again the relationship between land tenure and participation becomes clear, although it is stressed that this relationship is not clear and unambiguous across countries. It varies according to the socio-political context.

The roll back of the state in many European countries has led to a reduced role for the public sector in national forest ownership. For example, in the Netherlands the state traditionally had a leading role in forest ownership for most of the twentieth century. Until the 1970s the Dutch Forest Service (SBB) would usually take over private forests being sold by their owners. Since then the SBB plays a less prominent role in this area. Forests are increasingly bought by nature conservation groups, although this is often with financial support from the government, while the SBB has been semi-privatised.¹⁰

1.6 Supporting and impeding factors: Legal regulations

To a greater or lesser degree the constitution of a country, national legislation on forests and other important legal documents will affect the shape of a NFP, its objectives and the likelihood that it will achieve these objectives.

⁸ Glück, Mendes and Neven 2003, p.14.

⁹ Chapter 8, “Greece”, section 8.2.

¹⁰ Chapter 12, “Netherlands”, section 12.2.

Box 1.2 Supporting and impeding factors: Land tenure

Propositions

Fragmented private ownership can impede participation and national forest planning, although the effective national level organisation of collective bodies representing private owners can act as a mitigating factor.

A strong clientelist or corporatist tradition can impede genuine participation from other stakeholders.

Where private sector organisational weaknesses prevent collective action the state must have the capacity and willingness to act as a political entrepreneur in order to promote a substantive NFP. However, the risk in such circumstances is that a NFP will tend to be driven by central government agencies, with low participation and intersectoral coordination.

Even when private actors have sophisticated organisational capacities, as in private self-regulation, for example, they nonetheless require certain kinds of state assistance in the form of procedural or financial steering instruments.

Private ownership may be a supporting factor where competition between owners promotes the efficient and rational utilisation of resources.

Where forest ownership is fragmented, either between a large number of owners or between many different islands of forests, then there may not necessarily be a single dominant type of private forest management. Rather there may be different types of private management regime, and in such circumstances a NFP will need to be sensitive to the different discourses and management styles within a country.

The constitution of a country often establishes the legal parameters within which a national programme such as a NFP can be set. For example, in Germany the constitution of the federal state restricts many of the legislative and most of the executive competencies to the Laender rather than the federal level.¹¹ This vertical distribution of political power shaped the potential scope and limits of the federal NFP. In Switzerland the federal constitution is seen as a supporting factor; the principle of *Vernehmlassungsverfahren*, or consultation, applies at all administrative levels of the Swiss political-administrative system.¹² This principle has supported the development of participatory practices in Switzerland, which have taken root in fertile soil compared to countries that have only recently emerged from more authoritative political traditions, such as Lithuania.

Because there are many different dimensions to a NFP, the national legal framework may be supportive in some areas, yet impeding in others. This is the Greek experience, where the national legal framework serves as a supporting factor with respect to proposed land use changes that might affect the integrity of the forest resource, yet is an impeding factor with respect to intersectoral coordination and participation, with limited provisions for public involvement.¹³

In Portugal the Forest Policy Law of 1996 is seen as a “major precondition” for a substantive NFP, with the law laying out many of the core principles of a NFP as established by the IPF and other international organisations. These principles include SFM, participation, intersectoral coordination and conflict resolution.¹⁴ In contrast, in Poland the formulation of the NFP commenced on the assumption that the existing legislation already enabled a balanced forest

¹¹ Chapter 7, “Germany”, section 7.2.

¹² Chapter 18, “Switzerland”, section 18.2.

¹³ Chapter 8, “Greece”, section 8.2.

¹⁴ Chapter 15, “Portugal”, section 15.2.

economy and did not require further elaboration or revision.¹⁵ The situation in the United Kingdom is similar to that of Poland, where no Forest Act has been passed since 1967. Successive British governments have preferred instead to rely on forms of regulation other than the law, such as consensus and voluntary principles.¹⁶

The effectiveness of legislation depends in large measure on how thoroughly it was drafted. But even well drafted forest legislation can be ineffective when it conflicts with other bodies of national law. For example, in Hungary three separate acts were passed by parliament in 1996 on forestry, nature conservation, and hunting and game management. However there is a “lack of basic harmonisation” between these acts and other forest-related legislation, such as that on land and water management. The result is that different ministries have tended to pursue different objectives, with cooperation being “the exception rather than the rule”.¹⁷

Box 1.3 Supporting and impeding factors: Legal regulations

Propositions

The constitution of a country might predetermine the shape of a NFP by, for example, specifying those functions that should be allocated to the national level and those that should be allocated to other administrative levels.

Forest law should not solely reflect forest economic values, such as timber production. An important supporting factor is forest law that explicitly codifies the values of SFM, which may include targets for afforestation and protected areas.

When fully implemented (as opposed to merely being adopted in symbolic form) international law, such as the Convention on Biological Diversity and the outputs of the Ministerial Conference on the Protection of Forests in Europe, will support the design and evolution of a NFP.

The established legal traditions of a country may impede the efforts of a NFP with respect to, for example, participation and procedural transparency. In such cases a substantive NFP may emerge only when fundamental changes have been made to established legal codes.

A process of legislative reform can serve as a catalyst to a NFP, providing the reform process embodies the core principles and values of a NFP.

Merely legislating against certain types of behaviour will not necessarily prevent such behaviour where long-term conflicts remain unresolved. In such cases legislation may need to be supported by participatory-driven solutions, conflict resolution and financial incentives.

National law can be an important supporting factor for sectoral policies, including the forest sector, but is less effective in supporting intersectoral policy

1.7 Supporting and impeding factors: Financial incentives

Few issues illustrate the importance of an intersectoral approach to NFPs as much as financial incentives. Decisions outside the traditional domain of forestry can have profound impacts upon forests and forest policy. Financial incentives, including subsidies, grants, taxation and tax breaks, are ultimately the responsibility of the national finance ministry or treasury.

¹⁵ Chapter 14, “Poland”, section 14.4.

¹⁶ Chapter 19, “United Kingdom”, section 19.3.

¹⁷ Chapter 9, “Hungary”, section 9.3.

The case studies in this volume reveal that financial instruments play a powerful role in affecting actor behaviour. How they are designed and deployed can significantly support or impede SFM. For example, in Flanders high inheritance taxes have acted as a disincentive for forest conservation, impeding SFM and causing forest owners to lose interest in forest management issues.¹⁸ But financial incentives can act as a supporting factor. For example, in the United Kingdom grant aid is available for almost all woodland creation.¹⁹ The Lithuanian report illustrates how financial incentives may be a “double-edged sword”: on the one hand income received from Lithuanian state forest enterprises is allocated towards reforestation and forest maintenance; but on the other hand no subsidies and grants are available for ecological functions.²⁰

The Greek report draws out an important point on the role of external finance in setting national policy objectives. In Greece funds from the EU have promoted local forest actions “which do not necessarily represent priority areas in the national forest policy”.²¹ The authors of the case study conclude that “EU funds are selective and of limited objectives and applicability and thus unable to promote a comprehensive forest policy in the long run”.²² This recalls a criticism that was levelled at the TFAP, namely that NFAPs tended to be “donor-driven”; they reflected the priorities of external actors rather than those at the national and local levels.

The social and environmental benefits of forests – the positive externalities – do not have a market value. Forests are thus undervalued in the market economy. Many reports, particularly that on Spain, consider that NFPs should have a central role in compensating forest owners for the positive externalities of their forests if SFM is to be realised.²³ This is something that national policy makers are increasingly realising. To give just one example, in Switzerland the Forest Law of 1991 allows for compensatory payments to be made to forest owners who carry out tasks that are in the public interest.²⁴

1.8 Supporting and impeding factors: Political culture

Like a supertanker at sea, the “direction” of a political culture shifts only very slowly. A dominant political culture will become embedded in many different organisations and institutions in a country, and will change only gradually. So, for example, in Lithuania the introduction of private ownership and market forces has taken place while old political leftovers linger, such as the prevalence of state ownership of forestry.²⁵ In this respect Lithuania and other countries in the former Soviet bloc can be seen as “political cultures in transition”. The Portuguese report suggests that such transitions can take decades. In Portugal the centralised and authoritarian political culture of half a century of authoritarian rule that preceded the restoration of democracy in 1974 continues to make itself felt in the national consciousness, and this has tended to impede the emergence both of effective intersectoral coordination and of political space where conflicting claims can be resolved.²⁶

The French report stresses the dominant role of experts in policy making. The French political tradition emphasises representative rather than participatory democracy. Policy tends to be made on a rationalist-deductive basis, with an important factor being the expertise

¹⁸ Chapter 21, “Flanders”, section 19.2.

¹⁹ Chapter 19, “United Kingdom”, section 19.4.

²⁰ Chapter 11, “Lithuania”, section 11.2.

²¹ Chapter 8, “Greece”, section 8.2.

²² Chapter 8, “Greece”, section 8.2.

²³ Chapter 16, “Spain”.

²⁴ Chapter 18, “Switzerland”, section 18.2.

²⁵ Chapter 11, “Lithuania”, section 11.2.

²⁶ Chapter 15, “Portugal”, section 15.2.

Box 1.4 Supporting and impeding factors: Financial incentives

Propositions

Where financial incentives promote a particular macro-economic policy, the aims of this macro-economic policy will *ceteris paribus* be reflected in the NFP.

The best-intentioned financial incentives for SFM can be rendered nugatory when financial policy outside the forest sector acts contrary to forest values (e.g. incentives for road construction, for industrial activity, for housing development, and so on).

Forests are especially vulnerable and financial incentives are particularly necessary when forest owners are under financial pressure so that they become dependent on non-forest uses for income. In such cases financial incentives must aim to compensate forest owners for the opportunity cost foregone from alternative land uses.

Causality matters when designing financial incentives. Public revenues are most effective when targeted at forest agents who would not have behaved in the desired way without the incentives, and least effective when targeted at agents who would have behaved in the desired way even without the incentives.

Private owners do not constitute a coherent entity. Different forest owners may have different goals, hence different financial incentives may be needed. Financial incentives should thus be targeted in a select and diversified way that reflects the different objectives and interests of owners.

At present EU funds are selective, aiming at limited objectives. Over-reliance on such funds will not promote a comprehensive and balanced NFP with the capacity to fulfil all dimensions of national forest policy over the long run.

A NFP requires credible long-term commitments from the public authorities to meet the increased costs that forest owners will incur to meet the targets stated in a NFP.

A NFP will be in a strong position to maintain all forest values when it can integrate the positive externalities of forests and arrange for appropriate compensation to forest owners for the values of these externalities. Such provision will require legislation.

High inheritance taxes may act as a disincentive for forest conservation.

of civil servants.²⁷ Senior public officials and experts play a leading role in national policy processes, with forestry being no exception. A not dissimilar situation exists in Greece where the “political culture is characterised by an instrumental rationalist decision making process where the public authority is the sole entity in charge of making choices in the interest of the ‘common good’.”²⁸ The political cultures of France and Greece can be seen as contrary to the NFP principles of participation and transparency. Other political cultures, however, are more supportive of direct public participation, such as that of Switzerland (section 1.6 above).

The Finland case study reports a factor that doubtless applies to other countries, namely the political ideology of neoliberalism.²⁹ Neoliberalism emphasises the declining role of the state in public policy, income tax cuts and pressures to reduce public spending, including

²⁷ Chapter 6, “France”, section 6.1.

²⁸ Chapter 8, “Greece”, section 8.2.

²⁹ Chapter 5, “Finland”, section 5.2.

grants and financial subsidies for forestry. In this respect neoliberalism can be seen as a global political culture that serves to impede substantive NFP formation: the role of central government is weakened, which can thwart intersectoral coordination; and a lower level of public finance is available for public goods in general and the positive externalities of forests in particular. However a contrary view should be noted: neoliberalism also stresses an enhanced role in politics for other actors, such as business, NGOs and local community groups, and this can contribute to enhanced participation.

Box 1.5 Supporting and impeding factors: Political culture

Propositions

Political cultures can prove resilient. Attempts to execute sudden cultural shifts in forestry practice will only be partially successful when an old political culture lingers.

Political values are constantly changing, but core political values change most slowly of all. Whether the political culture supports or impedes a NFP depends on what these political values are.

Where the political culture emphasises a declining role for the state then NFPs will tend to promote private self-regulation and loose governance arrangements, such as market-driven certification schemes and voluntary agreements. Conversely, where the traditional political culture emphasises a strong role for the state then interventionist policy initiatives are more likely.

A traditional technocratic political culture will tend to support economic interests. In such a political culture a NFP should expressly aim to ensure that non-economic interests, such as recreation and nature reserves, are represented lest they be marginalised in the policy process.

A political culture tends to shape itself so as to preserve existing power relations, and this is likely to impede the emergence of a genuinely participative NFP.

With EU political culture emphasising the principle of subsidiarity, NFP lead agencies need explicitly to demonstrate the value of *National Forest Programmes* if all stakeholders are to be convinced that there is added value from such a process.

The international politico-economic culture of neoliberalism will tend to narrow the scope of feasible policy options by supporting certain policy responses, such as “partnerships” and voluntary regulation, and will act as an impeding factor against others, such as interventionist regulation and increased public spending.

The existence of different organisational cultures in society can result in ineffective communication in participatory processes, which can thwart intersectoral coordination. Consequently participation and intersectoral coordination are most easily achieved when different groups and actors in a country share similar cultural assumptions or a common communicative base. When this is not the case, a basic restructuring of communication flows between actors may be necessary.

A political culture characterised by instrumental rationalist decision making will favour established policy networks comprising a narrow circle of experts, and this will tend to impede transparent and participatory decision making.

A political culture that emphasises public values and collective interests over and above self-interests is one where the public goods value of forests is likely to be emphasised more strongly than private forest values. Such a culture will tend to support the emergence of a substantive NFP.

1.9 Supporting and impeding factors: Institutional aspects

The case studies reveal a number of policy-relevant propositions on institutions. In particular a Swedish policy principle is worth highlighting. Translated into English it reads “The forest owner shall not need to communicate with more than one government authority concerning the management of his/her forests”. A key advantage of such a principle is that it can minimise bureaucratic overlap and duplication, and avoid double or multiple policy signals being sent to the forest owner. The Swedish report stresses that “full application of the principle is probably not realistic, as no single forest administration can provide all the different kinds of expertise that are needed”.³⁰ Even so, it appears to be a desirable goal to reach for.

An important driver of institutional change in the United Kingdom has been devolution to newly-created assemblies in Scotland and Wales. Devolution, which is likely to result in enhanced participation at the regional level, was an important factor in determining the formulation of the UK’s NFP, which was built from the forestry policies and processes of each constituent country.³¹

Non-state institutions have a clear role to play in NFPs. It was noted above (section 1.5) that fragmented forest ownership can impede NFP formation, but that successful institution building at the national level, for example through the creation of an umbrella organisation, can help overcome this constraint. Collective organisation of the private sector has proceeded slowly in many European countries, including Lithuania, Portugal and Netherlands. However in Finland the Finnish Forest Association (SMY) has acted as a mediator between forestry and other actors. It has succeeded in “establishing and managing a top-level discussion forum for decision-makers, which can be seen as a supporting factor for the NFP.”³²

The Finnish case study also illustrates the advantages of regional forest centres, with thirteen such centres established in the country. Created before the initiation of the Finnish NFP, the regional centres have played a useful role in the formulation of the NFP, by hosting public forums, in implementing the NFP and through conflict resolution at the district level.

1.10 Supporting and impeding factors: Others

The case studies have generated conflicting evidence on the role that cataclysmic events can play with respect to national forest policy. For example, in France the severe storms of December 1999 led decision makers to focus on short term damage limitation at the expense of the long-term planning required for a NFP.³³ But while the December storms acted as an impeding factor in France they did not do so in Denmark.³⁴ Meanwhile in Portugal the severe forest fires of the summer of 2003 led to increased government interest in the national forest policy arena.³⁵ In short, no clear proposition emerges from the case studies on the role that cataclysmic events and disasters can play in national forest policy.

³⁰ Chapter 17, “Sweden”, section 17.2.

³¹ Chapter 19, “United Kingdom”, section 19.2.

³² Chapter 5, “Finland”, section 5.2.

³³ Chapter 6, “France”, section 6.2.

³⁴ Chapter 4, “Denmark”.

³⁵ Chapter 15, “Portugal”, section 15.9.

Box 1.6 Supporting and impeding factors: Institutional aspects

Propositions

Duplicate or multiple policy signals to forest owners can be avoided when state institutions adopt the principle that the forest owner shall not need to communicate with more than one government authority concerning the management of his/her forests.

A NFP requires a high level of political and institutional support if it is to be successful.

A successful NFP requires that existing institutions be open to new ideas, new actors and new policy instruments. However neo-corporatist forest policy networks can impede the inclusion of actors from outside this network, especially environmental NGOs.

New institutional arrangements and transnational linkages can promote NFPs by introducing new ideas through policy learning.

The establishment of regional forest centres can contribute to coherent regional land use planning, promote participation and strengthen regional commitment to a NFP. Such centres can act as two-way channels between the national and local levels and can counterbalance dominant top-down structures.

The national level organisation of foresters can serve as a top-level discussion forum for policy makers and can mediate between foresters and the rest of society.

Institutions involved in a NFP need to strike a balance between necessary flexibility and responsiveness to changing circumstances on the one hand, and avoiding introducing unnecessary policy discontinuities on the other hand.

Central to the Danish experience is the concept of “near-to-nature forest management”. This concept, which can be seen as rather diffuse, is described as “a management type that mimics and imitates naturally occurring ecological processes, for example by using locally adapted, indigenous species and single tree harvesting, eventually allowing a multi-layered, multi-species forest to develop”.³⁶ In Denmark there is limited knowledge and experience of this management type, which has acted as an impeding factor. Near-to-nature forest management has attracted support elsewhere, notably among the NGOs involved in the Hungarian NFP,³⁷ while the Swiss Forest Law stipulates an explicit obligation to carry out “close to nature silviculture”.³⁸

1.11 Participatory mechanisms

Public participation in forestry has been defined by an international team of specialists as various forms of direct public involvement where people, individually or through organised groups, can exchange information, express opinions and articulate interests, and have the potential to influence decisions or the outcome of specific forestry issues (Joint FAO/ECE/ILO Committee on Forest Technology, Management and Training 2000, p.xi).

This definition lays particular emphasis on the opportunity to influence decisions or outcomes. Where no such opportunity exists then participation is merely formulaic rather than substantive.

³⁶ Chapter 4, “Denmark”, section 4.2.

³⁷ Chapter 9, “Hungary”, section 9.7.

³⁸ Chapter 18, “Switzerland”, section 18.2.

Box 1.7 Supporting and impeding factors: Others

Propositions

Industry is likely to try to resist or evade regulation that is seen as “coercive” or “interfering”.

Where an objective of national forest policy is to implement a new and unproven forest management type, the NFP should provide for corrective measures to address any knowledge or experience gaps that may exist.

Unresolved policy uncertainties on certification can significantly impede national level policy dialogue on other forest-related issues.

When a country simultaneously encounters several problems requiring urgent short solution, this may contribute negatively to long-term planning unless the efficacy and advantages of such planning can be clearly demonstrated.

Participation requires engagement and commitment from those communities that have a stake in forest use. The UK report makes a useful distinction here. Communities may be defined territorially, that is according to where they live, or they can be defined in terms of shared interests or identity.³⁹ In the UK experience the former type of community is well represented in forest policy, whereas the latter type has yet to attain the same level of opportunity.

Actors who are less than fully committed can derail a participatory process. For example, in Germany some NGOs failed to visibly participate in the activities of a working group for more than a year. When they did turn up it was at the end of the process when they rejected the draft of the working group. The result was the temporary paralysis of the NFP process.⁴⁰

Heavy reliance on experts tends to restrict genuine public involvement. But if one risk of policy making is that it can be dominated entirely by specialists at the expense of the public, an equal and opposite risk exists. If all decisions are taken in bottom up participatory processes, taken to its extreme this would dispense completely with the role of the trained and specialist expert. This highlights an important question: what is the optimal balance between expertise on the one hand, and public participation on the other hand. There is no ready formula for the “right mix” between expertise and participation, which will depend on the issue under consideration, the level at which policy is being made and the length of time before a decision is needed.

In Hungary both experts and public discussion contributed to the formulation of the NFP. The process began with an expert level meeting that generated proposals that were recorded in what became known as the White Book. Altogether there were seven phases to the NFP. The objective of the first six phases (four expert level phases and two public phases) was to amend and update the White Book in the light of the latest discussions. The seventh phase of the Hungarian NFP is implementation.⁴¹

Where a participatory process attracts a large number of participants, the sheer weight of numbers can render the process unwieldy. For example, handling a large number of written comments in a transparent manner may prove impossible. At public meetings not everyone may be able to speak, or say everything they want. A participatory process must therefore be managed. However the very notion of “managing participation” can be seen as interventionist,

³⁹ Chapter 19, “United Kingdom”, section 19.5.

⁴⁰ Chapter 7, “Germany”, section 7.3.

⁴¹ Chapter 9, “Hungary”, section 9.4.

elitist and contrary to the spirit of genuine participation. This can engender problems if the management of a participation process (e.g. who speaks and for how long; who initiates the first drafts of working documents; and who is invited to working group meetings) is seen to favour some actors rather than others. The management of participation needs therefore to take place according to the principles of procedural fairness, openness and transparency if negative perceptions are to be avoided.

Indeed one clear conclusion that emerges from the case studies is the need for fair and impartial procedures for participation. As the United Kingdom chapter emphasises, inarticulate or minority interest groups can be overlooked or dominated by articulate minorities. This implies “greater use of process and more formality in forestry dialogue”.⁴² A further important factor that affects influence is the power capabilities available to actors. As the report on Norway emphasises, the “resources available to stakeholders may not reflect the legitimacy of their claims”.⁴³ The Norwegian experience has found that participation works best for conflict resolution rather than for technical issues.

We can distinguish between two models of participation: participation as a means; and participation as an end (Shannon 2003). When participation is used as a means, decision-making authority continues to reside with experts and civil servants, who set the questions that the participatory process should address. The main advantage of participation according to this model is that it can improve the quality and nature of the information that is considered by policy makers. Participation according to this model can also legitimise outcomes. Participation as a means is thus an elitist form of policy making.

However the second model – participation as a goal – rejects elitist and technocratic decision making. Instead “the core assumption is that dialogue is essential to understanding since knowledge is socially produced” (Shannon 2003, p.4). According to this model the participatory process does not solely address pre-set questions: it can also generate and construct public questions through discussion. The assumption is that actors are partaking in an iterative policy dialogue aimed at defining the problem, identifying possible solutions and evaluating the merits of different strategies. The NFP notion of participation is very much in line with this second model of participation.

Box 1.8 Participatory mechanisms

Propositions

In countries where a major traditional influence on the policy making process is the expertise of civil servants participatory structures may encounter establishment resistance and emerge only gradually.

An optimal balance needs to be struck between the effective administration and management of participation on the one hand, and fairness, openness and transparency on the other hand.

In policy environments where there are no opportunities for participation actors may deliberately create conflict and dysfunctionalities in order to ensure their views are heard. In such circumstances the costs of conflict resolution may be more expensive than would have been the case had such conflicts been articulated earlier in a more transparent and participatory policy environment.

Early decisions by dominant elites will tend to create path dependencies and “lock in”. This may impede meaningful participation from other actors at a later stage.

⁴² Chapter 19, “United Kingdom”, section 19.4.

⁴³ Chapter 13, “Norway”, section 13.4

Box 1.8 Participatory mechanisms (continued)

Fragmented forest ownership will impede information collation and participation unless national level mechanisms are created in which the voices of small forest owners can be heard.

“One shot” participation tends to be symbolic and does not enable meaningful participation by all stakeholders.

Participation can help to fill knowledge gaps where an innovative and unproven forest management regime is adopted on which there is limited information and experience.

An absence of clear procedural rules has the advantage of promoting informality, but can lead to the dominance of classic forestry institutions, thus undermining the credibility of the process. Clear and fair procedural rules that favour no institution or sector are thus advisable.

Participation will yield most added value when the aspirations and goals of the NFP are clearly articulated. Without this, much of the organisational energy of participating groups will be dissipated.

The working group approach to preparing drafts can be a useful means for dividing up work in a participatory process. However the approach carries with it certain risks, including the complication of issue linkages and the jeopardising of overall coherence.

When a participatory process adopts a working group approach there should be clear open channels between groups to enable easy discussion and negotiation. An obvious solution is to hold working group meetings in parallel.

Working group chairs/moderators should aim to be neutral. Where the neutrality of chairs/moderators is questionable then the level of conflict within a working group may rise, and such conflict may offset the gains from participation.

A high level of effort and commitment from actors is necessary if a participatory process is to succeed. When a large number of actors enter a participatory process with the primary intention of promoting short-term self-interested behaviour rather than of cooperating actively with other stakeholders, then the result might tend to a low level consensus that few actors support.

Similarly, genuine progress is less likely to emerge from a participatory process when a large number of actors enter the process determined to guard traditional competencies and functions, so that “turf wars” ensue.

It is possible to have “participation overkill”. For example, several participatory-driven but mutually inconsistent proposals can paralyse a NFP.

Advisory groups have a role to play in participatory processes. Such groups can build confidence between stakeholders, broaden discussion and analysis, consider new and innovative ideas and facilitate efficient policy implementation.

Actors will be reluctant to participate in a NFP when they consider that the process is more likely to be time consuming than to lead to meaningful action.

Experts, technical specialists and civil servants will continue to have an input in national forest policy. The crucial question therefore is, what is the optimal balance between expert-driven inputs to a NFP (which will tend to be based on science) and participatory-driven inputs (which will tend to be based on political demands and compromise).

Participation is more relevant to some issues (such as spatial planning and conflict management) than others (such as technical forest management). A participatory process thus needs to be directed so that the energies and skills of participants are directed at those issues where they can yield the most added value.

1.12 Negotiation and conflict resolution

European countries have a patchy record in forest-related conflict resolution. Effective conflict resolution mechanisms need to encompass the full range of affected stakeholders. Where such mechanisms exclude some actors, it is inevitable that many conflicts will remain latent and unresolved. For example, in Austria and Finland conflict resolution has traditionally been restricted to influential organised groups within the corporatist political system. The result in Austria has been that conflicts that involve actors outside the dominant policy network tend either to be sidelined or ignored.⁴⁴ A similar situation existed in Finland until the mid-1990s, although the creation in 1995 of the Forest Forum for Decision-Makers has promoted the identification and resolution of a range of forest conflicts.⁴⁵

The Netherlands case study indicates that when an organisation representing a broad range of actors enters a conflict resolution process, the agreement of its membership to comply with any outcome is usually necessary if the process is to succeed. However in the Netherlands the binding force of membership compliance is often absent due to the large number of forest owners and the heterogeneity of their interests. Consequently agreements reached might not be accepted by all members and may subsequently need to be adapted.⁴⁶

Conflicts are less likely to appear where property rights are unambiguous and clearly defined. In Greece an incomplete forest cadastre has complicated forest ownership questions. The authors of the Greece case study conclude that “most attempts at conflict resolution have been highly inefficient so far”.⁴⁷ In Italy there are no specific strategies for conflict resolution; instead compromises have tended to be negotiated only after lengthy arbitration.⁴⁸ In Germany the current texts on the NFP are “rather vague” on negotiation and conflict resolution schemes.⁴⁹ The German experience suggests that compromise need not necessarily be an effective conflict resolution tactic. Attempts to reach consensus can fail where actors believe that compromises have gone too far and violated core values or principles. One example here is the Bavarian Regional Forest Programme; some key actors left a cooperative effort called the Environmental Pact after the formulation of compromises.⁵⁰

The Aarhus Convention⁵¹ of 1998 furthers the aims of forest conflict resolution. As well as promoting public participation in environmental decision-making, the convention also upholds the rights of the public to environmental information and to access to the courts to resolve conflicts (Appelstrand 2002). An example of how the convention may relate to forest conflict resolution is provided in the Denmark case study. Since the convention was agreed Denmark has broadened the range of actors who may appeal against environmental decisions to encompass any individual or local association with a significant personal interest in the case, as well as national nature and environmental organisations that aim to represent affected recreational interests.⁵²

⁴⁴ Chapter 3, “Austria”, section 3.4.

⁴⁵ Chapter 5, “Finland”, section 5.4.

⁴⁶ Chapter 12, “Netherlands”, section 12.5.

⁴⁷ Chapter 8, “Greece”, section 8.4.

⁴⁸ Chapter 10, “Italy”, section 10.5.

⁴⁹ Chapter 7, “Germany”, section 7.3.

⁵⁰ Chapter 20, “Bavaria”, section 20.2.

⁵¹ The full name of the convention, which was agreed on 25 June 1998, is the United Nations Economic Commission for Europe (ECE) Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters.

⁵² Chapter 4, “Denmark”, section 4.4.

Box 1.9 Negotiation and conflict resolution

Propositions

Mere acceptance of the concept of SFM does not rule out the potential for future forest conflicts. On the contrary, many previously hidden conflicts may become apparent, while new and more and more subtle conflicts may emerge. Conflict resolution is thus likely to be a permanent feature of NFPs.

To be most effective, conflict resolution mechanisms and procedures must be accepted by all parties as fair and impartial.

A prerequisite for effective conflict resolution is an objective account of the current reality that the conflicting interests can accept as accurate and fair. Conflict resolution is more difficult when such an account is absent.

Many conflicts can be solved by consensual procedures, but when consensus does not work actors should be prepared to try alternative procedures.

Consensual decision-making procedures are most likely to be rejected when consensus leads to compromise outcomes in which core values or principles are diluted (the “politics of the lowest common denominator”).

Different actors have different power capabilities, which may be based on membership, resources, and so on. The power capabilities of an actor will not necessarily reflect the legitimacy of their claims. Conflict resolution is most likely to be achieved when conflict is resolved by principled and objective criteria, rather than the power capabilities of actors.

Neo-corporatist arrangements can provide the state with the ability to organise interest mediation involving business interests. However a risk of such arrangements is that other actors may be excluded.

Negotiation and conflict resolution can be hindered where the state or forest authorities continue to favour an established clientele, such as forest land owners and professional foresters, so that conflicts with actors outside traditional policy networks are not regulated satisfactorily.

Some conflicts of interest can be solved through the compensation of actors who might lose, thus engendering a win-win solution.

The existing knowledge on conflict resolution can be used in national level seminars that can enable the identification of future potential conflicts and promote open discussion of potential solutions.

The mechanisms for conflict resolution may vary according to, for example, the issues at stake and the level of policy making.

Clear, secure and enforceable property rights are an essential element in a NFP. These rights should be codified in a comprehensive national cadastre. An incomplete or unfinished national cadastre can heighten conflict between actors.

Where non-public forest owners are poorly organised this will hinder an all encompassing dialogue on forests and will make negotiation and conflict resolution more difficult.

Where agents in a conflict resolution process do not carry a full mandate for negotiation the principle of transparency can be met only formulaically. Furthermore, referrals back to principals can lead to frustration, delays, duplication of work and further conflict.

Where negotiation and conflict resolution fails, the unavoidable task for politicians and/or the courts will be to adjudicate, weighing the various interests at stake against each other. It is thus always preferable if stakeholders can resolve conflicts on their own terms.

Box 1.9 Negotiation and conflict resolution (continued)

A settlement reached amongst a small group of actors may unravel when a larger group of actors is later asked to accept the settlement. Hence the initial settlement needs to encompass the interests of as many actors as possible.

The devil is in the detail: it is relatively easy for a group of actors to agree a vision or broad set of principles. However conflicts may emerge when attempts are made to express fine detail and concrete objectives.

1.13 Intersectoral coordination

Intersectoral coordination can be seen as the problem of how to manage multiple channels and interconnections between different sectors, of which the forest sector is one. But what precisely constitutes the forest sector? This varies from country to country, and has ramifications for how intersectoral coordination is addressed. In the Netherlands, for example, the conventional usage of the term “forest sector” does not incorporate forest industries. Indeed it can be argued that forestry does not constitute a separate sector at all in the Netherlands, and that it is more a sub-sector of nature conservation. This inevitably affects how intersectoral coordination is approached in Dutch forest policy.⁵³ The approach chosen has been “linkages without coordination”: the forest sector supplies other sectors with information, but does not seek to involve them in decision making.

Intersectoral coordination can provide actors outside the forest sector with a better understanding of how their decisions might affect forests, and to forest policy makers being more aware of the consequences of their decision choices on non-forest actors. It is clear, therefore, that intersectoral coordination is a two-way process that requires permanent consultation and dialogue between stakeholders, so that non-forest sectors integrate sustainable forestry concerns into their policies and national forest policy incorporates other sectors. However with respect to this last point there is an important caveat: forestry should only aim to integrate into its policy domain those policies that support, or at least do not run counter to, the objectives of NFPs and SFM. In many countries forestry is a “poor cousin” compared to other sectors, and the objectives of a NFP can be negated by the policies of more economically powerful sectors. Hungary provides a case in point, where “the major factor jeopardising the Hungarian NFP is its marginalisation among other national level development programmes with stronger political support”.⁵⁴

As the Spanish report notes, without intersectoral coordination statistics tend to be scattered among many organisations and often there are no effective procedures for the pooling and sharing of information.⁵⁵ Furthermore, there can be important differences between sectors in the type of data that is collected and how it is stored and presented. Intersectoral coordination can promote the collation and storage of information and data in an homogenous database that suits the requirements of all sectors.

The authors of the Norwegian report neatly summarise the challenges of achieving intersectoral coordination in NFPs: Forestry involves numerous interwoven social, environmental and economic issues, yet it is an issue that attracts limited political attention.

⁵³ Chapter 12, “Netherlands”, section 12.7.

⁵⁴ Chapter 9, “Hungary”, section 9.5.

⁵⁵ Chapter 16, “Spain”, section 16.5.

As a result the potential for large-scale intersectoral initiatives is limited. The Norwegian experience suggests that achieving intersectoral coordination requires a hierarchy of processes.⁵⁶

Several case studies report the formation of institutions geared to addressing intersectoral problems. In the UK an International Forestry Group has been created. This is primarily a government body that aims to secure interministerial coordination on the UK's national and international forest policies.⁵⁷ A similar approach has been adopted in Spain, where several ministries partake in the National Forest Council, which held its first meeting in 2002.⁵⁸ The verdict in Spain is that there is a need for "better integration of land use policy and forestry".⁵⁹ In Portugal the verdict is harsher: the 1996 Forest Policy Law provided for the establishment of an Interministerial Commission for Forest Affairs. However this has met rarely and has been "ineffective" in fulfilling its mandate.⁶⁰

The separation of functions and competencies into different ministries, organisations and sectors is not a problem per se. An intersectoral problem arises only when there are unresolved coordination problems. Coordination problems can arise within ministries and institutions, and not solely between them. The crucial factor, therefore, is how effectively the political culture handles and resolves coordination problems.

Where a country has two or more major land/spatial planning processes these should wherever possible be held in parallel in order to enable effective coordination, convergence and conflict resolution, as well as to realise synergies between them.

1.14 Long-term iterative planning

A NFP should not simply be viewed as an end to be attained, but rather as a long-term, open-ended iterative process. As the authors of the Finnish report emphasise, the Finnish NFP is not "a programme hewn in stone" but "a process that will be implemented and revised according to changing demands and feedback."⁶¹ As the Spanish report makes clear, long-term iterative planning "implies the implementation of a continuous policy cycle that involves the planning, monitoring and evaluation of achieved goals, and the revision of objectives and instruments."⁶² The National Forest Council is intended to play a role in long-term iterative planning in Spain through, for example, quantitative evaluation and centre-regional bilateral coordination agreements.

Of the four core variables of a NFP examined in COST Action E19, long-term iterative planning is arguably the area where there has been the least progress in Europe. This is explicitly acknowledged in some of the case studies, including Switzerland where the authors state that the NFP is linear and non-iterative:

In Swiss forest policy long-term iterative planning does not yet exist. Forest policy planning is rather characterised by selective or step-by-step modifications of the existing policy framework, thus it represents more an incremental than an iterative policy process.⁶³

⁵⁶ Chapter 13, "Norway", section 13.5.

⁵⁷ Chapter 19, "United Kingdom", section 19.6.

⁵⁸ Chapter 16, "Spain", section 16.3.

⁵⁹ Chapter 16, "Spain", section 16.5.

⁶⁰ Chapter 15, "Portugal", section 15.

⁶¹ Chapter 5, "Finland", section 5.6.

⁶² Chapter 16, "Spain", section 16.6.

⁶³ Chapter 18, "Switzerland", section 18.2.

Box 1.10 Intersectoral coordination

Propositions

Intersectoral coordination will work against the interests of forestry where non-forest sectors, such as transport, trade and industry, have a more powerful policy voice.

Intersectoral (horizontal) coordination problems may be compounded by multilevel (vertical) coordination problems. NFPs should thus address both dimensions and strive to achieve intersectoral coordination at all governance levels.

Interministerial committees and working groups can promote intersectoral coordination, although such mechanisms will be impeded when civil servants adhere first and foremost to the interests of their sectoral bureaucracies. To prevent such “sectoralism” intersectoral mechanisms may require an independent chair/moderator.

Ministerial mergers have advantages and weaknesses with respect to forestry. An advantage is that all forest-related concerns, such as biodiversity and public recreation, can be brought under the auspices of one ministry, thus promoting coherence in policy making. A weakness is that as just one issue amongst many, forestry may be sidelined by more powerful constituencies within a “super-ministry”. This could drive forest policy making to lower administrative levels, and weaken the national voice of forestry policy. Much depends, therefore, on forestry’s place in the organisational design of government.

Intersectoral coordination requires that the aims and objectives of a NFP and any supporting regional forest programmes should be incorporated into other national and regional environment and development programmes, and *vice versa*.

Intersectoral coordination at the national level requires that national level forest organisations – such as a foresters council, association of private forest owners, ministerial groups, and so on – engage with their equivalents in other sectoral organisations. This proposition also applies at the regional and local levels.

Intersectoral coordination requires sustained high-level participation from relevant ministries. Where ministries rotate staff or appoint low-level staff with restricted decision-making competencies, intersectoral coordination becomes more difficult and the commitment of the ministry to the NFP is likely to be questioned by other stakeholders.

Intersectoral coordination is desirable in its own right, as it can lead to more effective policy making and efficiency savings through the elimination of bureaucratic overlaps.

The holistic and intersectoral approach of a NFP can ensure that issues with weak institutional homes that might otherwise have been ignored and neglected can be captured in the national planning process.

Intersectoral coordination cannot be achieved by a single process. Rather there will be a hierarchy of processes, and a challenge for NFPs is to ensure consistency and coherence between these processes, while also allowing for the flexibility that long-term iterative planning requires.

Intersectoral coordination is likely to be stronger and more effective when there is an homogenous body of legislation on the protection, maintenance and utilisation of the natural environment.

Long-term iterative planning requires target setting if progress is to be assessed, although sufficient flexibility should be built into a NFP so that the targets themselves can change in response to changing circumstances. Such circumstances may include, for example, new political priorities, a shift in the economic climate, new demands from stakeholders or catastrophic damage from storms (as in France in 1999)⁶⁴ or severe fires (as in Portugal, 2003).⁶⁵ As well as the monitoring of implementation and the evaluation of targets, a truly iterative process also requires broad representation and inclusiveness plus an array of formal and informal feedback loops between institutions, between sectors and between different layers of multilevel governance.

A NFP should aim to strike a balance between policy certainties and flexibility. If NFPs are to be iterative and adaptive, some degree of institutional fluidity is necessary over the long-term if the NFP is to be capable of reacting flexibly in response to new situations. A dynamic and fluid political bureaucracy that is able to adapt its *modus operandi* in response to unforeseen events will serve as a supporting factor. But while NFPs require some degree of institutional adaptability, frequent institutional changes will prevent policy continuity by introducing uncertainties and discontinuities.

Box 1.11 Long-term iterative planning

Propositions

Self-evaluation of performance is one of the most important types of evaluation that can take place in a NFP process.

Where third party evaluation is undertaken, third parties should be entirely neutral and objective.

Iterative planning requires monitoring of implementation, and a prerequisite for monitoring is the development of clear and mutually agreed progress indicators. The absence of such indicators can be interpreted as a lack of commitment to iterative planning and/or an indication that the long-term objectives of a NFP are unclear or insufficiently transparent.

The participatory nature of NFPs constitutes a recognition that expertise and knowledge does not reside solely in establishment actors but is to be found scattered throughout all stakeholders. Given this, no single overall framework can ensure long-term iterative planning. Rather there will be many different iterative feedback loops taking place amongst different actors and at different levels of the policy making process. The challenge of NFPs is to harness as many of these feedback loops as possible.

Effective long-term iterative planning requires openness and a willingness to try original and innovative approaches. In particular, the policy system itself must be willing to change when there is evidence that it is not achieving the desired results, for example when there are conflicts in implementation.

1.15 Other NFP elements

A variety of additional NFP elements feature in the reports in this volume, including political commitment, forest research, education, capacity building, knowledge building and multilevel governance. However two elements feature in several reports.

⁶⁴ Chapter 6, “France”, section 6.2.

⁶⁵ Chapter 15, “Portugal”, section 15.9.

The first is *decentralisation*. This was not one of the core variables analysed on COST Action E19, but its presence as an element in many European NFPs is not surprising as it is emphasised in the IPF's final report (section 1.1 above). Indeed in some European countries decentralisation as a feature of national forest policy predates the IPF. For example, in the Netherlands an official policy of all Dutch governments since 1982 has been the decentralisation of tasks from the national level to sub-national levels.⁶⁶ Similarly in Sweden the forest service has been gradually decentralised over the last 20 years, with Regional Forestry Boards in charge of sub-national policy implementation.⁶⁷ Finland has introduced a strong regional structure. In Switzerland decentralisation is seen as one of the key elements of the Swiss NFP, one that is "crucial for attaining sustainable forest management in the long-term". Decentralisation allows forest policy to be sensitive to local geographies and topographies, and enables less complicated and more effective solutions.⁶⁸ Countries that report decentralised regional forest programmes include Spain and Germany.

The second element is *certification*. While policy uncertainties over certification acted as an impeding factor to NFP formation in France,⁶⁹ certification as a NFP element features strongly in many other countries. This is particularly so in the United Kingdom where FSC certification is integral to the NFP. All publicly-owned forests have been certified by the UK Woodland Assurance Standard, which is FSC compatible although not linked exclusively to the FSC.⁷⁰ Certification – principally ISO 14001 and the Programme for the Endorsement of Forest Certification (PEFC) – also features prominently in Norwegian forest policy. As the authors of the Norwegian report acknowledge, certification can promote participation as the main certification schemes have standards on how forest management should interact with local stakeholders.⁷¹ Other countries that report forest certification schemes are Finland, with 95 per cent of forests certified under the PEFC-approved Finnish Forest Certification System,⁷² and Denmark, where a FSC scheme is being established.⁷³

Related to the issue of certification is the question of criteria and indicators: Greece has produced a set of national-level criteria and indicators based on the Pan-European Criteria and Indicators. They are presented in the appendix to the Greece country report. With the core objective of NFPs being the promotion of sustainable forest management it seems certain that certification and the use of criteria and indicators will feature more prominently in the NFPs of the future.

1.16 Concluding thoughts

The concept of a NFP has its origins in the mid-1980s, but has attracted increasing international attention since the UNCED in 1992. Had states by now agreed a global forests convention then the NFP concept would certainly have continued to evolve, although the whole nature of the concept and the direction of its evolution would have been very different. The NFP concept would by now have a firm legal grounding in hard international law. NFPs would

⁶⁶ Chapter 12, "Netherlands", section 12.3. This is a general government policy in the Netherlands and not one that applies solely to forests.

⁶⁷ Chapter 17, "Sweden", section 17.7.

⁶⁸ Chapter 18, "Switzerland", section 18.7 and figure 18.3.

⁶⁹ Chapter 6, "Netherlands", section 6.2.

⁷⁰ Chapter 19, "United Kingdom", section 19.9.

⁷¹ Chapter 13, "Norway", section 13.3. The PEFC was known until December 2003 as the Pan-European Forest Certificate. The change in name indicates the increasingly global aspirations of the scheme.

⁷² Chapter 5, "Finland", section 5.2.

⁷³ Chapter 4, "Denmark", section 4.5.

Box 1.12 Other NFP elements

Propositions

Voluntary agreements and certification schemes are more likely when there is a threat of more onerous regulation for those who fail to volunteer.

Certification can help to raise forest management standards. However the existence of competing forest certification systems (for example, FSC and PEFC) may engender new conflicts between stakeholders and create a barrier against cooperative policy development.

Decentralisation can have many advantages in a NFP, in particular better participation from the grass roots. However where decentralisation takes place in a political culture with traditional centralist tendencies, some leadership from the central administration is likely to remain necessary.

A sound knowledge base, including homogenous information and data banks which all actors understand and to which all can contribute, will help to realise SFM.

be tasked with implementing internationally agreed commitments and targets, either those agreed during the negotiations for the forest convention, or those subsequently agreed by the conferences of parties to the convention. States would, in principle at least, be accountable to other states for the implementation of their NFPs.

As it is the concept has evolved very differently. It is grounded upon soft international law, namely the outputs from the IPF and IFF. NFPs are not tasked with implementing internationally agreed commitments and targets, but with nationally-agreed measures. No state has any obligation at all to take action that is consistent with the IPF and IFF outputs, which as their name suggests are merely proposals. While states may submit voluntary reports to the United Nations Forum on Forests, no state is formally accountable to other states for what their NFP achieves or fails to achieve.

That said, the NFP concept has been considerably refined and developed over the last decade. If states do agree a forest convention, existing NFPs will be able to adapt to take on the new demands and legal obligations that a forest convention would impose. The NFPs that have so far been created are policy vehicles that can be used to implement any new international forest-related commitments that states may agree. With respect to the means of implementing a global forest convention states would not be starting with a blank sheet in the way that they would have had the elements of the NFP concept not been elaborated in the way that they have.

NFPs are here to stay whether a forest convention is agreed or not. One conclusion that emerges clearly from the contributions to this volume is that NFPs represent a paradigm shift in forestry. The dominant perception of forestry as a production sector in which welfare goods are provided free as positive externalities is yielding slowly to the perception of forestry as a multiple-use sector that embraces sustainability and where the welfare role of forests is central. NFPs are based upon this new shared understanding. The emphases on “multiple use forestry” and “multi-value” forests inevitably leads to the recognition of multiple stakeholders. Hence the emphasis in the new paradigm of participation, conflict resolution and intersectoral coordination, elements that were not emphasised in the old production-oriented forestry.

The work of COST Action E19 suggests that NFPs represent an original type of policy programme in which many different policy tools are nested, such as forest legislation,

regulations and financial incentives. Policy makers are likely to use many of the types of tools, and in some cases the same tools themselves, in a NFP as they did in pre-NFP national forest policy. However the holistic, intersectoral and iterative nature of a NFP, and its stated aim of integrating all the relevant dimensions of forest policy, should lead to the generations of synergies that would not previously have been possible. For example, a particular policy may lead to some adverse consequences. If the NFP represents a genuinely iterative process, these consequences should be noticed and policy connections made, whereas this need not necessarily have happened in the pre-NFP period. Furthermore, the *combination* of particular tools may generate policy innovations. A NFP can therefore be seen as an *original assemblage* of policy tools that may result in new synergies and innovations geared to the attainment of sustainable forest management over the long-term.

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Chapter 2

National Forest Programmes as vehicles for next generation regulation

Jeremy Rayner¹ and Michael Howlett²

2.1 Introduction

National Forest Programmes (NFPs) are sectoral governance strategies designed to accommodate the adoption of “next generation” policy instruments (Gunningham and Sinclair 2002). As Gunningham, Grabosky and Sinclair (1998) note, such instruments are part of a larger “regulatory reconfiguration” that has followed from internationalisation or globalisation. The discussion about next generation instruments has moved beyond the old debate about command and control versus market incentives, reflecting both the theoretical exhaustion of the debate itself and some of the unhappy practical experiences with both market approaches and re-regulation. Next generation instruments:

seek out and nurture win-win solutions, some seek to replace conflict with co-operation between the major stakeholders, and others seek to mitigate power imbalances, and to increase transparency and accountability, as is the case with informational regulation. Many, in stark contrast to the first generation of command and control, seek to encourage and reward enterprises for going beyond compliance with existing regulation – to reward leaders rather than merely drag laggards up to a minimum legal standard (Gunningham and Sinclair 2002, pp.190–1).

As Knill and Lehmkuhl (2002a) have argued, the process of internationalisation has been characterised by an extremely unbalanced development, as the growth of transnational markets fails to be matched by the equivalent growth in the governance capacity of national governments or international legal regimes. Next generation policy instruments are part of the effort to restore the balance between private and public sector capacities by experimenting with new forms of governance that actively involve private actors (Coleman and Perl 1999). These experiments include not merely the participation of private actors whose goals are explicitly the promotion of public purposes but also business associations, corporations and others whose activities are often the source of the governance problem in the first instance.

The creation of new forms of government-citizen and government-corporate interaction such as NFPs can have a dramatic effect on policy outcomes, both in terms of the specific types of “next generation” instruments used by governments to achieve their ends and in terms of the effectiveness of policy itself. Following Knill and Lehmkuhl (2002a), we focus on four ideal-typical regulatory regimes that can emerge from the new circumstances of intertwined public and private sector governance. In their model (Figure 2.1 below), the traditional aspiration of states to engage in command and control, “interventionist” regulation, is represented by the bottom left quadrant where states retain substantial governance capacity. The use of “next generation” instruments represents an attempt to

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shift regulation and regulatory activity away from configurations associated with the first stages of globalisation, where both public and private actors seem to lose governance capacity, and towards the top half of the table.

Figure 2.1 Configurations of regulatory activity

Private capacity	Public capacity	
	High	Low
High	Regulated Self-Regulation	Private Self-Regulation
Low	Interventionist Regulation	Interfering Regulation

Adapted from Knill and Lehmkuhl (2002a, p.49)

In addition to locating NFPs as part of the regulatory reconfiguration that states are undertaking in response to the internationalisation of issues that were once comfortably handled as matters of domestic policy, we also need to understand that the response is at least a two-stage process (Howlett and Ramesh 1999; 2002). In the first stage, there is a general recognition by similarly situated states that a new policy problem has arisen. At this stage, policy-making is relatively open to new ideas and, sometimes, to new actors, and we can expect to see a convergence on similar policy instrument choices through the diffusion of these new ideas, often by explicit policy learning. At the second stage, however, various national and regional idiosyncrasies reassert themselves, especially during policy implementation, leading to observable policy divergences, both in outputs and outcomes. Examining the record of the appearance and non-appearance of NFPs in the context of the manner in which governments have responded to capacity losses by invoking next generation instruments helps to explain many features of the processes and practices of NFP adoption and implementation, both in the European context and elsewhere.

The focus on governance capacities resolves an otherwise paradoxical feature of the various factors identified by earlier authors investigating NFP adoption patterns: while patterns of forest ownership and associational behaviour are both identified as critical for the decision to adopt a NFP, both the presence of fragmented private ownership and the presence of a strong corporatist tradition with clientelist associational representation have been shown to be factors impeding the adoption of formal NFPs (Glück *et al* 2003). However, this apparent paradox disappears when the key variable in NFP adoption is seen to be the relationship between public and private sector capacities. Where the balance of that relationship tends towards private rather than public capacity, for example, where we find strong associations or a few large, vertically-integrated companies dominating the sector and a dependence on trade relationships outside national government control, then the governance structure will tend towards private self-regulation and the instruments chosen will include non-state, market driven certification schemes and voluntary agreements, appropriately coordinated by the kind of looser governance arrangements we characterise in section 2.2 as an informal NFP. Conversely, where private sector capacity is relatively lower or public sector capacity relatively higher, then much more responsibility continues to fall to the state and we may expect to continue to see “interventionist” state-led policy initiatives in which coercive codes and bureaucratic monitoring and enforcement of standards and practices is the norm. Only where both the state and the private sector share high governance capacities would we expect the emergence of a formal NFP, appropriate for the coordination of policy instruments that operate “in the shadow of law” as part of regulated

self-regulation. Instruments might include certification schemes with significant state support, various kinds of incentive and contractual approaches for biodiversity conservation, and “voluntary” agreements that are backed up by the threat of more onerous regulation for those who fail to volunteer.

2.2 Distinguishing between NFP types

National Forest Programmes (NFPs) are intended to enable the design and implementation of policies that will realise the goal of sustainable forest management (SFM). Ultimately, of course, the value of NFPs will be determined by the extent to which they have, in fact, supported the much-discussed paradigm shift from forest policies that serve fibre production goals to forest policies that capture the full range of economic, social and ecological values found in a nation’s forests (Howlett and Rayner 1995).

However, there are formidable methodological difficulties that stand in the way of any such evaluation of the ultimate value of NFPs. First, there are the usual problems of establishing that the desirable policy shifts that may have taken place have actually been the product of NFPs and would not have happened without them. In addition to this *ceteris paribus* concern, however, there are also the equally familiar problems of assessing the impacts of changes in forest policies, where those impacts may not become apparent on the ground until years, perhaps decades, later (Sabatier 1993).

Policy analysis has traditionally addressed the latter problem by looking at the adoption of particular policies as surrogates for policy impacts. Much of the research on NFPs carried out under the auspices of COST Action E19 has proceeded this way. NFPs have been identified as a specialised set of procedural policy instruments that addresses the problems of network governance raised by the transition to SFM. These problems include the coordination of a much more numerous and heterogeneous set of actors than the old, rather narrow and specialised technical forestry networks; the integration of science into a quite different policy environment than one composed of like-minded forestry professionals and their counterparts in government and industry; the issues of coordinating forest policy with a whole range of newly-related policies on climate change, biodiversity conservation, the rights of indigenous peoples, and so on. In assessing the network coordination needs posed by these problems, researchers arrived at the key functional components of a NFP. To have much chance of success, a NFP should be able to address issues of participation, conflict resolution, intersectoral coordination and iterative planning (Glück and Humphreys 2002).

However, it is clear from the empirical record that different types of NFP exist. Jurisdictions featuring the four different combinations of state and private sector capacity noted in Figure 2.1 above might all develop some kind of coordinated national forest policy, but the role of a NFP will be rather different in each case. While it is certainly arguable that the coordination problems of countries reliant upon private self-regulation in forest management activities are just as significant as those in countries with greater state involvement, for example, fitting a NFP into such a regime will be difficult. Governments may try to increase the legitimacy of private self-regulation by recognising a private certification scheme or acknowledging its outcomes in some other way. They may provide coordination, especially in the collection and dissemination of information, assistance with conflict resolution or technical support. But the attempt to be more involved in producing desirable outcomes where the problem set itself suggests that the state lacks the capacity to influence outcomes is potentially problematic. While more direct involvement might result in a general movement of policy towards a virtuous regime of “regulated self-regulation”,

it also risks moving the NFP into the “interfering regulation” quadrant, imposing extra costs without achieving very much in return. To escape this outcome, we would expect to see a looser model of NFP adopted in countries heavily reliant on private sector governance. And, as is discussed below, this is what we in fact find in the Forest Sector “Strategies” in countries such as the UK or Canada.

Similarly, neo-corporatist arrangements in countries such as Finland and Germany provide examples of the ability of the state to organise interest intermediation, suggesting state capacity at the higher end of the scale. In these countries, “the state plays a central and active role and disposes of powers and resources which are not available to societal actors” (Knill and Lehmkuhl 2002, p.50). In such cases, a formal NFP, initiated by government agencies with the explicit objective of drawing in new interests and ensuring significant intersectoral coordination, is more likely to feature coercive aspects which might lead to industry resistance or evasion. When matched with high industry capacity and the ability of industry to negotiate the terms of a NFP with government, such arrangements may also move towards the more virtuous quadrant of “regulated self-regulation” and result in the mix of substantive and procedural instruments (Howlett 2000) characteristic of “next generation” policy tools originally expected to be found in an effective National Forest Programme. However, if matched with low private sector governance capacity, a less optimal outcome is to be expected.

In determining just what is a NFP, the approach taken in COST Action E19 has been to identify the policy elements we expect to see in a substantive NFP at different stages in the policy process (Glück *et al* 2003). In the early stages of NFP formulation, substantiveness in a NFP is identified by the presence of four main components. These are: (1) mechanisms for intersectoral coordination, (2) sophisticated participatory deliberation, (3) arrangements for conflict resolution and (4) an expectation for continual programme monitoring and review. However, as NFPs move into the implementation stage of policy development, it is possible to begin to distinguish between merely symbolic adoption of these elements as opposed to NFPs that have had substantive effects on instrument selection and management practices. Thus, we distinguish between substantive and symbolic NFPs in terms of their effects, and between formal NFPs, where the process is clearly identified by forest policy actors, and informal NFPs, where many of the functional components of a NFP are present but not institutionally identified as part of a plan.

These distinctions may, in practice, make little difference at the policy formulation stage where the NFP emerges from a variety of components and while competing understandings are still in play. However, at the policy output stage, when viewed through the lens of “next generation” instruments, a strong and visible connection between substantive outputs and a formal NFP process is the identifying feature of a “classical” NFP. Thus, the goals and instruments that are the policy outputs must be clearly identifiable as outputs of a formal NFP process. While these connections will be harder to discern in the case of the informal-substantive “equivalent to NFP”, by insisting on this connection we address one of the weaknesses of the whole approach to identifying NFPs.

That is, in real political systems we expect to find a variety of more complex policy processes rather than a simple progression through a series of discrete stages, resulting in the persistence of policy legacies and the working out of policy initiatives that predate NFPs but are still active. Many countries began grappling with the issues of implementing SFM and engaged in forest policy and programme development long before forest governance issues were brought together as a policy problem that needed to be addressed

by a NFP. Our approach to substantiveness would thus necessarily invalidate Sweden's claim that the whole of its forest law and policy constitutes a classical NFP (Nilsson 2001). There may be a NFP in Sweden, and there may even be NFP outputs, but these have not emerged from a formal policy process which is distinct from other elements of forest law and policy. Hence in the Swedish case what exists is not a "classical" NFP, but possibly an informal "equivalent to NFP". We must be able to distinguish these earlier attempts from an actual NFP process and its outputs, and a focus on the formal versus informal characteristic of the NFP policy process allows us to do so.

Both types of substantive NFPs identified above are quite different from the second general category of "symbolic" NFP. That is, while it is anticipated that the adoption of NFP will lead to actual changes in forestry practices on the ground, this is not necessarily the result. Here, of course, the "official" definitions of NFPs, such as those found in the IPF/IFF documents, are particularly unhelpful. They are the outcome of diplomatic negotiation and, as such, are specifically written to allow as many of the signatories as possible to claim that they are in compliance with their international commitments. This raises the distinct possibility that regardless of the informal or formal nature of the NFP policy process, a plan of action which is purely symbolic may well emerge, in which only lip service is given to the actual accomplishment of NFP goals.

These four NFP types are set out in Figure 2.2 below.

Figure 2.2 Four main types of NFP

NFP Outcome	NFP Policy Process	
	Formal	Informal
Substantive	Classical NFP	Equivalent to NFP
Symbolic	Failed NFP	Rhetorical NFP

Mapping Figure 2.2 onto the governance patterns identified in Figure 2.1, it is apparent that what is described as the classical NFP, formally identified as such by its participants and involving substantive policy outcomes, corresponds to the pattern of regulated self-regulation identified by Knill and Lehmkuhl (2002a). Here, significant state capacity is required to overcome a variety of private sector organisational weaknesses including fragmented forest ownership and regionally differentiated landowner groups, but also closed neocorporatist networks resistant to bringing on board the new groups and interests whose activities also need to be steered towards SFM goals. Such closed networks may be evidence of a certain type of private sector organisational capacity (though often, of course, they have been organised in this way by the state itself in pursuit of previous policy goals) but not the kind needed to achieve SFM.

The other interesting quadrant, the "equivalent to NFP" corresponds to Knill and Lehmkuhl's category of private self-regulation, where private sector capacity is relatively greater and/or state sector capacity weaker. As noted above, the challenges raised by this governance pattern may be equal to or greater than those in regulated self-regulation but, as discussed below in the context of Canada, the formal NFP does not appear to be the chosen instrument to steer this configuration. In the lower quadrants, the failed NFP is a form of traditional interventionist regulation, where the disparity between state and private capacities is so greatly skewed in favour of the former that the state is both able to demand that other actors engage in a formal NFP process and also to ensure that the outcomes are

purely symbolic. Such a governance pattern may still actually achieve SFM goals, but not by using a NFP. A rhetorical NFP, on the other hand, reflects the general lack of capacity of all parties and is likely to involve what Knill and Lehmkuhl (2002a) call a “policy of pinpricks” or “interfering regulation”, to no great effect.

From the impressive body of research generated by COST Action E19, two conclusions stand out. First, there has not been a smooth diffusion of classical NFPs from the “leading” jurisdictions to the “laggards”. On the contrary, there has actually been a relatively slow and uneven change from the situation identified at the beginning of the Action, where some countries were enthusiastic advocates of the NFP idea, others were engaged in exploring the possibilities of a NFP and yet others felt that their existing forest policy or strategy constituted an “equivalent to NFP” status. It is true that a number of countries who were in the exploratory stage have now moved to develop classical NFPs, including Germany and Austria, where significant obstacles to NFP adoption were expected. However, it is also noteworthy that there remain some surprising “hold out” states. These include both substantial forest products’ exporters such as Sweden and small countries with otherwise highly-respected environmental policy records, such as the Netherlands (Zimmermann and Mauderli 2001).

In what follows, we first look at the development of NFPs in Europe in the light of the three most common approaches to policy convergence. We argue that the development of NFPs is actually evidence of policy divergence, as an initial convergence around the idea that the implementation of SFM would require new network management tools encountered variable state and private sector capacities, resulting in the adoption of different types of NFPs in different jurisdictions.

Following this discussion we introduce the possibly-less-familiar experience of Canada as a country with a globally significant forest resource, one centrally involved in the IPF/IFF negotiations, and yet a country that has pursued an “equivalent to NFP” approach through its National Forest Sector Strategy (NFS). Our aim here is to look in more detail at a non-European case to see how a particular configuration of state and societal governance capacities led to the adoption of particular policy instruments and programme specifications as outcomes of a NFP and hence “test” the extent to which generalisations and conclusions based on the European experience travel outside that context.

2.3 The adoption of formal NFPs in Europe: Summary of temporal pattern and explanatory factors

Looking at the diffusion of the NFP idea in Europe, a number of features stand out. Initial survey data on the genesis of NFPs showed three distinct temporal periods of activity (Figure 2.3). First, there is a group of countries whose NFP experience appears to begin in the early 1990s, presumably in the run up to or immediate aftermath of the Rio conference. Second, the largest group of countries begin their process in the second half of the 1990s, with a more complex dynamic at work. For the moment, we note that these are mainly northern European countries, with the outlying exceptions of Spain and Ireland. There is a third group that delays the start of the process, again forming a geographical cluster of Switzerland, Austria and Hungary, with the outlying addition of Greece. Finally, there are the “hold outs”, those countries that have not pursued NFPs, perhaps because they consider some aspect, or even the whole, of their national forest policy as equivalent to a NFP. Notable examples of such countries are Sweden, France and the Netherlands.

Figure 2.3 Self-reported dates for the origins of NFP processes in select European countries

“When did your country launch the formal NFP-process?”									
1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
UK	CZ	BE		IE	ES	FI	DE		HU
		LT				NO	DK		CH
									GR

Key: BE Belgium (Flanders); CH Switzerland; CZ Czech Republic; DE Germany; DK Denmark; ES Spain; FI Finland; GR Greece; HU Hungary; IE Ireland; LT Lithuania; NO Norway; UK United Kingdom.

Source: Zimmermann. and Mauderli, 2001.

Such a pattern of policy adoptions suggests some processes of policy learning, emulation or diffusion might be at work; that is, one in which some countries have emerged as leaders in the field, while others, for various reasons, have lagged behind in an overall process of policy convergence (Bennett 1991). A closer examination of the current status of formal³ NFPs and adding countries not included in the original survey, however, shows a slightly different picture. Rather than being leaders in the field, the first group clearly represented something of a false dawn. At the time of writing, the United Kingdom has developed a strategy which is an informal NFP, and the Czech Republic, Belgium (Flanders) and Lithuania date their current NFP processes to new starts in the late 1990s rather than to the processes that begin in the earlier period. As Schanz (2002) shows, most European countries claimed to have some strategic direction in their forest policy prior to the elaboration of the NFP concept, so we have to take special care in determining what are NFP processes and what are policy legacies in this area.

Similar considerations apply when we look at the second group, those who claim to have begun their NFP processes in the second half of the 1990s. Finland, Denmark, Belgium (Flanders) and Germany began (and in Finland’s case, moved quickly to conclude) formal NFPs in this period that were distinctly different from the looser “strategies” or “programmes” already in place in those jurisdictions.⁴ In Norway’s case, too, it is the current round of changes to Norway’s forest legislation that is being presented as a NFP, placing Norway as a late addition to the next group (Gulbrandsen 2003).

The third group is now a little clearer and consists of countries that appeared to have delayed the start of formal NFP processes but are the most likely candidates for demonstrating policy convergence, namely Austria, Switzerland, Greece, Hungary, Poland and, possibly, Norway. In Spain’s case, the process was more complex than it initially appeared, with an informal strategy leading to the development of regional forest plans and ultimately a Spanish Forest Programme that still lacks some of the participatory components of a classical NFP. Recent developments in Portugal also make its NFP process hard to classify. As yet, however, it is much too soon to determine whether this convergence will take place. And the fourth group, the hold outs, can now be seen as a substantial and heterogeneous group of countries including France, Italy, Sweden, the United Kingdom,

³ Ideally, of course, we would be able to distinguish among the formal NFPs between classical and failed, but, and as noted above, in almost all cases the NFPs are not yet at a stage where this is possible.

the Netherlands, Lithuania and Portugal. While the latter group's forest policies show varying degrees of strategic direction and sophistication, it is clear that they have, for whatever reason, not yet joined a convergence of forest policies towards the formal/substantive or classical NFP as a general tool of network governance and policy coordination.

Figure 2.4 European NFP types by country: Status as of 2003

NFP Outcome	NFP Policy Process	
	Formal	Informal
Substantive	<i>Classical NFP</i> Czech Republic (after 2000), Finland, Denmark, Belgium (Flanders), Germany	<i>Equivalent to NFP</i> Lithuania, Netherlands, Portugal (PDSFP), Sweden, United Kingdom
Symbolic	<i>Failed NFP</i>	<i>Rhetorical NFP</i> Italy (1988)
Potential substantive NFPs not yet classifiable	Austria, Greece, Hungary, Norway, Poland, Portugal (PAFS), Spain, Switzerland	
No NFP	France, Italy	

Sources: Country reports to UNFF3; Schanz, 2002.

The pattern thus far is one of limited convergence towards the adoption of formal NFPs. Whatever convergence has taken place seems to have happened somewhat later than originally supposed and, to the extent that we can find leading jurisdictions, only the recent examples of Finland and Germany stand out. Their commitments to a formal NFP process may have tipped the balance for a number of smaller countries, together with some new entrants to the EU with significant forest industries. Yet, their example has not been sufficient to lead a general adoption of classical NFPs, even among some important forestry “powers” both within the EU and outside.

2.4 Explaining the European pattern: Policy convergence or divergence?

In seeking to explain large scale patterns of policy convergence, political scientists have generally employed three kinds of approaches, each with rather different implications for the future of NFPs. The first approach treats ideas as the critical independent variable, predicting that policy makers who confront similar problems will eventually converge on similar solutions as a result of argument and debate, often described as a process of social learning. In the ideas approach, the role of expert policy communities in enabling these debates to take place and rapidly diffusing their conclusions is especially emphasised (Stone 2001; Bleich 2002). Policy convergence will be relatively common and can be facilitated and managed through a better understanding of the process of policy and social learning itself, especially the role played by national and transnational policy or “epistemic” communities in this process (Haas 1992).

⁴ See the relevant country and regional studies in this volume.

The second approach treats institutions as the dominant explanatory variable, focusing on the “stickiness” not just of large-scale political institutions like federalism or multi-level governance, but on less formal policy networks and policy styles and the support that they provide for particular policy instruments in a national setting. The institutional approach usually emphasises the difficulty of policy change on any scale and focuses on tendencies towards resistance to change and incrementalism (Pearson 2000a; 2000b). On the institutional approach, general policy convergence across nations will be fairly unusual. Instead we would expect to see an uneven pattern of diffusion revealing on further analysis some convergence in nations with similar institutional structures, especially similar policy styles and policy networks (Glück and Voitleithner 2001).

A third approach, by no means new but now fashionably “postmodern” in its emphasis on chaos and random events, stresses the contingent nature of policy change. On this view, while major policy shifts are possible, indeed likely, they are to large degree unpredictable (Jones *et al* 2003; Baumgartner and Jones 2002). In the famous version of the contingency approach by Kingdon (1995), the key to policy change is to have a policy “ready to go” for the unpredictable moment when a problem comes along to which the policy can be successfully attached, an event he describes as the opening of a policy window. Contingency theorists would thus expect convergence to be an unusual phenomenon unless jurisdictions were linked in some way that created a common policy window with a common solution waiting to be put through it. Beyond these unusual circumstances, apparent convergence may actually be no more than a pattern that the analyst has imposed on random events.

On the surface, then, the uneven diffusion of formal NFPs in Europe does suggest that pure ideas-based approaches, which played a significant part in the early discussions of COST Action E19, have limited usefulness (Jorgens 2001). It has obviously proved difficult to maintain the interest and involvement of researchers and policy-makers from countries where NFPs have a limited fit with national institutions or policy styles, since even advocates of the NFP idea are presumably aware of the remote chances of success in promoting policy change by debate under these circumstances.

Moreover, while there is clearly an expert forestry community that is promoting the NFP idea through a number of international and regionally-significant institutions, it is also clear that NFPs have not exactly caught the imagination of a larger public or policy audience. On at least one famous version of an ideas-based approach, the Advocacy Coalition Framework (ACF), it is precisely the need to defend and elaborate arguments when publicly challenged by an alternative point of view that creates the mechanism for ideas-driven policy change (Sabatier 1987). Instead, NGO involvement in the adoption of NFPs seems to have been fairly restricted and NFP policy processes have become a vehicle for broadening and deepening participation in forest policy making only in countries where closed expert policy communities had already agreed on a policy direction (Zimmermann and Mauderli 2001).

Conversely, on the surface, an institutional approach to the diffusion of NFPs seems to have a great deal to recommend it. We do see uneven adoption of the NFP idea, over both time and space as would be expected with an approach focussing on the significance of institutions and institutional orders in policy-making. Interestingly, however, the unevenness seems poorly related to common macro-institutional features such as federalism, when in their different ways, both a federal country like Germany and a unitary one with significant regional autonomy like Spain have both attempted formal NFPs (Montiel and Galiana, in press).

Instead, meso-level features like policy networks, policy styles and path dependencies, all features of the contingency approach to policy convergence, seem to have some explanatory value. A critical piece of evidence here is the timing of new forest legislation reflecting SFM goals, which generally precedes rather than follows the adoption of a formal NFP, suggesting that the NFP is often a device to implement changes in policy goals already agreed on by the forest policy community.

The decision by Finland to start the ball rolling for formal NFPs can certainly be analysed as the contingent response to circumstances and the decision by Germany to follow through on its international commitments also has features of a policy window. Once these decisions had been made, there followed the process identified by Kingdon as “tipping”: in a number of smaller countries the arguments for taking a “wait and see” approach to NFPs are replaced by a desire not to be left behind and a sequence of fairly predictable new policy windows are created (Howlett 1998). From an international perspective, however, this dynamic is an essentially European one, whose peculiarities are underlined by features such as the linking of NFPs to regional policy in the revised EU directive 1257/1999 (Hogl 2002) and the participatory requirements of the Aarhus Convention (Appelstrand 2002).

As an explanation in its own right, however, the contingency approach fails to explain why, when the bandwagon begins to roll, not every country clamours to climb on board. That is, the adoption of NFPs is as much an example of divergence as convergence and the European experience with NFPs reveals that they are a relatively late feature of an earlier, and larger, transition to SFM. The manner in which they have been inserted into, or succeeded, this earlier initiative is a major determinant of the significant differences found in both the final form and the impacts of country-specific NFPs.

To emphasise our argument that NFPs are part of a divergent response to the problems of network governance for SFM, we turn to Canada, a non-European country where the importance of forests and the forest industry make forest policy a significant concern, but where any institutional imperatives flowing from Europeanisation are missing.

2.5 NFPs outside Europe: The evolution of Canada’s National Forest Sector Strategy towards an informal NFP

What happens in Canada’s forests is especially significant for the future of the global forest resource. With 30 per cent of the world’s remaining boreal forest and 20 per cent of the remaining temperate rainforest, together with a forest industry that ranks first or second in world exports of most major forest products, Canadian forest management has inevitably attracted international attention. The fact that Canada, like the United States, does not have a formal NFP may trouble international observers. Part of the explanation may lie in the highly decentralised federalism that characterises jurisdiction and policy making with respect to forestry in Canada. However, as we saw, there are European countries with federal constitutions or highly decentralised decision-making that have moved in the direction of formal NFPs. While the country study of Canada in this volume (chapter 22) explores the reasons behind Canada’s policy direction in more detail, this section uses the Canadian example to analyse the components of an informal NFP.

In the early 1990s, when countries first began to grapple with the issue of the appropriate governance framework for SFM, Canada already possessed a National Forest Sector Strategy (NFS). It was the second in a series that had been inaugurated in 1981 and both versions represented efforts by federal governments of different political complexions to assert some federal leadership in forest policy. In line with the concerns of the forest policy community

at that time, the first two strategies focused on promoting a healthy forest industry, with themes such as wood supply management, regeneration and the development of new markets. In no sense could either of these strategies be described as a NFP.

While the federal attempt to take a leadership position foundered on the rock of provincial jurisdiction, making the programmes themselves an easy target for deficit cutting when fiscal restraint appeared on the agenda, important lessons were learned from the first two Strategies. As Simmons (2001) points out, the third NFS, which was unveiled in 1992, marked something of a departure from these earlier attempts. It was aimed at a much wider audience, both nationally and internationally, than the previous strategies. In the larger picture, the 1992 strategy was also part of the Canadian preparation for UNCED, where Canada planned both to defend its forest practices against mounting NGO criticism and to begin the process of protecting its access to export markets by negotiating a new international forest policy regime to be based on a legally binding international forest convention. To these ends, significant efforts were made to broaden the basis of participation in drafting the strategy, including five regional forums where working groups were asked for their “vision”, the creation of a steering committee with broad industry, government, environmental and scientific membership, a series of draft strategies openly circulated for comments, and the presentation of the final draft of the Strategy at a National Forest Congress. The result was nine strategic directions and ninety-six specific commitments that were significantly different from the themes of the previous strategies (Figure 2.5). The final draft was adopted at the Congress, accompanied by the signing of the first Canada Forest Accord in which the signatories entered into a nonbinding agreement to implement their strategy commitments.

Another noteworthy feature of the 1992 Strategy/Accord was a much more circumspect approach by the federal government to federal-provincial relations. Rather than attempting to assert federal “leadership”, the emphasis was on intergovernmental negotiation and consensus building through the Canadian Council of Forest Ministers (CCFM). Like its counterparts in other policy areas, the CCFM developed from an ad hoc meeting of federal and provincial ministers and their advisors, to an institutionalised forum for policy discussion and coordination. As such, it was in line with the larger policy style of executive federalism or government-to-government negotiation that had become entrenched in Canada during the 1980s. Moreover, to underline the voluntary nature of the agreements embodied in the strategy, the broad participation on which they are based and the arms-length relationship of the federal government, the CCFM created a new organisation, the National Forest Sector Coalition, to monitor the Strategy/Accord and prepare for the next iteration.

2.6 Internationalisation and the Canadian Forest Sector Policy Process

At this point, then, the situation in Canada was not at all unlike that in a number of other countries struggling to come to terms with the “second-wave” of environmentalism by experimenting with a more participatory style of policy-making while continuing to pursue economically-important activities based on logging. Unfortunately, the larger goals of federal forest policy went largely unrealised in the 1990s. Most notably, Canada failed to secure agreement for an international forest convention at either the IPF or the IFF.

Two developments underlined the dangers of this failure. First, NGOs deserted the cause of a convention in favour of the international certification process developed by the Forest Stewardship Council (FSC). The FSC process has posed significant problems for Canadian producers because of its emphasis on the protection of “old” forests and its concern for the rights of indigenous peoples, whose claims to have such rights over public land has been recognised in Canadian courts.

Figure 2.5 Thematic content of Canadian National Forest Sector Strategies 1981–2003

1981	1987	1992	1998	2003 (final draft)
Wood Supply	Forest management	Forest ecosystems	Forest ecosystems	Ecosystem-based Management
		Forest management	Forest management	
Markets and Market Opportunities	Trade and investment	Forest industry	Forest industry	Forest Products Benefits
		Global forests	Global view	
Human Resources	Employment	Forest communities	Forest communities	Sustainable Forest Communities
Research and development	Research and development	Forest science	Forest science	Knowledge and Innovation
		Public participation	Public participation	The Urban Forest and Public Engagement
	Public awareness	Aboriginal Peoples	Aboriginal Peoples	Rights and participation of Aboriginal Peoples
		Private woodlots	Private woodlots	Private woodlots
				Reporting and Accountability

Sources: National Forest Strategy Coalition (2003), *A Sustainable Forest: The Canadian Commitment: National Forest Sector Strategy, 2003–2008, Final Version*, online at <http://nfsfsc.forest.ca/nfs5.pdf>, accessed 23 August 2003; Canadian Council of Forest Ministers (1998), *Sustainable Forests: A Canadian Commitment: National Forest Strategy 1998–2003 – National Forest Congress Version*, Ottawa: Canadian Council of Forest Ministers; Canadian Council of Forest Ministers (1992), *Sustainable Forests: A Canadian Commitment*, Ottawa: Canadian Council of Forest Ministers; Canadian Council of Forest Ministers (1987), *A National Forest Sector Strategy for Canada*, Ottawa: Ministry of Supply and Services; Ministry of the Environment (1981), *Canada: A Forest Sector Strategy for Canada*, Ottawa: Ministry of the Environment.

Second, without a legally binding international forest regime, Canada was more vulnerable than ever to pressure in its export markets from adversaries using the rules of international trade regimes. To the long running dispute over whether Canada's system of allocating public timber through stumpage fees rather than auctions constitutes a subsidy to domestic producers, illegal under both NAFTA and WTO rules, US domestic lumber producers added the charge that unsustainable forest practices also contribute to Canada's competitive advantage in US markets (Bernstein and Cashore 2001). In the next-to-last round of the dispute, the issue was eventually resolved by a softwood lumber agreement (SLA) that was, in effect, an import quota system. At the time of writing, the current round is still unresolved (Cashore 1997).

As Bernstein and Cashore have argued, international pressure on Canadian forest policy networks has employed two main mechanisms. The first is direct market pressure, characterised by consumer boycotts and linkages between Canadian NGOs and the US lumber interests during the SLA negotiations. The second was the "infiltration" of domestic

Canadian policy networks by transnational actors, often, though not exclusively, American. The latter mechanism was particularly in evidence in British Columbia, where “rainforest” campaigns launched by Greenpeace and other environmental organisations and coalitions were effective foreign fundraisers. Support from American foundations has helped British Columbian (BC) groups to develop a more sophisticated organisation capable of long-term policy engagement rather than reactive campaigning, including the effective NGO umbrella group BC Wild.

Two features of these developments are worth noting. First, the combination of market-based pressures and domestic network reconfiguration helped institutionalise policy change. There were certainly spillovers from the international trade and indigenous rights policy areas that brought both new ideas and new actors into Canadian forest policy. But the longer-term change in forest policy networks brought about by the incorporation of new actors has helped make the changes permanent. Second, the reconfiguration of the networks, the transformation from an embattled policy community trying to fight off outsiders to wider and deeper network participation has increased private sector policy-making capacity with respect to SFM. Top down, hierarchical decision-making is increasingly unlikely and civil society organisations are capable of sophisticated and sustained policy involvement.

Domestically, however, the initial response to SFM was dominated by re-regulation of the forest industry in the old interventionist mode. There were legislative revisions in the leading forest provinces not unlike those noted in many European countries at this time, placing new management constraints on licensees and mandating more complex and participatory planning processes including the Forest Practices Code in BC and the Crown Forest Sustainability Act in Ontario (Rayner *et al* 2001). There were also large-scale consultative processes in both BC and Ontario aimed at significantly increasing protected areas to meet the UNCED recommendation of 12 per cent of the land base (Cartwright 2003). By the late 1990s, however, the regulatory impulse was largely spent. The increasing costs of regulation were eroding the competitiveness of Canadian producers and governments operating in an atmosphere of extreme fiscal restraint found themselves lacking the capacity to implement the complex system of regulatory demands that they had so recently imposed.

The effects of these changes on the development of the NFS were not felt immediately. The 1992 strategy came up for renewal in 1997 after it had been formally evaluated by a panel of experts and after essentially the same rounds of wide consultation and redrafting that had preceded it. However, Canada was continuing to push for an international forest convention and the strategy was essentially fine-tuned to support this objective. The global forests theme remained prominent, while many of the other sections presented a vision of SFM that was intended to play a role in the content of an international convention or, at the very least, to demonstrate Canada’s commitment to some internationally acceptable version of SFM principles.

By 2003, however, the international convention issue was for the time being dead and the section on global forests has been completely dropped. NGO’s, in particular, are becoming impatient with the whole process and there is a palpable sense that the strategy has failed to produce significant policy outputs leading to on-the-ground change in Canada. In a report prepared for the Canadian Environmental Network’s Forest Caucus, the NFS was criticised as merely a compendium of existing policy initiatives packaged as a strategy. It was suggested that the fifth Strategy needed to prove itself by significantly raising the bar for provincial forest policy and signing up new actors. Without these developments, it was argued, it would be very difficult to present the Strategy as implementing the IPF/IFF proposals in any meaningful way (von Mirbach *et al* 2002).

While these criticisms are understandable, they are to some extent unfair in the light of the limitations of federal-provincial policy coordination in Canada. Even if the federal government were prepared to significantly increase its own forestry expenditures – which is highly unlikely – it lacks the legal and constitutional resources to take the kind of leadership role that NGOs are looking for (Howlett 1989). And, naturally, the NGOs are disappointed by the failure of re-regulation and nervous about the new mix of largely untried policy instruments that is replacing it.

As might be expected, the new policy mix is heavily weighted towards information and other procedural instruments and this is duly reflected in the fifth strategy, where “Reporting and Accountability” becomes a new strategic theme in its own right. There are strong commitments to create an accessible and up-to-date forest information system. There are also research commitments such as the model forests and support for the sustainable forest management research network. The NFS is notably silent on the subject of certification (except a commitment to help private woodlot owners obtain certification), handing this kind of decision over entirely to the private sector. The ecosystem based management section is also largely silent on specific management practices and there is nothing in the strategy that would conflict with provincial initiatives that include various kinds of zoning for priority use, intensive planning for areas with high conservation values, and moves away from detailed regulation of management practices in favour of performance standards, such as BC’s “outcomes-based” revisions to its Forest Practices Code.

In sum, the strategy reflects a general movement towards a concern with crafting a governance strategy for policy instruments consistent with private self-regulation at the federal level. Whether provincial governments, which have considerably greater formal capacity to engage in more direct intervention, will pursue this course is unclear. Certainly, there is no evidence of the development of “provincial forest programmes” that would be consistent with a policy style of regulated self-regulation. In some provinces we also continue to see evidence of the *de facto* reduction of state capacity. The large-scale resource planning exercise for the Central Coast of BC was marked by a series of private negotiations and deals struck outside the formal planning process by business, NGOs and First Nations to the evident annoyance of the BC government. Companies continue to pursue various certification and labelling options, including the FSC, at the same time that provincial governments are under enormous pressure in the latest round of the softwood lumber dispute to reduce the amount of timber directly allocated to companies by stumpage arrangements and move to an auction system. Various smaller-scale experiments in the use of new policy instruments that recognise and even anticipate reduced state capacity are already under way (Innes, in press), but the steering mechanism remains elusive. As we argue in the Canada country study (chapter 22), further development of the NFS in the direction of an informal “equivalent to NFP” might be the solution.

2.7 Conclusion: NFPs, governance of internationalised policy spheres, and policy change

Recent work on policy learning continues to refine our understanding of the circumstances in which policies in different jurisdiction converge on a common solution to related policy issues and may help explain this example of uneven policy development in countries closely linked by economic and even political ties (Seeliger 1996; Unger and van Waarden 1995). In particular, studies of the diffusion of new environmental policy instruments in Europe have suggested that institutional factors and the unpredictable opening of policy windows are the most important explanations of the uneven adoption of new instruments in such circumstances and our analysis and findings of the NFP process in Europe and Canada support this conclusion (Kern *et al* 2001; Bruckner *et al*, 2001).

The Canadian case draws our attention to the fact that the adoption of NFPs is another example of the much-studied phenomenon of the internationalisation of domestic policies. While the Canadian example is a single case, by drawing on recent theoretical work on internationalisation (Howlett and Ramesh 2002), we can formulate some hypotheses about the general direction that NFPs are likely to take at the policy output stage and the factors that are responsible for this direction.

In the first stage of the internationalisation of forest policy, the domestic effects of internationalisation tend to be those that promote significant policy change. The transnational linkages encouraged by internationalisation enhance the possibilities of changing forest policy goals by introducing both new actors, via subsystem spillovers, and new ideas through policy learning and venue change. However, as NFPs become the established framework for forest policy and actors become more concerned with programme design and with adjusting programme specifications to national and subnational contexts, policy making will inevitably enter a more stable second stage where the change-inducing processes of internationalisation are less significant. Again, by noting that the “policy stages” of NFP development and implementation are nested within much broader and messier SFM policy developments, we stress the relatively late appearance of NFPs in the formulation and implementation of SFM policies themselves. Subsystem spillovers and venue changes will already be less likely to occur as the policy subsystems created by the SFM paradigm stabilise and begin to exclude outsiders, while domestic forest policies will begin to experience “lock in” as new path dependencies are created by the early design decisions (Howlett 2001).

NFPs are the outcome of a very weak international regime. In fact, they are to a great extent a substitute for a more ambitious attempt to create a strong international regime based on a legally-binding convention that could have forced more far-reaching venue changes and subsystem spillovers related to the attainment of sustainability in all its various permutations and manifestations. In this case, the continuing policy convergence of the EU countries and, even more so, the new member countries, is likely to be exceptional as “Europeanisation” produces a more persistent policy convergence amongst EU countries with otherwise similar forest dependencies (Knill 2001; Knill and Lehmkuhl 2002b). However, local peculiarities are already asserting themselves, so that we see divergence even as NFPs are being formulated. And stepping back from the European context helps us to see that NFPs themselves may be an example of the two-stage phenomenon: general convergence on the need for network management tools to deal with the problems of steering towards SFM goals is diffracted through the prism of meso-level differences and results in diverging approaches and outcomes, only one of which is the formal NFP.

In the context of global forest policy, we would thus expect Europe to be a special case in which convergence at the second stage of internationalisation is greater than expected. Even in Europe, however, as the establishment of a new “equilibrium” follows the period of major dislocations in existing arrangements, we may expect continued divergence in policy outputs as European NFPs move through outputs to outcomes. Most importantly, the divergence that we are observing between the NFP and non-NFP countries and between those with substantive and rhetorical NFPs, and formal and informal NFP processes, will likely widen the gap between their experiences, making transnational policy learning more difficult. It will become even easier to argue, as non-NFP countries are already arguing, that the experience of one country is simply irrelevant to the problems of another.

Finally, our findings support two other conclusions commonly found in the recent literature on internationalisation. First, the case of NFPs shows that earlier claims about the “hollowing out” of the state and its replacement by private governance as a result of economic globalisation are, at the very least, an exaggeration of a more complex and messy

reality. Rather, as Knill and Lehmkuhl conclude “we are confronted with a dynamic synergistic relationship, with public and private contributions reinforcing each other over time” (Knill and Lehmkuhl 2002a, p.57).

Europe provides many examples of states using NFPs as a tool to manage conflicts both between public and private actors and within civil society. And, second, we note that this greater than expected role for the “hollow state” appears at the stage of implementing SFM. Both European and Canadian experience demonstrate that even if private actors have sophisticated organisational capacities to formulate policy, as in private self-regulation, they nonetheless apparently require certain kinds of state assistance in the form of procedural steering instruments at the implementation stage so we would expect to see more rather than less state involvement as NFPs start to produce policy outputs and outcomes.

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Chapter 3

AUSTRIA: In the initial stage of a forest dialogue

Johannes Voitleithner¹

3.1 Introduction

Austria is a democratic republic, where legislative and executive powers are divided between the federal state and nine provinces, with the distribution of power heavily tilted towards the federal state (Tálos 2000). With a high share of forests in private hands, forest policy is determined by the close co-operation between private forest owners' interest groups and the forest authority. Forestry interest groups play a decisive role in policy formulation and implementation. The main current forest policy *issues* in Austria, based on interviews with forest policy actors, are as follows (Voitleithner 2003):

- to keep and improve the protective functions of forests in the mountainous regions, for example, by reducing game damage in forests
- to regulate conflicting interests regarding forests, i.e. between environmentalists, forest owners, hunters and people seeking recreation
- to stabilise fragile forest ecosystems in the lower regions of Austria, where in recent decades spruce and pine have been planted for economic reasons
- to increase the use of wood with the goal of safeguarding employment in rural areas and reducing the emission of carbon dioxide by using wood for energy production
- to ensure financial incentives and advisory services for the large number of small forest owners.

The National Forest Programme (NFP) in Austria as defined in the Rio follow-up process is at an initial stage at present. The preparatory work for a possible NFP process in Austria was initiated in 2001 by a group of forestry specialists within the Ministry of Agriculture, Forestry, Environment and Water Management (MAFEW). In 2002 the responsible minister announced the "Forest Dialogue" for the formulation of an Austrian NFP. The official starting event of the Forest Dialogue was held in April 2003 in Vienna, shortly before the 4th Ministerial Conference on the Protection of Forests in Europe (MCPFE), also held in Vienna. Meanwhile, there are ongoing intensive discussions about the NFP issue in the forestry policy network.

This chapter is structured as follows. First, a description of the Austrian political system is given. Secondly, conclusions of different case studies relating to forest sector policy are presented. Finally, the results from a recent study by Voitleithner (2003) based on focused qualitative interviews with the relevant actors in Austrian forest policy are quoted. As the NFP process is at an initial stage, the chapter examines the existing Austrian forest policy with respect to the core elements of a NFP. The question is how Austrian policy practice and instruments act to support or to impede the development of a substantive NFP.

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3.2 Supporting and impeding factors

At present, 47 per cent of Austria's territory is covered by forest. Over the past decades, the area covered by forest has increased steadily. Most of the forest is located in mountainous regions. In the plains, which are well suited for agricultural purposes, forest cover is often very low. The forest is dominated by various species of coniferous trees, especially spruce. The share of broad-leaved and mixed stands has been increasing in recent decades (MAFEW 2002a).

While most *actors* of the forestry policy network consider sustainable forest management (SFM) in Austria to be well established, environmental interest groups criticise some forest management practices, recreational interest groups criticise local restrictions on free access to forests, while social interest groups criticise the steady decline of employment in forestry and rural areas. According to the Man and Biosphere study "Naturalness of Austrian Forest Ecosystems" (Grabherr 1998), 25 per cent of Austrian forests can be considered natural or nearly natural. 41 per cent has been moderately altered by human intervention. And 34 per cent is altered or artificial, which means the species composition does not correspond to that of the potentially natural forest community (MAFEW 2002a). In addition to the criticism of the *practices* of SFM in Austria, criticism by environmental interest groups and scientists is also made of the *definition* of SFM in Austrian forest law as well as the political discourse on forestry (Weiss 2000).

Private ownership dominates forestry

The Austrian forestry sector is characterised by a high degree of *fragmentation* of forest property. 80 per cent of the forest is privately owned, with 10 per cent in the hands of local forest co-operatives. 20 per cent is owned by public authorities, with 15 per cent in the hands of the Austrian Federal Forests. The total forest land of 39,240 km² is managed by about 171,000 forest owners. 56 per cent of the forest property covers an area of less than 0.05 km², while 1 per cent of the forest enterprises cover an area of more than 2 km² and manage about half of the Austrian woodland (Statistics Austria 2001).

Management goals vary according to category of ownership. Larger forest properties, including the Austrian Federal Forests, are managed primarily for timber production. For many small forest holders, market-related considerations in forest management are of minor importance (Ruschko 2002). Most of the owners of small private forests also manage agricultural land. Due to structural changes the percentage of non-farmers in forest ownership has increased. Consequently people feel less closely linked to the forest, or completely lose this connection. The fragmented forest ownership makes information, advice and participation of forest owners difficult.

Corporatism and selective clientelism

Austria's political culture is characterised by the institutionalisation of consensus and co-operation between influential organised interests and the government in various arenas of the political system. This corporatist structure is limited to certain policy fields and subject areas. It particularly can be found in economic, social, labour market, and agricultural policy. There, a few large umbrella federations play a decisive role in translating the interests of employees and employers into policies and political decision-making processes. The co-operative policy style is changing in time: Corporatism decreased from privileged co-decision-making in the 1960s and 1970s to privileged consultation in the 1980s and 1990s. During recent years, the government further gained in political power and restricted the participation

of the large umbrella federations, such as the employees' interest groups. Mutual concessions of corporatist partners have become less frequent and less effective (Tálos and Kittel 2001).

The organisations taking part in the dominant Austrian *forest policy network* are the federal and provincial forest authorities, the Chambers of Agriculture, the Austrian Federation of Forest Owners' Associations and the Austrian Forest Association. Within these organisations, actual power is concentrated in the hands of a very small group of high-ranking functionaries. Forest policy in Austria is made within a close circle of powerful lobbyists who negotiate compromises through mutual accommodation. The relationship between forestry interest groups and the forest administration typifies "sectoral corporatism" (cf. Van Waarden 1992, p.40). Permanent lines of communication between all decision-making actors strongly facilitate a continual process of bargaining and consensus building. Additionally, the forest bureaucracy, private forest owners' associations and forestry science are characterised by shared values and a system of common beliefs, which serve to harmonise conflicting interests (Glück 1987).

The *forest authorities* tend to favour strongly their *clientele*, namely forest land owners and professional foresters. Environmental and recreational interest groups are not officially part of the Austrian corporatist forestry policy network, and are thus excluded from many decision-making processes. This is especially important as the forest authorities, mainly the federal ministry's forestry section, exert a strong influence on the making of forest-related laws and on policy implementation. While a participatory style of policy-making would consider different public interests in the forest in a more balanced manner, the traditional technocratic and introverted style of forest politics and forest policy supports strong economic interests. With respect to democratic principles this clientelistic behaviour of the authorities is problematic, because the different public interests are not considered in a balanced way (Pregernig 1999). The corporatist structure of the Austrian forestry sector is an important influencing factor on the NFP process. It *impedes* participation, co-ordination and conflict resolution capacities with regard to actors outside such a corporatist policy network.

Predominance of economic interests within the political system

Within the Austrian economy the forestry sector plays a minor role. More important is the forest industry cluster, which makes the second most important positive contribution to the Austrian balance of trade after tourism (MAFEW 2002a).

The example of forest damage caused by *air pollution* shows that in the case of external effects the forest authorities' room for manoeuvre is rather limited despite apparently quite favourable legal conditions. Forestry faces strong interests from the transport, trade and industry sectors that profit from soft emission standards for air pollutants. The persistent vetoing of the revision of an ordinance regulating air pollution with detrimental effects on forests on the part of the administrations of economy and transport provides evidence for this (Pregernig 1999).

For a long time, *timber production* has played a predominant role in the value system of forest owners' interest groups and professional foresters (Glück 1987). Non-timber goods and services are usually seen as by-products, which, subsequently, are provided in insufficient quantities (e.g. recreation) or are even destroyed (e.g. nature reserves). This bias towards the economic interests of forest land owners is reflected in the system of forest *subsidies* and in forest *law*. Analyses of legal regulations designed principally for forests as regards their content concerning social, ecological and economic aspects reveal that these acts,

although they are multi-purpose, favour timber production (Voitleithner 2002; Weiss 2000). The most important regulatory instrument of Austrian forest policy is the Forest Act of 1975. It applies to private and public forests alike. The 2002 amendment of the Forest Act 1975 has led to substantial changes in:

- *The understanding of sustainability.* First, the principle of SFM, based on Resolution H1 of the MCPFE in Helsinki, is an explicit goal of this act (§1). Although this goal has no hard legally binding effect, it does influence the interpretation of other regulations of the Forest Act. Secondly, some additional nature and environmental protection issues have been taken up. For example, forests with specific habitats can be released from forest management duties (§32a), and the district forest authorities shall take into consideration nature protection in weighing public interests in the context of permitting forest clearance for other uses (§17).
- *Deregulation.* For example, the clearance of forest areas up to 1000 m² is now possible without a permit, but is subject to registration (§17a); the forest owners' duty to appoint senior forest organs is reduced (§113).
- *Decentralisation.* For example, the court of appeal regarding forest clearance shifted from the MAFEW at the state level to the independent administrative panels of the provinces.

The situation has been in a process of change for a few years. Non-timber goods and services receive growing attention by many actors of the forestry policy network. But the continuing priority in the political discourse on forestry and in Austrian forest law on the production of timber stands in contrast to the “new” definition of SFM within the international discourse on sustainable development, which calls for a balanced recognition of economic, ecological, social and cultural goals in forest management (Weiss 2000). Sustainable forest management practices will not gain common acceptance as long as the insight of most forest owners into the sometimes negative consequences of traditional forms of forest management is missing (Pregernig 1998).

External pressure from international regimes and the European Union

International initiatives and conventions such as the Convention on Biological Diversity, the Ministerial Conferences on the Protection of Forests in Europe and the Alpine Convention have introduced a *new* set of sustainability *goals* into Austrian forest policy. This led, for example, to the establishment of a network of forest natural reserves, launched in 1995. Referring to the *implementation* of these new sustainability goals in Austria only slow adaptations in forest policy can be expected on account of their vague definitions. Symbolic changes are so far predominant (e.g. an upgrading of some administrative units dealing with biodiversity and climate change).

3.3 Participatory mechanisms

Public participation, the access to information and procedural transparency are reflected in Austrian law and in decision-making processes in only a *limited* way. The public is given possibilities to obtain information and to make comments during the preparation of acts, i.e. reading in the parliament, examination of acts inside a corporatist policy network. But there is no legal basis for public participation beyond obtaining information and making comments during the preparation of acts and decrees or for normative planning measures like the municipal land-use plan (Hecht 2001, p.85).

The corporatist structure within the Austrian forestry sector should be seen as an impeding factor with respect to broad participation. For the first time, the bill of the Forest

Act Amendment 2002 was published via the homepage of the respective ministry with an invitation to the public to provide comments within five weeks. During the political process, however, there was no transparency in giving consideration to these comments. The amendment process was highly informal and fast (Voitleithner 2003).

Another example of limited participation is the development of the forestry chapter in the Austrian National Programme according to Council Regulation EC 1257/1999, where domestic participation was limited to the traditional Austrian *forestry* policy community, i.e. the Forestry Section of the former Ministry of Agriculture and Forestry, representatives of the provincial forest authorities and the forest owners' interest groups (Hogl 2002, p.146).

Due to sectoral corporatism and clientelism the same restricted participation in forestry policy also applies to *nature protection* policy. An illustrative example is the implementation of the European "Natura 2000 Network of Special Areas of Conservation" in Austria. Most landowners have not been included in the selection process of protective areas by the provincial nature protection agencies. Only sympathising interest groups could participate, namely environmental NGOs (Kautz 2002).

After focusing on participation in policy formulation so far the focus is now on participation in policy implementation. Public participation in decisions on specific activities relating to forest management is possible in *environmental impact assessments*. The Environmental Impact Assessment Act 2000 enables concerned citizens to take part in environmental decision-making procedures at the local and regional levels by making comments. However it should be noted that the field of application of this act comprises only major activities, namely clearance of forest areas larger than 0.2 km².

The Forest Act 1975 (amended 2002, §11) enables concerned citizens to influence the drafting of *hazard zones plans* at the local level by submitting written comments. In other words there is a relatively low level of public involvement. In contrast, municipal and provincial representatives are actively consulted. Regarding forest development plans at the regional level (§9) citizens have only the right to receive information. Regarding the *clearing of forests* for other uses (conversion) at the local level, municipalities and authorities have the right of consultation (§19), except for conversions of forest areas less than 1000 m² (§17a). Concerning the management of state forests, the relevant Federal Forest Act 1996 includes no provisions on participation. On the whole, the duration of involvement is usually very short (one-shot events).

Interest groups representing private forest owners, forest industry and hunting see no need for extended participation in forest policy. These established actors within the Austrian forestry policy-making system continuously try to avoid restrictions of *private property rights* (in other words: on the freedom of choice in forest management). They prefer to limit participation to information sharing and public relations. On the other hand, environmental, social and recreational interest groups demand broad participation to gain influence. At the same time, they fear being instrumentalised in participation processes by other more dominant actors (Voitleithner 2003).

In some cases, environmental protection goals and forestry goals coincide (e.g. wood as an environmental friendly material, and game damages threatening forests). Up to now, *strategic alliances* between environmental NGOs, public administrations and forest owners' interest groups are limited to small projects related to environmental protection (e.g. the protection of old growth trees and aquatic habitats). These examples of co-operation projects over recent years illustrate the tendency of the forest policy network slowly to open itself (Voitleithner 2003).

3.4 Negotiation and conflict resolution

The predominant mode in the Austrian political decision-making process is *negotiating* to find a consensus or compromise. Due to the corporatist structure of the Austrian forestry sector conflict resolution by negotiation and collaboration is *restricted* to interest groups within this system. That is why conflicts with actors outside the forestry policy network usually cannot be regulated in such a satisfactory way. In many cases, conflict resolution by negotiation has been institutionalised. Examples are the co-operative agreement between forestry, paper and board industry to the further processing and marketing of forest goods and services; game damage commissions at the local and district level; and local hunting committees of the landowners. New types of negotiation mechanisms, such as mediation, are still rare in Austria.

The Austrian political culture of compromising is reflected in the vagueness of the definition of certain terms in many legal instruments, resulting from the variety of informal influences of actors in decision-making procedures. As an example, the Forest Act stipulates that the conversion of forest land should not be a decision of private interests but should be decided politically in the interest of the public. This vague formulation provides the forest authorities effective decision-making powers in the implementation process. Here the private interests enter again through the back door. Not only do forest owners' organisations lobby for their interests using the formulation of the law: they are also able to do so in the implementation process (Krott 1990; Weiss 2000).

3.5 Intersectoral approaches

When discussing intersectoral approaches in Austria one has to consider the interaction between intersectoral and multi-level co-ordination. In general, the co-ordination of different activities affected by forest management and activities affecting forest management in Austria is low. Cross-sectoral laws in areas such as environmental protection, nature and landscape conservation, land-use planning and regional development directly and indirectly address forest conservation and forest resource utilisation. Additionally, forestry in Austria is a matter of federal legislation and administration, while a number of areas directly or indirectly relating to forest or forestry are the responsibility of the provinces regarding legislation and implementation. This division of competencies in different areas, as well as the coexistence of national law and provincial law as well as in particular their application to the same object – in this case the same piece of forest land – inevitably leads to problems of intersectoral and multi-level co-ordination. For example, legislation and implementation measures for the protection of forests against damages caused by game are the competency of the provincial hunting authorities, which are highly influenced by strong interest groups of hunters. Hunting and forestry agencies pursue different policy goals and there is no real co-ordination between them. This frequently leads to situations in which the forest authorities discover forest-endangering damage from wild animals but lack the effective regulatory instruments to tackle the problem (Pregernig and Weiss 1998). The approval of forest roads, landscape protection, and national parks lies within the competence of the provincial nature and landscape protection authorities. Thus, also in terms of regulating nature protection, forest legislation is in conflict with provincial legislative and administrative bodies. Besides there is a long tradition of co-ordination between the forest authorities and the Chambers of Agriculture at the provincial and district levels with regard to extension services and the distribution of financial incentives (Pregernig 1999). The Chambers are statutory interest organisations, established by public law and with compulsory membership.

Co-ordination and co-operation between the federal state and the provinces within the forest sector is well-developed in Austria. The reasons for this are the existence of one uniform federal forest law instead of nine different provincial laws, institutionalised meetings, and the system of indirect federal administration (Pregernig 1999). *Indirect federal administration* means that legislation remains within the competence of the central state, while the execution of these regulations is a matter of the provincial authorities.

There are three levels of forest administration in Austria. At the *state* level the Ministry of Agriculture, Forestry, Environment and Water Management has jurisdiction over forest-related matters. It is headed by the Federal Minister, who relies upon an extensive bureaucratic apparatus. In the *provinces* the governor is the competent forest authority. A separate forestry department assists the provincial governor in forestry-specific questions. Formally this department has only consultative functions. The same applies at *local* level, where the district commissioner is the competent authority. He is assisted additionally by a forestry department. The officials formally in charge at all three levels follow a concept of “political rationality”. This means that they have to represent social interests according to their political weight. The governor, for example, acts as a general authority deciding on subjects like forest matters, hunting, nature protection or trade and industry (Pregernig 1999). This representation of different social interests supports intersectoral co-ordination by the Federal Minister, the governor and the district commissioner, but not by the civil servants.

Civil servants work in sectoral bureaucracies with strong territorial interests. In addition, the forest authorities exert strong sectoral interests in safeguarding competencies. This leads to increased uncertainty regarding effective co-ordination as it may lead to the shifting of *competencies*. As a result there is no effective co-ordination of *forest planning* with general land-use planning (Krott 1990). Another example is the environmental administrations’ fear of losing competencies regarding biodiversity issues to the forest administration as a possible outcome of a NFP process. Both examples show the rivalries between administrations, which impedes intersectoral co-ordination.

Most actors in the Austrian forest policy network criticise the low intersectoral co-ordination. But at the same time, their involvement in intersectoral co-ordination is up to now low in practice (Voitleithner 2003). A positive example is the increase in administration co-ordination after the Ministry of Agriculture and Forestry and the Ministry of Environment were merged in 2000. Intra-ministry co-ordination groups have been established to improve intersectoral co-ordination, for example, in the fields of sustainable development and protection against natural hazards.

3.6 Long term iterative planning

Long term, iterative and adaptive planning of national forest policy up to now rarely takes place in Austria. Impeding factors are the political culture and the lack of a legally binding framework in order to ensure a continuous cycle, comprising planning, implementation, monitoring, evaluation and adaptation of forest policy.

Most forest relevant plans and strategies are of a non-committal nature. Forest land-use planning, as defined in the Forest Act 1975, aims explicitly at the description and foresighted planning of forests at the national as well as the local level. The most important tools of forest land-use planning are the “forest development plan” and the “hazard zones plan.” At an informal level, both the forest authorities and forest interest groups were successful in avoiding commitment to public plans and binding planning measures. Hence, the forest development plan is merely an informational tool for the tasks of the forest

authorities and is *not binding* to the forest owners (Pregernig 1999). This noncommittal nature also applies to national land-use planning. The hazard zones plan is not binding either, unless the authority responsible for local land-use planning incorporates it into the municipal land-use plan. The non-committal nature of forest land-use plans is qualified as they influence the distribution of budgets (e.g. for protection measures of the Torrent and Avalanche Control Service).

The institutionalisation of the monitoring and evaluation procedures of a NFP process is supported by the Austrian Strategy for Sustainable Development of 2002. First, this strategy demands annual progress reports and an external evaluation by independent scientists. Second, based on inputs from the forest administration, it already contains the term National Forest Programme as an instrument to make the forest relevant aspects of this strategy more concrete (MAFEW 2002b, p.104). The Strategy for Sustainable Development was approved by the government but has no legal basis and is therefore another example of a weak non-committal planning approach. Regarding the integration of monitoring and evaluation procedures into the strategy it learned from the failure of the National Environmental Plan of 1995, which lacked implementation mechanisms.

Most actors in forest policy expect a NFP process to be an endeavour over a limited period of time. Simultaneously, these actors see long-term dialogues in small groups as effective in solving problems (Voitleithner 2003).

3.7 Motivations for an Austrian NFP and the structure of the process

The key actors in the Ministry of Agriculture, Forestry, Environment and Water Management (MAFEW) accept and support the concept of a NFP according to the commonly accepted international understanding. The start of a NFP process in Austria is not linked with directly pressing problems or an unexpected event. Rather, the motivation to start a NFP process is based on:

- experience of actors in the forest administration with long standing problems, i.e. in maintaining the protective functions of forests;
- the self-interests of the forest section in the MAFEW, i.e. preservation of competencies, and more independence from forest owners' interest groups;
- external pressure i.e. from European Union legislation, international regimes and ongoing NFP processes in other European countries (Voitleithner 2003).

Meanwhile, in the two-year preparation phase of the NFP process, most NFP principles found growing support by the MAFEW (e.g. broad participation, long term orientation, and transparency). The current problem is that the forest owners' interest groups are not convinced of the usefulness and necessity of a NFP in Austria. After a long period of strong opposition towards a NFP, they see a NFP as unavoidable. Now the forest owners' organisations prefer mainly a *symbolic* process with ineffective participation from other interest groups. Another serious point is the fact that about one third of forest policy actors in Austria reject national programmes and strategies as policy instruments. They do not perceive them as providing any *added value* (Voitleithner 2003).

In 2002 the federal state and the Austrian provinces agreed on the establishment of "protective forest platforms". These platforms should serve to improve the regulation of the conflicting interests with respect to the *protective functions* of mountainous forests. Many procedural elements of these platforms are similar to the NFP core elements (e.g. extended participation and co-ordination). The already existing co-operation between the Torrent and Avalanche Control Service, the forest administration and the provincial

governments extended to the administrations for economy, transport, nature protection and land-use planning, as well as interest groups of forest owners, municipalities, industry, tourism and hunting. This co-operation is taking place mainly at the provincial level, but there is also a co-ordination platform at the national level on the part of the forest administration. Behind these efforts to achieve extended co-ordination also rests the hope of sharing the management costs of mountain forests with the beneficiaries of their protective functions. The dialogue of the protective forest platforms is at an early stage and was recently integrated into the NFP process.

The *structure* of the Austrian NFP process (“Forest Dialogue”) is as follows:

- a “round table” of about 40 representatives of forestry, economic, social and environmental interest groups organised at the national level; the participants are invited by the minister of the MAFEW; the round table negotiates a code of conduct, suggests the issues to be dealt with in the working groups and is the final decision-making body; it has an independent professional moderation and meets about once a year;
- three working groups and the possibility of sub-groups (dealing with the protective functions of forests, economic aspects, social and environmental aspects of forests); participants of the working groups are interest groups’ representatives nominated by the round table; meetings are held about two or three times a year;
- an editorial committee assists the round table and co-ordinates the working groups; its members are nominated by the working groups;
- a process management group at the MAFEW, in regular contact with the cabinet;
- public forums (about once a year) and an internet homepage which enables the public to obtain information and to make comments; and
- process monitoring and output evaluation (MAFEW 2003).

The goal is to produce a first product (Austria’s Forest Programme) after two years of negotiations. This product will contain both common points of view concerning concrete problems and existing conflicts with the different positions of actors. The forest programmes are planned to serve decision-makers as bases for their policy decisions.

3.8 Conclusions

Since the IPF Proposals for Action were elaborated in 1997, changes in forest policy-making processes towards the core elements of the NFP concept have up to now been rare in Austria. The fact that forestry is a matter of federal legislation and administration supported the initiation of a NFP process in Austria. But the values and policy-planning philosophy of key actors in Austrian forest policy concerning procedural elements of a NFP show that broad participation, intersectoral co-ordination as well as long-term, iterative and adaptive planning are rarely brought to bear on current Austrian practice. Regarding SFM, while the Austrian Forest Act and other forest regulations are *multi-purpose*, their prioritising of timber production provides only a moderate framework for the development of a substantive NFP. The *corporatist* structure of the Austrian forestry sector appears to be the central explicative variable for the weak shaping of most of the NFP elements in legislation and practice. The dominant Austrian forest policy network comprises the state forest administration, the agricultural associations and forest owners’ associations. Institutionalised conflict resolution, participation and co-ordination, are restricted to interest groups within this system. This not only makes broad, comprehensive participation difficult but also represents an obstacle to the creation of new conflict-resolution mechanisms, the formal and material co-ordination of different sectoral policies as well as new institutional arrangements.

A NFP seems to deliver broad based suggestions for policy-makers to possibly adapt the existing forest policy in Austria. If a NFP process leads to basic changes in forest policy issues, this may require amendments in Austrian law. The problem is, however, that the path to new legal bases again passes via the same key actors of the forest policy network. This may change previously agreed issues of a NFP process based on broad participation and intersectoral co-ordination. Therefore adaptations should be understood as an ongoing harmonisation between a NFP, the political culture and the law in Austria (Zimmermann 2002).

In summary, it may be said that the shortcomings in the procedural elements of a NFP and its goal of sustainable forest management require *modifications* to Austria's political culture. In the last decade, the forestry policy network shows slow tendencies to open up and to internalise the new understanding of SFM. The establishment of "protective forest platforms" in 2002 and the ideological movement inside the forestry section of the MAFEW towards the core elements of a NFP gives further cause for optimism in developing the Austrian Forest Dialogue in the direction of broad substantive participation, intersectoral co-ordination and long-term orientation.

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Chapter 4

DENMARK: Near-to-nature forest management

Tove Enggrob Boon¹

4.1 Introduction

Forests cover 11 per cent (486,000 hectares) of the Danish land area (44,000 km²). From a welfare perspective the forests in Denmark are important as multifunctional sources of material and non-material benefits, both public and private, including recreation (Adgangsudvalget 2001; Jensen and Koch 1997), biodiversity conservation, groundwater protection and soil protection (Wilhelmudvalget 2001). Jensen and Koch (1997) report that 90 per cent of the population visits a forest at least once a year. The average Dane visits a forest 10 times per year. With 5.2 million inhabitants, Danish forests are intensively used, especially near urban centres. In contrast, the economic importance of forestry is limited, as Danish forestry employs only around 4,000 full-time jobs (Larsen and Johannsen 2002) and contributes 0.1 per cent (€ 146 million) to the total GDP. More than half of this (€ 79 million) originates from the production of Christmas trees and greenery (Danmarks Statistik 2000).

Denmark is a constitutional monarchy with a unicameral Parliament (*Folketing*). The political system is a multi-party structure, where currently eight parties are represented in the Parliament. Danish governments are usually minority administrations, governing with the aid of one or more supporting parties. This means that Danish politics are characterised by inter-party compromising. Since 1909 no single party has had an overall majority of parliamentary seats.²

The Parliament holds the legislative power, the Supreme Court holds the judicial power, and the administrative power is divided among the government, 14 counties and 275 municipalities. The Danish counties and municipalities have a high degree of regional autonomy: for example, they have their own elections and regional administrations.

The first National Forest Programme (NFP) was launched in June 2002 to meet the international recommendations from the Intergovernmental Panel on Forests (IPF) in 1997, where all countries were urged to develop NFPs involving all stakeholders and including criteria and indicators for sustainable forest management (Ministry of Environment 2002). The NFP was developed from 2000 to 2002 in a participatory process with consultation among the general public and governed by a steering committee comprising a broad range of national stakeholders. The NFP was slightly delayed by a shift in political power in 2001 from the former Social Democrat led government to the current Liberal government.

The NFP is a state of the art of the forest sector in Denmark and a strategic document outlining current and future forest policy objectives and the measures to achieve them. As such, the NFP forms the foundation for the current revision of the 1996 Forest Act.

There are five main forest policy issues. First, improving the forestry economy while, second, simultaneously improving the nature content of Danish forests by adapting to nature

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management practices that are closer to nature. A third main goal is improving recreation opportunities for the benefit of the public welfare. Fourth, a standing aim is to double the forest area from 11 per cent to 20–25 per cent of the land cover over the next 80–100 years. Finally, the NFP specifies the need to ensure effective information sharing through access to relevant knowledge, as well as the promotion of sustainable forest management at the global and regional levels.

The main instruments aimed at achieving these objectives are the adaptation of legislation, dialogue, research and development, awareness-raising through information and training, economic incentives and international co-operation (Ministry of Environment 2002).

This chapter is structured as follows. In section 4.2 we discuss supporting and impeding factors to achieve the objectives set out in the NFP, which ultimately aims for the sustainable development of forestry. Section 4.3 outlines the participatory mechanisms used in Danish forest policy-making and in the NFP process. This is followed by a brief outline of the conflict resolution mechanisms in forest policy-making in section 4.4. Section 4.5 describes the intersectoral approach to forest policy in Denmark, while section 4.6 argues that the NFP can be considered part of an iterative, long-term planning process. Finally, conclusions are drawn in section 4.7.

4.2 Supporting and impeding factors

Biologically degraded forests

The Danish forest area is a fragile resource. While it covers 11 per cent of the land area, it is fragmented both in terms of geography and ownership, and is shared among 26,000 owners. Whereas the forest area in quantitative terms has been preserved and increased through afforestation from a forest cover of 3 per cent in 1805 to a cover of 11 per cent in 2002, the biodiversity content, health and stability of the Danish, temperate forest ecosystems continue to be challenged (Larsen and Madsen 2001). Half of the 3,142 red data list species in Denmark have their natural habitat in forests (Stoltze and Pihl 1997). At the same time, two-thirds of the Danish forest area is made up of exotic, coniferous species; most of the forest area comprises intensively managed monoculture stands; and barely 100 hectares of virgin-like forest remain (Emborg et al. 2001; Ministry of the Environment, 1992). Moreover, in 1999 the Danish forests were severely affected by severe winds, where more than 3 million cubic meters of wood fell. Together with other hazards, such as the extensive stem rot in spruce, it is clear that the current forestry regime is neither ecologically nor economically sustainable. As stated in the NFP: “These forests have turned out to be unstable and management regimes have effected significant deterioration of specific nature types and the decline in species, particularly for those attached to old growth, deciduous forests and wet forest types” (Ministry of Environment 2002, p.18).

As a consequence, the Government aims to improve the procurement of environmental benefits from forests, partly by setting aside 10 per cent of the forest area for nature and biodiversity management (Miljøministeriet 1994; Miljøministeriet, Skov- og Naturstyrelsen 2002), and partly by a gradual shift towards near-to-nature forest management (Miljøministeriet, Skov- og Naturstyrelsen 2002). The concept of near-to-nature forest management, which can be seen as rather diffuse, is a management type that mimics and imitates naturally occurring ecological processes, for example by using locally adapted, indigenous species and single tree harvesting, eventually allowing a multi-layered, multi-species forest to develop.

Low forest earnings

An impending factor to sustainable forest management is that forestry is under financial pressure. Forestry earnings in terms of real gross income, as well as real surplus, dropped significantly between the mid-1980s and the mid-1990s, primarily due to the low market prices of timber. The situation is particularly bad for small dimension and low quality wood. This has made forest owners increasingly dependent on alternative incomes, particularly Christmas trees and greenery production, and income from renting out to hunters. A product development fund provides subsidies to stimulate the innovation of new income generating products and services. A recent example of innovation is the renting by forest owners of land for outdoor survival management courses.

Near-to-nature-management as the solution: lack of experience as an impending factor

The NFP seems ambitious as foremost in its aims are improving the nature content of the forest *and* improving the economy in the forests. The approach to achieving these aims is considered to be near-to-nature-forest-management (NNFM). The objective is to make a total conversion of state forests towards NNFM within 80–100 years; the conversion period is expected to be somewhat longer for private forests (Ministry of Environment 2002, p.23). NNFM is defined as follows:

- “The primary goal of NNFM is to ensure an economically sustainable wood production through selection of species adapted to/adaptable to the local conditions...”
- “Maximum utilisation of the natural processes in the forest ecosystem, such as natural regeneration and continuity in the forest cover, are other principles to be applied...”
- “...A forest managed under these principles will typically consist of a mixture of different tree species in different age groups, with a limited use of pesticides and other ancillary materials. It will be more robust and resistant to climate change, more biologically diverse and have more functions in environmental protection” (Ministry of Environment 2002, pp.18, 22).

The means to achieve NNFM are considered to be voluntary action, dialogue, dissemination of information and knowledge, timber certification and, in some cases, voluntary agreements. In practice there is very limited experience with NNFM in Denmark, so lack of knowledge and experience is clearly an impending factor for policy implementation. However the objective of NNFM has created a new situation where the interpretation and implementation of the policy is open, and where the most convincing argument for or evidence of successful NNFM can be formative for the institutionalisation of the new policy.

The Forest Act preserves the forest area

The current Forest Act (Act no. 959/1996) is a supporting factor for sustainable management as it aims to ensure that forestlands remain forested (85 per cent of the area is designated as forest reserves) and that they are managed according to multiple-use principles. This means that forests should be managed so as to enhance and improve wood production while simultaneously contributing to landscape values and cultural, environmental and recreational aspects. Schemes for the protection of specific habitats (Nature Conservation Act) have been the means for improving the nature contents in the forest, for enhancing afforestation and for stimulating product development and innovation in forestry. But the schemes have been criticised for being ineffective, as their structure incurs the risk that subsidies are granted to forest owners to whom it would be financially advantageous in any case to behave in a particular way such as, for example, plant deciduous trees, afforest a

particular area, and so on (Hjorth 2001; Linddal 1995; Helles and Linddal 1996). Another criticism is raised by Madsen (2001) who in a case study demonstrates a lack of causality between planned afforestation schemes and actual, private sector afforestation.

The Forest Act protects the forest area by requiring that forest areas should be reforested after felling, either by natural regeneration or replanting. Forest stands should be tended in appropriate ways so as to ensure growth and development into mature forest, and cutting for regeneration is only allowed when the stand (or the single tree) is mature. A move towards more near-to-nature-management practices, however, requires more flexible definitions of what a well-managed forest is. Consequently, the Forest Act is scheduled for revision, aiming at a more flexible legal framework while at the same time securing forest resources and continued forestry land use, for example by promoting and allowing natural regeneration to take place over a longer time span than hitherto considered good practice (Ministry of Environment 2002).

Private ownership dominates forestry

The Danish forest area is mainly in private hands, as 49 per cent of the forest area is privately owned (26,000 owners), 23 per cent is owned by companies and funds, and only 28 per cent is owned by the public (Larsen and Johannsen 2002). This makes private forest owners crucial stakeholders in implementation of the NFP. Ultimately the state of private forests and the provision of multiple benefits depends not only on the thinking and attitudes of individual forest owners, but also on their behaviour. This can allow for a more focused and effective use of policy instruments to motivate private forest owners to provide common goods. And as stated in the NFP, “mutual trust and dialogue are essential to the success of the implementation of the objectives of converting to near-to-nature forest management practices, the protection of forest nature and biodiversity and strengthened opportunities for outdoor recreation in the forests” (Ministry of Environment 2002, p.34).

Often forest owners are implicitly assumed to constitute a coherent entity, although this is not supported by the statistics. A third of privately owned forest area in Denmark is owned by only 1 per cent of private forest owners, that is the 236 forest properties larger than 100 hectares. Conversely, one third of the forest owners (8,400), each owning less than 2 hectares, share only 4 per cent of the private forest area (Larsen and Johannsen 2002).

A recent survey shows that the *average* Danish private forest owner is a man (86 per cent of all owners) in his fifties. He has the forest as part of a farm (84 per cent of forest owners own farmland). He considers himself a farmer rather than a forest owner, but he also has a feeling of attachment to the forest, and likes to keep the forest as a legacy (59 per cent). Three-quarters of all forest owners consider that aesthetic and environmental values are important or very important to forest ownership (Boon 2003).

Closer analysis reveals that forest owners can be divided into at least three types: the classical owner, the hobby owner, and the indifferent farmer (Boon et al. 2003). The classical owner owns more forestland than the other two types. He is financially motivated, but as he has a strongly felt and fairly diverse set of values attached to his ownership, he will only react to financial instruments to the point where he feels that the relative loss on other objectives are fairly compensated. The hobby owner is motivated by his basic interest in the forest more than financial incentives. Information and extension services may thus be an efficient means to motivate this group of owners. The indifferent farmer is the type most difficult to motivate, as he is less explicit about his goals. This type is more closely connected to agriculture than the

other owner types, so he may most effectively be reached through, for example, farmers' organisation and extension services (Boon et al. 2003).

These results indicate that the forest owners should be involved and targeted in a more diversified way in policy formulation and implementation, thus better representing the different interests and, ultimately, improving the implementation of the policy objectives.

Afforestation: a solution to shifting problems

An interesting example of intersectoral policy making is the government's objective of doubling the forest area within 80–100 years. This target was first presented in 1989 by the Minister of the Environment in comments on the Act on Natural Resource Management (since 1992 the Nature Conservation Act) which forms the legal basis for the funding of state afforestation (Helles and Linddal 1996). From 1989 until today the target has remained the same for all governments, but the argument for afforestation has changed according to where the funds were. The initial argument was to reduce excess agricultural production, following the late-1980s/early-1990s EU (EC) policy for structural change to the agricultural sector. This was followed by the argument of afforestation as a means to protect ground water against nutrient leaching from agriculture, as agreed upon in the 1998 national Water Environment Plan. Today a third argument is to provide the public better access to recreational green space close to urban areas. According to this argument municipalities are urged to engage in urban afforestation in partnership with private waterworks.

Since 1996 the Forest Act has provided the legal basis for private afforestation, although the first possibility for private landowners to obtain subsidies for afforestation was introduced in 1991. The grant scheme was revised in 1994 to include the revisions in EU Regulation 2080/92, and a second revision followed in 1996 after the transfer of the grant scheme from the Ministry of Agriculture to the Ministry of the Environment.

Afforestation is one of the key areas in the forest sector where planning and intersectoral co-ordination is required, notably between the Ministry of Agriculture, Ministry of Environment and, possibly, the Ministry of Interior. Funds for private afforestation originate from the EU and at the national level from the budget (e.g. the 1998 Water Environment Plan). These funds are administered by the Danish Forest and Nature Agency. Based on guidelines from the Danish Forest and Nature Agency, the counties designate afforestation areas and areas where afforestation is prohibited. The designation process is subject to a public hearing. These designations are used by the Danish Forest and Nature Agency when they prioritise among applicants to the afforestation scheme. The current 1999 Danish Forest and Nature Agency guidelines for designation of afforestation areas give priority to afforestation close to urban areas (outdoor concerns), green networks/bio-corridors and protection of drinking water/groundwater.

At the local level, there is no active regulation of the location of afforestation areas. The municipal plans pertain only to urban areas and summer cottage areas, whereas countryside areas are only passively regulated by the county regional plans. Therefore the actual location of afforestation depends on the landowner and is not encompassed by any public hearing requirements.

Despite the different arguments and sources of funding to enhance afforestation, actual afforestation now lags significantly behind planned afforestation. In the period 1989–1998, afforestation amounted to around 18,000 ha, 62 per cent of which was carried out on private

land without any public subsidies (Skov- og Naturstyrelsen 2000). This was far less than planned. An important explanation for this is that the subsidies have been insufficient to compensate landowners for the foregone income opportunities of farming. Moreover,

- Farmers with animal husbandry need land for spreading manure.
- Land is relatively expensive due to the “manure-based” demand for land.
- The Agricultural Act requires residency on the estate. Only estates larger than 35 ha can have this claim removed, and only after 20 years if an afforestation grant is obtained.
- Grants are taxable income and afforestation costs are not completely deductible in the year in which they occur.
- There is uncertainty about the future fate of agriculture in the EU.
- The Ministry of Environment has substantially promoted afforestation efforts. The Ministry of Agriculture has, however, been reluctant to promote private afforestation, fearing that good farm land would be converted into plantations (Helles and Linddal 1996).
- Interest in private afforestation increased when a 20 year income compensation was made possible in designated afforestation areas and environmentally sensitive areas (ESA). Also, the effort to fulfil the objective was fuelled by the 1998 adoption of the plan for water conservation and protection of water resources mentioned above. In that context, afforestation is seen as an alternative to agriculture in terms of improved groundwater protection, and €40 million were set aside for private afforestation. In 1999 that led to 3,300 ha of afforested areas, and approximately 1,500 ha in 2000 (Skov- og Naturstyrelsen 2000). The budget in 2000 set aside a further €2.7 million per year over four years for afforestation. With the new EU-rural development programme for the period 2000–2006, however, it is no longer possible to combine the 20 years income compensation for set aside areas in environmentally sensitive areas with afforestation subsidies (Skov- og Naturstyrelsen 2000).

4.3 Participatory mechanisms

Danish policy making is characterised by a consensus culture, that is, a negotiation culture where issues are left open for interpretation, and where multiple solution options to multiple problems pave the way for negotiating combinations of solutions that will provide the most benefits and cause the least harm to most stakeholders involved. This consensus culture is closely linked to a tradition of corporate involvement. Consequently in forestry public influence can be exercised through the commercial sectors (agriculture, forestry, industry), through the environmental NGOs and associations that are represented in a number of national and local boards and councils who provide advice on forest and countryside policy formulation and regulation. At the national level these boards include the Forest Council, which provides advice to the Minister of Environment/Danish Forest and Nature Agency on national forest policy issues (Forest Act § 41), and the Nature Conservation Board, which provides advice to the Danish Forest and Nature Agency on the use of public funds for public afforestation and nature restoration projects (Nature Conservation Act §61). At the local level each county has a “Green Council” (Nature Conservation Act §64,2), which advises the county on the administration of the Nature Conservation Act, including the initiation of public nature restoration and afforestation projects.

Besides these corporate boards and councils, the Danish Planning Act demands public hearings for county and municipal planning, including the designation of afforestation areas. The Forest Act does not demand public participation, beyond the national Forest Council, but following the tradition of the Planning Act it has been common for state forest planning to invite affected municipalities, interest groups, and now also the user

councils, to comment on the state forest plan proposals. As a follow-up to the 1998 Aarhus Convention a departmental order from 2000 prescribes public involvement in relation to public afforestation projects and other major nature management projects.

As already indicated, there is a tendency to distinguish between the “organised participants”, in other words representatives of interest groups, and the “general public”, meaning local users or neighbours to, for example, a state forest district. Both interest groups and the current government have been concerned about the involvement of the general public, the users of the forests, in policy making. A national survey has shown that one out of five members of the public feel that they do not have an opportunity to affect local decision-making regarding nature, while for national decision-making it is one in three peoples who feel they have no opportunity (Kaae and Madsen 2003).

In 1996 the Minister of Environment and Energy directed each state forest district to establish permanent user councils to give advice on the management and utilisation of state forests. The aim was to involve ordinary users, but for pragmatic reasons the user councils became corporate, comprising representatives of NGOs, municipalities and counties.

The current government has specifically outlined the target that nature policy should be rooted in the public, meaning exactly the public, and not solely the environmental and other professional interest groups. Accordingly the Danish NFP was developed in a participatory process combining corporate involvement and broad public consultation. The overall process was governed by a steering committee comprising a broad range of national stakeholders. The process was initiated by an effort to stimulate a public debate about how we want our forests to look. This was followed by thematic meetings, a conference, excursions and discussions. Finally, the draft programme went through a public hearing process. Different forms of participation attracted different types of participants and issues. Forest excursions and open house arrangements attracted the ordinary forest user and visitor who was mainly attracted towards recreational facilities and opportunities. Media and internet debates as well as the conference were dominated by professionals, either from forestry or environmental NGOs, and the issues were accordingly more focused on silviculture, biodiversity, property rights, and so on.

However, the different efforts to involve the general public had a very restricted impact, in that there was a limited input from the public compared to the vast number of postcards that were handed out in order to promote participation. This led the editors of the NFP to conclude that “the experiences from this [public participation] exercise show that efficient methods for public participation in the forest sector have to be developed, and this should be taken into consideration in the implementation of the programme” (Ministry of Environment 2002, p.38).

4.4 Negotiation and conflict resolution

A range of conflicts is internalised within forestry institutions. One example is the multiple use clause in the Forest Act that stipulates that forest areas should give opportunities for multiple uses simultaneously. Another example is the merger of the Forest Agency with the Nature Conservation Agency, creating the Forest and Nature Agency in 1987. And in the NFP the possible conflict between nature concerns and the private forest owners’ economy is articulated as a win-win situation through adaptation to near-to-nature-management. The question of “either-or” has been changed to a “how”. The tools to handle these internalised conflicts are dialogue, information/education and financial compensation to landowners.

Disputes regarding administrative decisions related to the Nature Conservation Act, the Planning Act and the Forest Act are resolved through the Nature Complaints Board (NCB). The board has a chairman, two members appointed by the Supreme Court and a number of members appointed by parties represented in the Finance Committee. With the implementation of the Aarhus Convention, the access to appeals against decisions has been broadened to encompass:

- 1 the addressee of the decision
- 2 anyone with a significant personal interest in the case
- 3 all local associations with a significant interest in the decision
- 4 national associations, with nature and environmental conservation as their main objective and organisations looking after affected recreational interests (Act no. 447/2000).

In the hearing on the modification of regulations to environmental legislation, “anyone with a significant personal interest in the case” is, first and foremost, the owner of the property affected by a particular decision. In practice, the law change means that any organisation asking to be informed about decisions will receive them as they are issued.

As described above, a main conflict is that between agricultural land use and use of land for afforestation. So far the afforestation target has been pursued by finding options with mutual benefits for forestry as well as agriculture, for example, where afforestation is subsidised to solve problems of excess agricultural production or needs of groundwater protection. So basically this conflict of interest is solved through compensation.

4.5 Intersectoral approaches

Unlike many other sectors in Denmark, and unlike the forest sector in many European countries, all forest policy affairs have been under the jurisdiction of the Ministry of Environment since 1987. Responsibility for forest policy has been delegated to the Danish Forest and Nature Agency and its 25 state forest districts.

This should be considered a supporting factor towards sustainable forest management, particularly as it supports the integration of biodiversity and public recreation concerns into forest policy. However a potential weakness of this structure is that forestry and forests tend to exist in a vacuum at the local political level, as it is (rightly) perceived as something that is outside the jurisdiction of – but hereby unfortunately also without interest to – local politicians. Hence some of the potential synergies between policy areas have not so far been developed.

Afforestation also involves counties and the Ministry of Food, Agriculture and Fisheries. The counties assume responsibilities for designating potential areas for afforestation in the regional plans (cf. Act on Planning), and for allocating funds for public nature restoration and afforestation (Act on Nature Conservation). The Ministry of Food, Agriculture and Fisheries (formerly the Ministry of Agriculture) is also relevant to the forest sector, particularly due to the co-ordinating role of the ministry in the fields of land use (including afforestation) and plant genetic resources. Furthermore, the Ministry of Finance and the Ministry of Economics and Commercial affairs are relevant, as they affect the economic framework conditions of the forest sector.

The private forest owners are organised in local and national associations, the Danish Forest Society, Danish Forest Extension and Danish Heathland Society being amongst the

biggest associations. And a wide range of environmental NGOs are active change agents in the forest policy debate, including WWF Denmark, Nepenthes, the Danish Society for the Conservation of Nature, the Outdoor Council, the Danish Hunters Society and the Danish Ornithological Society. Most recently, WWF and Nepenthes have been active in establishing a certification scheme under the jurisdiction of the Forest Stewardship Council, based on the NNFM principles. Similarly, the Danish Society for the Conservation of Nature has been responsible for many of the existing nature conservation areas in Denmark, as well as the initiative towards increasing the deciduous forest area, notably beech.

The primary wood industries are generally small, with a low degree of refinement and therefore with a limited competitive power. The secondary wood processing industries (furniture, building materials, energy, and so on) are advanced and economically important, but also less dependent on domestic wood production. As a result, the wood industries are far less dominant in the Danish forest policy debate than is seen in, for example, Sweden and Finland. This can be seen as a supporting factor in terms of advancing recreational and biodiversity aspects, whereas it is clearly an impeding factor to the primary sector not to have a guaranteed demand for wood from Danish forests.

4.6 Long term iterative planning

The Danish NFP can best be seen as one in a series of documents in a continued, iterative multistakeholder process of developing and negotiating a shared understanding of the concept of forestry and the associated roles and responsibilities. This has changed from the dominant perception of forestry as a production-oriented sector providing welfare goods as externalities (Landbrugsministeriet 1986), to a multiple-use perspective (1989 Act) that has developed to include the sustainability concept (Miljøministeriet 1994) and biodiversity (1996 Act) and which emphasises the emerging perception of forestry as a predominantly welfare-oriented sector based on incomes from production (Miljøministeriet 2002). In 1994, the government launched a Strategy for Sustainable Forest Management (Miljøministeriet 1994) as a follow-up to the Rio Summit and based on the Pan European Helsinki criteria and indicators for sustainable forest management. The strategy resembles the NFP both in structure and contents. It presents a state of the art, lays out detailed objectives and the means to achieve them and provides indicators to measure progress. The strategy was followed by a governmental statement to the Parliament on future forest policy goals (Miljøministeriet et al. 1994). Comparing these goals with the current NFP objectives reveals that the main aims are the same: afforestation; strengthened nature content; improving the forestry economy; and the importance of forests to social welfare. The new dimension in the NFP is the strong focus on near-to-nature forest management as the means both to achieve an improved nature content in the forests, as well as an improved economy. In this sense forest policy is regularly presented in a rational planning framework, but the day-to-day policy making context resembles more a muddling-through or even, as for afforestation, a “garbage can decision process”, whereby shifting solutions and problems seek each other in shifting decision making arenas.

4.7 Conclusions

As with the Strategy for Sustainable Forest Management, the strength of the NFP is that it compiles and co-ordinates existing policy objectives in a process with corporate involvement, providing a foundation for future policy-making. The NFP takes the additional step of inviting broad public participation through different forms of consultation. But this process was a limited success when one considers the low level of public input. Hence

there appears to be a need to develop a more effective means of public participation founded on a clearer objective of what such involvement is aimed to achieve.

The intersectoral impact of the NFP depends, ultimately, on the other sectors and ministries involved and their related policies. As it is, the Forest Act ensures that forests remain forests, by setting clear limits between forests and other land uses. This is based on the historical evidence that the unrestricted use of forests degrades the forest resource. However this also provides a hindrance to a more flexible combination of forests and other land uses and vegetation types, except in the case of afforestation. The challenge of the revision of the Forest Act may be to achieve a balance between the conservation of existing forests and the flexibility needed to develop new types of forested landscapes desired by society.

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Chapter 5

FINLAND: Sustainable welfare via forest diversity

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5.1 Introduction

Finland, located between Sweden and Russia, is the fifth largest country in Europe with a land area of 304,000 km², of which 76 per cent is covered by forests. The population of 5.2 million people is heavily concentrated in the south and southwestern coastal district, while the remaining areas, and especially the northern and eastern parts of the country, are sparsely populated. Of the population, 22 per cent live in rural areas, 61 per cent in urban areas, and 17 per cent in semi-urban areas (Statistics Finland 2001). Despite a variety of natural conditions and population distribution patterns there are only minor regional differences in forestry issues, with the exception of reindeer husbandry in Lapland and the high dependency on employment in forest work in Kainuu.

Finland has been a democratic republic since its independence in 1917. The people are represented by a unicameral parliament with a four-year electoral cycle. During the constitutional revision of the 1990s, the power of the parliament and government were increased together with a complementary decrease in the power of the president. Currently there are seven major political parties in parliament, of which five were in the coalition government during the NFP process.

Finland has a highly industrialised mixed-market economy. The primary sector contributes less than 4 per cent to GDP, while industry contributes 34 per cent and services 62 per cent (Statistics Finland 2001). Forest and metallurgical industries have dominated industrial output, but in the 1990s electrotechnical and electronics industries have emerged as a major sector. The role of the forest sector in the economy has slowly but systematically decreased, but even today the value of forest industry exports is 26 per cent of the total value of goods exported (Finnish Forest Research Institute 2002).

Family forestry accounts for 61 per cent of forested land, and more than every tenth person owns more than five hectares of productive forest land (Karppinen et al 2002). Three quarters of the raw wood material used by the forest industries comes from non-industrial private forests. Forestry is still a source of labour and income in rural areas and so the socio-economic dimension of Finnish forestry is important. The main forest policy objectives are to maintain good preconditions for profitable forestry and to secure the biodiversity and ecological sustainability of forests.

Finland is among those countries that have prepared a National Forest Programme. Work towards the NFP was initiated at the beginning of 1998. The NFP was accepted by the government in March 1999, and it was the first NFP in Europe. The vision of the ten-year programme is “sustainable welfare via forest diversity”. The programme aims to maintain economic sustainability by increasing the forest industries’ annual use of domestic roundwood by 5–10 million cubic metres (9–17 per cent), to double the value of the

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mechanical wood product industries' exports and to quintuple the annual use of wood for energy production by the year 2010. This implies an almost 40 per cent increase in silvicultural and forest improvement investments, of which four-fifths is planned to come from forest owners while the rest is subsidised by the state. The ecological sustainability of commercial forests will be secured by developing the ecosystem management of forests according to the guidelines presented in the Environmental Programme for Forestry in 1994.

Compared to the previous forest policy programme processes, the NFP process adopted a more transparent and broad-based participatory approach. The programme was approved at a high political level and implementation began immediately. According to the first independent evaluation published in autumn 2002 (Kivinen and Paldanius 2002), the implementation was regarded as successful, although some criticisms and suggestions for improvement were presented. Among the most demanding challenges that the ongoing implementation phase faces is the maintenance of a broad participation base and the improvement of conflict resolution, especially on issues concerning forest conservation.

5.2 Supporting and impeding factors

Land tenure

National forest planning in Finland needs to take account of historical conditions and processes, including the structure of land ownership, which derives from land reforms after the Civil War in 1918, as well as the agricultural pioneering and settlement policy of the 1920s and 1930s, and the re-settlement policy due to World War II. As a result of these historical processes the majority of rural people became independent landowners (Kanervo 1952; Ripatti 1996; Berge and Saastamoinen 2002). Nowadays, 61 per cent of productive forestland is owned by families and almost 80 per cent of the domestic wood supply comes from these forests. The state owns 25 per cent of productive forestland, which is located mainly in the less productive region in the north and provides less than 10 per cent of industrial raw wood. The forest industries own only 9 per cent of the forest land, and the remaining 5 per cent belongs to municipalities, parishes and other collective bodies (Finnish Forest Research Institute 2002).

The rapid economic development and urbanisation of Finnish society has substantially affected the structure of family forest ownership over the past thirty years. The share of farmers as traditional forest owners has declined, while the share of wage earners and pensioners has increased (Karppinen et al 2002). At the same time, the objectives of forest ownership have diversified, and goals other than wood production have become increasingly important (Karppinen 2000).

Ownership changes of private forest holdings are mainly realised via inheritance or by trade between relatives, but seldom on the free market (Ripatti 1996). This is because policy makers have seen the preservation of strong agrarian ownership of land as an important factor for the vitality of the rural areas, thus restricting the rights of persons other than farmers to buy land. This has impeded the allocation of forestland to larger parcels and to those who would like to manage their forests effectively. Restrictions on the free market of forestland were abolished during 1996–98, strengthening property rights and making forest land a more liquid asset.

The dominance and decisive role of non-industrial private forest owners calls for national co-ordination and guidance of forestry, and this is ultimately a supporting rather than an impeding factor for a NFP. Fragmented ownership and the large number of family forest

owners with diversifying objectives, however, makes the realisation of a substantive NFP very challenging. On the other hand, Finnish non-industrial private forest owners are well organised with collective bodies at both the national and local level, which has made their participation in the NFP process possible. In addition, the fairly large state forestry operation can be seen as a good counterbalance to private forest ownership and also as an activity that has demanded intersectoral co-ordination, participation and long term iterative planning.

Laws and regulations

The tradition in forest-related legislation in Finland is over 200 years old (Palo 1993). Since the first comprehensive Forest Act in 1886, the law has laid down the minimum requirements regarding forest management. The Private Forest Act of 1928 and its revision of 1967 emphasise the sustainability of timber production, and forest improvement acts since 1928 have encouraged more intensive wood production by means of subsidies. When necessary, forest legislation has been supplemented by official decrees from the Ministry of Agriculture and Forestry that have given flexibility to the public control of forest management.

In the mid-1990s, following the Rio conference, all forest-related legislation was reformed: the Act on Forestry Centres and the Forest Development Centre (1995) re-organised forest administration and extension; the new Forest Act (1996), which controls felling and reforestation, enlarged the definition of sustainability and introduced for the first time measures to conserve biological diversity in commercial forest management. The renewal of the Nature Conservation Act (1996) was co-ordinated with the reform of the Forest Act. The reform of forest legislation gave impetus for a NFP. The Forest Act (1996) made regional forest target programmes (covering the areas of 13 regional forest centres) mandatory, and the desirability of co-ordinating these centres supported the need for a NFP.

Projects for the preparation of national criteria and indicators of sustainable forest management and a system for forest certification were started in parallel with the revision of the forest legislation. The first report concerning national criteria and indicators of SFM was published in 1997 (Eeronheimo et al 1997) and the second revision in 2000 (Mikkilä et al 2000). The Finnish Forest Certification System (FFCS) was launched in 1999, and it was approved by the Pan-European Forest Certification system (PEFC)⁴ in spring 2000. Today, 95 per cent of Finnish forests are certified under FFCS. These processes have supported the national consensus concerning the content of the SFM, but environmental NGOs have rejected the certification system.

Financial incentives

Since 1928 the state budget has provided financial subsidies for forest improvement works, renewable every fifth year. The Forest Improvement Act (1967) established a permanent legal framework for subsidising forest intensification activities. During its revision in 1996 it was renamed the Act on Financing Sustainable Forestry, and nature management projects were included in its financing scheme. The size of the annual allocations has been a political decision depending on the state of public finance, the political coalition of the government and the prevailing economic doctrine. In the 1990s, there was a decreasing trend in public financing of forest improvement works because of the economic depression and attitudes opposed to state intervention, but the NFP process has reversed this trend.

⁴ Renamed the Programme for the Endorsement of Forest Certification in December 2003.

Since 1922, forest taxation in Finland has been based on site productivity. In the course of time, it has been complemented by tax allowances for established seedling stands and tax incentives for reforestation and precommercial thinning. In the context of the national reform of taxation, forest taxation was replaced by the realised income tax in 1993, and traditional tax incentives for forestry were removed. This, and a simultaneous decrease in state subsidies, was regarded as a threat to wood production and employment in forestry, which created a common interest to cease the downsizing of forestry. Therefore, what was originally regarded as an impeding factor for forestry, turned out to become a supporting one for the NFP process.

Political culture

Neoliberalism gained ground in Finland in the late-1980s, leading to income tax cuts and pressures to reduce public spending, including financial subsidies for forestry. The forest industries were, however, again found to be an essential element of the economy of the country during the depression of the early- and mid-1990s. This reminded policy makers of the importance of securing wood supply and gave political support for maintaining public subsidies to forestry. Governments represented by majority coalitions have lasted longer since the 1990s and this has helped governments to commit to the long-term programmes typical of forestry.

The preparation of the NFP became a priority of the remaining period of the government of that time. This led to an extremely tight preparation period. The government's commitment to the preparation of the NFP was, no doubt, a supporting factor, although the tight schedule became critical.

The neo-corporatist network of forest interest groups dominated forest policy actions until the 1990s (Metz 1993). The stable structure and power relations among the interest groups have characterised this policy network, and the inclusion of interested parties from outside the forest policy community was based on invitation (Ollonqvist 1998). This had the tendency of narrowing the scope of a substantive NFP (Ollonqvist 2002a). Pressure to adopt a participatory approach to Finnish forest policy planning arose from ministerial congresses, the IPF/IFF processes after the Rio conference and the reform of the Constitution (Saastamoinen 2000). The active role of the Finnish government in the international forest policy arena supported such an approach to the NFP.

Institutional aspects

The Ministry of Agriculture and Forestry has played a central role in the field of forest administration and policy since the early 1990s; the decades prior to this were dominated by income policy and neo-corporatist contracting. Forestry affairs are delegated to a forestry department that is relatively independent of agricultural affairs. The Forest and Park Service, which is in the administrative domain of both the Ministry of Agriculture and Forestry and the Ministry of the Environment, manages state-owned commercial forests and conservation areas that cover 33 per cent of all forestry land (including productive forest land, scrub land and waste land). The foresters managing the state-owned forests have had to learn to reconcile conflicting demands concerning the management of the state forests. The Forest and Park Service has provided an example of how to achieve broad-based participation (Hänninen and Ollonqvist 2002).

The thirteen regional Forest Centres, now directly responsible to the Ministry of Agriculture and Forestry, constitute a part of the official organisation promoting non-

industrial private forestry and enforcing the Forest Act concerning all forest owners, private and public. The semi-public status of organisation and autonomy characterise the Forestry Centres. Due to the organisational reform of the 1990s, the significance of the Forest Centres has increased in the forest policy arena, thereby strengthening provincial aspects in national forest policy and supporting provincial commitment to the NFP.

The principal neo-corporatist players in the forest policy arena, namely the Central Union of Agricultural Producers and Forest Owners (MTK) representing non-industrial private forest owners and the Finnish Forest Industries Federation, lost their dominant position during the 1990s. On the other hand, the Finnish Forest Association (SMY), as a mediator between forestry and the rest of society, has succeeded in establishing and managing a top-level discussion forum for decision-makers, which can be seen as a supporting factor for the NFP. The traditional neo-corporatist forest policy network was a supporting factor for starting the NFP process, but it can be seen as an impeding factor with respect to the inclusion of new interested parties from outside of this network, especially environmental NGOs.

Finland has a competent forest research society that has traditionally played a leading role in the formulation of forest policy programmes. However, the research community was relegated to the background during the preparation of NFP, a matter which received comment in the evaluation of the NFP (Kivinen and Paldanius 2002).

5.3 Participatory mechanisms

Difficulties in adopting a participatory approach to forest policy planning originate from the long and strict dominance of the neo-corporatist forest policy agenda characterised by instrumental rationality. The first attempt to revise that agenda took place during the preparation of the Environmental Programme for Forestry by the Ministry of Agriculture and Forestry and Ministry of the Environment in 1994. This was to become the basic statement on Finnish forest policy for the 1990s. Beside the two key ministries, representatives of various bodies outside the traditional forest network, including governmental and non-governmental environmental organisations, were invited to participate. The working process adopted a communicative rationality approach to the policy agenda, which resulted in wide approval of the programme. It also became an example of the new participatory approach to Finnish forest policy.

Some elements of broad-based participation had already been introduced during the preparation of the Forest 2000 programme in the mid-1980s. The participatory base was much broader in the preparation of the NFP. However, the role of forest scientists was diminished, while that of experts outside traditional interest groups was extended. The experience concerning the participation of the new interest groups has mostly been positive, although some environmental NGOs did not apply the same rules of co-operation as others, thus creating misunderstanding and mistrust within the preparation process (Reunala et al 1999).

Public forums and internet pages including a discussion forum were new participatory elements employed during the preparing of the NFP. The public forums were organised twice in each regional forest centre during the preparation phase (Reunala et al 1999). The public at large had indirect access to the preparatory work via internet pages containing the basic documents of the NFP, the reports for and minutes of the working groups, statements and a column for discussion. All the drafts of the NFP were put on the web site at the same time as they were handed out to the members of the NFP preparation bodies (Reunala et al 1999).

Another new feature that was associated with the NFP preparation was the creation of thirteen regional forest programmes in early-1998, just prior to the beginning of the NFP. The programmes were prepared independently and in a spirit of open co-operation with local interest groups. In this way participation in the NFP process covered a broad base and included a large numbers of interested parties from all over Finland. The increased regional sovereignty in forest policy issues can also be seen as a supportive institutional change with respect to the NFP process.

It is difficult to evaluate the individual effects of the new participatory elements on the final contents of the NFP. However, it seems that the participatory approach generated some open questions, of which the need for an environmental impact assessment of the NFP and the extent of forest conservation in southern Finland were documented in the NFP. Subsidiarity principles, recommended by the EU, IPF and IFF, were adopted thorough the regional forest programmes. The new participatory channels can be seen as an attempt to create bottom-up principles to counterbalance the still dominant top-down corporatist structures.

At the national level, corporatist structures were maintained with the Ministry of Agriculture and Forestry's appointment of a Forest Council for the management of the NFP in 1999. The nineteen members represented four ministries, forest sector trade unions, forest industry and forest owners' associations, environmental organisations, the Scouts, and a women's advisory organisation for the development of rural areas. This representation was wider than before in Finnish forest policy making.

The Regional Forest Councils were introduced when the implementation of the NFP and the revision of regional forest programmes had begun. The councils are broad-based local institutions that can transmit bottom-up initiatives into regional forest programmes. They can also act as a link between the national and regional forest programmes. Although there are no fundamental inconsistencies and conflicts in forest policy targets between different regions and the national level, this interaction and feedback system has not been utilised effectively enough according to the evaluation report (Kivinen and Paldanius 2002).

The use of the internet has continued in the implementation phase, although the internet discussion forum has been closed. It had been promised that the public forums would continue, although this has not so far happened. In the evaluation of the NFP reduced communication between actors was also noted (Kivinen and Paldanius 2002). A future challenge will be to develop a more transparent plan as to who can participate and under what conditions. In an ideal situation, interest groups will be afforded the possibility of participating in the shaping of a participatory structure together with appropriate procedures.

5.4 Negotiation and conflict resolution

Weak conflict resolution and poor conflict management in controversial environmental issues has been a persistent feature of Finnish forest policy (Hellström 2001). Environmental conflicts – in chronological order: clear felling, drainage of mires, use of chemicals, old-growth forests and wilderness, endangered species, forest conservation – have been centre stage in forestry, and authoritarian solutions have dominated their management up to the early-1990s (Hellström and Reunala 1995). Later, the value of an adequate conflict management arena was better understood, and seen as an important force behind social development.

Concerning forest policy formulation, the key interest groups of the forest sector had arranged their participation on a professional basis. They consisted of the national forest elite (see Eriksson 1995) that shared common values and policy preferences, even though they had

an unequal distribution of power (cf. Hogl 1999). There were no firm arrangements for conflict resolution in forest policy issues before the mid-1990s. The target of consensus made the lack of an arena for conflict resolution in the policy preparation a peripheral issue.

The first change in the resolution of conflicts in forest policy preparation can be identified during the formulation of the Environmental Programme for Forestry in 1993–94 (Hänninen and Ollonqvist 2002). The extended participation of a wide range of interest groups, including one environmental non-governmental organisation, and the co-operation between forestry and environmental authorities were new features in the policy process. Initially, all the failures in forestry were listed and discussed in order to make the process as transparent as possible. Controversial issues that arose during the programme formulation phase were thoroughly discussed by the chair of the work group and key persons individually before a proposal was introduced to the work group. The feasibility of the programme was further secured by a broad-based monitoring work group during the period 1995–98.

Another new step in conflict resolution was taken when the Forest Forum for Decision-Makers was established in 1996. This organises a top-level course on forest policy issues that enables the identification of potential conflicts and permits discussions on their management. The biannual course consists of a one-day indoor seminar and a three-day field excursion with presentations. It is aimed at senior decision-makers in various sectors of society – politicians, executives, journalists and civil servants – in order to achieve interaction and dialogue. An advisory group appointed by the Prime Minister formulated the structure for the forum in 1995, and its management was entrusted to the Finnish Forest Association. The forum has been a success story: an invitation to the forum is valued, and the forum has undoubtedly advanced the participants' understanding of forestry and environmental issues. So far fifteen courses have been held and 350 opinion leaders have participated.

Only a simple plan for conflict resolution was outlined during the preparation of the NFP. The chairman in each working group was committed to documenting the different values and viewpoints that emerged, and also to providing time for discussing these issues in the working group meetings. When consensus was unattainable, the issues in question were transferred first to the Executive Committee, then to the Steering Group and, finally, to the Ministerial Group. Forest conservation was a controversial issue throughout the preparation of the programme, and two discussion seminars on forest conservation and ecological sustainability were arranged.

Conflict resolution during the implementation stage of the NFP was managed by the formation of ad-hoc working groups. An environmental impact assessment (EIA) of the NFP was carried out as a precondition to the implementation of the programme (Hilden et al 1999; Ministry of Agriculture and Forestry 1999b). The issues raised in the EIA challenged the feasibility of the NFP, but the actions were postponed to the implementation phase. During the implementation, two sequential ad hoc working groups were created to evaluate the needs of and measures for forest conservation in southern Finland. The first working party consisted predominantly of environmental scientists, authorities and NGOs. Their proposals were generally criticised by the neo-corporatist forest network. The second working party was one of the largest and the most broad-based, and it achieved results that satisfied all parties except the environmentalists.

The regional forest councils are responsible for conflict resolution at the district level. Each council must organise a public forum to create a channel for bottom-up reflections on each regional forest programme. These public arenas for conflict resolution at the regional level was among the new innovations related to the NFP.

5.5 Intersectoral approaches

In Finland, intersectoral planning has traditionally been symbolic, that is, it has been carried out without any systematic collaboration with policy makers from other sectors. The inclusion of interest groups from outside the forest sector began in the 1980s with the inclusion of key ministries (Ministry of Finance, Ministry of Trade and Industry, Ministry of Labour) and the forest sector labour unions (Rural Labour Union, Union of Paper Workers, Wood and Allied Workers' Union) (Eriksson 1995; Ollonqvist 2002b). The network responsible for preparing forest policy programmes gradually expanded and became the main corporatist forest policy system outside parliament. The key ministries and representative organisations of the forest industries, forest workers and forest owners were constantly involved in committee work and in the other forms of institutional management.

The Environmental Programme for Forestry was also a step forward in intersectoral communication. It helped to mitigate an earlier mistrust between the Ministry of Agriculture and Forestry and the Ministry of the Environment. Intersectoral co-ordination of these two authorities was further promoted by the simultaneous reform of the Nature Conservation Act and the Forest Act in 1994–96.

The time frame for drafting the NFP was too tight for the detailed action plans being prepared by the various ministries involved. The government co-operated through the ministerial group co-ordinating the preparation of the NFP. The key ministries concerned also had representatives in the steering group, executive committee and working groups. The government approved the programme and appointed the broad-based Forest Council for the management and co-ordination of its implementation.

The Forest Council monitors other sectors (governmental and non-governmental) and programmes that are related directly or indirectly to sustainable forest management and co-ordinates them with the NFP. The implementation of the NFP is largely based on national projects (34 in total) which are grouped into nine consortiums, of which one concerns private sector projects, while the other eight are organised by a branch of the administration (Ministry of Agriculture and Forestry 2001; 2002). The consortiums report to the Forest Council. Each project independently decides the resources for its activities, but the Forest Council supports fund-raising whenever possible. The evaluation of the NFP considered that the working method adopted had improved intersectoral collaboration within administrative sectors and between forestry organisations. However, researchers and “real actors” at the regional and national levels should be better incorporated into the projects (Kivinen and Paldanius 2002).

The commitment of the key ministries has provided better opportunities for incorporating expenses, such as indirect and direct public subsidies, into the state budget in order to enforce the programme. The intensive co-ordination of separate policy projects of different actors can be seen as a new culture in Finnish forest policy implementation, although it has not been easy to find sufficient funding for all projects. At the regional level, local authorities and both profit and non-profit organisations are represented in Regional Forest Councils. One aim is to co-ordinate and monitor local projects linked with the regional forest programmes and, further, with the NFP. However, the evaluation of the NFP considered that the regional forest programmes should be more closely incorporated into the other regional development programmes (Kivinen and Paldanius 2002).

5.6 Long term iterative process

Finland's National Forest Programme 2010 (Ministry of Agriculture and Forestry 1999a) continues, it can be argued, a long tradition of national level forestry programmes. However, the current NFP contains innovations when compared to prior forest policy actions. Many of these new features follow the principles developed within the IPF/IFF processes. The formal governmental acceptance of the NFP means broader scope in policy implementation. In concordance with the Forest Act (1996), the programme aims at incorporating economic, ecological and social dimensions of sustainability into forest management. The contents of the NFP cover a large range of topics when compared with other national programmes.

Open and transparent features were adopted in the NFP process. Participation was enlarged to the stakeholders of environmental and other NGOs and the public at large. There were general and specific public forums at regional and national levels open to everyone, and seats in various working groups and in the steering committee were offered to most important NGOs. There was therefore a wide range of opportunities available for participation and the careful documentation of the comments as a part of a background report (Reunala et al 1999). An "innovation forum", proposed in the NFP was, after long consideration, launched in early 2003. It was named the Future Forum for the Forest Sector, and it aims to produce innovative long-term insights into forest policy and also to provide tools to assist forest organisations in coping with future changes. The success of the Forum will be evaluated in 2005. In spite of the many participation procedures applied, not all environmental NGOs have been satisfied with the effectiveness of participation.

Rather than being a programme hewn in stone, the NFP should be seen as a process that will be implemented and revised according to changing demands and feedback. However the flexibility of the programme and its process approach does not nullify the importance of quantitative targets and their follow-up in key areas. The process approach probably made it easier for the government to accept the programme. There is sequential dealing with the issues related to economic, ecological and social sustainability in the implementation of the programme. The major efforts of NFP preparation focused on the policy activities of economic sustainability. Consequently the implementation of policy actions towards economic sustainability could be started immediately after the final acceptance of the programme, and the public funds allocated to forestry extension and other activities were increased in 2000.

As noted above, some controversial issues were postponed from the programme formulation phase to the implementation stage. The key issue was forest conservation in southern Finland. A thorough ecological assessment for the need for forest protection in southern Finland and Ostrobothnia was completed in autumn 2000 (Ministry of the Environment 2000), following which the government appointed a broad-based work group to draw up a proposal for formulating and financing an action plan for forest protection in southern Finland. The work group suggested new, voluntary and market-based means for biodiversity conservation instead of establishing new nature protection areas (Ministry of the Environment 2002). It was also emphasised that preserving the biodiversity of forests depends a great deal on the success of the ecosystem management of commercial forests, which is also a question of creating funding opportunities for forest owners. The success of the actions introduced will be evaluated in 2007. The plan was broadly accepted, but regarded as insufficient by environmentalist groups. They would have liked more funds to be provided for buying public and private forests for conservation purposes and for establishing more, traditional, nature protection areas.

The specification and implementation of social sustainability in forestry has raised little debate or public concern so far. However, the evaluation of the NFP recognised the lack of concrete actions to promote the multiple use of forests in the implementation process and suggested the strengthening of these aspects as a part of regional development programmes (Kivinen and Paldanius 2002).

5.7 Conclusions

As a process, the NFP faced factors that both supported and impeded its progress. A strong tradition of national forest planning, active involvement with international forest policy developments and the broad-based approval of the Environmental Programme for Forestry (1994) which was completed with a comprehensive renewal of forestry legislation can be regarded as major supporting factors for the initiation of the NFP process. The reorganisation of forest administration was a supportive institutional change because it increased regional sovereignty in forest policy issues. There was also strong pressure, particularly from the regional forest centres, to end the downturn of forestry financing, and this too provided an impetus for a NFP. On the other hand, the emergent neoliberal economic climate that opposed state intervention as a whole was a clear impediment. Within the neo-corporatist forest network some key interest groups considered the new arrangements for collaboration and participation to be unnecessary. However, even they accepted that the potential gains would outweigh any losses, given the political commitment of the government.

In the continuum of forest policy programmes since the 1960s, Finland's National Forest Programme 2010 is clearly different. Unlike the previous programmes it was the first one that had the commitment of key ministries and the acceptance of the government. The NFP thus has a firm official status. Good intersectoral co-ordination between ministries during the preparation and implementation of the NFP has reduced mutual mistrust. The political consensus and commitment to the NFP has also led to the preservation of public subsidies to timber production investments. Another difference concerns the regional aspects of forestry. There has been a close link between regional forest programmes and the NFP at different stages of the preparatory process, and this has helped provincial actors to commit to the NFP. However, according to the evaluation of the NFP (Kivinen and Paldanius 2002), the collaboration between national and local bodies needs to be further strengthened.

The dominance of interest groups supporting issues of economic sustainability was maintained throughout the process, and so a consensus over the related policy targets was straightforward. Only minor adaptive collaboration and planning was necessary during the NFP process. Consensus over the targets for ecological and social sustainability was not achieved, and these issues were postponed to the implementation stage. The sequential implementation of the NFP process advanced the implementation of policy activities concerning economic sustainability. Ecological sustainability has received much research and committee time during implementation, and some new market-based and voluntary actions have recently been introduced for preserving biodiversity. This opens the possibility of utilising market allocation in forest conservation in Finland. Social sustainability has received the least attention so far, and is still awaiting concrete measures in the NFP process.

Overall, the political culture of Finland today is less corporatist and less sector dominant than in the past, and in the forest sector the NFP process has led to a redistribution of power within the corporatist forest network with the introduction of new interest groups. However, it is not yet clear what the future power balance will be between the interest groups and other interests in forest related matters. It is anticipated that the Forest Forum for Decision-Makers and the new Future Forum on the Forest Sector will have important

roles in strengthening bottom-up initiatives and for the accumulation of social capital in forest-related development.

In order to secure more effective conflict resolution, increased trust is required, especially between environmental groups and the forest sector; more determined efforts from both parties will be necessary. More dialogue is needed concerning the social dimension of sustainability and how to incorporate it in the NFP process. In this respect one of the most difficult issues concerns the balance between local corporate responsibilities and international economic competition.

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Chapter 6

FRANCE: A forests strategy with no programme?

Gérard Buttoud¹

6.1 Introduction

In distinction to many European countries, France has not yet established a consistent National Forest Programme (NFP). Following the national tradition, the French position in the international dialogue on forests has been directly translated into a new legislative framework, discussed after input from a national expert and consultation only with the actors involved in wood production. The National Forest Strategy that was issued from the related discussions should not be considered an important document, and cannot be used as a programmatic tool for decision makers at the national and regional levels. The basic elements of sustainable forest management (SFM) are included in the new forestry law passed in July 2001, but a large reform of the forestry structures is currently being carried out in order to face the new economic challenges resulting from the suppression of the National Forestry Fund, and from the storms of December 1999. As a result of this process, many changes are expected to be introduced in French forest policy over the next years, especially related to the certification scheme, the funding system and the role of the national forest agency. But for the moment, a real comprehensive programme is still missing. Given the absence of a NFP this paper emphasises the factors impeding the emergence of a substantive NFP; no supporting factors have been identified.

The methodology followed in France for changing the national forest policy based on the international dialogue on forests was particular to the French national tradition. Three major elements in this strategy can be emphasised, namely the role of experts, the law as an instrument to guide public decisions, and the absence of a programmatic instrument.

The experts' view

The state plays an important role in many sectors of French civil life. The public action decided by politicians is implemented through a centralised structure composed of administrative bodies with senior staff educated in normative techniques for public management who act as advisers to decision makers, and who are sometimes themselves the main forces promoting decisions. As a result, most public decisions taken in many fields are based on a rationalist-deductive basis, with the major influence being the expertise of the public servants. French policy making, therefore, is characterised by the leading role in decision-making processes played by senior officials, and within this frame forestry is no exception.

When some years ago it became evident that as a result of French commitments at the international level some changes needed to be introduced at the national level in order to promote sustainable forest management (SFM), the government nominated a high-level public expert to take charge of proposals for a new forest policy direction to guide the administrative bodies. This expert, Jean-Louis Bianco, undertook to provide a diagnosis and executive solutions. Bianco was well positioned to undertake this task. As both a former

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prime secretary of the President of the Republic, then minister of labour and social affairs, as well as the chairman of the board of the National Forest Agency (ONF) for more than ten years, he was particularly well qualified.

Bianco presented his report in August 1998 to the Jospin government, after consulting with both experts and lobbyists; this procedure is a tradition in France, where there is no accepted distinction between expertise and participation of actors. Contacts take place on a purely individualistic level, with no common transparent discussion amongst stakeholders, and with no “rule of the game” for defining how a decision will finally be taken. In line with this tradition the Bianco report was based not on an in-depth discussion involving several participants, but on consultation with some prominent stakeholders that reached a consensus. This particular aspect of the French approach is, therefore, far removed from the methodology proposed at the international level for the formulation of a NFP.

The law as the only formal expected result

In France, with a long roman formal tradition, legislation is the main instrument to guide public decisions in orientating private behaviours. A normative framework is considered to be the supreme guide, and is essential for any kind of public policy. Because the country is characterised with a high level of centralisation for any decision, all changes introduced in the public arena have to be translated into legislative norms.

This legislative tradition explains why the conclusions of the Bianco report were directed straight to the Parliament. A proposal, written by senior forest department officers and submitted by the government in June 1999, was discussed for two years, and was delayed only by the budget vote. During this period, more than one thousand proposals for amendments came from the politicians. Finally, the new forest law was voted on 9 July 2001 with the unanimity of all deputies and senators (which is extremely rare in France).

The new French forest law is basically established on the conceptual framework of sustainable development in forestry, which is promoted by the international dialogue on forests. The law clearly supports intersectoral definition of forestry public choices, and the participation of all stakeholders. But it provides only the normative framework for national forest policy, and nothing more than this.

The absence of a national programmatic instrument

Although the 1998 Bianco report clearly called for the establishment of a programmatic instrument – the French Forest Strategy – which would have been the equivalent of a National Forestry Programme (NFP), no such document has been elaborated in this respect.

Between Bianco’s report and the vote of the law, there is a missing link. How should more consistency and organisation, in space and time, be given to the general normative direction provided in the expert’s report? The Forest Group constituted in the National Assembly (deputies) faced this difficulty. They organised during spring 1999 a restricted consultation of the main stakeholders interested in the development of the wood chain at the national level, mainly forest owners and business interests. Thematic working groups were constituted on some issues. However, the result of this additional consultation in May 1999 was inconclusive. At the seminar for the synthesis of the process no new ideas were promoted that could structure public action for future concrete implementation. The reason for this is that there was major opposition between some stakeholders and the state, and also amongst the main stakeholders themselves.

So the conclusion of this procedure is that the strategy to be elaborated has been commonly conceived as just a formal policy document retaining the main conclusions of the Bianco report but with no programmatic dimension. This four-page document – French Forestry Strategy – was finally presented officially by France to the Intergovernmental Forum on Forests (IFF). But it was not even disseminated in French within France, which clearly shows the low internal instrumentality given by the authorities to the statement.

As a result of the global process, France now has a new forestry law, which provides a modified normative framework for forestry decisions. Some changes, including the philosophy of public support to forest activities and the land dimension of the actions, may not be negligible. But the final concrete decisions are still to be taken by the administrative bodies. These decisions, when taken, will not be in line with any iterative and participatory process, but will merely adapt to existing specialised expertise. So in this respect, too, the French model does not accord with the philosophy of a NFP.

6.2 Impeding factors

In addition to the particularities of the French policy tradition, some reasons why France has so far avoided a NFP can be found by interrogating those elements that may act as supporting or impeding factors. In the French experience these elements have, in the final analysis, served as impeding factors.

Over the last five years some major changes have occurred in the forestry field in France, and as a consequence some evident needs for important modifications to national forestry policy have been identified. The demands for changes were far too important at the national level to be immediately and simply translated into a national programme. Many problems have not been solved due to strong conflicts between stakeholders. The changes necessary were so severe that they in effect justified a break down of the process of NFP formulation. Among these factors, three major changes can be identified: certification; the suppression of the National Forestry Fund; and the storms of December 1999.

Certification

In a country like France, which is characterised by an important role for the state, certification may bring about a complete transformation in the way that forest management is assessed. At the time it was undertaken, the formulation of a new forest policy was certainly needed so that stakeholders would have some precise views on what the role of the state would be in the future. The main event that could fundamentally change the role of the state was the introduction of a certification process.

Because of the conventional top-down normative approach to decision making in French forestry, including evaluation procedures, most French stakeholders, including all those involved in the production of timber, have been opposed to any change in the procedures for follow-up and assessment of the sustainability of the owners' management. When these stakeholders realised that boycotting certification carried with it a risk of complete isolation an awareness of the need to generate their own normative framework gradually appeared. As a result, France contributed actively to early discussions on the Pan European Forest Certification (PEFC) scheme. But at the time of these discussions the so-called "French Forest Strategy" was also being discussed, and it was not clear what the French stance on certification would be. Under these conditions it was difficult to programme activities in a rigid and rigorous way: it was known that there would be changes in the role of public bodies on forestry, but there was no framework for defining the finality of the various institutions and structures.

The suppression of the National Forestry Fund

For many years France has often been cited as an example of a coherent system for funding forestry investments. The National Forestry Fund (FFN) was considered to be the main element in a national forest policy, which is basically a productivist one.

However this completely changed during the 1990s. The FFN has been confronted with many problems that could not be solved in a rigorous and comprehensive manner. In France the FFN has been criticised for many reasons: for being unfair to timber harvesting companies because of the taxes imposed on national production; for being expensive to consumers and forest owners, who were its real payers; for being a tool with so many changing rules that the dissemination of funds had no apparent logic; and for being a para-fiscal instrument creating discrepancies at the European Community level.

The FFN was finally abolished in 1999, just when the process of national reflection on changes to the national forest policy was taking place. And at this time there was no idea on what mechanism would be created to fund investments in the forestry field for the next few years. In short, the question of agreeing a programme with no framework for deciding the financial means necessary to fund the necessary activities in the forest sector did not, of course, promote a NFP.

The storms of December 1999

In addition to the uncertainties brought about by certification and financing, the severe storms of December 1999 strongly affected the psychology of the forest experts in France. In two days, almost five years of harvest of timber in France were destroyed by severe winds. This situation, which could not be planned for, contributed negatively to perceptions on French national forest policy, in that the concepts of planning and programming were themselves considered to be restricted only to unproblematic policy environments. How can genuine long-term planning take place when resources can be destroyed overnight from an unforeseen source?

To summarise, the conjunction at the same time of so many problems requiring solution by forest owners and managers in the short term mitigated against long term planning. It became almost impossible to think over the long run whilst trying to address current urgent issues. The idea promoted, then, was that management should be first and foremost adaptive, but no methodology should be designed for defining rigorously over the long term something that was now unconsciously perceived as inherently unplannable.

In these circumstances the “solution” of a NFP was considered something of a misnomer.

6.3 Participatory mechanisms

France is a country with a long tradition of representative democracy, as opposed to participatory democracy. This tradition directly explains the important role of the state in public decision-making.

A long history of association with timber producers

Since the 1950s non-state actors have been involved with public decisions related to forestry. Most of the decisions taken by the public authorities on timber production have

involved dialogue with the main interest groups directly involved in the timber market. But this participation has been restricted to a very select groups of actors directly engaged in timber production. For example, all the concrete financial decisions on the National Forestry Fund (FFN), which from 1948 to 1999 was the main funding structure for public forest investment in France, were taken through consultative bodies of representatives of the main producers, such as the forest communities, private owners and harvesting companies.

The procedures governing participation were legally based upon the various forest laws elaborated in 1963 (private forests), 1964 (creation of the State Forest Agency – ONF – in charge of the management of public forests), and 1985 (increase of the role of Regional Centres for Private Forests – CRPF), and also through the special statute of the so-called “public bodies”, which are administrative structures directed by a board of defined stakeholders. Within this legal framework, sophisticated structures have been established, especially since the 1960s, in order to institutionalise the participation of direct producers in decisions related to the forestry sector. Most of the extension and support to private forests has been delegated to owners, through the establishment of the Regional Private Forest Centres (CRPF), where representatives of the biggest private owners have the power to plan the way that public assistance is used. Using a similar model, the State Forest Agency (ONF) was created in 1964 as a commercial national public body directed by a board of representatives of harvesting companies and forest communities.

This consultative governance has proved of great effectiveness in giving coherence to the positions of the producers related to timber production, despite their very fragmented professional organisation.

Participation restricted to consultation with selected stakeholders

In France, for topics other than timber production, there are almost no procedures for involving other stakeholders and the public. This means that there is no association for any kind of decision linked with the promotion of environmental services, and the recreational and protection services of the forest. This is a weakness of the French system, which is essentially focused on matters related to production, rather than being based on a communicative approach with other actors. In the French forestry law of July 2001, there is even a misunderstanding about what participation really is. It is not clearly stated that a process should be created in order to regulate decision making for non-productive utilities based on participation. When timber production is emphasised, and when a reform of the productivist structures of public and private forests is commenced, it is thus unlikely that participation will be enlarged to include the environmental aspects of forest policy.

This, therefore, is another missing link in the French forest strategy.

Consultation limited to individual contacts

Last but not least, the French way of discussing policy issues is basically constituted in a bilateral manner involving discussion between individuals. The initiative always comes from the public body, which has authority to collect the ideas, views, positions and criticisms expressed by stakeholders. Interest groups that are approached will express their views to the public authority separately from other actors, directly and bilaterally. There is no common forum where the various actors may meet and negotiate a final compromise to be presented to or implemented by the public authority. With respect to decision making only the administration is authorised to decide, although it may draw from the information and viewpoints gathered from its various contacts.

This arrangement, therefore, is far from the model of participation promoted through the international dialogue of forests, based on the experiences, for example, of the USA and some developing countries, and translated into guidelines by the Ministerial Conference for the Protection of Forests in Europe (MCPFE).

In France the following question on participation can be asked: Is a NFP needed or possible, given the formal top-down process for decision making in forestry?

6.4 Negotiation and conflict resolution

A series of adaptive corrections

The absence of a formal common arena where the various stakes are negotiated in a participatory manner does not mean that no negotiation takes place. As the state is the sole decision maker, most of the measures that are taken by the administration do not usually satisfy the main pressure groups, as the compromise realised by the state is based mainly on expert optimisation under constraints. As a consequence there is often disagreement on what the state decides, and the representatives of the various stakeholders periodically come back to express dissatisfaction and to press for further changes to the policy decided. These expressions of calls for reform are, to a greater or lesser degree, taken into consideration by the administration, although no clear transparent statement is made in response to the further demands of stakeholders.

Two good examples of how stakeholders engage in discussion with the public authorities are the question of the new funding system to replace the National Forestry Fund, and the support given to the reconstitution of the forests after the storms of December 1999. On each topic, all the main stakeholders expressed their opinions and met the representatives of the state to propose their solutions or, more often, to criticise the measures taken. However it is emphasised that no public official structure exists for expressing the rationale of public choices, so that the adaptation of policy to the preferences of stakeholders works in an unexpressed and hidden way, sometimes without a clearly discernible rationale.

Clearly the state considers that it has no requirement to explain its decisions to interest groups, although it does accept that for policy reasons it is sometimes desirable to take into consideration some of the views publicly expressed. This attitude does not easily promote the search for compromises and outcomes that will be accepted by most actors in the policy process.

Stakeholders' strategies for influencing state decisions

Given the situation in France, in one sense it can be said that the best way for a pressure group to make its views felt is to create conflict in the implementation of the measures agreed. There are many examples in the forestry field of situations where stakeholders have deliberately created dysfunctionalities in order to have a problem solved. For example:

- forest enterprises declaring a ban on some public auctions in order to oppose a reform aiming to create more transparency in the sale of timber;
- hunters deciding not to implement the game plan established by the administration;
- mayors demonstrating in front of the local prefectures and threatening to resign if they do not get an immediate subsidy from the state to compensate for the loss suffered due to the 1999 storm.

The use of such conflictual strategies to gain some influence on public forest policy clearly signifies that no consensus is possible in the forestry field based on a public discussion of all issues, in part because of its particular multifunctionality. The idea of consensus being developed among various stakeholders through a transparent debate, which is basically one of the principles on which the NFP concept is founded, is not relevant or applicable in this particular perspective.

However this does not mean that a formal consensus cannot be found in France on forestry topics: the result of the vote of the 2001 law in the Parliament clearly shows the contrary. What it does mean is that the ways and tools for achieving consensus in France are simply different from what is proposed through the NFP process, as conceived by the MCPFE and IPF.

6.5 Long term iterative planning

The reform of the forest sector in discussion

In such a process the reform of the forest sector is in a state of permanent discussion. The most important reforms of the forest sector took place in France in the years 1964–65, then in 1985, and more recently in 2001. There is therefore a cycle: every 15 to 20 years the accumulation of various expressions for change, derived from broader changes in society itself, are taken into consideration by the state leading to a full revision of national forest policy.

In the 1960s, the main issue was the adaptation of the forest institutions so as to promote a more efficient timber production system. This process has resulted in the creation of the State Forest Agency (ONF) as an independent body, in a reorganisation of the forest bureaucracy, and in the organisation of an extension service (CRPF) destined to improve forest management by the private forest owners.

In 1985, there was an attempt to generate a new policy that better took into consideration the linkages between forest production functions and other forest services, such as protection and recreation. This resulted in the increased use of national policies based on the rationale of subsidies and controls.

In 2001, the challenge was to find a national perspective in the international dialogue on forests. The result was a clear assertion of the importance of the commercial production of timber in the promotion of sustainable forestry development.

Each of these reforms has aimed at long-term solutions and has resulted in a clear adaptation of the policy at the national level to the problems raised. But each time the main change was the use of new legislation as a policy tool, with no agreement for any new sort of planning instrument.

A process of permanent adaptation

In the time between these various major reforms of the forestry sector, a series of permanent adaptations takes place. The mechanism for such adaptation is always the same and is based on a democratic process. When a defined stakeholder has some demand to express to the state, a demand for change is formulated. Although the state will not formally respond, such demands usually result in some inflexion, which may involve soliciting the positions of other actors on the issue. A new decision will be taken that will create a new

situation. In time the various stakeholders will re-define their positions, and re-express their views. And so the cycle goes on, continuously, with the state in effect acting as an umpire.

Although this process is not completely transparent, the process of public decision making in forestry in France is nonetheless genuinely an iterative one. The difference with the MCPFE concept of a NFP is that only the state is considered as responsible for decision-making and implementation.

6.6 Intersectoral co-ordination

Forest policy in France: a sectoral issue

Traditionally French forest policy has been very productivist, and has thus always been essentially a sectoral policy. Most decisions are based on a supposed “wake effect” of timber production on the various other services of forests at the country level, such as environmental services, recreation aspects and protection of the forest. The forest policy has been entirely focused on the forest itself, from the inside and through its endogenous components, and with no explicit link to the surrounding context.

The debate that resulted in the new forest law in July 2001 has probably slightly changed this vision, although insufficiently to promote a completely new style of forest policy. In this respect the evolution of intersectoral forest policy in France has yet to result in anything more substantive than new wording.

Changing from a sectoral policy to a territorial policy

The territorial dimension of forest policy is now considered in most public decisions related to forestry. The Territory Forest Charters (CFTs) established by the new law of 2001 aim at achieving a real coherence among the management decisions taken by the various actors in the forestry field, including those decisions that are taken at a broader level, for example in the environmental and agricultural contexts. The CFTs establish a set of rights and duties at a multi-communal level for the various forestry and non-forestry interests, with the aim of promoting a real partnership in the planning of the main strategic lines for forestry development. The negotiation of commonly accepted solutions should take place during the formulation of a CFT. In the medium term it is foreseen if not planned that most of the funding by the state and the European Union of forestry activities after 2006, in the framework of the new Common Agricultural Policy (CAP), will be attributed to the CFTs, which would become a sort of norm for forestry interventions. This scheme is not far removed from the philosophy of the NFP: it will realise a sort of LFP (“local forestry programme”), but with no intersectoral co-ordination at a broader level.

Recent evaluations by the Ministry of Agriculture reveal that the first experiences of CFTs carried out over the last two years do not guarantee a complete intersectoral approach. In most cases, CFTs have been established (and maybe used) as structures to obtain money from various sources (including the state and the European Union), but without any significant change in the content of activities. A CFT may have the advantage of providing some legal definition and clarity to localities where some strong opposition to a state decision exists. However because of a lack of methodology (and in this regard, the NFP approach can help a lot), most CFTs that have been issued are constituted only with respect to the strategies expressed by the various bodies and interests, with no clear negotiation of common solutions and statements.

Nonetheless, the very fact that forestry issues are now being discussed at a local level outside the conventional management unit is important, not so much in a formal sense, but because of the very basic change in the openness of public decisions on forestry in France that the CFT approach represents

The link with environment unsolved

Although forest policy in France will surely become more territorial, and consequently less focused on issues related to the wood-chain, the link between production and environment is unlikely to change radically over the next years. For the moment, the absence of any linkages in the decision making process between production and environmental concerns is one of the most crucial restrictions in the present French forest policy. All decisions related to production are taken by the Ministry of Agriculture through technical committees that bring together the various productivist stakeholders. The decisions taken through these procedures never take into account environmental considerations. No impact analysis of the effects of such decisions in terms of recreation or environmental protection is carried out at any step. This discrepancy constitutes a real obstacle to the elaboration of any policy based on ecosystem management that would be able to promote sustainability on a rationalist basis. From this viewpoint, France is far beyond most European countries in the promotion of multifunctionality.

At the same time, the decision process on environmental issues carried out by the Ministry of Ecology is completely different from the former. The process is much more linked with the politicians' views at the local and national levels, and never relies solely on the expertise of foresters. Even from the perspective of the bodies in charge of their formulation, decisions taken in this way are always considered as restrictions to the productive activities that are carried out in the forests. For the forest managers such decisions are mainly perceived as constraints.

There is currently in France no mechanism for negotiation between the productivist interest groups and the environmentalists. This is an area where a French NFP, if established, could take a keen interest. This missing aspect of French forest policy means that the formulation of a multifunctional forest strategy is impossible. This will probably create some difficulties after the new CAP comes into force in 2006, when the European Union will fund only the non-productive services of forest resources.

More challenging even than the question of whether to have a NFP or not, one of the main challenges faced by France will be the definition of a new framework for the public funding of forestry investments, in line with European Union procedures. In this regard there are some important questions that French forestry must confront. How easy will it be to adapt to a new financial framework where timber production is no longer the only aspect to be taken into consideration? How can some forest investments be justified based on their utility in terms of environmental conservation, or substitution to agricultural crops production? On these questions, a NFP is not perceived in France as a tool that would lead to the right solution.

For the last four decades France has mainly based its national forest strategy on timber production. More recently, the discussions about multifunctionality have confirmed a basic assumption on which national forestry is based, namely that sustainability may only result from a "wake effect" of timber production on other forest services. This assumption will probably need to change if European funding is to be received, and no doubt by the end of this decade a new process for the reform of French forest policy will be undertaken.

6.7 Other elements

Is the NFP idea appropriate to all European countries?

As perceived from the French forestry institutions' viewpoint, a NFP is not a necessary tool for carrying out a national forest policy aiming at sustainability. Considering the genesis of NFP formulation, it has to be noticed that this programmatic type of planning was first initiated in developing countries, which had been confronted in the 1980s with the necessity of adapting their own policies to fight better against deforestation, and to the criteria and indicator processes proposed by their main donors at the international level. The methodology established in line with these objectives has been elaborated based on these particular issues, which are not related to the situation existing today in Europe.

Furthermore, the techniques used for promoting participation in developing countries were really based on the need to promote a participatory style of democracy, given that the norms of representative democracy had not been put in practice and where the state itself was unable to implement the regulatory "rules of the game". It should also be noted that participatory processes of forest policy and strategic planning formulation in developing countries were based upon specific methodologies developed in the USA, where the forest service itself was facing some criticism from environmentalist NGOs. Introducing into Europe this type of NFP led to the promotion of some rules of participatory democracy, but with no necessary direct and systematic link with European legislative and regulatory norms. It can therefore be asked whether the NFP solution being promoted in Europe is suitable to the situation in most European countries, especially those countries where participatory democracy and the consensual approach are not an inherent part of the national culture (for example, in most southern European countries).

NFP and national cultures

Finally it may be stated that the reasons why the NFP has not been legitimised as an operational planning tool in France are strongly related to an old tradition of forestry planning that is linked to the national political and administrative culture. Most advanced experts in NFP formulation in developing countries are currently considering the limitations in implementing the national programmes there. These limitations are basically derived from the lack of consideration given to the local cultures, hence it might be wondered whether the NFP approach as internationally defined can be a promising solution in European countries that are so different from one another. The framework for a NFP, especially as promoted through the MCPFE, should necessarily be adapted to different cultural situations, and not disseminated as a global model that would result in the same rules in any country.

It now needs to be clearly discussed what kind of principles and norms should be implemented in all situations at a global level, and how to make a formal distinction between those norms which are to be considered as general ones, and those which need to be re-defined and discussed in different ways depending on the socio-cultural situation at the regional and national levels. Considering the evident limitations to the process of globalisation, the global concept of the NFP may itself be questioned from the same viewpoint.

6.8 Conclusion

Public planning of forestry activities in France is an old process initiated at the start of the nineteenth century and which is still carried out using administrative procedures that have not so far been reformed as a result of the international dialogue on forests.

Over the last 50 years the orientation of both public and private estates towards timber production remains the most significant objective of French national policy. Some specialised institutions, such as the ONF (the public body in charge of the management of the state-owned and communal forests), and CRPF (regional centres for the management of private estates) have their own plans and programmes. There still exists a weak linkage and a lack of coherence between the aims and means (activities and related structures) of productivist considerations and the environmental aspects of forestry. This missing link has contributed to a decrease in the effectiveness of French national forest policy and planning, as it has become impossible to reach a balanced and multifunctional sustainable forest management.

The National Forest Strategy issued from the consultation of stakeholders in 1999 has remained a general discursive document. As only some global goals are defined, it cannot be used as an important instrumental policy tool. Although it formed the basis for the main directions of the new forestry law of July 2001, it has never been disseminated in France, even to the specialists at the national level. Basic elements of sustainable forest management exist only in the new law, which provides only a normative framework of public action in the forestry field at the national level.

In December 1999, a huge storm had enormous consequences for the management of the wood chain in France. The destruction of forests by the storm, along with other policy uncertainties, effectively resulted in the privileging of short-term reactive policy over long term planning. Another factor inhibiting long term planning was lobbying against state intervention. However, an important reform of the forestry structures has started in order to adapt to the new context brought about by certification. The role of the forest managers is slowly being completely changed, although the reorganisation of the state forest agency is proceeding more slowly, and in a conflictual atmosphere.

The end result is that a genuinely comprehensive French forest programme is still missing. No system of follow-up and evaluation exists. Hence the French national forest strategy has the appearance of a policy with no programme.

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Chapter 7

GERMANY: A socio-political dialogue to promote sustainable forest management

Peter Elsasser¹ and Jürgen Pretzsch²

7.1 Introduction

Germany is a country with a long tradition of sustainable forest management. Precursors of sustainable yield regulations date back to the fifteenth and sixteenth century (Hasel 1985, p.167; Baader 1945, p.231). The emerging sustainability idea has focussed on continuous wood supply for centuries, due to the vital economic importance of wood as a source of energy and as construction material in the past. However, wood has been substituted by other resources in many applications during history, and forestry as a producer of wood has lost much of its former significance for the national economy. At the same time, the aims and scope of the sustainability idea have widened considerably, including modern democratic society's claims that it should be allowed to participate in decisions about the sustainable management of the country's natural resources.

It can be argued that some of today's major forest policy issues are rooted in the technological and societal development of a highly industrialised and densely populated country. General problems are the negative impacts of airborne pollution on forest health, the area demanded for traffic and housing purposes, and the difficult competitive environment for forestry (especially against the highly subsidised agricultural sector). From the forest owners' point of view, a central problem is the persistent profitability crisis of German forestry. The average operating results of state and communal forest enterprises have been negative for years, and even the average results of private enterprises would have been negative without subsidisation in several years of the last decade (according to the test enterprise network of the federal government, see BMVEL 2002). Other stakeholders locate the main obstacles to sustainability in the ecological rather than in the economic sphere. Initiated by the growing awareness of forest depletion at the global level, the concern that forests and their biological diversity are endangered in many parts of the world has evoked a very critical attitude towards forestry in many parts of the population (cf. Suda et al. 1998). In particular, environmental NGOs have directed their attention not only to tropical and boreal deforestation, but also to nature protection problems in German forests associated, for example, with conifer cultivation in many parts of the country.

The federal ministry in charge of forestry (BMVEL)³ launched a participative National Forest Programme in September 1999 in order to "further develop the sound management of forests, [...] to meet the various interests in the use of forests", and to meet Germany's "international commitments to promote sustainable forest management within the framework of sustainable development" (NFP 2000).⁴ This chapter describes some

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³ Federal Ministry for Food, Agriculture and Forestry (BML); renamed Federal Ministry for Consumer Protection, Food and Agriculture (BMVEL) after a reorganisation in 2001. (The management of the federal forests, however, is in the domain of the Ministry of Finance.)

background to this process, its development and the results achieved so far; it focuses on the experiences with certain procedural issues rather than on the content of the German NFP. First, some basic conditions for German forest policy are described, including the distribution of legal and financial competences in the federal system as well as some participatory elements of German democracy; then previous forest programmes, the development of the NFP, and related processes are summarised. The next two sections deal with experiences with participation and negotiation issues in the course of the German NFP process, before two further sections deal with intersectoral approaches and long term iterative planning. The chapter concludes with some sceptical remarks about the NFP's function in the political process.

7.2 Supporting and impeding factors

General situation

Today, Germany is inhabited by 82 million people, resulting in an average population density of 230 inhabitants per km². Although forests still cover one third of the national territory (10.7 million ha), forestry's position in the German economy has become rather marginal, attributing only some 0.5 per cent to Germany's national product; the net value added was €0.9 billion in 1999 (BMVEL 2002). As few as 40,000 people (or 0.1 per cent of the total) are gainfully employed in the forestry sector (StBA 2001). The official statistics record 26,000 forest enterprises with an area over 10 ha, and another 247,000 mixed agricultural/forest enterprises with an area over 2 ha (BMVEL 2002); the total number of forest owners (including small-scale forestry) is estimated at more than 1 million. Nearly half of the country's forest area belongs to private forest owners (46 per cent), another 20 per cent is communal forest, and 32 per cent are state forests of the Laender. Only 2 per cent of the forest area is in the federal government's domain, predominantly used for military purposes. Altogether, most of the population experience forests as a resource for (non-market) recreation and protection services rather than as an income source. Together with the evolution of Germany's strong environmental protection movement, the demands for recreation and protection forest functions have grown considerably, specifically during the last three decades.

Legal situation: The allocation of forestry competences in the federal system

Germany's federal system distributes political power over three levels namely, the municipalities, the 16 federal states (Laender), and the federation (Bund). Apart from being rather complicated, this construction restricts the potential scope of a federal NFP from the outset. According to the federal constitution (Grundgesetz = GG), many of the legislative and most of the executive competences are allocated at Laender level (GG, art. 70–75; art. 83 ff.); forestry competences at the federal level are therefore rather restricted (see Table 7.1). Beyond this, the European Union increasingly influences forest policy by environmental regulations and by co-financing forestry support measures.

The Federal Forest Act (enacted in 1975) is at the centre of the federal government's legislative competences for forestry. Being a frame law, it obliges the Laender to develop further specified regulations for their respective territories (BWaldG, § 5). Its explicit goals are to conserve and increase the country's forests due to their economic, environmental and recreation functions and to secure their proper management; to advance forestry; and to balance the

⁴ Quoted from the (abbreviated) English version (<http://www.nwp-online.de/kurz-e.pdf>)

Table 7.1 Central forestry competences at federal and Laender level in Germany

Type	Federal level	Laender level
Legislative	Federal Forest Act (frame regulations)	Laender forest acts
Executive	–	Executive and control power (forest police)
	Management of federal forests (Ministry of Finance)	Management of Laender forest enterprises
	–	Consultancy (and management, if requested) for communal and private forestry
Financial	Cooperative task GAK	GAK and Laender programmes
Informative	Coordination and representation of Germany's forestry (e.g. EC, UNFF)	
	Research, public relations, etc.	Research, public relations, etc.

interests of the general public with those of the forest owners (BWaldG, § 1). The main elements are regulations on reforestation, clearing restrictions, subsidisation of forestry, frame planning in forestry, the right of common access, special regulations for protection and recreation forests, and regulations for forestry cooperatives (which cover more than half of all paragraphs). Beyond the Federal Forest Act, there are some special federal laws such as the Act on Forest Seed and Planting Stock (prescribing controlled seedlings for replanting, mandatory for state forest enterprises only), the Forest Damage Compensation Act (allowing for harvesting restrictions in case of severe damages, for example by high winds), the Forestry Sales Fund Act, or the Act on Classification Scales for Raw Timber. Several additional laws are related to forestry, such as the federal Acts on Nature Conservation (BNatSchG) and Hunting (BJagdG) which are again frame laws, having their counterparts in the Laender legislation. The most important financial instrument at federal level is the Act on the Joint Task “Improvement of Agrarian Structure and Cost Protection” (GAK) which is financed jointly by the federal state and the Laender. In the year 2000, its total financial volume was €1.4 billion, of which 5 per cent (€68 million) has been dedicated to forestry measures. The GAK contains regulations for financing silvicultural measures (e.g. conversion to nature oriented forestry), afforestation of agricultural land, forest damage compensations, forest road construction for forestry cooperatives, and latterly, for the marketing of forest products.

During the discussion and development of the German NFP, several amendments of important federal frame laws took place. A revised Act on Nature Conservation was issued in March 2002.⁵ Additionally, concrete intentions to amend the acts on forestry and on hunting (as codified by the coalition contract between the Social Democratic and the Green Party after their re-election in September 2002)⁶ influenced the development of the NFP. In all these amendment processes, the strengthening of nature protection issues is a common trend.

⁵ Bundesgesetzblatt I (2002), page 1193.

⁶ <http://www.spd.de/servlet/PB/show/1023294/Koalitionsvertrag.pdf>, page 42

Participative elements in German democracy

Germany's parliamentary system generally focuses on representative democratic practice, channelling citizen participation through general elections and political parties. Organised interest groups may have a strong influence on political decisions. For example, hearings of approved associations are formally involved in the legislation procedure (GGO, § 47), and the Act on Nature Protection explicitly regulates the involvement of approved environmental NGOs in environmentally relevant by-laws, programmes and plans (BNatSchG, § 58 ff.). Additionally, several more or less informal corporatist institutions of the federal government have influenced federal politics, especially in recent years. (Examples include the health-care system or the so-called "alliance for labour"; cf. WB-BMWi 2000.) Direct democratic elements, however, are virtually absent at federal level (apart from the petition rights of individuals and groups; GG, art. 17), also due to historical reasons. Referenda and public initiatives are possible only at communal and Laender levels and are subject to high quorum barriers (cf. overview in Arnim 2000, annex, p.304 ff.). Several additional participatory mechanisms are mainly restricted to the local level. These include formal citizen hearings (e.g. in town planning) and communal open councils as well as a multitude of informal participation processes which have gained some ground in the last years, especially in connection with local Agenda 21 processes.

Practical approaches towards participation are therefore concentrated at the local level. They are also deep-seated in a large number of local citizens' initiatives that have increasingly influenced the policy cycle in the last two decades. Insofar as the NFP idea refers to such rather spontaneous forms of participation, it corresponds more to the citizens' initiatives movement (which is a mainly local phenomenon) than to those forms of participation which are institutionalised at the federal level in Germany.

Previous forestry programmes

Direct precursors of the NFP at the federal level have been the sectoral "forest policy concepts" of the respective ministers. The latest of these concepts (BML 1996) explicitly stressed that it had been developed in a dialogue with various stakeholders, including representatives of forestry and nature protection associations. The concept set three priorities, namely strengthening the productivity of forestry, improving the terms of competition for wood as a raw material, and advancing forest stability. According to the restricted competences of the federal ministry, the propositions in this concept focussed mainly on instruments like subsidisation, research, and the ministry's possibilities for designing the legal framework relevant for forestry and the wood industry. Altogether, the concept was rather strongly oriented at timber production. Statements of a more concrete nature were lacking; pursuant to the respective competences, these are to be found only at Laender level. Examples are the "long term ecological forest development program" (Löwe 1991) of Lower Saxony's government, the various silvicultural programmes of the Laender forest administrations and, recently, the Forest Programme of Baden-Württemberg (MLR 2000).

NFP development

Formally, the described set of policy tools might already have been regarded as satisfying most of the Intergovernmental Panel on Forests' requirements for a "national forest programme" (IPF 1997). However, the BMVEL decided in 1999 to launch a separate NFP process, explicitly incorporating the IPF proposals for action. This decision was preceded by Germany's participation in the Six Country Initiative in support of the Intergovernmental Forum on Forests, to which Germany had attributed an implementation analysis of the

IPF proposals (Six Country Initiative 1998), taking the Land Baden-Württemberg as a case study example.⁷ Obviously, the decision to initiate an NFP process at federal level was at least partially motivated by strategic reasons, that is by the wish to serve international obligations (cf. Schwoerer 2001).

The dialogue process for the federal NFP was organised in the form of several round table meetings (between one and two half days each) to which BMVEL had invited all organisations known to be addressing forest issues nationwide,⁸ including other federal and Laender ministries, forest owners and wood industry associations, several environmental NGOs, trade unions, and various others. The invitation (and the whole process) was also published on the internet.⁹ The first phase started in October 1999 and comprised nine round table meetings. Discussion papers were drafted by the ministry and sent out to the participants in advance; all participants were invited to return written comments, and to discuss the drafts during the round table meetings. All meetings were directed by BMVEL, including moderation and minute keeping. This phase was concluded with the publication of the results achieved so far (NFP 2000), and presented at the EXPO world exposition by the federal minister for agriculture in October 2000.¹⁰ The published text centres on five topics (i.e. forests and society, biological diversity, global carbon cycle, wood as a renewable resource, and rural development) which are underlain with several, albeit rather vague, proposals for action. 44 participating organisations are listed in the document. Several environmental NGOs refused to be included in this list and heavily attacked the results afterwards, arguing that the process had been dominated by the wood industry, and that their contributions had been disregarded in the process (cf. press release by AG Wälder 2000). In fact, the inclusion of their respective positions had been handicapped by the absence of the NGO's representative in the NFP's final editorial session (who nevertheless signed the press release, too. Moreover, the majority of the press release's signatories had not participated in the NFP dialogue at all).

The ongoing second phase started in 2001 with an even larger number of participants (including all those environmental NGOs who had participated in the first phase). It continued until mid-2003; four round table discussions (out of six planned ones) had been held by January 2003. The first one was devoted to revising the previous NFP process and its subsequent criticism, and to developing new guidelines. Meetings are henceforth moderated by an external moderator; several working groups composed from the participants prepare meetings (including the respective drafts), and others edit the results of the plenary discussions. The three topics discussed so far are international trade and cooperation, biodiversity and nature protection, and forest policy instruments in the frame of the NFP. Two further round table meetings on forestry and the wood industry, and on the new role of forests in society are still to be held.

Related participatory processes

Parallel to the NFP development, several other related processes took place, some of which influenced the NFP negotiations markedly. Among these are a sectoral biodiversity strategy (BMVEL in cooperation with Laender and forestry as well as nature protection associations; BML 2000) and a "forest sector concept" (Federal Ministry for Economic Cooperation and Development, again with the participation of environmental and

⁷ Baden-Württemberg was also the first of the German Laender to conduct a regional forest programme process. The programme was presented two years later (MLR 2000); the process is continuing.

⁸ By January 2003, the distribution list contained 85 entries (<http://www.nwp-online.de/nfp-1d.htm>).

⁹ <http://www.nwp-online.de>

¹⁰ Hofmann and Liss (2001) present a detailed overview over the first NFP phase.

development NGOs; BMZ 2002). An intersectoral sustainability strategy of the federal government developed with broad public participation was accepted by the federal cabinet in April 2002, with forestry playing but a marginal role (Bundesregierung 2002). At Laender level, the participatory Forest Programme of Baden-Württemberg (MLR 2000) was recognised by Baden-Württemberg's Council of Ministers, which commissioned its forestry ministry to base its future forest policy on the programme's proposals, and to continue the process. Several other Laender subsequently launched their own forest programmes, including Bavaria which is examined in chapter 20 of this volume.

The most closely related process was the “forest summit” organised by the German Forestry Council (an umbrella organisation for German forestry) in October 2001.¹¹ Explicitly devised as an input into the NFP process, it aimed at agreeing a “social contract”¹² on important forest policy issues between the interested groups, sectors, and institutions. The “contract” was prepared from May through September 2001 by four steering committees, each of which was composed of about seven representatives of the participating groups; their topics were “nature protection in forests”, “conflicts between different utilisation claims”, “wood as a sustainable raw material and energy source”, and “forests and wood as an economic factor”. At the summit, the drafts prepared by these committees were discussed by four larger working groups directed by two independent moderators each (mainly scientists), and afterwards compiled to yield a final text. The contract was signed by 48 groups and associations (most of which also participated in the NFP).¹³ However, the forest administrations of four Laender¹⁴ did not sign the contract separately for their organisations (arguing that they had already signed it in their capacity as members of the Forestry Council). Subsequently, the “activist” environmental organisations¹⁵ also refused to sign (arguing that they would sign only after all forest administrations had done so).

7.3 Participation, negotiation and conflict resolution

The first NFP phase (1999–2000)

Although announced as an open and partnership-oriented process, the NFP still bore resemblance to a traditional hearing in its first phase. First, at the outset the invitation restricted the circle of participants basically to (admittedly, many) organisations rather than to members of civil society – unlike, for example, the “sustainability strategy” developed by the federal government at the same time. Second, the lack of binding procedural rules (cf. Elsasser 2002) turned out to be an important informal obstacle for a fruitful and open stakeholder participation, resulting in the pronounced dominance of the ministry over the process (although this problem was largely solved in phase two).

The lack of binding commitments impacted upon the first NFP phase considerably. At the very beginning, the aspiration of the NFP was not sufficiently clarified: it was unclear whether the process would result in a programme binding for all participants, or merely in some noncommittal notice of intention: and whether it should reflect a joint position of all participants, or merely a sectoral strategy for the ministry. Beyond that, the observation that the ministry itself delegated alternating representatives to the negotiations (some of

¹¹ See <http://www.waldgipfel.de/start.html>.

¹² First German Forest Summit: Sustainability – a Generation Contract with the Future. “Social Contract” for sustainable forest management (<http://www.waldgipfel.de/download/wg-vertrag01.pdf>).

¹³ For the list of signatories, see <http://www.waldgipfel.de/tn/signats.html>.

¹⁴ Baden-Württemberg, Bavaria, Hesse, and Saxony

¹⁵ In this case, Greenpeace, WWF, and NABU (Nature Protection Association of Germany).

whom clearly had restricted decision competences) may have been interpreted by other participants as a lack of interest and support right from the beginning. As a reaction, some actors left the process after the first round table; others seemed to drop back to a position of observers rather than of contributors, delegating subaltern representatives to the negotiations themselves (that is, delegating members of their respective organisations who were not sufficiently authorised for operative negotiation). During the whole first phase, several further organisational issues hampered effective participation and conflict resolution. Since the ministry prepared draft papers for every round table, the discussion often concentrated on details of these drafts instead of starting with the stakeholders' problem definitions (Hofmann and Liss 2001), thus likely overemphasising the ministry's specific view of problems. This tendency was further aggravated by the fact that all discussions were moderated by BMVEL members, and that several texts developed in the course of the NFP were altered by the ministry without consulting the participants accordingly in each case. The invitation to return written comments to the drafts at any time obviously restrained some actors from participating personally in the dialogue. However, since handling an often large number of (sometimes mutually contradictory) written comments in a transparent fashion proved impossible, many of these comments were inevitably dropped in the process. Similarly, the decision to conduct the round table discussions completely in the plenary thwarted much input; the large number of participants at the round tables (35–50 depending on topic) inevitably hampered substantial discussions. Another organisational handicap was the lack of clearly defined preclusion periods for thematic comments. This enticed several participants to attend only those round table meetings in which they were specifically interested, thus obstructing the development of ties between topics, and leaving many unresolved conflicts open until the last (editorial) session of the first NFP phase. Consequently, fundamental criticism about issues already settled in previous meetings was raised again in the final session, when it was too late to resolve basic conflicts. Since the participants had mutually agreed that only unanimous positions be accepted, this negated many of the results gained so far.

The second NFP phase (2001–2003)

Based on the experiences of the first phase, a basic reorientation of the process took place, resulting in the development of mutually accepted guidelines for the second phase. These guidelines include:¹⁶

- the securing of sufficient negotiating mandates from the participants' respective institutions
- the establishment of working groups (representing the participating groups on a basis of parity) which prepared draft papers for the round table discussions
- the involvement of an independent moderator for the plenary round table discussions
- the establishment of “drafting groups” (again constituted on the basis of parity) which recorded the outcome of the round tables
- the possibility of including “diverging opinions” upon request in any text output (although the aim is still to reach the broadest possible consensus)
- defined preclusion periods for comments
- monitoring of process and implementation.

The ministry continues to provide its premises and a secretariat for the process. It supplies some financial means for paying the moderator and for publishing results and, of course, it participates in the discussions.

¹⁶ National Forest Programme (NFP) for Germany: Manual for the second phase (<http://www.nwp-online.de/nfp-1g-e.htm>).

Many of the problems described above have been resolved by the new procedural rules. In the absence of feasible enforcement mechanisms, however, some of the problems that had originally arisen from the lack of rules returned in the second phase as compliance problems; others are specific to the new rules. This can be illustrated by some experiences with the working group approach as it was specified in the present case. A structural problem with this approach is that discussion drafts are prepared by different consecutive working groups instead of one; this reduces the options for substantive agreements by complicating issue linkages, and jeopardises the coherence of the agreements found in each group (Scharpf 2000; Buttoud 1999). In addition, several practical problems are rooted in the trade-off which exists between the wish to assemble working groups representing the involved interest groups on a basis of parity, and the unequal working capacity of these interest groups. As a result, the variation in the quality of the drafts presented to the plenary seems to have increased in the second phase, and one round table meeting had to be completely cancelled due to insufficient preparation. In another case, a working group prepared its topic rather thoroughly for more than one year, but without any visible activity (let alone active participation) from two of the three environmental NGOs nominated by the plenary for this working group. At the closing date for transmitting the final draft to the NFP secretary, however, all three NGOs rejected the result (including the third one which had previously consented to it), and heavily objected to the draft in the following plenary meeting, thus paralysing the whole meeting by their poor preparation.

What does the NFP propose about participation and conflict resolution?

Beyond these procedural aspects, an important question pertains to the propositions about participation and conflict resolution that are developed within the NFP. Interestingly, the texts adopted so far are quite reticent about the possible expansion of participatory approaches to include society as a whole (as opposed to the participation of interest groups). The proposals for action in the final document of the first phase (NFP 2000) hardly mention the topic. Those second phase proposals which are already accepted refer to it sometimes, specifically in the context of public planning processes; yet they do so primarily with regard to an intensified participation of local populations in developing countries. However, much of this abstinence is also caused by the competence restrictions given in a federal NFP.

As far as conflict resolution mechanisms are concerned, the present texts are rather vague, and the (mutual) self-commitments of the participants are remarkably more sparse than demands on third parties. The respective proposals for action may be arranged into three groups: technical proposals (e.g. reduction of pollutants); communicative proposals (public relations management, vocational training, dissemination of research results etc.); and proposals for policy instruments in the narrower sense (including subsidisation, legislative and market based instruments). A separate round table discussion has recently been devoted to the latter group of instruments, but so far without commonly accepted agreement. Especially with regard to nature protection problems, the existing differences between participants favouring “command and control” approaches and those who prefer “softer” conflict resolution instruments (like contract-based nature protection) still have to be surmounted, suggesting that it is easier to agree about abstract goals of conflict resolution than about specific measures.

7.4 Intersectoral approaches

A basic reason for preferring intersectoral approaches in a NFP is that many sector specific problems may originate from outside the forestry sector. An inclusion of other sectors in the negotiations might therefore help to solve otherwise intractable problems,

provided that participants themselves can overcome the sectoral limitations of their respective views and interests. Practical experiences in both phases of the NFP negotiations showed that this was not always possible. As a result, even problem formulation turned out to be difficult in the presence of conflicts of interest with other sectors. For instance, several discussions about problems induced by environmentally harmful subsidies have been dropped, not because of factual disagreements, but because of tactical reasons accounted by the representatives of the concerned sectors (e.g. their involvement in umbrella organisations striving for the maintenance of subsidies). This clouded the respective issues, rather than revealing options for problem solving.

More fundamentally, intersectoral approaches may suffer from communication problems between different organisational cultures within society. In post-materialistic societies like Germany the relation between forests and human beings underlies rapid changes (Weber and Mann 1997). At present German civil society gives limited attention to timber production. Emphasis has, for example, shifted towards a view of forests for recreation, biodiversity conservation or as a symbol for unsatisfied dreams of wilderness (Schama 1996). In contrast to this, the traditional self-image of the forestry profession, centring around a rather conservative “forest ethos” (Glück 1987; Glück and Pleschberger 1982), opened up to this shift in demands with some suspicion. Following the institutional economics approach of Schmidt (1999), the organisational culture of forest administrations is based on acting with preference as principal, orientating at fixed objectives and a fixed vision about necessary future tasks. Additionally, the administration of the ministries still typically follows a traditional style of governance, characterised by vertical information flow and line organisation (Weber 1922). On the other hand, the campaign-oriented environmental NGOs have other cultural traditions, focussed in part on confrontation rather than compromise (Moore 2000; Bode 2000).

Although many of the traditions in these groups have changed in recent years due, for example, to generational change, mutual prejudices have not always been overcome, thus complicating the development of a common communication base among the participants, especially at the beginning of the process. Additionally, communication structures emerging in a more horizontally organised multi-stakeholder discourse generally tend to be more diffuse. Accordingly it is difficult for the representatives of the public administration as well as for other groups to adapt to such a discourse. Beyond this, some ministries have insisted on different (and sometimes incompatible) positions. BMVEL, together with the core group of forestry professionals focused on a multi-functional forestry approach which gives specific emphasis on production targets, have followed a traditional concept of forestry. This position was fundamentally questioned by the representative of the Federal Ministry of Environment (BMU) and by most environmental NGOs. This behaviour of refusal changed gradually in the second NFP phase. This change was also assisted by the introduction of preparatory working groups that elaborated documents for specific subjects, forming a more horizontal cooperation network of representatives from different sectors. Following the communicative action approach of Habermas (1988), it can be concluded that mutual learning processes have started, although there is still a basic lack in the institutionalisation of discourse, along with arguing before interest oriented bargaining starts (Shannon and Schmid 2002).

Vertical integration and linkages of NFPs with the planning process at the Laender level are advancing slowly, and experiences are not basically different. It seems that in some cases intersectoral co-ordination and multi-stakeholder participation are still seen as threats rather than as opportunities for traditional forestry. Although changes are slow, the NFP process has led to a certain appreciation and discussion on difficulties in horizontal and vertical sector coordination and a more flexible discussion on boundaries.

Still, a basic restructuring of communication flows in forest administrations seems to be necessary in order to adapt to the increasing complexity in the relationship between forests and society. This complexity is well illustrated by the image of the slaughter-house paradox offered by Suda et al. (1998). Based on polls they show that people see the forest as a wilderness in which they can find an environment no longer present in their normal life, offering relaxation in an inner world which is harmonious and removed from everyday rush and pressure (cf. also Schama 1996). At the same time people also appreciate wooden products such as wooden toys, panels or furniture, but they object to cutting and logging interventions in the forest. This image, which is related to increasing urbanisation and the alienation of people from nature, illustrates that the traditional sector boundaries have to be overcome if forestry is not to be marginalised within society.

7.5 Long term iterative planning

A National Forestry Programme is meant to be a “long term iterative process” (FAO 1996). In the first phase in Germany this aspect was raised in one of the first round tables, but the majority of the participants were not in favour of a flexible time horizon, including the ministry itself which focused more on a rapid and preferably product-oriented elaboration of the NFP. The time horizon was also restricted by budget constraints. Hardly any emphasis was placed on the process character of the NFP. The strong criticism expressed at the end of the first phase about the contents of the final product and about the deficiencies of the process (Hofmann and Liss 2001; Hofmann et al. 1998) also referred to the time pressure under which the NFP had been elaborated.

The reorientation of the process in the second phase avoided much of this time pressure. At the same time, a framework for a monitoring system was elaborated, including a process monitoring in addition to a monitoring of the implementation (Liss and Hofmann 2002). The monitoring of the process is already taking place and is in the hands of a separate working group, whereas a system for implementation has yet to be elaborated. A prerequisite for this is the development of clear and mutually agreed progress indicators; the present lack of such indicators may be interpreted as an indication that the long term objectives of the NFP are not yet sufficiently transparent. It is currently planned to wait for some 2–3 years after the end of the second phase in order to leave time for implementation, and to return to further round table discussion on monitoring issues in 2005 or 2006. However it has to be mentioned that the financial means for external monitoring are not yet completely assured. This can also be interpreted as a sign that only a low political priority has been given to the whole programme. This also limits the chance to institutionalise the NFP process over the long term.

7.6 Conclusions

The process of the development of the German NFP may be interpreted as having shifted from a hearing-like discussion confined to the interest sphere of the BMVEL towards a multi-stakeholder network discourse in the shadow of the ministry’s hierarchy. Originally the NFP seems to have been seen as an externally driven obligation with strong risks to the power and influence of many participants. This view has slowly been substituted by positive learning experiences with the NFP and by the perception that win-win situations for all involved stakeholders are possible. One of the main achievements of the process is the reduction of communication barriers between stakeholders, especially between the forestry sector and the nature protection movement (which was additionally supported by several related participatory processes proceeding at the same time). Certainly many of the results achieved so far can be considered “weak”, that is, as symbolic rather than substantial agreements which indicate

that existing conflicts have not yet been fully surmounted. Even so, such symbolic agreements might be understood as necessary precursors for reaching more substantial agreements in later negotiations (Congleton 1995). The NFP should therefore be viewed as a part of a broader dynamic process.

The NFP itself has not developed into a long term iterative process so far. Lack of overall support at the political level, which is partly due to the limited horizontal and vertical coordination mechanisms, has been accompanied by inadequate financial means. The potential for a NFP as an instrument to create new visions in the relationship between forests and society has not yet been realised by all involved stakeholders. Future steps might include the urgent need for a continuous discourse about the changing relations between forests and society in a post materialistic society. The traditional forest ethos and the Max Weber style administration have to adapt to a rapidly changing social environment (Beck 1986). Without such learning the forest administrations will become further isolated.

Especially with regard to the NFP's integration into the surrounding policy framework, some fundamental issues remain unresolved. On the one hand, Germany's federal NFP is still very much restricted to the forestry sector. Neither other sectors at the federal level, nor the Laender and municipality levels, have been substantially included in those mutual learning processes which were associated with the NFP development. (However it needs to be stressed that a far reaching involvement would be restricted by the subsidiarity principle, depending on the specific topic.) On the other hand, the NFP continues to suffer from a severe democratic legitimisation problem, lacking both parliamentary recognition and any direct involvement of civil society. With the actual restriction of the participants' circle to organised interests, the process has so far primarily served the concerns of lobby groups; this is also reflected in the little effort devoted to strengthening genuine citizenship participation which is discernible within the NFP results. An associated danger is that the search for a consensus within the NFP might even restrain a public dialogue rather than furthering it, shifting the debate on important forestry issues from the public sphere into the more restricted circle of organised interest groups.

Finally, the danger exists that politicians might avail themselves of particular proposals of the NFP (and many parallel participatory processes, sections 7.2 and 7.3 above) as in a self-service store, selecting them at their discretion, and in doing so taking them out of their respective context. The sense of "participation" might thus be plainly reversed: A plethora of participatory processes could paralyse by "participation overkill", and provide ample opportunity for politicians to hide behind a bunch of participatory-developed (but mutually inconsistent) proposals, thus escaping their primary responsibility for political decision-making. It was mentioned earlier that several amendments to federal laws are pending, including the Federal Forestry Act (BWaldG). The future will tell if the concerns formulated here can be overcome.

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Chapter 8

GREECE: Sustainable Forest Management and the challenge ahead for Greek state forestry

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8.1 Introduction

The term National Forest Programme, or NFP, is a generic expression covering the formulation of a framework for planning and implementing sustainable forest management in accordance with respective national conditions at the national and sub-national levels in different countries (United Nations 1997). The process of formulating and implementing NFPs in many European countries has found Greece with a forest strategy aimed at tackling forestry issues within a wide framework of principles and goals. The Greek forest strategy is not a NFP as such, but rather a forest statement comprising a set of targets and goals with particular emphasis on the multifunctionality of Greek forests. The set of targets has its roots in international regimes and initiatives; it is the fruit of emerging demands for the new roles that forests can play in society. It represents, in context, a shift from forest practices aiming at economic purposes to forest practices aiming at meeting environmental goals as well as the needs and aspirations of local communities.

Forest policy in Greece is formulated as a set of policy aims on separate fields – such as wood and non-wood production, watershed management, recreation, conservation, grazing and mining – that is enacted by the state, which is the major forest owner, through the provincial (regional and prefectural) Forest Directorates and Forest District Offices. At present forest policy in Greece has yet to achieve an intersectoral, iterative and holistic approach for pursuing the targets of sustainable forest management. The development of a substantive NFP would thus require considerable policy reforms related mainly to the current legal framework, political culture and administrative structures. Greek forests explicitly stand out from all northern and central European forests and the formulation of a NFP should be examined in the context of Greek forestry's main features including its multipurpose nature, the low increase of wood volume, low quality of wood, high number of non-market products and services and the dominant state ownership. The Greek forestry sector, with its large share of state-owned forests, can be viewed with a certain degree of scepticism on how efficiently it could pursue basic NFP principles. The multipurpose functions of Greek forests often produce complementary objectives; for example, timber production (growing) can complement soil protection. Thus, forest management, though primarily focused on timber yield, has been historically built around the trade-offs between timber and others functions such as soil protection, grazing and watershed management.

This chapter will deal with the existing forest policy framework in Greece, outline possible gaps and weaknesses with respect to policy tools, analyse the major supporting and impeding factors and identify those conditions that might influence the initiation of a NFP process in Greece.

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8.2 Supporting and impeding factors

Forest land cover and tenure

Forest ownership in Greece is dominated by the state, which owns 65.5 per cent of the forestry land (Table 8.1). Municipalities are the second largest owner with 12 per cent of the forest cover. Forest cooperatives own 9.7 per cent while the forestland owned by private individuals accounts for only 8 per cent of forestry land.

Table 8.1 Forest ownership in Greece

Forest ownership	%
State	65.5
Municipal	12.0
Monasteries	4.4
Organisations	0.4
Cooperatives	9.7
Individuals	8.0
Total	100.0

Source: Ministry of Agriculture, 1989.

State ownership has empowered the well-intentioned forest authorities to make decisions for the greatest collective good of society, but provided limited opportunities for building an efficient collaborative dialogue between the state authority and various users. In this respect, state ownership should be seen as an impeding factor in pursuing a NFP. Furthermore, a more efficient use of the forestland will require a redefinition of property rights and fundamental reforms that have yet to find their way into Greek forest legislation. Smiris (1999) argues that the current pattern of property rights in Greek forests is an impediment to the realisation of projects for the protection and development of forests.

Law and regulations

The basic regulatory instrument of Greek forest policy is the Forest Codex and Forest Law 998/79 “*about protection of forests and forested lands in the country*” based on Article 24 §1 of the Greek Constitution, which prohibits changes of land use in state forests and forested areas. Furthermore, Article 117, §3 and §4, refers to the compulsory reforestation of state and private forests that are destroyed by fire or other natural cause (Smiris 1999). Law 998/79 *inter alia* regulates the definition of forest and forestland, provides for surveillance of forest management, imposes restrictions on land use changes, and provides for non-wood products and services in the interest of the public. The law aims to be essentially consensual in nature in order to relieve social pressures that have accumulated over long periods of time, particularly in the mountainous areas and especially between competing uses such as grazing and timber production. The law also introduced the determination of the primary use of the forest, especially for wood production, so that appropriate management practices can be applied. It defines a general obligation for forest management

to be conducted so as to preserve the integrity of the resource and to provide social benefits. Hence, forest legislation in Greece strongly favours timber production and imposes restrictions in land use changes in forests and forestlands, albeit providing for the conservation of the forest resources and the provision of certain social benefits (such as recreation, employment in mountainous areas, provision of grazing rights). However, the legislative framework does not allow for intersectoral approaches to forest planning and management and does not support public participation in forest decision making. In the light of implementing a NFP, the orientation of the existing legal framework constitutes a dual influence: it is a supporting factor with respect to the restrictions on land use changes that preserve the integrity of the resource; and an impeding factor with its limited provisions for public involvement and intersectoral coordination. Moreover, recent reforms in the Constitution are likely to stimulate land use changes and it is believed that this will weaken the role of the forest legislation with respect to forest protection.

Financial incentives

The budget of the Forest Authorities was, until recently, the driving force of every project concerning forest management; it remains very important, although other sources of funding (mainly through the EU) have been channelled to forestry. Overall the budget shows a deficit, with income from timber products accounting for only one-third of the annual forest expenditure (Stamou 1990), with the remainder covered by government funds. According to Stamou et al. (1998) the scarcity of financial means is a major element impeding the fulfilment of management targets. Financial resources are found to be instrumental to the efforts of the forest service to achieve policy goals at the regional level, but are insufficient and scarce for a long-term integrated national forest strategy. Since 1985 considerable EU funding has supplemented state funds for forestry under the functional programmes of forest measurements; EC Regulations 867/90, 2157/92, 2158/92 and 2080/92; INTERREG II; and through the Regional Development Programmes created under the Structural Funds. This practice has promoted local forest actions driven by the content of EU measures, which do not necessarily represent priority areas in the national forest strategy. This fragmented action framework has impinged upon the development of coherent and integrated forest policy programmes tailored to the country's needs to achieve sustainable targets (Papageorgiou and Vakrou 2002). For example, empirical evidence indicates that local afforestation schemes on farmland are highly grant driven. Increasing compensations are offered by the government through EU funds to farmers who voluntarily agree to meet a number of specified objectives focusing on non-timber forest products and services that enjoy wide support at the local level, provide economic returns for a variety of utilities and services, and promote the multifunctional use of forests in a more sustainable manner (Kassioumis et al 2002). Stamou et al. (1998) argue that EU funding schemes in the 1990s stimulated and fulfilled the enhancement of the forest resource and to some extent have promoted the multifunctional role of forests. However, such grant driven afforestation schemes run outside nationwide forest expansion planning.

Therefore within the context of a NFP, on the one hand the financial incentives remain a powerful instrument for regulating and stimulating certain forest actions in the country, but on the other hand EU funds are selective and of limited objectives and applicability and thus unable to promote a comprehensive forest policy in the long run.

Political culture

Greece's political culture is characterised by an instrumental rationalist decision making process where the public authority is the sole entity in charge of making choices in the interest of the "common good". This dominant political framework applies in forestry whereby the common interest is defined in an extra-societal way without considering the interests and needs of various users. Within the forestry department, national forest policy is made at a central level by a close circle of well-intentioned forestry specialists. At the provincial level, Forest Directorates and Forest District Offices are the competent administrative bodies with executive and management roles. Although the environmental and social benefits of forests are well recognised, the fulfilment of the respective objectives by the forest authorities in practice is restricted by an overwhelming traditional conservatism and professional thinking characterised by the doctrine of timber primacy and sustained yield. This rationalist doctrine restricts the ability of the forestry field to be open, and therefore hardly corresponds with the NFP principle of transparency and democracy. An NFP would need to challenge the political culture from the inside, be open and be able to adapt to new changing national and international conditions.

Institutional aspects

Institutions include organisations promoting and advocating norms, and people, policies and rules that impact upon forest policy. Major policy actors in Greece and the linkages between them do not seem to have changed following the changes in policy objectives in all forest aspects except nature conservation. Apart from the statutory actors, there are a number of interest groups with no institutionalised roles and only limited influence in legislative, juridical and administrative matters.

The planning and management of state forests is centralised at the national level under the jurisdiction of the Ministry of Agriculture through its separate General Secretariat of Forests and Natural Environment. At the regional level, forest management is divided into state forest districts, each run by a respective Forest Directorate or Forest District Office, which are the statutory bodies with real power on the ground and with responsibility for implementing the management plans. A recent development derived from reforms to the administrative structure has empowered the provincial governor, a political entity, to act as a general authority deciding and approving all forest related projects and management decisions. The governor is an intercessor between the central and regional forest authorities and usually acts within the framework of political rationality in an effort to balance all social interests. On the one hand this has allowed for the inclusion of forest resource objectives in local developmental plans, but on the other hand it can be argued that the separation between political decision-making and the forest department could disadvantage forestry interests and cause bureaucratic delays at the provincial level. This administrative conflict of interests, however, has not posed real problems in policy formulation and forest management so far due, first, to the political authority's limited wish to interfere on forestry matters and, second, to a centrally designed forest policy.

The forest industry is not a significant sector of the national economy. Greece is a large wood importer with approximately 1,852,000 m³ of wood and wood products imported annually, or 68 per cent of the annual domestic production of wood and wood products (2,707,000 m³). Most of the domestic production is fuelwood (71 per cent), with the remainder being technical wood. The quality of technical wood is relatively low due to the presence of a high proportion of growth abnormalities (juvenile and reaction wood, poor stem forms, etc) that lowers the quality of the final products and increases processing costs (Smiris

1999). Only 40 per cent of the total fuelwood production is used by the wood using-industry for further processing; the main bulk is consumed by local communities, which have customary rights to collect prescribed amounts of fuelwood from nearby forests for their needs. It is also worth noting that only 15 per cent of the total fuelwood production is processed into pulpwood or technical wood, contrary to the norm in other, mainly northern, European countries where only about 8 per cent of the fuelwood produced is not processed industrially (Spanakis 1986). The wood industry consists of small and medium size enterprises and is characterised by technological underdevelopment, lack of standardisation and quality control, low productivity and a small degree of vertical integration. There is a total of 23,200 small wood and secondary processing units with a sum of 75,000 employees in the sector. The small share of wood processing units in the national economy, the dependence of the industry on imports and the lack of dynamism and the possibilities for substitution of Greek wood products and paper by imports of finished products (Fousekis et al. 2001) establishes the forest industry as a weak sector with limited capacities and power for influencing policy formulation.

The Greek Society of Forest Owners is the main actor for non-state forests. As a result of the small share of private forestry in Greece (8 per cent), the Society has only a few hundred members. Private forests are primarily coppice enterprises, producing mostly fuel wood, having very low profitability and providing limited part-time employment in rural areas. Consequently the society has neither significant influence in forest policy issues nor any advisory role.

Forest cooperatives represent forest workers who usually live in mountainous areas and sustain their livelihood mainly from logging. Over the last 15 years the number of forest cooperatives and workers has increased. It is estimated that 600 forest cooperatives exist, representing some 20,000 workers. Cooperatives work along with the forest authorities and forest owners on harvesting forest products and, to a lesser degree, on trading these products. They tend to have elderly members, seasonally employed with only a small percentage of new recruits. Cooperatives are interest groups based on voluntary membership that own only a limited portion of forest land (9.7 per cent). Despite their prosperous past, their future viability is declining as forestry has failed to provide year-round employment and sufficient income; locally-produced timber is out-competed by cheap imports from Eastern Europe. Forest cooperatives have little political power and have limited institutional influence on policy to ensure their economic viability in the long run. Another form of forest co-operative is the one that is more interested in developing the forestland it owns or has rights on, by building secondary homes and developing forest related tourism activities. Although the Forest Codex does not permit the change of land use, a recent change in the Greek Constitution has provided certain limited de-characterisation of forested lands in order to alleviate building pressure from the main body of forests. Following these changes, which have been driven by societal needs and pressures, it is expected that some forest co-operatives will explore opportunities in other, non-traditional activities.

Farming is a central pillar to the rural economy but it can be argued that farmers' activities pose both a direct and indirect threat to the integrity of the forest resource. Cattle grazing is mostly concentrated in grasslands, while mountainous areas remain the domain of sheep and goats whose population exceeds 15 million. Farmers and animal breeders represent local agrarian and forestry interests in mountainous regions but have limited political influence and no institutionalised role in policy formulation; rather they act as lobbyists at a local scale to favour management actions according to their interests. Moreover, their role is fading as the economic base of rural areas shifts from the primary sector to the secondary and tertiary sectors.

Significant actors lobbying for environmental policy in Greece can be found in the network of interest groups based on voluntary membership at the provincial and national levels, such as WWF, the Hellenic Ornithological Society, the Hellenic Society for the Protection of Nature and the national and regional Hunting Societies. The environmental organisations' mission is rather comprehensive, namely the conservation of nature and biodiversity, and includes a direct interest in forests. They are powerful lobbyists and often have an effect on legislative and administrative developments in the designation and management of protected areas. Hunting organisations are also strong; around 600,000 Greeks obtain a hunting licence every year and are members of their local associations while the National Federation of Hunters participates in many forums and discussions on forestry development as well as in all kinds of environmental related matters

8.3 Participatory mechanisms

An increasing number of policy makers and forest administrators recognise that forest management cannot simply be scientific and value free, or guided by the forest service as the public entity entrusted with forest management, and that decision-making should encompass a network of forest stakeholders and the public authority. Successful formulation and implementation of NFPs by governments is a function, among other elements, of broad participation and the involvement of all interested parties (Michaelsen 2000).

The major stakeholders involved directly or indirectly in Greek forestry according to Smiris (1999) are:

- a Actors defined by *ownership criterion* consisting of (i) the state, (ii) physical persons such as owners or co-owners, and (iii) corporate bodies including cooperatives under public or private law, and
- b Actors defined by *exploitation criteria* including, first, *state forests entities* such as (i) the state itself, (ii) private owners, (iii) forest work cooperatives and, second, *private forests entities* such as (i) private owners, (ii) forest workers cooperatives, (iii) farmers having rights of use of the forest land and (iv) other actors (ecological organisations, hunting societies, and so on).

Despite the multitude of actors, in Greece there is no legal basis for public participation in either the planning or the implementation of forest management plans. The drawing up of forest management plans has remained a process confined to a close circle of forest experts and private specialists acting as consultants in ignorance of societal aspirations and without the active involvement of stakeholders, such as forest cooperatives and NGOs. Greek political culture has not resulted in an institutional shift of power and influence on policy making to broader stakeholders. For example, forest owners have limited freedom of choice in changing land use. This is the result of a tight forest legislation that does not provide forest owners with the right to participate in decisions about the conversion of their land for uses other than agriculture. Decisions regarding land use conversion remain the sole jurisdiction of forest authorities as stipulated by Forest Law 998/79. Although initiatives based on collaborative dialogue are embryonic in Greek policy planning in general, they are growing in certain fields such as environmental protection. Opportunities for public consultation are afforded in the area of environmental impact assessment, but only for major projects that are not directly relevant to forestry, or in the area of nature conservation, especially the designation of new areas under statutory protection. For example, for the designation of protected sites under NATURA 2000 or expanding the boundaries of existing national parks, concerned citizens and municipal or provincial representatives are consulted and encouraged to participate in planning decisions.

The poor performance and minuscule economic contribution of forestry to the national economy – accounting for just 0.22 per cent of the GNP (Elefteriadis 1998) – is indicative of the weak attention given to forestry by politicians, decision-makers and various forest interest groups. With a high share of forest ownership in the state (65 per cent) and the remainder in private, communal or municipal hands, there has been no real demand and necessity for a more democratic and participatory decision making process. This is not surprising if one bears in mind the very normative vision of Greek state forest policy, which focuses mainly on measures to improve productivity and enhance environmental and protective functions (Hellenic Ministry of Agriculture 1998), but takes little account of the relations found in the forest-rural area system. Thus, the development of a participative NFP in Greece would require a policy reform focusing more on possibilities for the public to receive information and to comment on issues pertaining to forestry. Afforestation is one of the key areas in the forest sector where planning and public participation is required. Research has shown that increasing the size of grants and subsidies for planting farmland with forests is imperative in order to augment participation in planting schemes among farmers (Kassioumis et al 2002).

8.4 Negotiation and conflict resolution

Many conflicts of interest arise from the different goals of forest policy, which are directly related to the variety of land uses and poorly defined property rights. The degradation of the forest ecosystem from illegal grazing and overuse of pasturelands is one of the greatest conflicts facing the Forest Service. In Greece sheep and goat grazing in mountainous pasturelands is a recurring pressure on forest and forested land in rural areas. Pastures can be defined according to their ownership, as state owned or communal and cooperative, with grazing rights varying according to ownership. Use of pasturelands is provided free, or sometimes for a small fee paid by the shepherds to the local communes. Due to the declining number of shepherds, the transhumance system of seasonal grazing based on rich alpine grasslands has now dropped from 35 per cent in 1950s to only 10 per cent of the animals today. This has resulted in a substantial increase in the pressure on pastures in mountainous areas leading to overuse, trampling and erosion problems in 40 per cent of the pasture lands (Vakrou 1998). The pressure is also apparent on forests whose grassy or bush understorey and natural regeneration have been used for grazing. The Forest Service is legally required by law to ban forest grazing and to take all necessary measures for driving shepherds out of the forest. These efforts, however, have been only partly successful due to legislative impediments pertaining to grazing land, as Forest Law 998/79 does not clearly prohibit the use of high forests for grazing. The problems created were not resolved with the various presidential decrees and ministerial decisions published thereafter, and have contributed significantly to discrepancies between all the involved and interested parties and the Forest Service (Sapountzaki and Pagas 1997).

Our conclusion is that most attempts at conflict resolution have been highly inefficient so far and this can impede the pursuit of sustainable goals. It becomes obvious that not only regulation but also other instruments are needed to resolve this long-lasting conflict between foresters and shepherds. Participation is a vital instrument for tackling the concrete conflicts of interest associated with forest resource utilisation. Experience has shown that finding mutual agreement between the two interest parties is often impeded by frequent violations, which in return is the outcome of incomplete specification of property rights over the public forest resource. This prospect has created an adverse environment that has resulted in limited mutual trust between the opposing actors, which is likely to be alleviated only by a new type of collaborative dialogue. It can be claimed that reforms to the legal framework with respect to grazing rights can only have a positive impact on the integrity of the forest resource.

Similarly, conflicts are generated from the appropriation of use rights of private forests by urban dwellers. Open access to forest lands has generated customary rights based on the popular belief of free use of forestland, especially for recreation. However, considering the small proportion of private forests often with poor recreational qualities, this sort of conflict does not constitute a great management problem for forest owners. A factor that makes conflict resolution more complex is the still unfinished national forest cadastre, a process that is delayed by the lack of explicit property deeds and juridical decisions on property discrepancies.

8.5 Intersectoral approaches

Intersectoral approaches serve to co-ordinate forest-related policies with other sectoral policies and programmes. In National Forest Programmes the overall intention is the co-ordination of the economic, ecological and social interests in forests (Hogl 2002). Forest policy in Greece is connected with other national policy areas, such as agriculture, environment, urban, the economy and development (Smiris 1999). The fulfilment of objectives in each of these sectors has created conflicts and has influenced the goal formulation and decision-making process in the forestry sector. Moreover, effective mutual co-ordination mechanisms to resolve conflicts are largely absent. The competency within various departments and ministries overlaps in some policy fields, such as nature conservation. An example is the framework for protected areas in Greece. Within the Ministry of Agriculture's responsibilities, and particularly within the authority of the General Secretariat of Forests and Natural Environment, environmental conservation applies to national parks, aesthetic forests and natural protected monuments. Hunting issues, such as the relevant legislation and regulation, are also under the responsibility of the Ministry of Agriculture. The Ministry of the Environment, on the other hand, under law 1650/86 was granted more power to deal with environmental issues and is responsible for taking care of managerial actions in wetlands and other protected areas, including NATURA 2000 sites. Undoubtedly the overlapping jurisdictions correspond to an inter-ministerial problem solving system that, it can be argued, had created more confusion and further difficulties, and which consequently has been highly bureaucratic and inefficient. In addition, there is often a lack of coordination between various departments within the same ministry.

Likewise, ineffective sectoral coordination can be discerned in rural development plans. Implementing an integrated rural development strategy requires a certain level of expertise and experience, with budget costs shared between sectors within the Ministry of Agriculture such as the Directorate of Forests, Directorate of Agricultural Development and Directorate of Fisheries. For instance, grazing is a significant pillar of rural development, but most of the conflicts between grazing and forests originate from separate course of actions pursued by the Agriculture and Forest Directorates. Legal means, such as law 1734/87 "concerning the management of pasture lands", have also failed to resolve problems. This practice, with different agencies pursuing different policies, has frequently led to limited problem resolution. Experience has shown that intra-ministerial collaboration with regard to rural development has produced inappropriate policy outputs and has been unable to improve the living conditions of rural populations, partly because the different sectors promote primarily their own interests and fear the erosion of competitive advantages by joint decisions.

The aforementioned unresolved land use conflicts and overlapping competencies cannot sustain the development of a NFP to achieve sustainable forest management in Greece. In a broad perspective the reasons for contradictory policies at the ministerial level and the absence of cooperation between sectors are associated with sectoral claims for the distribution of funds and financial incentives, with competing corporate interests (for example, various ministries may favour and support their own stakeholders and clients) and an inherent

resistance to co-ordination simply because significant problems are anticipated. Moreover, the conflicts between the competencies of the various ministries and institutions more or less reflect the historically developed dominant political culture of public authorities that favour sectoral isolationism.

8.6 Long term iterative planning

Considering the history of long term forest planning in Greece it is worth mentioning a study published by the Ministry of Agriculture in 1986 entitled *Strategic study for the development of forestry in the next 25 years* (Elefteriadis et al. 1986). Long-term targets for the development of the forest sector are outlined in this study and implementation measures are proposed within the framework of sustainable multi-purpose forest management. Experts from forestry fields including the state Forest Service, university and polytechnic forestry departments, forest industries and forest workers' associations, contributed to the compilation of the study. For the first decade after its publication, the General Secretariat of Forests and Natural Environment of the Ministry of Agriculture followed the study as a guiding tool in formulating guidelines which thereafter were sent to the regional forest authorities for the implementation of the various activities under their jurisdiction. It was abandoned when it became out of date, and no further attempt for its review and update or for any other long-term forest planning has been undertaken since 1986. An effort for discussing forest policy with a longer perspective, in an open forum in the context of the Council of Agricultural Policy, was initiated in 1997 by the Ministry of Agriculture. The discussions hosted have been open and have attracted a lot of interested actors that have submitted useful contributions, such as the report of Stamou et al. (1998) to the Minister for Agriculture. However the process has failed to stimulate a NFP.

Forest planning today as defined in Forest Law 998/79 aims explicitly at the planning of the forest resource mainly for timber production. The main planning tools are forest management plans, which are drawn up by the Forest Service for most state forests or by freelance foresters for private, communal and, in some cases, state forests, and approved by the regional Forest Directorates. All forest management plans are conducted according to the law of perpetuity in yield estimations and aim for the preservation of the forest – avoiding clear felling, improving natural regeneration by selective cuttings and reforestation after fire – as well as the sustainable utilisation of timber. The planning period is 10 years for the state forests and five years for private forests. The forest management plan is mainly a technical report focusing on sustainable timber yield without taking into consideration the non-timber products and services of the forest resource. The management plan is not part of a long-term planning process pursuing the sustainability of the resource. On the contrary, its primary aim is to ensure maximum sustainable timber yield. In light of the NFP concept, however, it is imperative that management plans be extended and altered thoroughly to provide for balanced economic, ecological, social and cultural goals. Currently there is some progress in this direction, with the Forest Service trying to apply the integrated management of forests, taking the fullest possible account of natural processes and making provisions not only for timber production but also placing specific emphasis on other functions such as nature conservation, environmental education, forest recreation and the rational use of water resources.

Apart from the forest management plans the local forest authorities are also conducting annual and five-year action plans for the whole range of other forest activities under their jurisdiction, including road construction, dams for torrent controls, reforestations, recreation facilities and rangeland works. These action plans are implemented after approval from the regional Forest Directorate.

8.7 Other elements of Greek national forest policy

The incomplete national forest cadastre is believed to be one of the most significant reasons that most forest-related conflicts remain unresolved today. Prior to clarification of the legal status of forestlands should be the determination of forestland categories. It is clear that without any spatial organisation of forestland types, any policy decision aimed at sustainable forest management runs the risk of being merely a symbolic one. It is thus strongly urged that the ongoing development of the forest cadastre should be used as a potent instrument to mitigate conflicts and facilitate sustainable forest objectives.

Forest education is an additional element that could support the implementation of a NFP. The application in practice of a more sustainable management of the forests requires a close link between research institutions, universities and Forest District Offices. Currently forest education and research organisations do not network with the Forest Service. This has resulted in a deficit of knowledge and information on sustainable forest management practices. For example, significant areas such as the economic evaluation of forest and environmental externalities, the scenic and cultural functions of forests and the provision of services to society are not taken into account in management decisions. Management capacity is also severely limited by the inherent administrative weaknesses of the forest authorities, due to budgetary cuts and the low rate of recruitment of specialised forest personnel.

It is anticipated that the use of criteria and indicators for sustainable forest management will be a supporting factor for the pursuit of sustainability in Greek forestry. The Greek criteria and indicators are based on the Pan-European Criteria and Indicators adopted at the follow-up meetings of the Second Ministerial Conference on the Protection of Forests in Europe held in Helsinki in 1993. Overall, 6 criteria, 62 quantitative and 24 descriptive indicators have been developed for Greece. These are presented in the Appendix to this chapter (Albanis et al. 2000).

8.8 Conclusions

The present analysis has shown that a NFP process has not yet been initiated in Greece. The prime reason for this is limited political will, which results in a lack of commitment towards multifunctional sustainability. The small economic output of the forestry sector in Greece, when examined from a macroeconomic point of view also accounts for the low level of commitment shown by the government. The central Forest Authority – represented by the General Secretariat for Forests and the Regional Forest Directorates and District Forest Offices – is the sole public entity for forest management, but remains a highly bureaucratic and slow-reacting body with an overwhelming timber-oriented professional mindset. These inherent attributes have so far acted as an impeding factor to a substantial NFP. In time, however, a NFP is likely to arise as a new topic on the political agenda, as a process distinct from the existing national forest strategy, for reasons largely stemming from the inherent weaknesses of dominant forest planning traditions with respect to promoting sustainable forestry and providing for a continuous exchange between the multitudes of stakeholders. Any new planning framework will need to generate new approaches to integrating major stakeholders into policy formulation, as well as improving iterative planning and intersectoral coordination.

Greek forestry is generally characterised by sustainable timber management. This, however, does not necessarily imply that the management of the country's forest resources is sustainable when all non-timber functions are considered. The state will continue to play

a very important role in the protection, extension and sustainable development of forests by maintaining dominant state forest ownership, harmonising forest legislation to the modern needs of society with parallel law-coding, using EU funds to integrated forest management and promoting organisational and functional changes of the Forest Service towards decentralisation and a diversification of administration.

The prevailing state forest ownership represents a *status quo*, with the central Forest Authority established as a powerful actor in the pursuit of sustainable forest management. In light of this, state forest ownership could be a supportive factor for a NFP, in the sense that an integrated, comprehensive and explicit forest policy can be evenly applied to two-thirds of the country's forestland. However, this advantageous situation should be followed up by other necessary measures, such as legal reforms that favour greater public participation in forest decisions and diversification in resources to facilitate the implementation of a NFP by both central and regional forest authorities.

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Criteria and Indicators for Sustainable Forest Management in Greece

CRITERION 1

MAINTENANCE AND APPROPRIATE ENHANCEMENT OF FOREST RESOURCES AND THEIR CONTRIBUTION TO GLOBAL CARBON CYCLES

Concept area: General capacity, land use and forest area, growing stock, carbon balance

QUANTITATIVE INDICATORS:

- 1.1 Area of forest and other wooded land and its changes
 - 1.1.1 Area of forest according to management type and its changes
 - 1.1.2 Grouping of the prefectures of Greece according to the percentage of forest and other wooded land over their total area
- 1.2 The place of forest and other wooded land in land use
- 1.3 Distribution of forest and other wooded land by altitude
- 1.4 Distribution of forest and other wooded land by slope
- 1.5 Distribution of forest and other wooded land by origin of forest
- 1.6 Distribution of forest and other wooded land by ownership structure
- 1.7 Distribution of forest and other wooded land by size classes and ownership structure
- 1.8 Distribution of the areas for the main forest species
- 1.9 Total and per ha volume of the growing stock in forests
 - 1.9.1 Growing stock volume for the main forest species
- 1.10 Growing stock increment of forests
 - 1.10.1 Growing stock increment for the main forest species
- 1.11 Distribution of the forest growing stock by diameter classes
 - 1.11.1 Distribution of the growing stock by diameter classes for the main forest species
- 1.12 Carbon storage in forest stands and forest soils

DESCRIPTIVE INDICATORS:

- 1 Legal/regulatory framework
- 2 Institutional framework
- 3 Financial instruments/economic policy framework
- 4 Information data to implement policy framework

CRITERION 2

MAINTENANCE OF FOREST ECOSYSTEM HEALTH AND VITALITY

Concept areas: Damages caused by air pollutants, insects, diseases, fires and grazing

QUANTITATIVE INDICATORS:

- 2.1 Emission of air pollutants
- 2.2 Changes in serious defoliation of forests using the UN/ECE and EU defoliation classification (classes 2, 3 and 4), over the past five years
- 2.3 Damages caused by biotic and abiotic factors
 - 2.3.1 Damages caused by insects
 - 2.3.2 Damages caused by diseases
 - 2.3.3 Areas of forest and other wooded land destroyed by fires
 - 2.3.3.1 Grouping of the prefectures of Greece according to the percentage of burned forest areas over their total forest area
 - 2.3.4 Damages caused by drought and frost
 - 2.3.5 Damages caused by storms
 - 2.3.6 Proportion of forest regeneration area seriously damaged by game and other animals and by grazing

DESCRIPTIVE INDICATORS:

- 1 Legal/regulatory framework
- 2 Institutional framework
- 3 Financial instruments/economic policy framework
- 4 Information data to implement policy framework

CRITERION 3

MAINTENANCE AND ENCOURAGEMENT OF PRODUCTIVE FUNCTIONS OF FORESTS (WOOD AND NON-WOOD)

Concept areas: Wood production, non-wood production

QUANTITATIVE INDICATORS:

- 3.1 Balance between increment and removals over the past ten years
- 3.2 Timber production
- 3.3 Sale prices of wood products by main category at the forest roadside
- 3.4 Percentage of forest and other wooded land managed according to a management plan
 - 3.4.1 Percentage of forest and other wooded land managed according to a cutting table
- 3.5 Non-wood forest products

DESCRIPTIVE INDICATORS:

- 1 Legal/regulatory framework
- 2 Institutional framework
- 3 Financial instruments/economic policy framework
- 4 Information data to implement policy framework

CRITERION 4

MAINTENANCE, CONSERVATION AND APPROPRIATE ENHANCEMENT OF BIOLOGICAL DIVERSITY IN FOREST ECOSYSTEMS

Concept areas: Protected areas, threatened species, biological diversity in productive forests

QUANTITATIVE INDICATORS:

- 4.1 Area of ancient seminatural forest types
- 4.2 Area of strictly protected forest reserves
- 4.3 Area of forest and other forestland protected by a special management regime
- 4.4 Changes in the number and percentages of threatened species in relation to the total number of forest species
- 4.5 Stands managed for the conservation and utilisation of forest genetic resources (gene reserve forests, seed collection stands etc.)
- 4.6 Number of indigenous and introduced forest species
- 4.7 Volume of dead wood in forests
- 4.8 Proportion of annual forest area regenerated naturally, in relation to the total regenerated area
- 4.9 Main technical interventions in the forest environment

DESCRIPTIVE INDICATORS:

- 1 Legal/regulatory framework
- 2 Institutional framework
- 3 Financial instruments/economic policy framework
- 4 Information data to implement policy framework

CRITERION 5

MAINTENANCE AND APPROPRIATE ENHANCEMENT OF PROTECTIVE FUNCTIONS IN FOREST MANAGEMENT (NOTABLY SOIL AND WATER)

Concept areas: Protection forests, soil erosion, water conservation in forests

QUANTITATIVE INDICATORS:

- 5.1 Proportion of forest and other wooded land managed primarily for soil protection
 - 5.1.1 Damages caused by intensive land use
- 5.2 Proportion of forest and other wooded land managed primarily for water protection
 - 5.2.1 Water quality in forest watersheds

DESCRIPTIVE INDICATORS:

- 1 Legal/regulatory framework
- 2 Institutional framework
- 3 Financial instruments/economic policy framework
- 4 Information data to implement policy framework

CRITERION 6

MAINTENANCE OF OTHER SOCIO-ECONOMIC FUNCTIONS AND CONDITIONS

Concept areas: significance of the forest sector, recreational services, provision of employment, research and professional education, public awareness, public participation cultural values

QUANTITATIVE INDICATORS:

- 6.1 Share of the forest sector from the Gross Domestic Product (GDP)
- 6.2 Forest sector contribution to the regional economy
- 6.3 Value of imports and exports of forest products
- 6.4 Area of forest with access per inhabitant, % of the total forest area
- 6.5 Area of forest and other wooded land appropriate for recreational services
 - 6.5.1 Organised forest recreation areas
 - 6.5.2 Sub-urban forests
- 6.6 Number of visitors in forest recreation areas
- 6.7 Changes in the employment of the forest sector
- 6.8 Number of persons educated in forestry
- 6.9 Number of Foresters and Forest Technicians with post-graduate studies in forestry and professional and technical in service training
- 6.10 Number of researchers in forest sector
- 6.11 State funding of forest research compared with the total state funding for research
- 6.12 Change over the number of scientific publications
- 6.13 Informational means of raising public awareness and education on the importance of forest
- 6.14 Archaeological sites and Landscapes of Special Natural Beauty on forest and other forest land

DESCRIPTIVE INDICATORS:

- 1 Legal/regulatory framework
- 2 Institutional framework
- 3 Financial instruments/economic policy framework
- 4 Information data to implement policy framework

Chapter 9

HUNGARY: Challenges and opportunities for forest policy in the context of EU accession

Attila Lengyel¹ and Károly Mészáros²

9.1 Introduction

Hungary has a classic Middle-European forestry tradition and a long history of sustainable forestry regulation. The country's forestry tradition originates from the timber demands of the mining industry and business. Local and property dependent forestry orders aiming at providing a stable timber supply date back to the fifteenth, sixteenth and eighteenth centuries (Márkus 1994, p.13; Lengyel 1999, p.106). The first modern law on forests in 1879 set a comprehensive framework for regulating forestry practice throughout the country. To secure the sustainable use and protection of forest services an independent forestry administration has existed in Hungary for over 150 years. Two tools – administration and legislation – have shaped forest policy and its implementation according to the leading idea of sustainable use. However in the Forest Act of 1935 the meaning of sustainability was still focused on timber production, although this law also regulated nature protection (Lengyel 1999, pp.127, 132).

The development of international forest and environmental policy has led to changes in national level policy within Europe. In Hungary Act Nr. LIV of 1996 on *Forests and the Protection of Forests* applies the considerably broadened concept of sustainability developed by the 1992 United Nations Conference on Environment and Development (Introduction of the Law and § 1, 2). However until this definition becomes operative in the sense that Act Nr. LIV is harmonised with other regulations and their implementation, then further activities will be necessary and more progress will be needed. In other words, legal regulation alone is not enough to achieve sustainable forestry practice. Sustainable forestry also demands other means of policy making and actors that are willing to implement the policy. It also requires a better harmonisation of the applied legal regulation of different laws, something that is still lacking (section 9.3 below).

Since democratic elections were held in 1989 the reform of the political-economic system has taken place and the private sector and civil society have become increasingly more influential. The need for policy making with wider participation and the involvement of actors with different background is generally recognised. Additionally, the establishment of sector development programmes in line with the requirements of EU accession and the need for society's representation in this process means that Hungarian forestry must undergo further reforms in order to meet the new demands of society.

The international and domestic forest policy context thus encompasses international forest policy impacts, political system change and sector development programmes prior to EU accession. It is within this situation that the initiation of a planning process for a national level strategy and programme on forests has taken place. In 2001 a participative forest policy

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process in Hungary began under the name of the *National Forest Programme and Strategy*. The Forestry Department of the Ministry of Agriculture and Rural Development is the government agency in charge of this process. Its planning and coordination unit is based at the Institute of Forest Policy, Economics and Management of the University of West Hungary. The elaboration of the National Forest Programme and Strategy is currently a high priority task in the Hungarian forest policy network.

This chapter will focus on the background of the NFP process and will provide some provisional analysis of the results achieved so far using the COST Action E19 methodology. The supporting and impeding factors will be examined, as will the content and process of the Hungarian NFP. The chapter will provide basic information on Hungarian forestry. It will cover the legal, organisational and financial conditions of forestry; the aim and definition of the NFP; the participatory phase of the NFP planning process so far; related processes; the likely impacts on Hungarian forestry of EU accession; iterative planning; and preliminary results and conclusions.

9.2 Definitions and aims of the Hungarian National Forest Programme and National Forest Strategy

The expert level document and proposal for the National Forest Programme and Strategy in Hungary is divided into two parts: the National Forest Strategy; and the National Forest Programme.

The *National Forest Strategy* of Hungary is a national level document on the long-term principles and objectives of forestry practice based on an holistic approach (NFPHPB 2002, p.7). The content of this document describes the following:

- Social value of forests: the functions of forests for the environment, ecology and economy of Hungary and the objectives of multifunctional forestry in Hungary
- Sustainable forestry in the sense of the UNCED definition of 1992 and the Pan-European Ministerial Conference on the Protection on Forests in Europe (MCPFE) process
- Forest as an environmentally-sound land use form
- Definition of the functions and tasks of the society-oriented forest maintenance.

The current version of the *National Forest Programme* is based on the principles and guidelines of the National Forest Strategy and is valid for 10 years. The NFP comprises sub-programmes concerning forests and related fields with the specific objectives to be achieved within this time frame. One of its major characteristics is that it will be elaborated not only with the participation of the classic forest policy making institutions, but also with other stakeholders, including other governmental sector representatives, NGOs and other actors in society with a particular interest in forests (NFPHPB 2002, p.8).

The NFP in Hungary also has to address conflicts and problems originating from the new conditions and structural changes due to the post-communist transition of the political-economic system. This means that the interests of the stakeholders both in and outside the forestry sector which were expressed during the public discussion phase of the NFP have been very different to those articulated prior to 1989.

9.3 Supporting and impeding factors

General situation

Hungary's population is 10.04 million inhabitants, resulting in an average population density of 112 inhabitants per square kilometre. Forest is the second largest form of land use after agricultural land and covers nearly one fifth of the land area (1.77 million hectares). As an economic sector forestry plays a marginal role in the Hungarian national economy, representing approximately 0.2 per cent of the GDP, while the forest-based industry sector has a share of 1 per cent of GDP, compared with 3.7 per cent for agriculture (MARD 2003). In agriculture about 240,000 people are gainfully employed (6.2 per cent of the 2001 total; MARD 2003) compared with 10,200 in forestry (approximately 0.3 per cent of the total; CSO 2002).³ The total number of forest owners is estimated at 250,000. In the distribution of forest according to property forms and area the state forests dominate with a share of 58 per cent, while private forests have a share of 41.2 per cent. Communal forests represent only about 0.8 per cent of the total forest area (MARD 2002). State forest are managed by 19 share holding companies of the Hungarian Privatisation and State Holding Company, three share holding companies of the Ministry of Defence and authorities of the Ministry of Environment and Water Management (Table 9.1).

The national statistics record 24,600 private forest enterprises, of which 91 per cent are engaged in small-scale forestry with an average area of about 12 hectares. There are some 2,000 units of associated forestry management with an average area of about 120 hectares. There are only 90 management units of private forests with an average area of over 500 hectares (MARD 2002; Lett and Hegedüs 2003).

Recent studies reveal that the population views forests mostly as a free source for recreation and public awareness of its nature protection services is clearly higher than that for its market products (wood or non-wood). Together with the radical evolution of environmental and nature protection parties and groups, the demand in society for the recreation and protection functions of the forests has grown considerable since the political changes of 1989 (NyME-EMK 2003; Lengyel 2003).

Legal framework of forestry

In order to present the current legal and organisational framework of forestry in Hungary four major legal changes must first be considered. These changes, and their ramifications for forestry in Hungary, are now briefly outlined.

First, approximately 35–40 per cent of the former public forests has been privatised. With the legal implementation of privatisation small-scale forest property has become of primary importance in the private forestry sector. The strong competition of the large-scale forestry units in effect means that the smaller privatised holdings need a longer time scale before they can cover their costs and become viable businesses. Furthermore, the state has so far provided limited financial support for the consolidation of the private forestry sector and has maintained a rather complicated and over-administered legal regulation system. This has contributed to approximately 40 per cent of privatised forests having no management at all (16 per cent of the total forest area).

³ The actual number of seasonal employees and employment by contract in forests according to the estimates of the NFPHPB (2002) may annually be double or three times the level shown in the statistical records.

Second, in 1995 state owned forestland was divided into land and management property. State land property was further divided in 2002 into protected forest areas and commercial forest areas, and since then two organisations have been in charge of the ownership rights of state forests within the state administration. With state owned forestland now administered by different organisations there are complicated interactions between land and management property, and the system as a whole tends to be inefficient.⁴

This means that different organisations are in charge of the management and the land property in state forests and has resulted in a complicated administrative structure in state forestry. This complicated system of management, responsibility and owner representation for state forests, which has arisen from the transition of the national economy, combined with the mainstream thinking of recent decades that in forestry the production and economic function should be primary, is causing growing tension between state forestry and civil society, and also between the organisations responsible for state forestry (Table 9.1).

Third, there has been a lack of harmonisation of recent acts on forestry, nature conservation, hunting and game management, water management and on land. For example, in the year 1996 three acts were passed by the parliament on forestry, nature conservation, hunting and game management. However, the lack of basic harmonisation among these acts and other laws, such as those on land and water management, means that cooperation between the various responsible authorities and ministries following different aims has tended to be the exception rather than the rule.

Fourth, financial incentives to forest owners and forest managers have undergone only minor changes in the last 15 years, although new incentives have been introduced for private forestry actors. However those new incentives do not provide sufficient state support to the structural changes in the private forestry sector. Further change will be needed to meet the demands of the private forest owners and the state forestry companies, especially after Hungary accedes to the EU.

Since 1957 there has existed in Hungary a forestry incentive system. Until recently the incentive system was based around a budget-independent financial fund. This fund was financed from payments made for every cubic metre of wood harvested by forest management units of independent ownership. The fund financed reforestation and provided additional support to management units operating under difficult conditions. In effect the fund transferred shares of profit between different management units. The working mechanism of this self-financing system has been kept unchanged until now. The changes to forest ownership and management would clearly require a new incentive system (Lett and Hegedűs 2003). The current system is administered by the State Forest Service, which is in charge of management planning and control and the administration of finances. The forestry sector in spite of its share of 19 per cent of the land cover has only a share in the agrarian state financial system of 2–4 per cent, which is clearly dominated by afforestation activity (Table 9.2). Afforestation leads to predominantly structural changes in the agriculture sector, and

⁴ Act Nr. CV of 1995 on the financial holding of the state and Act Nr. XXXIX of 1995 on purchasing of the state enterprise property resulted in the legal and practical division of the land and management property (state forest management units) of the state. Previously the Minister of Finances through the State Treasury Property Directorate (STPD) administered the land property rights of state forests. Since 2002 the state property rights concerning protected areas continue to be administered by the STPD, but the commercial state forests' ownership rights are now administered by the National Land Fund (NLF), which comes under the auspices of the Ministry of Agriculture and Rural Development (see Table 9.1).

Management is carried out in state forests by the State Forest Share Holding Companies, and property rights are administered by the Privatisation and State Holding Company and by the Ministry of Defence. For some 70,000 hectares of state forests management is carried out by authorities of the Ministry of Environment and Water Management. There is a temporary legal contract regulating utilisation rights and the fees to be paid between the Share Holding Companies and the STPD or NLF.

Table 9.1 Overview of competences in Hungarian state forestry by organisation

Type of competence	Organisation	Organisations in charge/Area concerned
<i>Owner representation</i>	Prime Minister's Office	State Treasury Property Directorate – Protected state forests (ca. 30%)
	Ministry of Agriculture and Rural Development	National Land Fund (NLF) – Commercial state forests (ca. 60%)
<i>Management</i>	Privatisation and State Holding Company	19 share holding companies (ca. 900,000 ha)
	Ministry of Defence	3 share holding companies (ca. 70,000 ha)
	Ministry of Environment and Water Management	Budget organisations and authorities (nature protection and water management – ca. 70,000 ha)
<i>Authorities</i>	Ministry of Agriculture and Rural Development	State Forest Service Hunting Authority
	Ministry of Environment and Water Management	Nature Conservation Authority Water Management Authority

causes a shifting of the forest stands species composition to a higher share of fast growing species (poplars and black locust).⁵ This emphasises that the state financial incentives and means in forestry are marginal within the state agrarian budget as a whole (Table 9.2). NFP stakeholders have criticised the low financial share of forestry incentives, and have sought to lobby policy makers for an increase. Stakeholders have also stressed that unavoidable changes to the incentive system will take place after Hungary accedes to the EU.

EU accession as an opportunity for Hungarian forest policy

Planning for the accession of Hungary to the EU induced many structural changes in the country's institutions. Changes took place in the financing and administrative system in general, and in the forestry sector in particular. Hungary signed the accession treaty in Athens on 16 April 2003, and according to this treaty the first phase of EU funding for Hungarian partners will start in May 2004 and will run until 2006. In order to be eligible for EU funding the Hungarian government elaborated the National Development Plan, which specifies goals and operative programmes in line with the EU development strategy. Planning for the National Development Plan was concluded in 2002, approved after negotiations with the EU in 2003, and is now being implemented.

For the two years from 2004 to 2006 the net financial contribution from the EU will be at least €1.4 billion, which represents a minuscule percentage of the EU budget, and 1.8 per cent of the Hungarian GDP for 2002 (ECOSTAT 2003; Lett and Hegedűs 2003, p.4/1).

⁵ Over the last decade poplar and black locust have been the dominant species in afforestation, and include up to 80% of the species composition of total afforested land (NFPHPB 2002).

Table 9.2 Hungarian state financial means in the agrarian sector and the share of forestry, 1996–2003

Unit/year	1996	1997	1998	1999	2000	2001	2002	2003
Agrarian sector's total financial incentives								
Billion HUF	82.5	93.3	109.6	123.3	142.0	168.7	179.3	160.0
%	100	100	100	100	100	100	100	100
Forestry incentives								
Billion HUF	1.4	1.9	2.1	2.7	2.8	8.0	8.0	7.3
%	1.7	2.0	1.9	2.2	2.0	4.7	4.5	4.6
Forest stand restructuring measures and afforestation								
Billion HUF	1.0	1.3	1.4	2.1	2.0	6.0	6.0	5.5
%	1.2	1.4	1.3	1.7	1.4	3.6	3.3	3.4

Source: Lett and Hegedűs 2003, p. 3/1.

Note: HUF = Hungarian Forint (€1 = approximately 250 HUF).

Hungary's accession to the EU will impact upon the forestry sector, and with respect to the NFP the changes will cover three major fields:

- Legal harmonisation will offer an opportunity to review the NFP-related legal regulations (including organisational and financial laws)
- From 2004 additional financial resources for the private forestry sector will promote afforestation
- The state forestry sector will need to confront its structural weaknesses, and this will rejuvenate state forest policy and promote changes in both approach and structure

These three fields of impacts are topics in the Hungarian NFP (NFPHPB 2002, see also Table 9.2 above). EU accession will support the NFP in the sense that it will provide an additional motivating factor induced through political commitments at the national level from outside the forestry sector. This can support the NFP through changing the framework conditions in the national economy, employment and society that are necessary for forestry. In this sense EU accession offers a good opportunity for implementing the goals set so far in the NFP, and is thus a supporting factor in the process.

9.4 Organisation of the Hungarian NFP and its participatory processes

The Hungarian NFP process can be divided into seven main phases. Table 9.3 details these phases, the main tasks for each phase, the duration of the phase, the participants, the working methods and, finally, the result of each phase. Figure 9.1 presents the NFP structure in the form of an organigram.

The planning of the NFP began with expert level meetings, which generated the experts' proposals for action and guidelines (the so-called White Book and its reviews). This was followed by public discussion of these basic documents, which concludes in 2004 with the final discussion in the Parliament of Hungary.

The Hungarian NFP process is intended to be an open and partnership-oriented process. The expert level meetings of spring and summer 2002 were, of course, heavily influenced by the invited experts. About 100 experts of various specialisms worked on the proposals to be included into the White Book (which became the discussion and information paper for the public discussion phase). Two working groups met in parallel at 2–3 day workshops, thus enabling discussion and negotiation across the two working groups.⁶ The groups were established mainly from the representatives of organisations in charge of the concerned topic, with 2–3 experts of different specialisms generating working group discussions.⁷ This can be viewed as the first phase in the process of participation, with brainstorming material and mainstream opinions presented on the given topic. The Programme Bureau administered the meetings. The working groups usually elaborated a statement of 4–10 pages as the “mainstream opinion” on the given topic. Binding procedural rules were not viewed as necessary at this stage. The working group meetings were followed by the all-experts meeting, which was organised in August 2002 with the task of providing oral discussion across the themes of all working groups. In advance of this meeting the elaborated working papers and a first draft proposal of the White Book based on these papers and compiled by the Programme Bureau were sent out to all experts who had participated in the process. However the lack of binding procedural rules lead to a dominance of the classic forestry institutions in the discussion, such as the Forestry Department of the Ministry of Agriculture and rural Development and Ministry and “hardline” forestry interests. As a result major concerns about the credibility of the process were expressed by civil society, nature conservation interests and other forest sector representatives. However the content of the White Book was not heavily exposed to dominance by the ministries, as the majority principle was applied when taking decisions on sections and questions that had been discussed. The document was valued as a working paper.

However in the second planning phase – the public discussions – many different interest groups expressed opinions on the White Book. In cooperation with local and regional organisations about 35 discussion forums were held at the local, regional and national levels, with altogether about 3,000 people participating. A distinction should be drawn between general and thematic discussion forums. The latter include, for example, nature conservation, forestry administration, afforestation, forestry based industries, hunting and game management.

At the time of writing (August 2003) it would appear that the basic structure of the White Book will be applied after further reviewing and some compromises. A basic criticism of the White Book is that the strategy goals should be more in line with the operative programmes and vice versa.⁸ This can be achieved by a better balance between recreation,

⁶ Six working groups held workshops: state forestry, private forestry, nature conservation, forestry administration, afforestation and forestry based industries.

⁷ For the working group on state forestry representatives of the private forestry sector, the WWF and the Forest Research Institute were also included. For the nature and environmental protection working group representatives of the state forestry sector, recreational civil organisations and environmental NGOs were also included. In the working group of private forestry representatives of NGOs, the nature protection authority and the hunting authority were also included.

⁸ For strategy goals the overall role of forests for society, nature and the environment dominates the wording. However in the first version of the operative programme part of the White Book the forestry sector as economic activity was stressed (state and private forestry, forestry administration and afforestation with production purposes) while only a generalised nature and environmental protection sub-programme was listed. After the public discussion more emphasis was placed on the relationship between humans and forests, and a new sub-programme on this area was included, namely on nature conservation. Furthermore, the forest products sub-programmes became more balanced with respect to each other and to nature.

nature protection and multiple production activities and with clearer and more precise text formulation. The amendments proposed during the discussion forums were opinions based on the document, with participants generally understanding that they were commenting on a working document. The discussion forums enabled the participation of a wide diversity of actors, and the quality of discussion ranged from a simple hearing to the lively exchange of opinions and the elaboration of written proposals and statements. However there was a tendency for participants to lack long-term strategic thinking, with many participants appearing to find it difficult to overcome their specific and short-term interests or most immediate problems.

The major merit of the discussion forums is that they are publicly known and consist of different stakeholders. They could provide a platform for a more free exchange of information and viewpoints between different stakeholders compared to previously used negotiation forms. Fundamental differences between parties are not necessarily resolved, but prejudices could be eliminated and a convergence between the thinking of the various participants might be achieved.

The Programme Bureau maintains the web page of the NFP process. This includes various opinions, and the minutes of the meetings and discussion forums can be downloaded. The web page provides a basic transparency to the NFP process. As the thematic discussion forums have progressed, and the linkages between the discussed topics have become more clearly formulated, major stakeholders have been able to view the whole discussion phase, with the result that earlier concerns about the credibility and transparency of the planning phase have mostly been resolved.

9.5 Intersectoral approaches

While the government of Hungary planned for EU accession several other sector development programmes were discussed parallel to the NFP process. Some of them are of importance to the NFP process, such as the National Development Plan (NDP – coordinated by the PMO, 2001–2003), the National Plan for Rural Development (NPRD – coordinated by the MARD, 2003), the National Agrarian-Environmental Protection Programme (coordinated by the MARD, 1999–2000) and the recently approved Vászárhelyi Terv (a national water management plan coordinated by the MEWM, 2002–2003).⁹

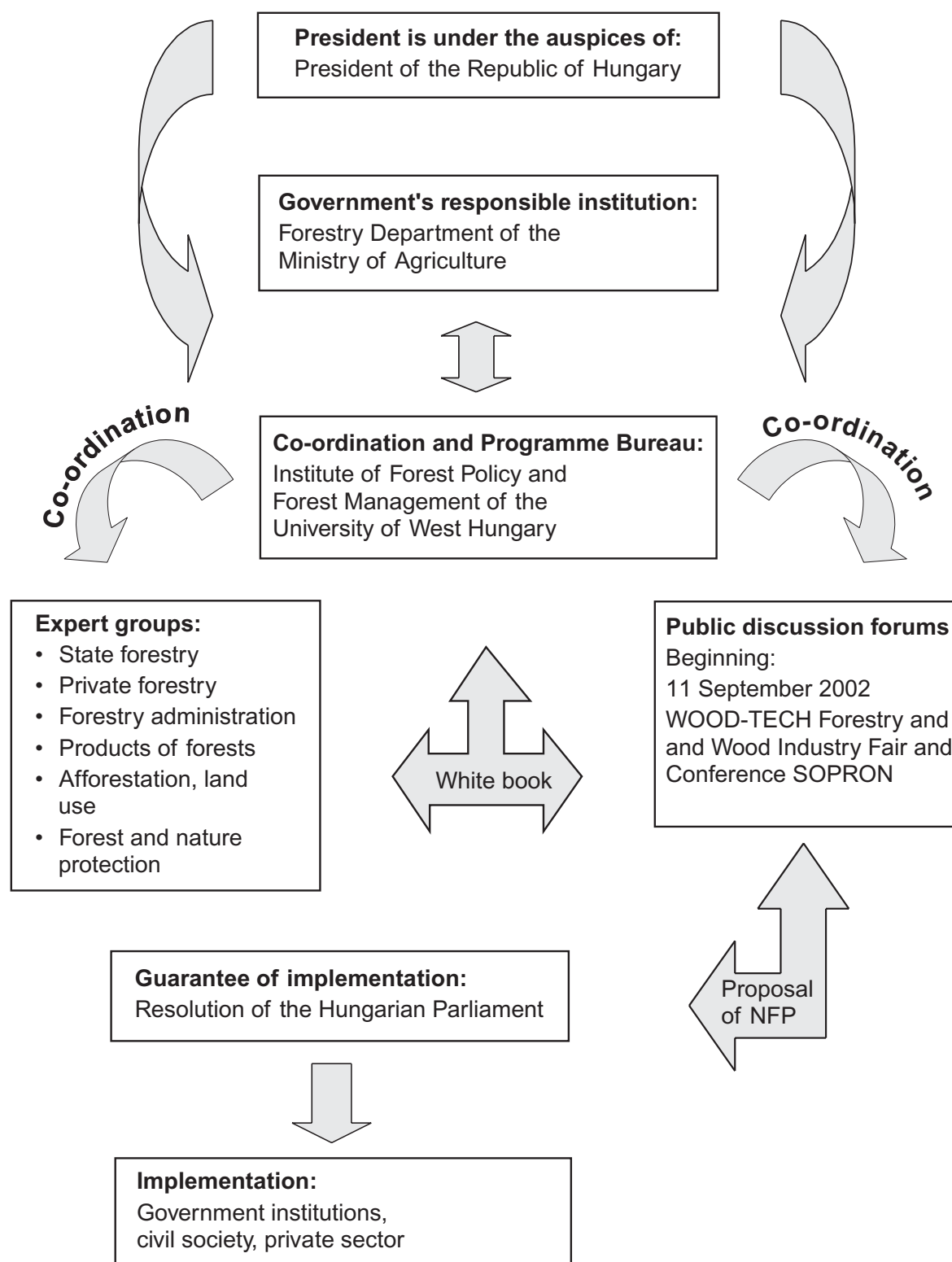
The National Development Plan recognises forestry among its operative programmes on Agrarian and Rural Development. The NDP emphasises the development of production conditions for wood and non-wood forest products, financial support for joint forest management, incentives for forest stand improvement, the use of wood as a renewable energy source in rural areas and, finally, the afforestation of some areas currently in agricultural use. The NDP will be implemented from 2004–2006 with financial contributions from the EU Structural Funds (Lett and Hegedűs 2003). The National Plan for Rural Development aims to support the implementation of the NDP goals. It also recognises among its goals forestry issues, such as the extension of forest cover, the strengthening of forest recreational and social functions and rural employment through forestry activities. In contradiction to its mentioned goals, the financial component of the National Plan for Rural Development emphasises only the afforestation of land formerly in agricultural use (MARD 2003). However an overall view is that forestry is not fully integrated into the national planning for other sectors. For instance, the National Agrarian-Environmental Protection Programme

⁹ PMO – Prime Minister's Office. MARD – Ministry of Agriculture and Rural Development. MEWM – Ministry of Environment and Water Management.

Table 9.3 The phases of the NFP process of Hungary

Process phases	Characteristics <i>Task (T), Duration (D), Participants (P), Working method (WM), Result (R)</i>
Expert level phase I	(T) Evaluation of the status quo. (D) June 2001 – December 2001. (P) 15 experts involved by invitation. (WM) Expert studies. (R) Report on the current situation of the forestry sector.
Expert level phase II	(T) Elaboration of proposals for operative sub-programmes of the NFP concerning 6 topics in 6 meetings. Elaboration of proposal for the strategy principles. (D) January 2002 – July 2002. (P) 70 experts involved by invitation. (WM) Working group meetings and discussions. (R) 6 proposals for sub-programmes by 6 expert groups.
Expert level phase III	(T) Drafting of the White Book. Discussion of the results of Phase II and the White Book draft. (D) July 2002 – 11 September 2002. (P) 70 experts involved by invitation. (WM) Draft compiled by the NFP Programme Bureau. Expert evaluation. Final general discussion meeting. (R) Draft of the White Book completed in August 2002 and issued in September 2002.
Public discussion phase I	(T) Discussion of the White Book as an expert proposal. Involvement of the public in forest policy making. (D) September 2002 – August 2003. (P) Any actor and any interested member of the public. (WM) Public discussion forums at the national, regional and local levels. Evaluation sessions of the expert group every 3 months. (R) Proposals to be included into the NFP.
Expert level phase IV	(T) Final drafting of the NFP including the proposals of the Public Discussion Phase I. (D) September 2003 – January 2004. (P) Steering committee and drafting groups. (WM) Committee and drafting groups sessions. (R) Draft of the NFS and NFP.
Public discussion phase II	(T) Parliamentary discussion of the proposal of the NFS and NFP. (D) 2004. (P) Members of the Hungarian Parliament. (WM) Parliamentary discussion. (R) Resolution of the Hungarian Parliament on the NFS and NFP.
Implementation phase	(T) Implementation of the NFP by monitoring. (D) 2004–2014. (P) Responsible actors specified by the Programme. (WM) – (R) Monitored and adjusted results by need.

Figure 1 Organigram of the Hungarian NFP



excludes forests from the land management forms eligible for financial support. Furthermore, the public discussion of the Vásárhelyi Terv included no mention of the goals and priorities of the NFP, and no negotiations took place about the role of forests in the new water management concepts. Hence within the broad national economic and development policy of Hungary there is in effect a contradictory policy on the role of forestry within the agrarian and rural development sector.

In summary, intersectoral coordination between the responsible governmental organisations is still largely absent in practice. The NFP documents states its importance in principle, but the implementation, or even the planning, phase of these national level programmes have not paid sufficient attention to intersectoral approaches. This is not purely a government failing, as neither civil society nor the public discussion phase of the NFP have so far paid enough attention to the need for intersectoral coordination.

Nonetheless, the NFP public discussion forums provided a good opportunity for wide and free-ranging participation from any organisation or private person, although these forums are not institutionalised forms of participation in the final policymaking process. NFP Stakeholders have reported that the public discussion phase of the NFP is better than that of other related programmes, as the NFP public phase is longer and more transparent than the other processes, which tend to have the character of a hearing.

Clearly there is a problem, namely that traditional forestry institutions (e.g. administration and state forest management) lack the practical experience of adapting to changed social demands, such as the need for genuinely participative processes and intersectoral approaches. This also means, of course, that the traditional forestry institutions are unable to bring forestry's problems before the policy making processes of other sectors. New social awareness on questions of environmental importance may not be considered as credible by official institutions, which may tend to regard the arguments of civil society as restrictions on their responsibilities. However, the main factor jeopardising the Hungarian NFP process is its marginalisation among other national level development programmes with stronger political support.

After the completion of the public discussion phase the opinions expressed during the various discussion forums will be included in the revised White Book, the structure and content of which it is intended will reflect the demands that have emerged from stakeholder participation. The revised White Book will also incorporate the outcome of the intersectoral negotiations among governmental organisations, which are of basic importance to the NFP's political and financial support. Therefore a more active role for intersectoral conflict resolution amongst and between the various governmental organisations with responsibility for the NFP needs to be played out prior to the Parliamentary discussions on the NFP scheduled for 2004. This process will have an important impact on the proper involvement of the NFP to related processes and national level development programmes. To achieve this, basic communication problems between the concerned organisations have to be overcome and a willingness for cooperative problem resolution action has to be demonstrated by all concerned parties.

9.6 Long term iterative planning

The iterative planning character of NFPs is a basic element for achieving more rational political decisions. At the current stage of the Hungarian NFP the planning process and the future implementation are at different stages in this respect: the planning phase is already iterative; the implementation phase is still under development but, of course, is intended to be iterative.

The monitoring system for the implementation phase of the NFP is still to be elaborated; this will be a task for the actors involved in the NFP process in the months up to the end of 2004 when the final drafting and financial planning will take place. However monitoring is taking place on the planning process and is carried out by the Programme Bureau. This process includes minute keeping at meetings, maintaining a database and web page and financing a television magazine programme on the NFP process and its thematic topics. Activities related to this process include the dissemination of material so that actors from outside the process are informed. This will include providing information to the press and media, producing publications and information material and making television video footage for broadcast.

9.7 Expected results and benefits of the Hungarian NFP

Hungary has declared its commitment to forests with the lengthy preparatory work for the NFP and the Parliamentary time devoted to the NFP. The further development of the forestry sector will begin when Parliament passes the necessary resolution in support of the NFP. The public discussion phase took the form of open communication and demonstrated a definite social consensus on the importance of forests and the need for communication between forestry and non-forestry actors. Public discussion made clear the expectations of society with regards to the recreational and protective functions of forests, but also made clear the contradiction between demanding environmentally-friendly resources on the one hand and opposing the wood production activity of forestry on the other hand. However this contradiction does not apply to NGOs, who have a different understanding of the relationship between wood and the environment, and see no contradiction between environmentally-friendly resources and wood production in forestry. Instead NGOs wish to promote near-to-nature harvesting methods, and administration rules that support this objective. The main criticism of NGOs concerns the profit orientation of forestry management which, NGOs argue, should be changed to “non-profit” and “service-oriented” objectives (WWFM 2000; PEEKH 2002).

Through participation the Hungarian NFP process offers new possibilities for conflict resolution, the introduction of new policy making standards within the forestry sector and the restructuring of linkages between forestry and other sectors. A primary objective of the NFP is for forest conditions and the forestry sector itself to meet the goals set out in the strategy. This will be achieved in part through the mutual recognition of partners, thus enhancing the conditions for the implementation of the NFP.

The public discussion process ended in August 2003. The Parliamentary discussion and resolution on the implementation of the NFP is planned for 2004 and will be prepared by the Forestry sub-commission of the Parliament Commission on Agriculture, with assistance from the Forestry Department of the MARD and the NFP Programme Bureau. The Parliamentary resolution will be a legally binding document for activities in the implementation phase of the NFP.

9.8 Conclusions

The NFP process in Hungary has led to the practical application of the documents and resolutions of the international forest policy discussions in Hungary. The end of the public discussion phase has seen a shift from a process motivated by the obligation-driven need to implement the IPF proposals and the MCPFE commitments, to a process driven by a recognition of the needs of domestic forest stakeholders. The Ministry of Agriculture

and Rural Development together with the Forestry Faculty of the University of West Hungary undertook an initiating role in the process, since when a range of stakeholders has maintained the process. With different stakeholders cooperating the future of the NFP is promising, in spite of the fact that there were some conflicts between different interests in the planning phase. Further political support is likely to be gained before the Parliamentary discussion of 2004.

However, some problems still require attention and resolution. One of the distinctive features of the Hungarian NFP is that the strategy and programme parts are divided. These two essential components of the NFP still require further harmonisation. Intersectoral cooperation, which so far has been of a non-binding character and which operated at a low level in the planning phase, is still lacking in the process. However the most serious concern is the possibility that in the future the process is in danger of becoming marginalised amongst other sector development programmes with stronger political support as Hungary prepares for accession to the EU. If future intersectoral negotiations are not constructive, and should attempts to harmonise the NFP with other national level development programmes fail, then there is a danger that the NFP will not receive sufficient political and financial support for effective implementation. This in turn could jeopardise the faith in the future of the process of those stakeholders who have coalesced around the NFP. Hopefully, however, the future of the NFP will accord with the vision articulated during the discussion phase, when the reflections of the various stakeholders suggested that the process is capable of focusing public attention on the importance of forests and forestry's problems, and that the NFP is capable both of contributing to an enhanced environmental consciousness in society and of generating the necessary changes in Hungarian forestry at the start of the 21st century.

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Chapter 10

ITALY: The evolution of a 1980s national forest policy¹

Francesco Carbone² and Lorenzo Venzi³

10.1 Introduction

Italy is a republic whose legislative capacity until a few years ago was entrusted exclusively to two Parliamentary chambers, while government was strongly centralised around the various ministries. During the 1970s a process of administrative decentralisation was initiated, with some responsibilities, including forestry administration, being transferred to the regions by the Decree of the President of Republic No. 616/1977. This move shifted both the ownership of large forest estates (now regional forest estates) and the full command of the administrative policy to the entire regional forest domain.

Subsequently several initiatives were carried out in order to support this decentralisation policy. However in 2001 a constitutional reform was approved geared at shifting to a more federal structure for the republic.

Pending the issue of implementation decrees, the emerging legislative power from this constitutional amendment has been apportioned in the following way:

- environmental and ecosystems protection are matters of exclusive state jurisdiction
- the enhancement of environmental goods, civil protection (relevant because of forest fires) and the government of territory are included in matters of concurrent legislation between the state and the region
- production policies are exclusive the responsibility of regions.

These changes are fully in line with existing orientations within the national context, whose relevant features can be summarised as:

- a lack of interest in forests as such, or as an issue worthy of a separate policy;
- the insertion of forest policy in the wider environmental, territorial and civil protection context (ECC 1998)
- the fragmentation of responsibilities between various institutional (state, region, and local authorities) and administrative levels (environment, civil protection, soil defence, protected areas, etc.)
- the diversification of organisations, instruments, objectives and strategies amongst regions (CNEL 2000).

Italian forestry policy originates from the end of the nineteenth century at the birth of the Italian state. It has since undergone various changes in line with changes due to the cultural and socio-economic framework, receiving numerous interventions from lawmakers pursuing different objectives. For the last 30 years, however, forestry policy has been at the margins, being a part of the broader developing environmental policy. In 2001 by an *ad hoc* decree (Legislative Decree 227/2001) the lawmaker has re-established the central role of forests.

¹ This chapter is the result of a joint effort between the two authors. Venzi coordinated the research and in cooperation with Carbone wrote section 10.8. The other sections were developed by Carbone.

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Despite the long tradition of Italian forestry policy, the history of forest planning records only one National Forest Plan, originating in the mid-1980s. There were chronic difficulties in developing and implementing this plan in local estate forest planning, particularly in the more southerly regions. By issuing LD 227/2001, however, the lawmakers set forest planning within a co-ordinated framework at three levels:

- 1 *National*: where the Ministries of Agriculture and Forestry and that of the Environment together formulate guidelines for designing regional forestry plans as instruments of leadership and co-ordination for the industry, aiming at:
 - verifying the state and conditions of woods in relation to the national economy and the general environmental situation, with particular relevance to conservation and bio-diversity;
 - establishing strategic objectives for the national policy in the forestry sector, and with relation to the adoption of resolutions from the inter-ministerial conferences of Helsinki and Lisbon, and indicating the national intervention directives and general criteria for their implementation, together with forecasts on expenditure.
- 2 *Regional*: where each administration is asked to formulate planning documentation indicating safeguards, conservation, enhancement and development guidelines, and to foresee their periodic revision.
- 3 *Estate*: where each firm elaborates planning documents to manage its own woods, along the criteria stipulated by the regional administration.

Planning, as outlined by LD 227/2001, has still to be implemented at large, but there are some regions that have recently approved plans that are now operational. The formulation of these plans closely follows the national formulation, supported and endowed with more detailed analysis and proposals for social and economic activities, including for non-forestry resources. This seems to be in line with the objective of detailing specific potential initiatives for implementation, supported by funds that will gradually be made available by the (European) Community Support Framework.

The Italian experience in forestry planning, together with the characteristics of the forest system and the administrative phase now in existence for several years, make the case of Italian forestry a particularly complex one. The evolution of forestry policy during the twentieth century reveals that extensive modification has occurred to the sector as a result of the weakening focus on productive functions, and the stronger emphasis on environmental functions. In this chapter we shall further analyse the weaknesses of the present sustainable forest management system. We shall then examine the collective participatory experience in decision making, the associated objectives for negotiation and the multidisciplinary approach to forest planning.

10.2 The main forest policy and forest programmes during the twentieth century

The Italian peninsula is supported by the Alpine and Apennines backbones, which lend to the whole territory an extremely dented orography at high hydro-geological risk. Moreover, the predominant north-south spanning of the territory, its location at the centre of the Mediterranean basin and its morphology are elements which have combined to yield ecosystems of particular uniqueness and floristic wealth.

In this context there are numerous functions of public relevance performed by these ecosystems which, by different ways and means, have strongly affected the aims of Italian forestry policy since the 1920s (Table 10.1). These aims have always been amalgamated with other policies, namely the social, territorial and environmental (CNEL 1998).

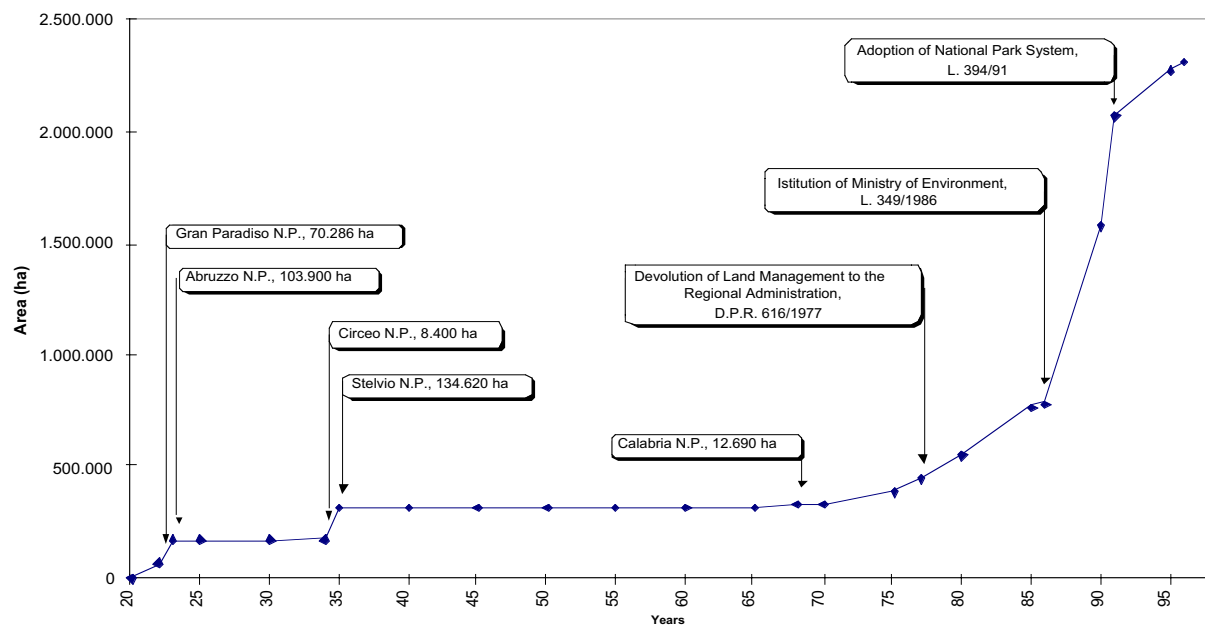
Table 10.1 The functions attributed to woodland in Italy

Period	Function	Objective	Law reference
1920–1940	Protective and Productive	Develop forestry production; prevent soil erosion and landslides.	RDL 3627/1923
1950–1970	Protective and Social	Increase sloping soils stability and employment	Mountain Law No. 991/1952
1970–1980	Productive and Social	Increase timber production for industrial uses and employment in the southern regions	4 Clover Law Special Project No. 24 of Cassa per il Mezzogiorno
1980–1990	Landscape protection	Rural landscape enhancement	L. 431/1985
1990–2000	Nature protection and re-creation	Conservation of ecological complexity and functionality; free access and enjoyment by citizens	L. 341/1994
	Biodiversity	Protection and rehabilitation of endangered animal species and conservation of floristic species	L. 124/1994
	Habitat	Natura 2000 network	EEC Directive 92/43
	Social	Provide the coming back and staying of mountain dwellers	L. 97/1994
	Resources safeguard	Prevention of hydro-geological degradation and forest fires	L. 367/1998 L. 353/2000

The main law of reference for the Italian forestry system, however, remains the Royal LD No. 3267/1923, which was formulated to ensure the hydro-geological protection of the territory and to reconcile this with the timber production objective. After the Second World War lawmakers promoted social and forest protection policies that resulted in approximately 600,000 ha of reforestation and the rehabilitation of 150,000 ha of degraded woodlands (Romano 1987; Mura 1973; Patrone 1970). In the 1970s, many activities were oriented towards an increase of timber production and promoting employment opportunities in southern Italy, applied to roughly 120,000 ha (CNEL 1998). In the 1980s the European Community emerged as an important actor in forestry policy. The EU continues to ensure the availability of funds for the forestry sector within the framework of the reform of the Common Agricultural Policy (Pettenella et al. 2001). The EU aims to increase further its long-term involvement in this sector (ECC 1998).

During the 1980s, the environmental movement became more strongly established at the national level. Its emergence represents an autonomous element in territorial governance. The Ministry of the Environment, established in 1986, is the only state institution representing the interests of this sector (Lewanski 1997). Around this time some laws emerged that are highly significant for environmental matters; they include the landscape safeguard (L. 431/1985) and the Framework Law on Protected Areas (L. 394/1991).

Figure 10.1 Territory in protected areas in Italy 1920–1997



Source: Ministry of Environment, 1997.

At the end of the 1990s particularly dramatic events focused interest on fighting degradation processes, such as floods and wild fires, which led to the adoption of specific legislative measures.

Only at the beginning of 2000 did national lawmakers feel it was necessary to proceed to modernising the forest sector as such (L. 57/2001). Legislative Decree No. 227/2001 has defined the enhancement of silviculture as a mean for socio-economic development, the safeguard of territory and the environment, and the conservation, enlargement and rational management of the national forest estate in accordance with obligations undertaken by Italy in matters such as biodiversity and the sustainable development of forests.

This brief outline shows that the forestry system in the mid-1980s was granted less relevance and care than the environmental component. However LD No. 227/2001 underlines the need for co-existence among those two different dimensions, and acknowledges that forest management is both a mean for the environmental enhancement of wooded eco-systems and an opportunity for the socio-economic development of the forest territories.

With respect to forestry planning a significant contribution to this cultural shift has been provided by the formal engagements undertaken by the Italian state in the international arena (Bianchi 2001). LD 227/2001 clearly stresses that forest management has to be implemented along with objectives and guidelines of forestry policy developed by international fora. This is the reason for enhancing instruments for forest planning, biodiversity conservation, training, innovation, research and certification for sustainable forest management, the objectives being to improve the competitiveness of the national forestry system and promote effective and efficient models for management, without neglecting the environmental component.

Moving now to forestry planning, so far there has been one National Forest Programme, in the mid-1980s following the publication of the 1st National Forest Inventory (ISASA 1985). This NFP stipulated the conditions of the national forestry system with respect to

international commitments, and with respect to the expectations, needs and opportunities in relation to the national domain, singling out top priority objectives in ecosystem management, and specific objectives related to the connections between territory, agriculture and manufacturing industries (Box 10.1).

As a second step, there followed horizontal actions relating to the maintenance and care of woods, the improvement of managerial practices including co-operative structures, and the development of urban and suburban green belts. These actions were lightly revised during the period of implementation of the plan. The NFP was designed following a top-down approach, within a comprehensive planning activity of the largely agricultural sector. This enabled a long term continuity and planning coherence for public expenditure for the forestry sector (Deliberazione CIPE 1987), assuming in this way the role of a financial instrument adopted by the national administration within the actual financial allowances. By this instrument Italy managed to negotiate activities in the European decision making arena, with a suitable allowance for the national forestry framework (MAF 1990).

This national initiative has been followed by several regional authorities. Their policies tend to conform to the national initiative, although greater care is placed on the analysis of forest resources, singling out typologies, roles, degradation processes, and so on.

Since the mid-1980s forestry planning has undergone a marginalisation process, while other planning processes, both general and sectoral, have been strengthened at both the national and regional level. However sectoral policies and administrative rules have been established for a range of issues, including landscape plans, parks and/or structural plans of protected areas, forest fire prevention plans, hydro-geological plans, and so on. These documents are of environmental relevance, with implementation rules determining the need for reviewing forest cropping modules not in accordance with the ecosystems, but in order to safeguard specific forest functions.

As for general planning activity, this has been performed by regional administrations mostly in order to satisfy European Community directives that grant resources to the forestry sector. An example is Regulation 2080/1992 on the Development Regional Plans and/or Orientation Regional Plans; this regulation introduces forestry features as if they were sectoral programmes.

In summary, the picture of forestry policy and planning in the recent past is rather fragmented and discontinuous. The principal reason for this is the weakening of interest in this sector by lawmakers who have tended to consider the forest estate in environmental terms, in line with other European countries (Schanz 2000). However from the 1990s and for the foreseeable future it would appear that the dilemma between forestry and the environmental world is being overcome.

10.3 Supporting and impeding factors

Sustainable Forest Management (SFM) has always been considered a priority objective for forestry operations in Italy, even though the wording of this objective differs from those proposed more recently.

Forest farms had, and still have, to manage their biomass with rules stated by RDL 3267/1923. For publicly owned estates the management of woods has to comply with an economic plan which draws its objectives from technical forest management (*assestamento*), that is, management of forest estates has to be performed so as to ensure the highest, constant

Box 10.1 The structure of the Italian National Forest Plan

- 1 Forestry policy and planning
- 2 International framework
 - 2.1 The forest as a multifunctional system
 - 2.2 Tensions amongst forest resources
 - 2.3 Changes in the timber market
 - 2.4 Policies for forest resources in the world
 - 2.5 The European guidelines
- 3 National framework
 - 3.1 The forestry sector in the national economy
 - 3.2 National forest inventory and situation of resources
 - 3.3 The economic problems of ownership and relations with agriculture
 - 3.4 Public forests
 - 3.5 Services of forest for the territory and the environment
 - 3.6 Non-wooden products
 - 3.7 The supply of raw material timber
 - 3.8 Forestry works and connections between forests and markets
 - 3.9 The demand from wood industries
 - 3.10 The outlook for demand and the supply from abroad
 - 3.11 The potential for development of internal forest resources
- 4 Objectives
 - 4.1 The leading objective: multifunctional development of the forestry system
 - 4.2 The prerequisite: resource protection
 - 4.3 The operational objective: the economic development of the forestry system
 - 4.4 Specific objectives
 - 4.5 Forests and territory
 - 4.6 Forests and agriculture
 - 4.7 Forests and manufacturing industry
- 5 Actions
 - 5A Policy for the enhancement of firms within the forestry system
 - 5A1 Actions to improve forestry management
 - 5A2 Actions for technological development
 - 5A3 Actions for maintenance and development of forests
 - 5B Policy for the enhancement of infrastructures
 - 5B1 Actions for research work
 - 5B2 Actions for information development
 - 5B3 Actions for promotion and market
 - 5C Policy for urban greening
 - 5C1 Actions for urban greening
- 6 Finance
 - 6.1 Expenditure along five years
 - 6.2 Allocation and hypothesis of sharing the burden

Table 10.2 Forestry planning framework in Italy at 2002

State-Region	Type of planning and ways	Notes
Italy	Guidelines	Agreed by Minister of Agriculture and Forestry and Minister of Environment
Lombardy	Guidelines of regional forestry policy 3 years plan (2001–2003) for initiatives, actions, research in forestry and hill farming	Reg. Law No. 31 of 30/7/2001
Trentino	General forestry plan	
Umbria	Regional forestry plan (10 years, 1998–2007)	Reg. Law. No. 22 of 21/4/1999
Friuli, Venezia G.	Planning report (policy statement)	Planning document within Reg. Law 18/1996
Calabria	3 years plan (2002–2004) for territorial protection, fires prevention and regional estates management (annual design)	Regional Executive Board decree No. 157 of 27/2/2001
Tuscany	Regional Forestry Plan (2001–2005)	Reg. Law No. 17 of 24/4/2001
Abruzzo	3 years Regional Forestry Plan (2001–2003)	
Molise	Regional Forestry Plan (2002–2006)	To be approved
Lazio	Regional Forestry Plan progress according to Reg. Law No. 39/2002	Expired; adjournment in
Liguria	Protection and Conservation Plan for forest estates	Fighting and preventing forest fires

and continuous yield and, moreover, to be geared to safeguard present values in forestry ecosystems, such as biodiversity conservation, protection of habitats, the hydro-geological stability of territories, and so on. Attaining these objectives relies on the professional skills of foresters and their strong feelings about the forest culture, and the personal sensitivity of those belonging to the industry. The private estates, in distinction, have to comply only with good silvicultural practices, as stated in the Forestry Regulations, to ensure forest ecosystem and soil protection.

However a normative framework aimed at ensuring the SFM can be diminished by various impeding factors. In Italy the following are the most relevant.

The Italian forest estate and its land structure

One of the main features of Italy is the size of the national forest estate. In 1985 the total forest surface was around 8.7 million hectares (ISFA 1985), while in 2000 some estimates gave an estate of 10 million hectares and continuing to grow (TBRA 2000). However, more recent measurements with the purpose of issuing Soil Use Maps in 2001 quote a total surface of more than 8.2 million hectares. None of these measurements, carried out recently according to different methodologies, refer to the present definition of wood provided by LD 227/2001. This omission may be overcome, as work for the Second National Forest Inventory has already started.

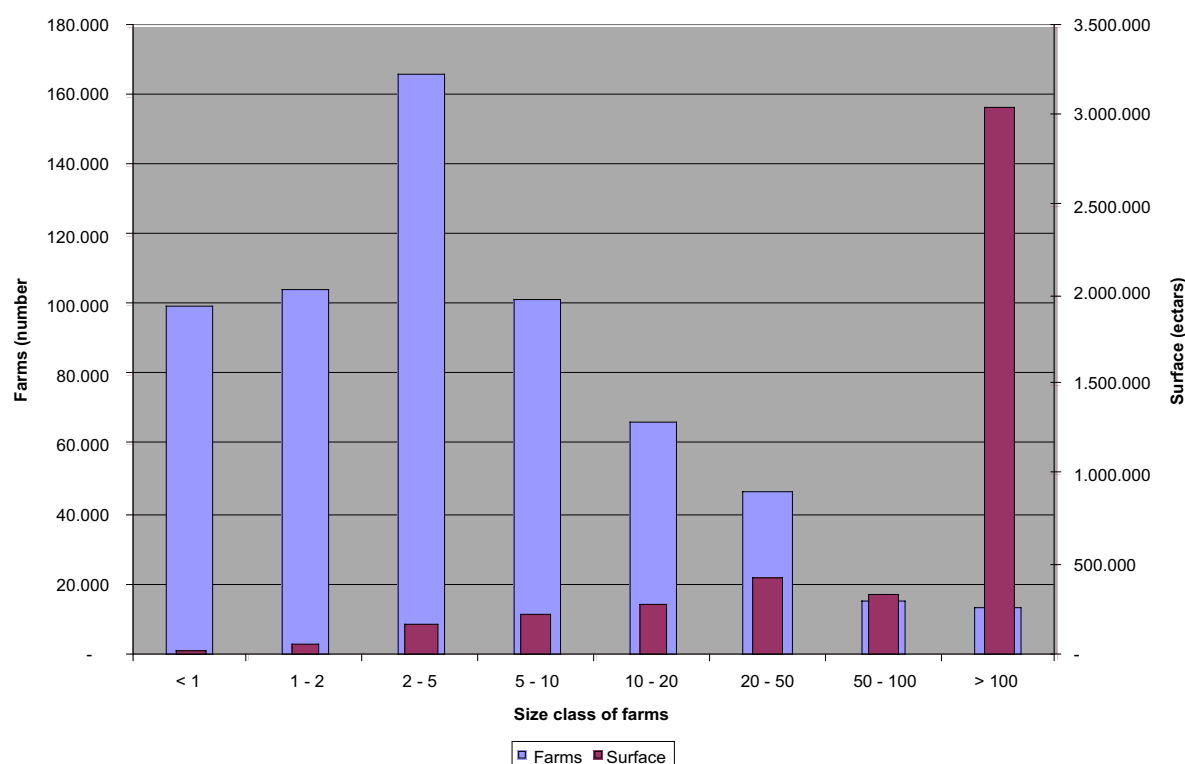
Another relevant feature relates to the forest farms. By definition a forest farm exists only when a *de facto* entrepreneur has been recognised. At the beginning of the 1990s, the forest surface within these forest farms was 5.5 million hectares, shared amongst just under 780,000 forest farms, with an average surface of approximately 7 hectares each. In 2000, the total forest farm area was determined at more than 4,500 million hectares, within 600,000 farms with an average surface of 7.5 hectares. See Table 10.3 and Figure 10.2.

Table 10.3 The evolution of the structure of forest farms in Italy, 1990–2000

Year		Size class of farms								Totale
		< 1	1 - 2	2 - 5	5 - 10	10 - 20	20 - 50	50 - 100	> 100	
1990	Farms	98.854	130.705	233.774	142.868	87.163	52.668	16.374	14.516	776.922
	Surface	25.215	71.135	254.658	314.836	372.472	489.492	348.044	3.634.709	5.510.561
2000	Farms	99.909	104.658	165.808	101.610	66.463	46.849	15.715	13.210	614.222
	Surface	22.226	55.881	179.911	221.895	277.043	424.910	323.244	3.043.048	4.548.158
Variation %	Farms	1.07%	-19.93%	-29.07%	-28.88%	-23.75%	-11.05%	-4.02%	-9.00%	-20.94%
	Surface	-11.86%	-21.44%	-29.35%	-29.52%	-25.62%	-13.19%	-7.13%	-16.28%	-17.46%

Source: ISTAT, General Census of Agriculture, years 1991 and 2001

Figure 10.2 Share of forest surface and farm frequencies per farm size in Italy, 2000



Source: ISTAT, General Census of Agriculture, Year 2001

Thus over the most recent full decade a loss of roughly 180,000 forest farms occurred, which unfortunately has not been offset by consolidation efforts; the average surface area per farm remained basically the same. The result, it would seem, is that roughly 1 million hectares are no longer structured within forest farms, as their entrepreneurs are not known. To make things worse, this estate is, for the most part, probably located in the most remote and difficult spots and therefore very likely affected by degradation processes.

Weak interconnection between market segments

Wooded areas extend from sea level, where there are a few plane forests untouched by economic development, to tree vegetation and high altitude woods over 1,500 metres above sea level. There is also strong differentiation by nature, structure, botanical composition, cropping and managerial situations, structural and infrastructural endowments, performing functions, ownership, location and socio-economic contexts.

One of the most significant features of Italian woods is their floral richness. Italian flora lists approximately 5,800 species of the 7,500 listed on a European scale (Blasi 1996). Moreover 150 forest typologies have been defined at the national level amongst the five main forest types extending from high altitude to sea level:

- Boreal coniferous forests
- Alps and Apennines Pine forests
- Mountain beech forests
- Mixed oak wood and other beech forests
- Mediterranean evergreen forests.

As Table 10.4 shows, Italian woods mostly comprise oak coppices, a product with low value that is used for fuel. A further very significant feature relates to the high presence of secondary accompanying species, which on the one hand enhances the environmental biodiversity of the eco-system, but on the other hand strongly diminishes the commercial value of timber from these woods.

Despite the efforts made, the actual wood technology and market conditions do not unfortunately provide opportunities for the enhancement, under alternative uses, of a large part of the national forest produce. This explains the limited interaction between the national forest and the artisan and industrial processing of its produce.

The socio-economic framework of forestry areas

The large majority of woods are located in hilly and mountainous areas along the Alpine and Apennines backbone. In the low lands there are only limited wooded surfaces. Due to economic development in the 1950s and 1960s, hilly and mountainous areas experienced a strong socio-economic deterioration, leading to an increase in the average age of the population, made up mostly of women dependent for income on pensions. Local economic activities are related mostly to the primary sector, aiming at self-supporting food production. The work force has been dramatically reduced, with a large gap in generation turnover and the disappearance of skills and trades related to agricultural and forestry activities (Cannata 1989). The recent limited return of population to these areas is relevant only where infrastructures related to the quality of life create urban zones (Pampanini 1999), but this does not relate to the return of rural productive activities such as agriculture and forestry, which continues to dwindle.

Overall the socio-economic context of wooded areas is not conducive to the rise of an entrepreneurial class, nor does it predict an increased demand for resource use, such as biomass or non-wooden produce. In short there is a widening gap between overall economic development in the country on the one hand, and the local economic framework of many forested areas on the other hand.

Table 10.4 Physiognomic categories of Italian woods

Physiognomic categories prevailing species or typologies	Altitude class				Total forest areas
	0–500 m	500–1000 m	1000–1500 m	>1500 m	
	km ²	km ²	km ²	km ²	
Cork oak and evergreen oak	4.399,25	2.655,31	264,25	0,56	7.319,38
Oak broadleaves	9.136,13	10.858,25	1.401,06	15,69	21.411,13
Chestnut	2.253,38	5.453,00	704,25	19,75	8.430,38
Beech	49,50	2.589,88	7.108,88	1.845,63	11.593,88
Broadleaves mesophilous	2.613,50	5.624,88	1.488,56	91,19	9.818,13
Higrophilous species	1.179,31	51,38	8,44	0,56	1.239,69
No-native species	1.529,25	157,50	2,06	–	1.688,81
Mediterranean pines	2.234,44	756,94	41,50	1,06	3.033,94
Mountainous pines and oromediterraneus	460,94	1.630,50	1.719,88	312,25	4.123,56
Silver fir and Norway spruce	17,94	865,31	3.656,44	3.208,69	7.748,38
European larch and cembran pine	2,25	103,19	636,06	2.912,25	3.653,75
No-native coniferous	13,13	78,19	54,13	0,13	145,56
Shrubs	1.310,19	641,00	58,94	0,13	2.010,25
Total forest areas	25.199,19	31.465,31	17.144,44	8.407,88	82.216,82

Source: Ministry of Environment, 2002. Preliminary results of national project “Ending of the knowledge on naturalist basis”, by C. Blasi, G. Chirici, P. Corona and M. Marchetti.

The environmental dimension of wooded areas

However the socio-economic weakness of these zones, fragile and commonly considered as marginal, has enhanced their natural and environmental values. In the wake of a growing environmental culture, during the 1980s the ecological dimension was consolidated which, even if it was not specifically related to the forestry sector, involved the latter as part of the environment.

From the mid-1980s, Italian foresters experienced a wealth of planning instruments related to, for example, implementation, landscape, territorial plans, watershed plans, socio-economic development plans, and so on. All, however, were characterised by weak reciprocal co-ordination and by a sectoral vision of territorial management.

In different ways and by different means, all plans have included forest estates and have aimed primarily at adopting measures to prevent forest areas being converted to other land

uses, such as agriculture or urban development. Forest farmers have had to cope with this policy orientation and have had to work to new criteria and cropping modules that differ from those of the past, adopting a “residual” approach, that is working at the margin of what is left from the concurrent actions of all other planning activities.

All this has undoubtedly increased the complexity of forestry management, underlining the relevance of the environmental dimension. However, in some forestry contexts all this appeared inadequate with respect to the cropping needs of forest stands, reducing the socio-economic relevance of the productive system of the national forest estate.

Administrative decentralisation and bureaucracy

Another feature that is relevant relates to the implementation of the principle of *subsidiarity*, which promotes management and responsibility that is close to the local level. This approach, praiseworthy in its intentions, sometimes leads to overlapping responsibilities, with an increase of the bureaucratic component in managing forest resources, including rigid mechanisms in the analytical stage. The weakest aspect of subsidiarity in Italy, however, relates to the smallest local authority, for instance, the communes of the inner territories, which, unfortunately, lack any tradition of forestry administration. Nor are these authorities able to afford the cost of qualified technical expertise, both because they lack the necessary financial resources and due to the limited net economic returns that would accrue from such an endeavour. However in more recent times, and as a result of administrative decentralisation, Mountain District Communities (Local Development Agencies) and Unions of Communes have begun to exercise responsibilities at the local level in a co-operative way.

Growth of production costs

From an economic point of view the unit values of forest products sold has remained stable. Together with increasing direct costs (mainly due to expenses to conform to bylaws related to the safety and health of labourers) and indirect costs (due to project design, performance testing, insurance premiums, and so on), the net result has been a contraction of incomes related to forestry.

Furthermore, the overall framework of the forestry infrastructure is unfavourable. The low level of mechanisation of forest farms and increased production costs in forestry management have further increased the amount of forest area that has been abandoned and is no longer under adequate husbandry. The situation is more acute for abandoned woods that are most difficult to reach in remote locations; these are often the most fragile from the landscape, hydro-geological and environmental points of view.

Land fragmentation and stakeholders' confrontation

Italian forestry differs from other economic sectors by an excessive fragmentation of owners' estates, together with, until a few years ago, strong conflicts of interest between forest owners, timber industrial entrepreneurs and environmentalists.

There are approximately 600,000 forest owners. Each owner will have different motivations for owning forestland, from performing a hobby to implementing a timber production business. This wide variety of interests undoubtedly makes the co-ordination of attitudes and objectives difficult, not to mention agreeing joint representation in the policy arena. If we add to this situation the not necessarily convergent objectives pursued

by owners, timber entrepreneurs, ecologists and other actors, then the result tends to fragmentation and confrontation between major stakeholders.

Overcoming these problems would lead to significant advantages. Although very difficult, if this could be done then the forestry sector could develop as a substantial countervailing power, drawing the decision makers' attention to the benefits in investing in the human, financial, professional and instrumental resources of the forestry sector.

During recent years a significant step in this direction has been made. A consultative authority (*Consulta nazionale per le foreste ed il legno*) has been established, with an inter-professional board of a large majority of sectoral stakeholders (*Consulta nazionale per le foreste ed il legno* 1992).

10.4 Participatory mechanisms

After the 1990s in Italy, the *concertazione* mechanism has been widely adopted. This is a procedure by which government, trade unions and sometimes other social forces get together to discuss economic and social issues relevant to the country. In this way, concerted action has been applied as a working method to promote local development involving all concerned stakeholders (bottom-up approach), thus creating opportunities and enhancing synergies. There have been no definitive or standardised procedures for the *concertazione*; instead there has emerged good practices based on experience.

The NFP participatory mechanism has anticipated and somehow followed the *concertazione* procedure and experience. At the time the NFP was initiated no consumers' associations existed to represent the community interests in the institutional arenas. Had they existed they would have been involved in the NFP together with the other stakeholders, namely the trade unions and professional associations such as the farmers' organisations, Federation of Timber and Furniture Processors, Confederation of Industrialists, artisans' organisations, commercial organisations, regional and autonomous provinces representatives, the Italian Forest Academy, universities, and so on.

The procedure for developing the NFP followed this scheme:

- issue of a working paper by the Ministry for Agriculture and Forestry, General Directorate for Forests and Mountain Economy
- presentation of the draft to professional associations
- debate of issues through other institutional bodies
- collection of suggestions, criticisms, integrations and reformulations by professional organisations
- discussion of the working paper with local level representatives
- final approval by the Inter-ministerial Committee for Economic Programming (CIPE).

At all stages the professional organisations disseminated information about the NFP, although the major responsibility for the implementation of the NFP rested with regional administrations. As with the NFP, the successive regional forest programmes (RFPs) underwent, in different ways and forms, a process of debate on actions and contents, in line with the bottom-up approach. On a few occasions the debates had a larger participation, including ordinary citizens and environmental organisations.

Nowadays collective participation is considered very significant, as it is viewed as one of the pillars of environmental democracy as recognised in international law. The Rio Conference (1992) emphasised the principle of participation and the right of the public to

be informed. At the European level a significant step was the adoption in 1998 of the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters, which was approved as law in Italy in 2001. Articles 7 and 8 of this Convention explicitly state the right for each citizen to become involved in the elaboration of plans and programmes, policies and normative definitions adopted by public authorities. However the criteria for the implementation of these provisions are still under examination by the Ministry of the Environment, which formed a working group to implement a protocol with specific reference to citizens' participation in the workings of the Strategic Environmental Appraisal. In the long run, however, public involvement appears to be a paramount step for the forestry sector if there is to be increasing dissemination of the proposed initiatives and their operational capacity (Weber et al. 2002).

However at present the authority for citizens' participation in approving the most significant forestry documents is provided by RLD 3627/1923. This Royal Decree states that, in order to approve a specific ruling for the use of a forest area, its documentation should be made available to the local community in order to allow for observations and claims to be made. This approach, as it is formulated, departs from that which is suggested here, and which requires that participation be organised and co-ordinated before policy is formulated, thus allowing for better informed and more aware public interventions (Bellettini et al 1998).

10.5 Negotiation and conflict resolution

The experiences drawn from national and regional planning do not provide specific strategies for conflict resolution. In Italy compromises between the involved subjects have tended to be negotiated after long-term arbitration or by discussions and debates between concerned interests, at the end of which a commonly agreed proposal has emerged.

It is evident, however, that the formulation of a planning document for the future aims to generate the prerequisites to ensure the largest opportunities for the development of the forest sector. The strategy of professional associations and stakeholders is geared to creating room for their concerned activities within such a framework. Whenever strategy relates to financial endowments and transfers, the interest shown by actors will vary depending on the size of the allocated funds, in particular funds allocated at the national level. Great care, therefore, is placed in the negotiations within the overall planning of European funds on adopting forest activities that attract widespread adequate support.

10.6 Intersectoral approaches

As a sectoral activity, forestry planning is subordinated to general and operational planning, both at the regional and national levels. This has reduced the strength of forestry planning. Operationally forestry planning has some priority. General planning in Italy also gives attention to forest resources, leading to the imposition of strict norms beyond those required by cropping and the managerial needs for the ecosystems. Despite the clear intent of stressing within the NFP both forestry and non-forestry dimensions, and in so doing creating the assumptions of a co-ordinated and compatible management of these dimensions, the approach that was adopted was limited to the original planners and was not extended to other stakeholders. The result was the loss of potential synergies derived from expertise from other sectors in the *concertazione*.

In the long run, this drawback should be overcome by Legislative Decree 227/2001, which introduces a concerted action upstream between the Ministry of Agriculture and

Forests and the Ministry of Environment. The decree, moreover, underlines the need to deepen the analysis of the forestry system within the environmental framework, and emphasises the need to take care of the various resolutions from international conferences on this issues. This should strengthen the role of forestry planning, in this way producing a “technical reading” of the environment within the forestry context.

10.7 Long term interactive planning

An objective evaluation of the long term benefits achieved by implementing the Italian NFP and SFM is not possible, as the NFP did not provide for any predetermined monitoring and assessment scheme. Nonetheless, it is now possible to offer some impressions by comparing the pursued objectives with the present state of the Italian forestry system. The implementation of the plan was confronted with a major obstacle, namely its limited financial endowment (Fratini 1999). The achievements, therefore, were limited with respect to what could have been achieved. Moreover, the implementation of the NFP occurred during a period of constitutional uncertainty with respect to the roles of the ministries and the relationships between the state, regions and local authorities (Corrado et al. 1999). To this should be noted the particular political-cultural situation in the years when environmental policy was developing; this often contrasted starkly with the uses, traditions and habits of the forestry system, generating conflicts and, at the very least, some uncertainty in the behaviour of professional foresters.

This particular phase should have suggested and promoted a re-shaping of the objectives of the NFP, with greater attention being paid to the contrasting features in the forestry and environmental domains, as well as the interrelated aspects between them. During the following years, the territorial and environmental policies developed to the stage where forestry policy lost its relevance, was shifted into other sectors and was determined by a wider scope of interests.

A long term effect generated by the adoption of the Italian NFP relates to the cultural enhancement of those involved in it. For the first time a planning document was introduced in Italy that promoted the concept of multi-functionality and the need to achieve protection of various resources in the forest environment, within a joint managerial exercise. It has, nevertheless, to be said that during the life span of the plan these concepts did not find a fully-fledged acceptance amongst all actors.

Only in recent years, and thanks principally to European forestry initiatives, has there been any continuity on forestry policy, with resources made available for co-operative actions, for environmental improvement of the ecosystems, for prevention of degradation processes and for the certification of sustainable forest management.

10.8 Conclusions

So far Italian forestry policy has not been developed separately or autonomously, but instead has developed as the result of social, economic, territorial and, more recently, environmental policies. Indeed the development of environmental policies since the mid-1980s led to strong pressure on forestry, and resulted in biased and confused administration of the forestry sector.

In more recent years a variety of factors have promoted the reconciliation of the forestry and environmental domains. They include international agreement on forestry, repeated

disastrous events, wrong husbandry and/or missed opportunities for good husbandry of forest tree cover, and more strict validation and definition of cropping modules at both the formal and normative levels. The most recent legislative document (LD227/2001) assigns to forestry management the lead for a multifunctional role in order to prevent degradation processes and to safeguard environmental, social and economic resources, stressing that proper management is a *condicio sine qua non* for forest conservation.

In sketching the results of the only Italian NFP we can find several contradictory features. On the one hand, the limited impact of the plan emerges as the result of a scarce financial endowment, of changes to the administrative framework and the political-cultural uncertainty that resulted from adapting to new concepts. On the other hand, we should acknowledge that the original NFP is still very relevant and could easily be reformulated to adapt to the changed financial situation within a more cohesive and strategic framework, such as that provided by Regulation 2080/1992, the Regional Development Programs and the Regional Orientation Plans in progress.

The lack of updating to the NFP can be attributed to the lack of awareness of its effects, due to the absence of monitoring and evaluation procedures. Many strategies and actions could have been re-scheduled and amended to adjust to accumulated experience and new events and concepts. This would have better protected the role of forests within a framework of managing environmental resources, but that opportunity was missed. Having missed that opportunity, scope was left for the environmental lobby to intervene on domains not directly pertinent to them, which it can be argued was counter to forestry interests.

The Regional Forest Plans arranged in the wake of the NFP experienced the same evolution. However for those regions with a strong forestry tradition, for example Trentino, the forest sector proceeded steadily along its technical and cultural path. The more recent RFPs certainly have a strong environmental orientation that is geared towards creating conditions for obtaining funds to support the forestry sector.

Fifteen years after the issue of the first NFP, a legislative document was released that explicitly referred to the need to promote forestry planning by means of a scheme based on the synergy between the national, regional and local levels. The aim is to enhance co-operation between the various levels in line with international expectations (Pülzl and Rametsteiner 2002). That said, it should be asked whether the legal provision in Italy might be relevant both to forestry and the environment, yet still fail to provide suitable indications for the formulation and adoption of the plan.

Special care in this case is set on participation from the public. This is already a part of the Italian forestry tradition, since it is a mandatory step for the approval of forest farm plans. In recent years Italy has promoted participation in many ways in the case of the NFP. Today, however, the growth of cultural sensitivity and the changed legislative framework (Aarhus Convention) are prerequisites for a more effective and significant public participation. It has, however, to be considered whether participation entails a risk of planning obstacles, especially at the lower levels.

The issues relating to SFM are recognised as strongly relevant to and are embedded amongst professional foresters. SFM relates both to the forestry system and to other forest-related issues. From a strictly environmental point of view and on a macro-scale SFM has resulted in the enlargement of the forest area, an increase in yields and the protection of environmental features. Moving to a lower level of detail and considering limited items, there is considerable room for improvement relating to criteria definition, technique and works organisation in order to improve SFM in the future.

There are more relevant deficiencies relating to the context around the forestry sector itself. The forest estate asset, the fragmentation of land ownership, the weak integration between the production system and timber processing, poor infrastructure, the ageing of the labour force and the consequent employment of non-skilled workers on a casual basis and the role of the public estates are all features that reduce the social, economic and environmental indicators of SFM in Italy.

Under these conditions the need for cohesive, long-term and well-targeted initiatives is clear. Such initiatives should address the current weaknesses in the forestry system, and will require large investments in human and professional resources and financial skills. Such measures should be considered in future forest planning.

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Chapter 11

LITHUANIA: National forest policy in a Baltic economy in transition

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11.1 Introduction

Situated on the eastern coast of the Baltic Sea, Lithuania (capital, Vilnius) is an independent republic occupying 6,530 thousand hectares. Agricultural land constitutes 3,947 thousand hectares (62 per cent of the land), while forests occupy 1,976 thousand hectares (30 per cent of the land). State inland waters occupy 186,000 hectares, while 421 thousand hectares is devoted to other land uses. The major natural resources of the country are agricultural land, forests, gravel, construction-grade and quartz sand, gypsum, dolomite, clay, peat and mineral water. Small reserves of mineral oil have been discovered.

Lithuania has a population of 3,610,500, of which 68 per cent live in urban areas and 32 per cent in rural areas. The population density is 55 inhabitants per square kilometre. The unemployment rate is 10.7 per cent (August 2002). For administrative purposes the country is divided into ten counties. The major cities include Vilnius (population 576,400), Kaunas (409,700) and the seaport Klaipėda (201,800). 331,100 people are employed in agriculture, compared with 326,400 in industry. The Gross Domestic Product (GDP) was 44,930 million Litass (€13,013 million) in 2000. In 2001 economic growth in terms of Gross Domestic Product (GDP) was 3.4 per cent, while the inflation rate was 1 per cent. The structure of GDP by economic sectors in 2001 is provided in Table 11.1.

Table 11.1 Lithuanian GDP structure by economic sector, 2001

Economic sector	Per centage of GDP
Industry * (mining and quarrying, manufacturing, electricity, gas and water supply)	28.3
Agriculture, forestry,** fishing	7.0
Construction	6.1
Services	58.6
Total	100.0

* Forest industry (woodworking, pulp and paper, furniture) – 3.0 per cent

** Forestry – 0.6 per cent

Sources: Statistical Yearbook of Lithuania, 2002.
Lithuanian Statistical Yearbook of Forestry, 2002.

¹ Lithuanian Forest Research Institute, Liepu 1, Girionys, LT-4312 Kaunas District, Lithuania.

Most industrial companies are engaged in the production of machinery, electronics, food processing and light industrial products, including textiles, clothing, furniture and household appliances.

Lithuania's geography and transport infrastructure favour domestic and international trade. The main Lithuanian export commodities are agricultural products, wood and wood products, chemical products, textiles, mechanical goods and electrical equipment. Lithuania imports oil, natural gas, metals, machinery, electrical equipment and plastics.

Lithuanian national forest policy is focused in four directions: general, economic, ecological and social. Each direction in turn comprises separate policy priorities as summarised in Table 11.2.

Table 11.2 The four policy directions of Lithuanian national forest policy

Policy direction	Policy priority
General	<ol style="list-style-type: none"> 1. Preservation and enrichment of forest resources 2. Ensuring a variety of forest ownership forms 3. Participation of society in the resolution of major forestry issues 4. Information to society about forest conditions and management 5. Development research, education and training on forest issues 6. Strengthening and development of international relations
Economic	<ol style="list-style-type: none"> 1. A rationally distributed and continuous usage of forest resources, increase in forest productivity, and improvement of timber quality 2. Increase the economic efficiency of forestry
Ecological	<ol style="list-style-type: none"> 1. Ensuring the stability of ecosystems 2. Preservation of biodiversity and improvement of forest health
Social	<ol style="list-style-type: none"> 1. Meeting the general forest-related needs of the society 2. Development of state and private forest sectors in the rural context

Source: Lietuvos miškų politikos kryptys ir jų įgyvendinimo strategija. Mūsų girios, 2002, Nr.3.

The forest policy document Forestry and Wood Industry Development Programme was approved by the government of Lithuania in 1994, and was subsequently updated in 1996. It was the first government-approved document dealing solely with the forestry sector since the restoration of Lithuanian independence in 1990. In addition, Lithuania has received some international assistance towards the formulation of its national forest policy, as shown in Table 11.3.

In 2001 the government decided to prepare a new forest policy strategy for Lithuania. This process of forestry planning corresponds to the emphasis of the Intergovernmental Panel on Forests (IPF) on a National Forest Programme (NFP) as a systematic process for examining and defining policies, strategies and actions to achieve goals. The NFP process in Lithuania is currently at the pre-NFP phase. Nonetheless, it is possible to use the COST

Table 11.3 International assistance to Lithuanian national forest policy

International projects	Contribution to Lithuanian national forest policy
1992–1994: Forest sector development programme, Sweden	Elaboration of a long-term strategy, as well as short-term action plans, aiming at the balanced environmental, social and economic development of forests for the benefit of the country and the people.
1998–2000: Development of the Private Forestry Sector in Lithuania, FAO	Outline of a strategy for private forestry development.
1999–2001: Afforestation of Abandoned Agriculture Land Based on Sustainable Planning and Environmentally Sound Forest Management, Denmark.	Policy proposal on Afforestation of Abandoned Agricultural Land, and for requirements and other legal acts which affect the afforestation of abandoned agricultural land.
2000: Study on the Development of the Pulp and Paper Industry in Lithuania, Japan.	Feasibility study of a large scale export-oriented pulp and paper mill in Lithuania.
2001–2002: Wood Fuel Development in Lithuania, Sweden.	Recommendation towards the conversion of oil and coal fired boilers for the use of biofuel in district heating systems.
2001–2002: Pilot Woodland Key Habitat Inventory in Lithuania, Sweden.	Elaboration of criteria for key habitats inventory for the development of protected areas in Lithuania.
1999–2000: State Park Institutional Development Project, Denmark.	Preparation of a national strategy for the development of protected areas.

Action E19 methodology to analyse to what extent Lithuanian national forest policy is consistent with the core elements of a NFP as defined in the IPF and IFF outputs.

In 1995 the Ministry of Forests of Lithuania announced that Lithuania had adopted the Pan-European criteria and indicators for SFM. Subsequent evaluations of forest management in Lithuania using the Pan-European criteria and indicators concluded that forest management in Lithuania corresponds with all criteria of SFM. The total forested area has been steadily increasing, from 21.8 per cent in 1938 to 30.9 per cent in 2001. Furthermore, timber volume has increased. The growing stock volume increased over the period from 1938 to 1998 to 213.7 million cubic metres. The mean volume has increased from 125 cubic metres per hectare to 193 cubic metres per hectare over the same period. The area of mature stands has increased from 9.0 per cent (1983) to 12.6 per cent (1998). The gross annual increment in forests is 11–12 million cubic metres, while annual removal is only 4–5 million cubic metres. As well as timber, Lithuania also provides non-timber products, such as berries, medicinal herbs, mushrooms and game. In the period 1997–99 approximately 25 per cent of the felled forest area was left for natural regeneration. This increase of the natural regenerated forest area is one of the new forest policy objectives. State forest enterprises as well as private forest owners manage forests according to management plans. Forest improving works are implemented on 10–15 per cent of forest area annually. A decrease in depositions of air pollutants has been observed over the past 10 years. Pollutant emissions decreased from 421.3 thousand tonnes in 1991 to 147.8 thousand tonnes in 1998.

Protected areas in Lithuania occupy 775 thousand hectares, of which forests occupy 380 thousand hectares. In addition, 293 thousand hectares of forests are under restricted forestry activities: multipurpose protective forests, urban and recreational forests, soil and field protection forests, and so on. As a result of the environmentally-oriented forest policy, forestry area distribution by forest groups has changed in favour of strict reserves, special purpose forests and protective forests. In 2001 the share of the forest sector in GDP was 3.6 per cent.

11.2 Supporting and impeding factors

Land tenure

According to the Forest Act of the Lithuanian Republic, forests are divided into two ownership groups; state and private. The structure of forest ownership has changed due to an ongoing land reform process since Lithuania regained independence. 584,000 hectares of forests were owned by private forest owners as at January 2003. This is 29 per cent of total forest area, a figure that is projected to increase to 40–47 per cent in the future. Private forest ownership may be seen as both a supporting and an impeding factor in Lithuania. In one respect it is a supporting factor, as it helps to promote competition in the forestry sector and the efficient utilisation of forest resources. However, the actual quantity of private forest areas that have not been reforested is increasing. Much therefore depends on the motives and interests of individual private owners.

Law and regulations

In order to provide an effective regulatory environment and to govern the activities of forest owners in line with the requirements of SFM the government of Lithuania has issued and, where necessary, amended a number of rules and regulations in support of the Forest Law (1994, amended in 2001). The rules and regulations issued between 1994 and 2002 include those shown in Table 11.4.

Financial incentives

The income derived from forestry activity is a main source of funding for the state treasury, as well as for private forestry. The state budget does not fund the forestry sector. The costs incurred by legislation and regulation are borne in full by private forest owners; there are no subsidies from the state to offset these costs.

State regulations have been introduced in order to promote SFM. For example, income received by state forest enterprises is allocated for reforestation, forest maintenance and forest utilisation. Furthermore, all state forest enterprises remit 5 per cent of income derived from timber sales to the state budget for common forestry purposes (forest management planning, forest protection, research etc.) according to a determinate order of the government of the Republic of Lithuania. These provisions serve as enabling factors. However in other areas financial incentives do not exist; the absence of subsidies and a grants systems for funding the amplification of ecological functions acts as an impeding factor on the development of SFM.

Table 11.4 Forest-related rules and regulations issued in Lithuania, 1994–2002

Rule/regulation	Applicability
Regulation on Forest Use and Protection in Nature Protected Areas	The regulation is obligatory for all forest owners, managers and users.
Regulation of Sanitary Forest Protection	The regulation is obligatory for forest managers, owners, users and visitors.
Rules of the Fire Prevention Service	The rules are obligatory for all forest owners, managers, users and contractors dealing with forest harvesting.
Hunting Regulations and managers.	The regulations are obligatory for hunting area owners, users and managers.
Regulations of Reforestation	The regulations are obligatory for forest managers and advisable for forest owners.
Rules of Thinning and Sanitary Felling	The rules are obligatory for state forest managers and users.
Regulations for Final Forest Felling	The regulations are obligatory for all forest owners, managers and users.
Rules of Roundwood Sales	The rules are obligatory for state forest managers.

Political culture

Lithuania has been undergoing a transition from one political culture (based on a centrally planned economy and a one-party system) to a very different political culture (based on a market economy and a democratic political system). After the declaration of independence in Lithuania some new phenomena emerged in forestry: the formation of a free timber market; increasing timber export levels; new modes of ownership (private forests) and enterprise (private business logging companies); and the privatisation of forest industry. Despite this, the forest policy of Lithuania retains “old” political cultural leftovers. For example, the prevalence of state forest ownership is declared in the Forestry Law, and a large number of requirements are incorporated for private forest management. Implementation of these requirements is executed through the state control system (the Forests Control Division of the State Environmental Protection Inspection). A compensation system due to the restrictions of forest utilisation in protected areas does not exist.

Institutional aspects

The Parliament (*Seimas*) of the Republic of Lithuania is the institution responsible for passing legislation. Since regaining independence the structure of Lithuania’s forestry authorities has changed several times, as has its name: the Ministry of Forestry of the Republic of Lithuania (1990); the Ministry of Agriculture and Forestry of the Republic of Lithuania (1996); and the Department of Forest and Protected Areas under the Ministry of Environment of the Republic of Lithuania (1998). The frequent changes to the forestry administration structure have prevented policy continuity and impacted as an impeding factor on SFM. Since 2002 the Department of Forests at the Ministry of Environment has been the lead forests agency of the government and has primary responsibility for forest

policy and legislation concerning the forestry sector. The forestry administration also includes the Forests Control Division of the State Environmental Protection Inspection (Forest Control Division), the General Forest Enterprise, and the State Service of Protected Areas. All these institutions, like the Department of Forests, come under the auspices of the Ministry of Environment.

The Forests Control Division of the State Environmental Protection Inspection is responsible for monitoring the implementation of the Forests Act. It also performs a control function with respect to forest conditions, utilisation, reforestation and protection for both private and state ownership. It administers the issuing of licenses for forest felling by private forests owners and state forests managers and has an advisory role, guiding private forest owners on forest use, reforestation, maintenance and protection.

The General Forest Enterprise is the state forest management institution that coordinates forest use, reforestation, maintenance and protection in state forests. The State Service of Protected Areas has responsibility for coordinating nature protection in Lithuania, including forests. All these institutions combine to make up the state forest administration. This should be seen as a supporting factor for SFM, in that the state forest administration implements the main legal regulations intended to provide and ensure SFM.

However, the separation of forest policy implementation between several different state forest administration institutions (the Department of Forests at the Ministry of Environment, the General Forest Enterprise, the State Service of Protected Areas) is an impeding factor as problems of co-ordination have arisen.

Private forest owners are not yet a fully organised group. The current underdeveloped organisational structure of private forest owners should be seen as an impeding factor on SFM in Lithuania. The Forest Owners' Association of Lithuania (FOAL) is the organisation that represents and unites private forest owners. FOAL was established in 1993 and has 39 local units. Regional units of FOAL will be established in all regions of Lithuania. The establishment of cooperatives of private forest owners is also ongoing.

11.3 Participatory mechanisms

One of the principles of Lithuanian forest policy formation is participation that involves the collaboration of all interest groups. This principle features in a draft of Policy of Lithuanian Forestry and its Implementation Strategy as well as the Plan of Action for the Implementation of the Strategic Forestry Development Objectives. Forest policy judgements should consider all interest groups in society and balance the interests of private forest owners, forests managers and users, industry, environmental organisations and other interest groups connected with forests and forestry activity. All the main forest policy propositions should take into account the different interests of society.

The working group for the elaboration of Policy of Lithuanian Forestry and its Implementation Strategy was established by the Department of Development of Forests and Protected Areas under the Ministry of Environment on 9 February 2001. The working group elaborated the first draft of the document, which was then presented to different interest groups for proposals and comments. The working group considered the comments received and elaborated a second draft document. The forum Policy and Strategy of the Lithuanian Forestry was organised to consider the project on 10 December 2001, with representation from government, the wood industries, environmental NGOs and the academic sector. Representatives attended from the Ministry of Environment, the General

State Forest Enterprise, the State Forest Enterprises, the Forest Management Institute, the Forest Research Institute of Lithuania, the Association of Lithuanian Wood Working Industry, the Forest Owners' Association of Lithuania, the Nature Fund of Lithuania, the Forest Faculty of the Agriculture University of Lithuania, the Forest Sanitary Protection Station, the Lithuanian Forest Tree Breeding and the Seed Farming Centre. After the forum the draft of Policy of Lithuanian Forestry and its Implementation Strategy was published in the foresters magazine *Mūsų girios* (2002, No3).

As a result of the consultative process the initial draft of Policy of Lithuanian Forestry and its Implementation Strategy was improved in a number of ways. First, a “strengths-weaknesses-opportunities-threats” (SWOT) analysis was introduced. Second, the latest draft emphasised the conception of a NFP as a system of normative, strategic and operational planning, with participation, intersectoral approaches and interactive planning elements. Third, the preparation of a Plan of Action and Policy of Lithuanian Forestry and its Implementation Strategy (operational planning) was scheduled. This plan was approved on 31 December 2002. The main task of the plan is to determine the main forest policy implementation instruments for 2003–2006. The implementation instruments for all 12 policy priorities (Table 11.2 above) are set out in this document, along with the executive institutions and periods of implementation for each instrument. Fourth, public participation in decision-making has been incorporated into the plan. The means of societal participation in decision making on the main forestry sector issues include societal surveys and analysis of the respondents' opinions; the initiation and organisation of discussions in the mass media; and the formation of representatives from different interest groups (foresters, forest owners, and so on). Finally, the development of the state and the private forest sector has been more broadly situated in the context of rural development.

Participatory mechanisms are at an early stage of formation, and all sectors are not necessarily represented all the time. For instance, the forest industry is not represented in the Forestry Consulting Council under the Ministry of Environment. (The Forestry Consulting Council was established in 31 March 2003.) Moreover, the state forest authority has more power in forest policy decision-making than other interest groups.

11.4 Negotiation and conflict resolution

In Lithuania the NFP process has involved a mix of governmental actors (the Ministry of Environment, the Ministry of Economics, the Ministry of Finance, the Ministry of Justice), business actors (state forest enterprises and private forest companies), non-profit making organisations and non-governmental organisations (Forest Owners' Association of Lithuania, Association of Lithuanian Wood Working Industry, Lithuanian Green Movement). These organisations and companies often have very different interests.

The Ministry of Environment was charged with preparing the document Policy of Lithuanian Forestry and its Implementation Strategy. It formed a working group to debate with the different interest groups and to reconcile any conflicting approaches. Many conflicts within the working group have been solved by consensus. If consensus is not reached, the group then suggests alternatives for conflict resolution. The main decisions are made by officials of the Ministry of Environment. It is intended that the final drafts of Policy of Lithuanian Forestry and its Implementation Strategy and Plan of Action should be harmonised with the interests of the Ministry of Agriculture and the Ministry of Economy. These documents have been approved by the Minister of Environment.

Issues that have led to conflict include:

- the predominance of state ownership of the forest area
- the claim that people should have the right to visit private forests freely
- that private forest owners should have the right to hunt in their private forest holdings
- the absence of a compensation system for covering the losses accrued by forest owners due to restrictions on forest use in order to promote environment protection and conservation.

These conflict situation issues have been referred to the working group and to the central state authorities (the Ministry of Environment, the government of the Republic of Lithuania and the Parliament of the Republic of Lithuania). Certain provisions were approved by Parliament several years ago and are still valid. These provisions include the predominance of state ownership of the forest area, the right of people to visit private forests freely, and the ruling that the state owns game found in private forest areas. Such provisions have created conflicts that remain unresolved. However some estimates have been made on the compensation due to private forest owners arising from restrictions on forest use.

The process of negotiations initiated by the working group preparing the NFP has led to some significant agreements:

- With respect to forest ownership it has been agreed that forest ownership variety and equality should be promoted.
- The needs of private forestry have been taken into consideration, and it has been agreed to provide private forest owners with training, consulting and education systems and to create legal and economic preconditions that promote the merging of small-sized forest properties with the co-operation of the forest owners.
- It is intended that the forest industry sector should be developed.
- Lithuanian forest cover should increase by 3 per cent over the next 20 years. In order to achieve this 400,000–500,000 hectares of abandoned agricultural land could be converted to forestry.

11.5 Intersectoral approaches

The Lithuanian ministries with a stake in forest and forest-related policy are the Ministry of Environment, the Ministry of Agriculture and the Ministry of Economy. Forestry as a whole falls under the control of the Ministry of Environment. The National Land Service of the Ministry of Agriculture is responsible for coordinating the process of land restitution and privatisation, and SAPARD (Special Pre-Accession Programme for Agriculture and Rural Development) for supporting forestry (National Paying Agency under the Ministry of Agriculture). Rural development is the responsibility of the Rural Development and Information Department. The Industry Strategy Division and the Business Department of the Ministry of Economy deal with problems of strategy associated with the forest industry.

Various ministries are involved in the formation and implementation of the state policy on forestry. Thirteen experts working groups were involved in the preparation of specific strategies for long-term economic development (up to the year 2015), such as the Strategy of Industry Development, the Strategy of Agriculture and Rural Development, the Strategy of Economic Actions of Environment Protection, and others. The various different elements of the forest policy have been integrated into these strategies. For example, the wood processing sector, and sectors using wood products, have been incorporated into the Strategy of Industry Development. The introduction of new research, knowledge and high technologies into business is a priority. The wood and furniture industry is ranked as an

industry with a low-level adaptability to high technologies. The aim is to promote the wood industry as a traditional Lithuanian industry with an established infrastructure and the potential for growing trade in processed products.

The present legal frameworks do not create the possibility for forestry to be a part of rural development. Forestry is not treated as an agricultural activity in the Law of Agriculture and Rural Development. Furthermore, forestry is only briefly described in the draft of the Agriculture and Rural Development Strategy. So the Ministry of Agriculture, which is responsible for agriculture and rural development policies, does not deal with forestry related issues. The Ministry of Environment is responsible for forestry, although it does not deal with the integration of the private forest sector into the rural development process. In short, some problems of intersectoral coordination exist at the ministerial level in Lithuania.

The forestry and wood industry business sector of Lithuania is comprised of state forest enterprises, private forest owners, wood processing and private logging companies, private forest co-operatives, paper mills and furniture companies. The activities of state forest enterprises include reforestation, forest maintenance and protection, the usage of forest resources and the timber trade. The felling volume of state forests was 3.7 million cubic metres in 2001. The state forest enterprises have impacted upon the forest policy formation process through their participation in discussions of the major forestry issues in the General Forest Enterprise, which is the main administrative body dealing with forest business.

The private forest sector constitutes 180,459 private forest owners and 584,000 hectares of private forest. The felling volume of private forests was 1.8 million cubic metres in 2001. The Forest Owners' Association of Lithuania represents private forest owners and co-operatives of private forest owners.

The major wood industry companies are united into production-financial groups. Currently five such groups are functioning in Lithuania. They influence forest policy formation through lobbying activity and active participation in discussions on drafts of legal acts. For instance, the corporation *Vakarų Lietuvos pramonės ir finansų korporacija* (West Lithuanian industry and financial corporation) manages seven wood industry companies. During the meeting with the president of Lithuania the representative of the corporation noted the complexities of state policy, which, it was suggested, should harmonise the interests of the state, foresters and wood processors. The president stated that it is inadmissible for a small country such as Lithuania to sell roundwood. It is more profitable for a country's economy and for the wood industry to produce processed products, such as furniture.

The main non-governmental organisations dealing with forest policy formation in Lithuania are the Forest Owners' Association of Lithuania, the Union of Foresters, the Lithuanian Green Movement, and the Association of Lithuanian Wood Working Industry. The Forest Owners' Association of Lithuania is the only public organisation in Lithuania that represents and unites private forest owners. This organisation was established in 1993 and now has 39 regional units with more than 1600 active members.

The Association is administered by a board of over 50 members. It is one of the founders of a public institution, the Private Forest Extension Centre, and it supports private forest owners' co-operatives. Since 1993 the Association has been a member of the Chamber of Agriculture of Lithuania. Since 1995 it has been an active participant within the Baltic Sea associations of private forest owners' round table meetings, and since 1997 it has been an associate member of the Confederation of European Forest Owners.

The Forest Owners' Association and co-operatives of private forest owners represent the interests of members dealing with forestry activities. It is a public organisation with no permanent staff. Two people staff the Private Forest Extension Centre, which mainly provides extension services for private forest owners. The financial resources of the Forest Owners' Association come from various sources, mostly international, which support the implementation of international projects. The main objective of the Forest Owners' Association of Lithuania is to unify private forest owners for solving their objectives and problems. This is achieved by elaborating and working on effective extension and commercial services for private forest owners and representing the legal interests of Association members. The Forest Owners' Association also influences the formation of forest policy through the preparation of proposals and participating in Parliament (*Seimas*) meetings and government committees.

The Union of Foresters is a public professional foresters' organisation. It was reestablished in 1989. The Union of Foresters aims to participate positively in the solution of major forestry problems. It contributes to deliberations on forest legal acts and in making administrative decisions. It holds seminars, meetings, expositions, field trips and develops international relations with organisations of foresters from other countries.

The Lithuanian Green Movement is a public environmental protection organisation established in 1988. Its main areas of campaigning are the protection of the Baltic Sea and its basin, the protection of forest reserves and natural landscape areas, energy, transport and the reform of international financial institutions. It supports other environmental protection NGOs and activist groups and works towards the ecological education of society. The work of the Lithuanian Green Movement is expressed through periodic press releases, other mass media, meetings and pickets.

The association Lietuvos Mediena (Lithuanian Wood) was established in May 1993. It is a voluntary union of woodworking, industry and trade companies. The association coordinates and carries out the tasks of its members and represents their economic interests with various Lithuanian government institutions and international organisations. The main object of the association is the comprehensive development of the national woodworking industry. Companies of all ownership forms involved in production or trading within the woodworking industry may be members of the association. The activities of Lietuvos Mediena are administered by a permanent directorate consisting of a director and administration staff. The director is elected by a council of the association's members. Lietuvos Mediena represents the interests of association members abroad and collects and distributes to its members information relevant to the woodworking industry. The directorate takes care of trading in wood, the certifications of companies, products and specialist qualification, and holds seminars and teaching courses related to the industry. The association develops relations with similar organisations abroad, exchanging information about markets and holding seminars and conferences.

At the start of 1998 Lietuvos Mediena had 45 members representing the 60 largest companies within the wood working industry. It is a member of the European Confederation of Woodworking Industries. It often makes proposals dealing with the supply of roundwood to the wood industry companies. Lietuvos Mediena prepared the wood industry development strategy of Lithuania in 2000.

Parliament defines the major forest policy trends through adopting legislation. The Ministry of Environment plays a central role in forest administration and policy. It formulates the national forest strategy and prepares the national forestry development programmes.

The main functions of the Ministry of Environment with respect to the state forestry administration are:

- 1 Organising forestry strategy and preparing state forestry development programmes;
- 2 Planning forest coverage increases, forest genetic funds, landscape and biodiversity preservation, selection and seed growing, forest resource usage, the preparation of other programmes and projects, and co-ordinating the implementation of these programmes and projects;
- 3 Preparing drafts of legal acts on the forestry issues;
- 4 Organising and co-ordinating the stocktaking of all forests of the country, the preparation of forest management projects, and co-ordinating forest monitoring;
- 5 Organising the state accounting of forests and the formation of the Forest State Cadastre of the Republic of Lithuania;
- 6 Preparing annual forest cutting projects for state forests;
- 7 Organising international co-operation related to the forestry sector.

The Ministry of Environment co-ordinates that part of the forest sector dealing with forest resources and forest utilisation, including the roundwood trade. The state regulation of forest industry is under the competence of the Ministry of Economy. Forestry problems arising in the context of rural development are the responsibility of the Ministry of Agriculture. The coordination between these three ministries concerning the preparation and implementation of forestry development programmes is still inadequate. The Ministry of Agriculture and the Ministry of Economy do not have any specific strategy for the forestry sector. This inevitably results in the slow resolution of some problems in the forest sector (for example, the EU support programme for silviculture and the establishment of a pulpwood factory in Lithuania).

Formalised co-ordination between state and non-state actors is at an early stage. State institutions inform business actors and NGOs about programmes and legal acts dealing with forestry, and invite the representatives to participate in joint committees and project teams. Representatives of business and NGOs are able to present proposals.

According to the Forest Law, private forest management and usage regulations are approved by the government, taking into consideration the proposals of private forest owners' organisations.

11.6 Long term iterative planning

After the restoration of Lithuanian independence in 1990 the government approved the first NFP, the Forestry and Wood Processing Industry Development Programme, in 1994. This document consisted of two parts: forestry; and the wood industry. The main chapters on forestry are: forest and forest resources; forecast of forest resource utilisation; forestry policy; forest ownership and privatisation; forest management and control; reforestation; forest sanitary protection and fire prevention; timber production (logging); and the education of forestry specialists and forest workers. The main chapters on the wood industry are: production of wood products; timber consumption; domestic and foreign trade of timber; roundwood; wood products; firewood standards and measurement rules; and research.

In 1996 the Forestry and Wood Processing Industry Development Programme was revised and expanded with the addition of new chapters on the protection of forest biodiversity, research and scientific surveys. The action plan for 1996–2003 was also revised and enlarged.

By October 2001 the life span of the Action Plan of the Forestry and Wood Processing Industry Development Programme (prepared in 1994 and revised in 1996) had expired, and the government of Lithuania made a decision to prepare the Policy of Lithuanian Forestry and its Implementation Strategy, which was, in effect, the second Lithuanian NFP.

The original Forestry and Wood Processing Industry Development Programme required amendment for several reasons including:

- the adoption of the Pan-European criteria of SFM;
- changes to the forest ownership structure;
- an increase in the public role in forest management and environmental protection;
- an acceleration in the process of pan-European integration since the original national forest policy was formulated.

The new NFP was approved in September 2002. It aims to continue the Forestry and Wood Processing Industry Development Programme. However forest ownership variety, the participation of society, development and strengthening of international relations, and efficiency of forestry activity and goals of rural development are all emphasised more strongly than in the first NFP.

The main strategic goals of the second NFP are preservation and enrichment of forest resources; ensuring a variety of forest ownership forms; participation of society in the solution of major forestry issues; presentation of information to society about the country's forests, their condition and management; development of education and training on forest issues; strengthening and development of international relations; sustainable and continuous usage of forest resources with an increase in forest productivity and economic efficiency; ensuring the stability of ecosystems; preservation of biodiversity and improvement of forest health; meeting the general forest-related needs of society; and development of the state and private forest sectors in the rural development context.

A National Forest Programme requires a cyclical process comprising planning, implementation, monitoring and evaluation. The Policy of Lithuanian Forestry and its Implementation Strategy defines the key instruments for forest policy implementation until 2015. The detailed action plan to implement these instruments for the period 2003 to 2006 has been prepared, and implementation has started. However the systems of monitoring and evaluation have not as yet been announced.

11.7 The next steps

Plans of forest policy and strategy implementation have been prepared in Lithuania, and special working programmes detail these plans. Some programmes have already been prepared or are under preparation, such as the programme for increasing forest cover; the forest nurseries (orchards) development programme; the education, training and extension programme; the long-term forest utilisation programme; the oak stands re-establishment programme; and the forest fire prevention programme. However it should be emphasised that if a NFP is to be successful the right economic basis for programme implementation, as well as effective monitoring and evaluation, is also needed. The sources of support for programme instrument fulfilment have not yet been defined in Lithuania. Similarly a system of instrument monitoring and evaluation has yet to be prepared.

Public participation in NFP formulation, implementation and evaluation could be improved so that people, individually or through organised groups, can exchange information, express opinions and have the potential to influence decision-making.

Information exchange and consultation between sectors is developing. The different sectors appear to have the intention of reaching consensus when initial disagreements arise. However, intersectoral co-ordination mechanisms – such as the arbitration of intersectoral differences and defining common limits by setting parameters for sector activities – have not yet been developed. There is a need for such mechanisms as shown by unresolved conflicts on, for example utilisation methods on abandoned agricultural land; the volume of forest cuttings; privatisation of forests; the area of protected forests; compensation of losses due to forest utilisation restrictions in protected areas; and hunting in private forests. A general intersectoral coordination strategy should be prepared.

11.8 Conclusions

Lithuania has a long tradition of long-term strategic planning in the forest sector. During the Soviet occupation long-term strategic planning was based on the methods of centralist state planning for five years and long-term plans for 15–20 years. After the restoration of independence the process of forestry planning corresponds to the IPF proposals for action on National Forest Programmes. The government approved the first NFP (Forestry and Wood Processing Industry Development Programme) in 1994. The government decided to prepare the second NFP (Policy of the Lithuanian Forestry and its Implementation Strategy) in 2001. This document was approved in the second half of 2002. The Policy of Lithuanian Forestry and its Implementation Strategy (operational plan) was approved on 31 December 2002. The main task of the plan is to determine the main forestry policy implementation instruments for 2003–2006. The new NFP has all the main elements as elaborated by the IPF, including participation, negotiation and conflict resolution, intersectoral approaches, and long-term iterative planning. However the development of these elements is currently at an early stage in Lithuania.

One of the principles of Lithuanian forest policy formation is participation that involves the collaboration of all relevant interest groups. All stakeholders have the opportunity to make proposals and initiate discussions during the public consideration of the NFP.

In Lithuania the NFP process has involved a mix of government, business actors and non-governmental organisations. These organisations and companies often have different interests. However a working group has been able to resolve many conflict of interests through consensus. Where consensus is not reached, a decision is made by the state authority.

In Lithuania interministerial co-ordination has successfully harmonised policy among those ministries with a stake in forest and forest-related policy: the Ministry of Environment, the Ministry of Agriculture and the Ministry of Economy. The Policy of the Lithuanian Forestry and its Implementation Strategy defines the key instruments for forest policy implementation until 2015.

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Chapter 12

NETHERLANDS: Forest policy paragon or NFP failure?

Heiner Schanz¹ and Andreas Ottitsch²

12.1 Introduction

The Netherlands has traditionally taken a prominent and active role in international negotiations on the conservation and preservation of nature worldwide. The Netherlands has signed and ratified all agreements relevant to nature negotiated at the international and European levels, such as the Convention on Biological Diversity, the EU Habitats and Birds Directive and Natura 2000. Consequently, commitment to and accordance with international agreements on the conservation of nature is explicitly stated as one of the central principles in the official Dutch nature policy programme (MLNV 2000). The Netherlands has also taken initiatives on the conservation of tropical forests with the establishment of the Stichting Keurhout and partnership agreements with tropical timber producing countries since 1998. The country furthermore has taken a very active role with respect to environmental issues and nature conservation in the countries of the South through development programmes and extension activities. The Netherlands is one of the few countries to invest one percent of its GDP in overseas development assistance, and it meets this commitment voluntarily.

In line with the strong international orientation of its nature conservation policy the Netherlands has been fully in support of the IPF proposals for action, including the central emphasis in the proposals on formulating and implementing National Forest Programmes. This is reflected by the fact that the Expertise Center of the Ministry of Agriculture, Nature Management and Fisheries published in 2000 an extension brochure on the formulation and implementation of National Forest Programmes (Savenije 2000). This publication was intended to support the Dutch embassies in assisting governments and other policy actors in the South in the development of National Forest Programmes. At the European level the Netherlands has actively participated in the preparatory processes of the Ministerial Conference on the Protection of Forests in Europe (MCPFE), with National Forest Programmes being explicitly adopted as an important policy tool to achieve sustainable forest management in Europe.

However, whether a National Forest Programme exists in the Netherlands itself can be highly contested. On several occasions, such as within the requirements of EU regulation 1257/99, the Dutch government has reported on the existence of a NFP with reference to the recent Nature Policy Plan, which also includes forests and forest management (Mamali 2003). And, indeed, several characteristics of this policy plan – such as its holistic and intersectoral approach and the search for partnerships for implementation – appear to be consistent with the principles for NFPs in Europe as adopted by the MCPFE expert level meeting (MCPFE 2003). Nevertheless, central NFP principles – such as participation and the characteristics of an iterative process aiming at institutional and policy reforms of the forestry sector – have not played a role in the formulation of the existing Nature Policy Plan. Furthermore, by providing a set of definitions at its third session the IPF has clearly indicated that the concept of a NFP has a superior standing to the classical endeavors of

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planning at an operational and strategic level (Egestad 1999, p.13). The existing Dutch Nature Policy Plan must therefore be characterised as a far reaching and innovative strategic policy plan, but it cannot be seen as the full equivalent to a NFP (Van Tol and Savenije 2003). This interpretation is supported by the fact that several European countries have started the process of formulating a NFP explicitly in addition to their already existing national forest policy strategies (Schanz 2002). However, despite the generally strong orientation towards the international forest policy dialogue in the Netherlands, almost no voices are heard about the formulation of a NFP, neither in support nor in opposition. The question that immediately arises is, therefore, how the obvious mismatch between the attention given to the formulation and implementation of NFPs at the international level and on the national level in the Netherlands can be explained.

12.2 Characteristics of the Dutch forestry sector: impeding factors for NFPs?

Several good overviews on the structure of the Dutch forestry sector have recently been published (Oosterveld 1997; Schmidt et al. 1999; Wiersum and van Vliet 1999). Based on these overviews three main characteristics of the Dutch forestry sector, which could possibly form impeding factors for the formulation of a Dutch NFP, can be distinguished:

1 Relatively low forest cover in a highly urbanised environment

The Netherlands is one of the most densely populated areas in Europe with an average population density of approximately 460 persons per square kilometre. The forest area is 335,000 hectares, which approximates to just 10 per cent of the total land area. This means that the per capita forest area is only 0.02 hectare. These forests are relatively young. Due to overexploitation and conversion of forests to agricultural land around 1880 there were only 220,000 hectares of forests. Thanks to major plantation efforts, the forested area has since increased by 50 per cent. This increase is still continuing with an annual increase of approximately 1,000 hectares. The Dutch government aims for a forest area of approximately 400,000 hectares by 2020.

The Netherlands is not only densely populated but is also highly urbanised. According to the OECD Rural Indicators Project approximately 85 per cent of the country is predominantly urbanised. In an affluent society, people have increasing leisure time (Oosterveld 1997). People's attitudes to forests are predominantly shaped by the perception of forests as antipodes to urban areas, characterised by naturalness and quietness. Consequently the most recent Dutch nature policy programme (MLNV 2000) not only stresses the role of forests in and around urban settlements, but also particularly emphasises the role of forests for recreation, landscape and biodiversity. Forest policy has thus become a sub-sectoral issue of nature conservation policy and forest management in the Netherlands and – in contrast to tropical forestry – has not become the subject of widespread political discussion at national levels.

While at the local level “classical forest conflict situations” sometimes occur (Konijnendijk 1997), especially in the context of urban forestry, at the national level there is a low level of conflict over forest resource use in the Netherlands. One potential reason could be the low economic relevance of timber use for most forest owners. A further contributory factor is that several relevant topics have been devolved from the national level to sub-national levels. For example, hunting regulations have become the responsibility of the provinces, while the municipalities have jurisdiction over general green space zoning and planning, as well as local restrictions.

2 Traditional strong role of nature conservation organisations

Nature conservation organisations traditionally play a strong role in Dutch forest management. Nature conservation organisations took a strong foothold in the discussions on efforts to reforest large devastated areas of heather around 1900. One of the most prominent nature conservation organisations managing forests in the Netherlands is the association *Natuurmonumenten* (lit. translated: nature monuments), with more than one million members (out of a total population of 16 million). In total, nature conservation organisations manage about 20 per cent of the total forest area in the Netherlands.

Some of these organisations are mainly engaged in managing nature reserves (including forests), but others act as lobby groups advocating more attention to environmental protection and nature values. The latter are rather critical of the prevailing forest management practices, and have been very influential in stimulating discussion on new approaches to forest management (Zevenbergen 2003).

At present, nearly 50 per cent of all Dutch forests are publicly owned. Most of these public forests (62 per cent) are owned by the state, approximately 30 per cent by the municipalities, and the remainder by provinces and public organisations such as water supply companies. Around 1940, the areas of forests owned by municipalities and the state were more or less equal, but since then the state forest area has increased considerably. This reflects the prevailing view for most of the twentieth century, that due to the long production cycles, as well as the multiple functions of forests many of which cannot be financially rewarded through market mechanisms, the state holds a major responsibility to maintain forests. Up until the 1970s, the state thus took over many private forests being sold by their owners. The Dutch Forest Service (SBB) has traditionally been in charge of managing these forests. Since then, however, forests have increasingly been bought by nature conservation organisations, in many cases with financial support from the government.

There is thus a relatively high diversity of owner-characteristics, including within state- and NGO-owned forestlands in the Netherlands, resulting in differing interests regarding the management and use of forest resources. There is not, therefore, one type of public forest management in the Netherlands, but rather several different “forestries”, which very rarely appear as “one forest sector” in public discussions on the use of forest resources. Because it does not have to rely on one single organisation as a partner in the management of public forestlands, the ministry is in the comfortable situation of being able to initiate a certain level of competition amongst different public owners of forest (and nature) land. Nevertheless, the state forest service SBB is certainly the strongest and most significant amongst the public forest owners, if only by virtue of being the largest organisation with the most amount of land under its control. Recently it has gained an enhanced profile as an organisation with expertise in the management of other types of public real estate, for example large-scale historical sites.

This variety of “forestries” becomes even more diverse when privately owned forests are also taken into consideration, as will be shown below.

3 Fragmentation and smallness of private forest ownership

Although for many forest owners the financial gains from forestry are not the major motive for maintaining forests, the continuous financial losses in maintaining forests have forced several private forest owners to sell their forests. Consequently, during the last fifty years the area of private forest ownership has decreased by 25 per cent. Only recently has

private forestry again increased somewhat, mainly due to the afforestation of farmlands (Grayson 1993). But the afforestation of farmlands is still low compared to other countries, as there is no tradition of mixed agricultural–forest farm enterprises in the Netherlands.

In contrast to the relatively large tracts of state owned forest, the forest plots owned by private individuals are characterised by their small size. Approximately 45 per cent of private forest plots are between 0.5 and 5 hectares in size; only 18 private owners have a forest area that exceeds 500 hectares. The total number of forest owners is estimated to be around 16,000 minimum. However, only 1,713 forest owners are officially registered, as their forest property size exceeds the limit of 5 hectares. About 70,000 hectares of private forests are not registered with the Industrial Board for Forestry (in Dutch *Boschap*, a non-governmental organisation representing the forest sector, with limited governmental liabilities delegated by the responsible ministry). This means that little is known about the large number of small scale forest owners and that about 20 per cent of the total forest area is neither coordinated by the forest policy administration nor are subsidies paid for it. But as this situation has not resulted in conflicts, there is consequently limited interest from the ministry in investigating the situation of the smallest forest owners.

For most private owners forestry is not their main means of livelihood. Rather forests are kept as part of their estates, as ancestral lands, or as an outdoor recreation area for the family. Especially for small private landowners the motives for maintaining forests are mostly amenity and conservation, rather than production and financial (Van der Ploeg and Wiersum 1996). Consequently, forest owners tend to be rather individualistic, and many are not professionally oriented to forestry. This attitude is backed up by a relatively liberal Forest Law. When the Forest Law was established in 1922, its main aim was to support an increase of forested area, without interfering too much with the interests of the individual forest owner, as it was feared that this would be counterproductive to the reforestation efforts of that time (Van de Kamp 1998). Consequently forest management plans were not required for private forest owners. This was confirmed by the last revision of the Forest Law in 1961 in which the obligations of private forest owners have been limited to announcing harvesting in advance, complying with certain phyto-sanitary standards, registering with the *Boschap* and the general duty to reforest after cuttings.

The Forest Law furthermore provides Dutch forest owners with the right to restrict open access to their forest property. Forest surveillance through state agencies has always been limited to state forests and other public forest lands, with the exception of the short period of the German occupation during World War II. Having thus become associated with the negative experience of the occupation, the concept of surveillance of private forests has been discredited and has not been reintroduced since (Van de Kamp 1998). It is only more recently that the property rights of the private forest owners have been restricted more rigidly by the new Nature Protection Act, which subordinates management goals to conservation, and particularly species protection aims (Van Vliet et al. 2002).

The Ministry of Agriculture, Nature Conservation and Fisheries has tried to stimulate cooperation between forest owners. However the role of regional cooperative groups is limited to technical management aspects. They have hardly had any impact on policy formulation, if any at all. Traditionally the state coordination of private forestry has concentrated on financial instruments, such as subsidy schemes as well as specific grants and tax regulations.

In summary, forest politics has become a sub-sector of nature conservation politics, which is reflected both in the administrative structure and the high importance of nature

conservation NGOs as forest owners (20 per cent) in the Netherlands. For the past decade there has been no basic disagreement on behalf of conservation NGOs with the national policy objectives for forest resources. Large conservation NGOs have established clientele relationships with the Ministry LNV, thus preferring direct contacts and lobbying to public action or campaigning at the national level. They have also been involved in the formulation of relevant policy documents such as the programme *Nature for People – People for Nature*, which is currently considered to be the major public policy document on nature conservation – and thus also for forest policy – in the Netherlands. NGOs thus have little to gain from a further institutionalisation of public debate on forest resource management, such as the formal initialisation of a NFP process in the Netherlands.

Other policy actors, such as the private forest owners, have not so far voiced their interests on forest policy issues in a concerted way. Due to the low share of domestic raw material in the supply structure of Dutch forest sector industries (including pulp and paper), there is also little interest from forest industries in becoming involved in discussion on the management of forest resources in the Netherlands. According to the same logic, the image of Dutch forestry is of less relevance to them than the image of forestry in their supplier countries.

Altogether, it can be argued that the structure of the Dutch forestry sector is an impeding factor for starting a NFP process. Nevertheless at the same time Dutch forest policy has recently undergone developments which can be seen as supporting the concept of a NFP, as we shall see in the next section.

12.3 Recent developments in Dutch forest policy: supporting factors for NFPs?

Dutch forest policy in general has undergone several important changes over the last decade. In line with developments in the general administrative system of the Netherlands new approaches for the coordination and administration of forest policy issues have been installed. In the light of the discussion about the formulation and implementation of NFPs three developments seem of particular relevance. These are decentralisation tendencies, the (semi-)privatisation of the former State Forest Service (SBB), and the switch from an input- to an output-oriented forest subsidy system. All three developments illustrate the shift in the understanding of forestry from a primary government task to one of governance arrangements, including negotiation, network coordination, and the explicit involvement of broader societal issues in policy formulation and implementation.

1 Decentralisation

Traditionally the national government has been responsible for forestry related matters (Van Vliet 1993). The main responsibility with respect to forestry policy has rested with the Ministry of Agriculture, Nature Management and Fisheries. Other ministries that have traditionally been involved in forestry matters are the Ministry of Spatial Planning, the Ministry of the Environment (VROM), the Ministry of Development Cooperation and the Ministry of Economic Affairs (EZ).

Since 1982 the decentralisation of tasks from the national level to sub-national authorities has been the official policy of all Dutch governments (Andeweg and Irwin 2002). The new philosophy was that policies at the national level should be outlined in broad terms, while implementation in terms of targets and budgets had to be devolved to the

provincial level (Oosterveld 1997). As a result of the Netherlands decentralisation policy, provincial authorities play an increasingly important role in countryside planning as well as forest management. Recently, several tasks of implementing national forestry policy have been delegated to the provinces. In essence, this means that the national and provincial governments enter into management agreements on policy aims and instruments. Based on these management agreements each province then draws up implementation programmes, which are funded by the national government on the basis of implementation contracts (MLNV 2000). Furthermore, the implementation of the Forest Law has been delegated to the provinces, with the result that different provinces provide different interpretations, for example on reforestation duty (e.g. Provinciaal Bestuur van Gelderland 2001). In some cases provincial governments have also developed their own incentives for forestry. For instance, the Province of Gelderland has stimulated the development of so-called Integrated Forest Management by means of an extension scheme, while the province of Overijssel stimulates the same process through a subsidy scheme.

The local authorities do not have any specific role with respect to forestry policy formulation, but they do have a great influence on the implementation of the policies. They have an important role in regulating the use of private and public property, especially through their authority to decide on detailed land-use zoning. Furthermore, as indicated above, some municipalities are also forest owners, which gives them considerable influence in forestry policy.

Central government still has considerable power over local government via the so-called “golden ropes” i.e. central government remains the main source of income for local government. Even so it cannot be denied that real decentralisation has taken place in recent decades (Andeweg and Irwin 2002, p.168). In this respect also Dutch forest policy is fully in line with one of the key components of NFPs.

2 (Semi-)privatisation of the State Forest Service

Traditionally, professionally-trained forest managers have exercised a relatively strong influence on forestry policy due to the original twofold role of the State Forest Service (in Dutch: Staatsbosbeheer) which had responsibility for the management of state owned forest lands as well as for the implementation of the forest policy of the government. In the wake of the general devolution and decentralisation tendencies it was decided in 1988 to separate these dual functions with a ministerial Department of Nature, Forests, Landscape and Fauna becoming responsible for policy matters and the State Forest Service becoming a semi-autonomous forest management agency (Wiersum and Van Vliet 1999).

Consequently the role of the Dutch Forest Service has changed substantively. Whereas it had traditionally been an authority in forest policy, it now became just one actor in a multitude of other actors. As the delivery of specific forestry services is increasingly negotiated via financial contracts with the ministry, the Dutch Forest Service must explicitly aim at involving broader society in forest management through communication and public participation. At the same time as the authoritative role of the Dutch Forest Service was terminated, new management corporations and joint initiatives took place between the forest service and nature conservation organisations, such as the WWF.

Even though the Dutch Forest Service is – given its share of the total forest area and its semi-autonomous status – not an ordinary actor in the Dutch forest policy arena, its semi-privatisation clearly mirrors the general preference in official Dutch forest policy for forest policy coordination by communication, negotiation and public involvement.

3 From input-to output oriented subsidy schemes

For the realisation of the public interest in relation to forest resources, financial policy instruments have been the preferred tools of public intervention. These have been administered mainly by the Ministry of Agriculture, Nature Conservation and Fisheries. This ministry is a central actor in Dutch forest and nature conservation politics, as the various public and semi-public forest owners rely to a large degree on this source of funding for their budget planning. Private forest owners also depend heavily on subsidies, which account for 50 per cent of their total revenue.

In line with the overall trend in most European countries to shift away from regulative instruments or indirect incentives to negotiated contractual agreements and direct incentives (Schmithüsen 1999, p.9) a remarkable change has occurred in the subsidy system in the Netherlands. The former input-oriented subsidies for reforestation and forest maintenance have been abolished. Instead public and private forest owners (the Dutch Forest Service and nature conservation organisations still have separate systems) can now choose from different output-oriented contractual “packages” based on a function endowment scheme. This new output-oriented subsidy system clearly illustrates that forestry is no longer considered a primarily governmental task, but an activity involving various stakeholders.

These substantive changes and the new general direction of Dutch forest policy appear to be fully in line with the fundamental principles of NFPs (Egestad 1999). At the same time they indicate the high potential of the Dutch forest policy system for reforms, which are at the very core of the NFP concept (Boon et al. 1999). In this respect it would appear that the Netherlands was on track towards a Dutch NFP. But why, then, have no efforts or initiatives been undertaken to start a formal NFP process in the Netherlands, even though this is required by the country’s international obligations? A closer look into the four essentials of NFPs and their traditional interpretation in the Dutch context can be helpful in answering this question.

12.4 Participatory mechanisms: experts, networks and purposive non-discretion

The political culture of the Netherlands can be characterised as one with a high level of societal organisation, reflected in a large number of public and private institutions, which cover almost all fields of social and economic interest. The background of this is the so-called “pillarisation”. This concept is commonly used to describe the compartmentalisation of Dutch society into the four pillars of Protestantism, Catholicism, socialism and liberalism. These four pillars had become firmly established by the end of the nineteenth century as a result of the political developments in the Netherlands following the country’s political independence from Spanish rule in the seventeenth century. For most areas of public life (e.g. schools, newspapers, public TV/radio stations, sports) there exist institutions within each of these pillars. While the strict ideological divides in society decreased over the course of the twentieth century, the culture of organising interests in formal institutions has remained, as has a culture of “counter-organisation”, in which the advent of any organised interest is met with the creation of an equally formal “counter-organisation”. For forestry this is reflected in the large number of organisations representing the different forest users (Oosterveld 1997), although these are not compartmentalised along the traditional religious-ideological divides, which had already lost some of their significance when forestry became an object of public policy in the early twentieth century.

Dutch governmental policy is explicitly aimed at involving these various groups of stakeholders in forest management and policy. This allows forest users to effectuate forest policy, and thus forest management, through their respective interest representation organisations. Environmental and nature conservation organisations, backed by a large constituency of members (in the range of two million citizens), have been particularly influential in setting the policy agenda on how to develop forest management (Zevenbergen 2003).

Another important key characteristic of Dutch politics that is important in this context is the deep-rooted conviction that power flows from consensus. The consensual style of policy making is rooted in institutions, values and aspirations, even though it can differ from one policy arena to another (Andeweg and Irwin 2002). This is reflected in the signing of the so-called “Forest Agreement” (in Dutch: *Bosakkoord*) in 1995. The *Bosakkoord* is a strategic document about Dutch forest policy that includes a joint vision as well as operational goals, such as on afforestation and self-sufficiency, and which has been signed by all major national forest policy actors, including 15 NGOs, the Dutch Forest Service, four provinces and three ministries.

The compromise-oriented nature of the Dutch political system generally requires pre-parliamentary discussions, involving interest representation organisations and their technical and political experts, for most legislative procedures. Forest and nature conservation politics are not exempt from this, as can be illustrated by an example during the 1980s (following Wiersum and Van Vliet 1999). In the early years of that decade a small group of experts from the State Forest Service and some related institutions worked out a first draft that was discussed internally and with other ministries. After several revisions, a formal forest policy proposal was issued in 1984 for public consultation as a long-term forest policy plan. This was part of a general procedure, including political discussions with other authorities and expert advice on specific subjects. The results of this consultation period were published in a separate paper and processed internally in formulating the government’s decision on forest policy (issued in 1986). The definitive policy document was submitted for approval by Parliament and was generally welcomed. In 1990, the policy plan was completed with an implementation programme, giving details of specific actions and instruments to reach the stated objectives.

This example also illustrates another characteristic feature of Dutch politics, namely the readiness for change and adaptation to changing conditions. At the time when the plan was finally completed along with the implementation programme, several advisory committees and task groups were already studying selected topics of forest policy such as finance for nature, function endowment, afforestation targets, timber provision and forest ecology. In 1992 it was decided that the results of these studies, together with the reformulation of the present objectives, would be included in a new forest policy plan to be issued within a year. The resulting “Forest Policy Plan” of 1993 included long-term objectives and had already taken into account the ideas of the 1992 UNCED conference in Rio. However it still had to be regarded as coming mainly from the traditional actors of Dutch forest policy.

The remarkable feature of these consultation mechanisms is that they usually occur outside regular formal parliamentary or administrative procedures. In this context the high level of formal organisation of forest and nature related interests should be regarded as a factor facilitating the existence of informal networks between interest representation organisations and relevant representatives in the parliamentary and administrative apparatus.

Anecdotal evidence suggests that sometimes the tactic of “purposeful indiscretion” is used when an interest group reacts to drafts of certain policy plans in a way that allows its attitudes to be indicated without potentially self-committing statements, either publicly to the press or internally to their members. An “undisclosed” document for internal discussion can enable a particular form of public participation without violating formal rules of disclosure.

12.5 Negotiation and conflict resolution: Consensus culture and corporatism without compliance

The consensus-oriented nature of Dutch political culture has already been mentioned. Together with the high level of organisation of interests in society the Netherlands is on the one hand often seen as an example of (neo)-corporatism (Andeweg and Irwin 2002). On the other hand – and seemingly contradictory – the Netherlands also has a prevailing climate of liberalism, which is reflected in a pragmatic approach to many issues that in other countries have been the object of fierce political discussions based on basic disagreements due to religious or ideological motivation.

To some degree pragmatism is employed in order to avoid discussions on potentially fundamental issues in society. The famous Dutch drug-policy, for example, is not based on the legalisation of the trade and use of soft drugs, but rather on a tolerance of practices that according to the letter of the law are still illegal. This approach effectively shifts politically critical decisions from the legislative sphere into that of the executive.

In the forest sector at least one critical element of corporatism is lacking though. In corporatist structures interest representation organisations usually offer the compliance of their members, either to actors in the political sphere in the form of political support at the polls or as a facilitating factor for implementation in the public administration apparatus. The resulting parental and clientele relationships can be seen as the main binding force of corporatist systems, and both the positive (social stability) and negative (high level of inertia) features of such systems are attributed to them.

Member compliance is lacking, however, in the context of interest representation organisations for the forest (and nature conservation) sector in the Netherlands. One factor is that the large size of the major forest user organisations (e.g. *Natuurmonumenten* has one million members) has led to a high level of heterogeneity of member interests as well as to difficulties in establishing firm communication and decision making links between functionaries and ordinary members. The lack of an effective organisation of non-public forest owners, which was mentioned above, or rather the high level of desegregation of existing representation, also has to be seen as potentially hindering factor with respect to the establishment of an all-encompassing dialogue on forest politics.

Thus, while in general Dutch political culture provides a climate facilitating the concept of participation of interest groups in the political decision making process, the “incomplete” nature of interest organisation in the Dutch forest and nature conservation sector means that agreements achieved in those processes may not necessarily hold and might need to be adapted soon after implementation. However due to the overall pragmatic attitude towards political life, the failure, or rather premature termination, of policies is not necessarily seen as too large a problem in Dutch political culture. A typical approach can best be characterised as “trying out and fading away”. This is a phenomenon that also manifests itself in the fact that budgeting for the realisation of longer-term objectives is not irreversible once a

programme is published, but is usually realised within normal government budget-drafting. The cancellation of the government's "land-buying-policy" (for the establishment of the national ecological network) is one example of this.

12.6 Long-term iterative planning: rationality and pragmatism

Rational planning as an approach to policy formulation has a long tradition in the Netherlands, which to a great extent owes its very physical existence to a carefully designed system of technical protection against river-floods and sea-tides (Van der Valk 2002).

Political planning is common in most political sectors, as is the conviction that there is an objective rationality – outside ideologically based discussions – which could and should form the basis for political discussions. The improvement of political decisions is thus seen to a large degree as a problem of improving the quality of information, which forms the basis of such decisions. Consequently, with growing environmental concerns, the first Dutch National Environmental Policy Plan was published in 1989, followed by revisions in 1990 and 1993. Technical goals and objectives with explicit time frames to overcome environmental problems were formulated in these plans, but so too were measures for societal mobilisation to reach these goals.

This strong planning tradition earlier influenced forest policy planning, as Wiersum and Van Vliet (1999) have pointed out. With the aggravated financial situation of forest owners due to the closing down of the coal mining industry in the 1970s, the *Boschap* urged government to start providing financial support to forest owners on a regular basis. The organisation presented some thorough proposals for a Dutch forestry strategy, putting forestry firmly on the political agenda. The Ministry of Agriculture and Fisheries subsequently issued a sector study on forests and forestry in 1977 as a contribution to the national rural planning debate (Ministry of Agriculture and Fisheries 1977). This started a learning process of national forest policy making, which resulted in two major milestone documents in 1984 and 1993. In 2000 an integrated nature policy plan, *Nature for People – People for Nature* (MLNV 2000), was issued, replacing the previous green policy programmes comprising the Nature Policy Plan, the Landscape Memorandum and the Forest Policy Plan. Whereas the previous sectoral forest policy plan had a time frame up to 2020, the new integrated policy plan lasts only until 2010.

This tradition of and interest in political planning has also resulted in an openness to including innovative approaches in new policies. The output of policy formulation is thus surprisingly revolutionary in comparison to the iterative character of policy progress in many other countries. One of the explanatory factors behind the seemingly contradictory constellation of a high level of interest group participation in the policy formulation process and a high degree of innovation could be the overall pragmatic approach to politics in general. If the implementation of a policy turns out to be problematic or highly conflictual, the very fact that the policy system itself is used to changes means that there is less of a problem in alleviating conflicts in implementation, or in gradually ceasing implementation and generating a renewed policy. The culture of "trying out and fading away", mentioned above, has thus developed. The final results of this culture may differ only slightly from incrementalism, but it at least provides some opportunity for testing the feasibility of new approaches.

12.7 Intersectoral approaches: linkages without coordination

The Dutch tradition of political planning also includes a strong emphasis on intersectoral aspects. The above mentioned *Bosakkoord* of 1995 is one example of this, as

was the most recent policy document *Nature for People – People for Nature*. However the *Bosakkoord* promotes co-ordination mainly through the provision of information to other sectors, rather than involving them in the actual decision making process.

In the context of sectoral planning and intersectoral co-ordination the fact that in the Netherlands the forestry sector does not incorporate forest industries is significant: it constitutes an important difference in the understanding of the term “forest sector” compared with most European countries. 90 per cent of the consumption of wood and wood products in the country is covered by imports. Consequently measures and plans affecting domestic timber production are only of limited consequence to Dutch processing industries. In addition, it has to be noted that there is no (regional) tradition of wood manufacturing, so the majority of wood processing is done in the context of bulk-production. Historically much domestic production was used by the mining industry, while nowadays the most important buyers come from the pulp and paper sector. The timber trade sector exists, but is characterised by a multitude of relatively small companies, which further limits the possibilities for an integrated forest-wood chain.

While the lack of integration between forestry and wood processing industries in the Netherlands can probably be explained by the low economic importance of domestic timber for Dutch processing industries, it is nonetheless remarkable that chains have not been formed in relation to other forest users. A high population density and the absence of a common right of access would suggest a good potential for the development of partnerships between forest owners and recreation-related business activities. However these are largely non-existent. On the one hand recreational access is offered on forestland owned by the state or conservation NGOs, which together own the majority of Dutch forestland. On the other hand most private forest owners have preferred to accept financial incentives from the government to grant recreational access. As a result free recreational access to forest land is available for most forestlands, although some areas of special interest (e.g. Hoge Veluwe “National Park”) are managed on an access fee basis.

Hence the strongest link between “users” and forest owners in the Netherlands relates to nature conservation. At 20 per cent the ownership share of forestland by conservation NGOs is probably the strongest indication of this. This compares with the following share of ownership by forest sector industries as a percentage of total forest area in Nordic countries: Norway 6.9 per cent; Finland 28 per cent; Sweden 39 per cent (Pelkonen et al. 1999), where the “forest wood chain” is considered to be very strong. One might conclude from this that in the Netherlands forestry (i.e. forest management) is actually a sub-sector of nature conservation, and that this is reflected in the governmental administrative structure.

12.8 Conclusions

So far the formulation of a Dutch NFP has not officially been initiated in the country. It is not possible to give one single explanation for this, which is all the more astonishing given that at the international level the Netherlands has been active in processes aiming at the establishment of NFPs in tropical countries (Savenije 2000). Among the main factors contributing to this could be:

- 1 Forestry is not a major issue in Dutch politics. It is usually treated as a sub-sector of nature conservation. In the area of nature conservation most attention has been given in the late-1990s to the establishment of the programme *Nature for People – People for Nature*. In this programme relevant objectives for the development of forest resources are included in the chapters on “nature”, “rural area” and “urban area”.

- 2 There are no major disagreements on forest management within Dutch society. Due to the strong integration between forestry and nature conservation the major conflict line that is typical for most European countries does not exist in the Netherlands.
- 3 Given the long policy planning tradition at the national level in the forestry sector and the existence of a strategic nature policy framework, the need for another new strategic policy process does not appear convincing enough for ministerial actors. Due to horizontal compartmentalisation (e.g. between the Ministries LNV and VROM) and vertical decentralisation and devolution (between national authorities, provinces and communities), it is also not clear which institution would be responsible for starting a NFP process, and which institutions might gain from such a process.
- 4 Over the past three years Dutch politics can be characterised as rather turbulent, with an unusually fierce level of discussion on economic and social issues. This political climate has not been conducive to the development of a Dutch NFP.

Altogether there has been no strong external or internal pressure for intensified discussions on forest politics, let alone for the start of a Dutch NFP. At present only two things are likely to change this situation:

First, the country might be obliged to fulfil its international obligations if the standards for the formulation and implementation of NFPs in Europe were to become increasingly specified, for example within EU regulation 1257/99. Second, there is an interest on behalf of some private actors in the Netherlands to take a more proactive role in public discussions. These actors might use international arrangements to increase their power in the national discussion on forests and nature conservation policy, as happened in the case of Austria (Hogl 2000). For these actors NFPs might form an excellent opportunity, as the focus of NFPs is not on the strategy itself, but on the process!

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Chapter 13

NORWAY: Achieving a NFP through an adaptive strategy

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13.1. Introduction

Forests and other woodlands cover 37 per cent of the land area in Norway. The annual harvest has ranged between 7 and 11 million cubic metres for the last 50 years. Approximately 88 per cent of the forest area is in private ownership, divided among approximately 120,000 properties. The forest sector contributes about 1.1 per cent of GDP, 1.6 per cent of the employment and 8.6 per cent of export value, not including oil and gas. Historical and current accounts of Norwegian forest policy can be found, *inter alia*, in Tveite (1964), Vevstad (1992), Framstad (1996), Agricultural University of Norway (1998), Nyrud (1999), Framstad et al (2002), Øistad (2001), Eid et al (2002), Gulbrandsen (2002), Lindstad (2002a; 2002b), Øistad and Trømborg (2002), Berge and Saastamoinen (2002) and Ministry of Agriculture (2002a; 2002b; 2003a; 2003b).

A wide range of measures, including legislation, taxation, economic support schemes, extension services and administrative procedures are employed in implementing Norwegian forest policy. The Forestry and Forest Protection Act of 1965 is the main legal framework for forest management. This Act is currently under revision, partly with the aim of achieving better integration of environmental aspects into forestry. Norwegian forest policy was revised in the late-1990s when a white paper was submitted by the government (Ministry of Agriculture 1998) in 1998 and adopted by the Parliament (*Stortinget*) in 1999. The main contemporary forest policy issue in Norway relates to the need for more protection of productive forests. In the most recent white paper on the government's environmental policy and state of the environment, submitted on 25 April 2003 (Ministry of Environment 2003), increased forest protection is highlighted as one of six cross-sectoral environmental measures. There is also an ongoing debate on the use of financial incentives towards forestry. The National Budget for 2003 (Ministry of Agriculture 2002a) introduced some major changes in forest policy through further enhancing value adding activities in the forest sector, forest protection and biomass for energy, and at the same time reducing government support for silviculture.

The existing national forest programme (NFP) in Norway is the sum of various policy activities, such as the development of the new forest policy in 1998–99 (through the white paper process – *Skogmeldingen*), county forest strategies and the government-supported Living Forests project in 1995–1998. However, the idea of a NFP is not yet established as a well-known concept in the forest sector. The Ministry of Agriculture has initiated a new stage in the NFP process in Norway, which at the time of writing is at an agenda setting phase with an overall strategy for the process under development.

It is argued in this chapter that a NFP process, understood as the development of a new programme document, would be unlikely to gain a formal status in Norway. The implementation of the conceptual equivalent of a NFP will, however, take place through the further development and refinement of existing political processes and instruments. It

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is also argued that a fruitful conceptual approach is to look at NFPs as procedural elements and outputs of government forest policies. This approach implies a need to analyse desired changes in existing policies, processes and instruments to assess whether they meet the requirements of the IPF proposals for action on NFPs.

13.2. Supporting and impeding factors

A NFP is defined in this chapter as the sum of existing policies, processes and policy instruments aimed at the forest sector. According to this view, as well as the profile of the NFP in Norway, it is hard to separate out “pre-NFP”, “NFP formulation” or “NFP implementation” phases. The point in time when the existing policies became or were named the Norwegian NFP is hence of limited analytical interest. It is more interesting to explore the influences on a variety of ongoing forest policy processes as the result of “NFP thinking” in, for example, the IPF and COST Action E19.

The Norwegian NFP viewed as a developing programmatic process has encountered some impeding factors. A NFP as a new planning process has not explicitly or implicitly been defined in the current legal framework. Political support and attention are needed for a continuing NFP process, but the political establishment has not fully committed itself to a NFP. International obligations and cost-benefit considerations also affect how national forest policy is viewed in Norway. The political trend in Norway is to focus on annual budgets in order to ensure cross-sectoral and financial flexibility. One challenge is how to establish sufficient political interest for a NFP process outside the budget framework. The forest sector in Norway is relatively small in direct economic terms (section 13.1 above). Furthermore, the current conflict level related to the sector can be described as moderate, if political attention is an indicator. The present political debate is on the need for more forest protection, especially the optimal total area under protection and its distribution.

Another impeding factor or challenge to a NFP process in Norway relates to mobilising sufficient participation, as many actors in the forest sector are not yet familiar with participation as a concept. A NFP’s role in operational forest policy depends on its political legitimacy resulting from political attention and participation. The planning situation in forest policy can be described as one with high complexity and many actors; it would hence be categorised as “social mobilisation” following the terminology of Friedman (1987). The mobilisation of stakeholders for genuine participation is essential for the process and impact of a NFP. The interest in a NFP process of economic stakeholders³ in the forest sector in Norway, such as the forest owners and forests industries, would be to create attention that could ensure or improve the sector’s business environment. Economic interests are in general also able to participate actively in political processes. The risk for these economic interests related to the NFP is that the process can be influenced more by environmental and social interests, thus resulting in political decisions which may reduce the profitability of forest businesses.

The existing arrangements for access to political decision makers are also likely to be a consideration for actors. Traditionally economic actors in the forest sector have had good access to decisions makers. The Living Forests project and the development programme for timber utilisation and processing are ongoing participatory processes. Some competition for attention between these activities and a more explicitly defined NFP process is likely.

³ It is fruitful to distinguish between *stakeholders* and *actors* in policy processes. Stakeholders are that part of the public that have a direct interest in the issues while actors are those who participate actively in the process. The government itself can be divided into many actors.

Environmental and social stakeholders would clearly gain from a NFP process that leads to a more environmental or social orientation of forest policies and management. The capacity to participate actively in the process would be a consideration, as well as how their interests are treated. The motivation for some of the environmental organisations to reach consensus with economic stakeholders can also be questioned, and is a challenge in the design of procedures for conflict resolution in the NFP process. In traditional policymaking processes interests are brought forward by stakeholders and decided by politicians. A political solution is hence achieved without any obligation for stakeholders to reach an agreement. In sum, political attention and expressed willingness to consider all different viewpoints and to implement the outputs of a NFP process is crucial in mobilising participation from various stakeholders.

As political attention to the NFP concept in Norway has so far been limited, the bureaucracy, notably the Ministry of Agriculture, has an important role when a NFP revision is initiated. An update of the Norwegian NFP is one of the current priorities of the ministry. One possible challenge for the NFP approach is to change the role of the bureaucracy to that of a facilitator and/or participant in policy processes, rather than preparing cases for political decisions. Likewise, a high propensity of the bureaucracy to change its *modus operandi* will be a supporting factor.

The ownership structure in Norway can be seen as another impeding factor on the NFP process. 88 per cent of the forest area is under private ownership. Most of the private forests belong to 120,000 non-industrial forest owners. This means that responsibilities and authority relating to forest management are to a considerable extent in the hands of a large number of individuals. In general, the public's expected involvement in forest management on private properties is lower than on public lands. As the objectives of forest management will vary from owner to owner, the current heterogeneity of forest ownership in Norway might reduce the demand for broader public involvement compared to countries where most of the forests are publicly owned.

A supporting factor for NFP elements such as participation and holistic, intersectoral approaches could be that the direct economic importance of the forest sector is at an historical low level, for the forest owners as well as for the national economy. This can motivate economic stakeholders to discuss the business environment, objectives, strategies and institutional aspects within the sector. The political trend in Norway is towards the reduced availability of financial instruments in general and sector specific instruments in particular. There is a need to discuss more broadly the goals and priorities for financial instruments in the forest sector, including for example a distinction between private and public benefits. The possible effects on the forest sector of more general financial incentives such as tax relief must be analysed and discussed, as should possible changes in the legal framework. Decisions outside the traditional mandate of forest policy have an impact on forests and forest management practices. NFPs can, by involving other ministries, establish a better understanding of how such decisions might affect the forest sector. The holistic approach of the NFP can ensure that issues with weak governmental or institutional "homes" can be included. Examples of such issues in Norway are the development of hunting and tourist excursions to forest properties. A decline in roundwood prices has already stimulated a more holistic approach towards income generation based on a variety of forest resources.

13.3 Participatory mechanisms

Participatory mechanisms in some main Norwegian forest policy processes are summarised in Table 13.1 below.

Table 13.1 Participatory mechanisms in Norwegian forest-related policy processes

Process	Purpose of process	Participation (representation)	Form of participation
Annual National Budget	Allocation of public funding: proposals by government; decision by the Parliament	Ministries/government.	No public participation, except informal inputs to ministries/ministers and the Parliament
White paper on forest policy (No. 17, 1998–99)	Development of new forest policy (report by the government to the Parliament)	Ministries and regional authorities. Forest owners, environmental, recreational, agricultural and research organisations	Formal hearings between ministries. Consultative input from others
Development of new forest act	Revision of forest act in accordance with comments by the Parliament in 1999	Relevant ministries, regional forest authorities, and a reference group (e.g. environmental and recreational NGOs, hunting and fishing organisations, forest owners, forest industry and agricultural organisations)	Consultative formal hearings, decision by Parliament
Regional Forest Strategies	Preparation of separate forest strategies, or forest issues treated in more general county development plans	Local variations, some with wide public and sector participation, others more limited	Consultative
Development programme for timber utilisation and processing (“Treprogrammet”)	Five-year programme to increase value adding and develop new products, cooperative arrangements and competence in the forest sector	Relevant ministries, the Norwegian Industrial and Regional Development Fund, and advisory group with business stakeholders	Decision making. Annual public funding allocated through National Budget, approved by Parliament
Living Forests project	Information and competence building, standards and Criteria and Indicators for Sustainable Forest Management	Two ministries, forest owners, forest industries, trade unions. Consumer, environmental and outdoor recreational organisations	Decision making

Allocation of research and development funds	Annual allocation of government funds for research and development	Norwegian Research Council, boards with representation of major groups	Decision making
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Forest policy processes in Norway can be characterised as participatory. In general the form of representation is consultative, and there has traditionally been stronger representation from economic actors than from social and environmental interests. This variation in participation can partly be explained by issue areas, as there is less room for public participation in the allocation of annual state funding than in the formulation of standards for SFM. Also, there will be changes in the timing of a process, with the preparation of the new forest act suitable for broad participation, while the final decisions are to be made by the Parliament. A more formal evaluation of participation in forest policy processes in Norway is not at present available. However Aasetre (1998) has studied the views of Norwegian nature managers on public participation and found a positive attitude towards the involvement of individuals and NGOs in decision-making. However many nature managers see public participation as being mainly relevant in conflict management and as a planning tool, and less relevant in relation to more technically orientated issues.

Hofstad (2002) has analysed the participation in the development of the white paper on forest policy from 1998–99 and compares the structures for participation in Norway with forest policy processes in Zimbabwe and Uganda. He notes that if the forest sector consists of stakeholder groups with objectively conflicting interests, the unavoidable task of politicians becomes the weighting of these interests against one another. Politicians have to make a stand and defend the interests of some stakeholders as more important than others.

The public does not have legal standing in the Norwegian Forestry Act of 1965. It is up to the Forest Authority to decide whether mismanagement is a violation of the law and whether a legal case should be raised or brought forward to the police for investigation. Under the current law, other stakeholders cannot bring mismanagement or other potential violations to court. However, environmental authorities have a right of appeal in cases related to interests in their sphere of authority. A draft of the new Forest Act to be submitted to Parliament in 2003/2004 is expected to increase participation related to forest management through expanding those issues on which the public can complain of violations.

The Living Forests project was established in 1995 by the forest sector (forest owners and industry) in collaboration with several NGOs, labour organisations, customer groups and the forest and environmental authorities, and with financial support from the Ministry of Agriculture. The background for establishing the project was the enhanced international focus on forest and environmental issues, as well as the desire within Norwegian forestry to practise responsible forest management in a long-term perspective. Organisations that have been represented by their managing directors in the steering committee of the Living Forests project include the Norwegian Forest Owners' Federation, the Norwegian Forestry Association, the Norwegian Sawmill Industries' Association, the Norwegian Pulp and Paper Association, the State-owned Land and Forest Company, the Norwegian United Federation of Trade Unions, the Norwegian Ministry of Agriculture and the Norwegian Ministry of Environment. In addition the Norwegian Society for the Conservation of Nature, WWF Norway, the Norway National Council for Outdoor Recreation (FRIFO), the Association of Intermunicipal Outdoor Recreation Boards, the Norwegian Consumer Council, the Norwegian Forestry Society, the Forest Extension Service Institute and Women in Forestry have actively participated in the project. Information and competence building were

important aspects of the project. One important result was the development of 23 performance level standards for sustainable forest management (Living Forests 1998) on which consensus was agreed in 1998. An ongoing activity in the continuation of the process is the further elaboration of the standards. WWF and Naturvernforbundet (IUCN Norway) have, however, withdrawn from this activity due to disagreements on the elaboration of the standards related to natural forests. Up to now the Living Forests project has been the most participatory process in the forest sector.

The standards for sustainable forest management developed in the Living Forests project are applied as the minimum performance level for most of the forestry in Norway. The main environmental certification systems in Norway are ISO 14001 and the European Eco-Management and Audit Scheme (EMAS). Certification based on the ISO 14001 or EMAS systems, as well as the 23 Living Forests Standards for Sustainable Forest Management in Norway, have been unanimously endorsed by the Pan-European Forest Certificate (PEFC) Council as meeting the requirements of the PEFC. Certificate holders will receive access to the PEFC logo as soon as a logo-sublicense has been issued by PEFC-Norway.⁴ Virtually all domestic deliveries to the forest industry in Norway are certified.

Forest certification can in principle improve participation related to forest management as certification standards have requirements for how forest management should interact with affected parties. The Living Forests Standards also have requirements for planning on properties larger than 1,000 hectares, calling for the collection of environmental and social data and some form of public involvement. Such properties represent, however, a relatively minor part of the forest area in Norway.

In summary, the most common participatory approach in forest policy processes up to now has been the involvement of spokespersons from selected interest organisations. Open hearings and web pages where the general public can express their views have not been widespread in Norwegian political culture. With the same organisations – and the same few people – involved in the different processes, knowledge of the diverse views of other actors has improved, but with an attendant danger of circular debates. More open invitations for participation could possibly increase the number of views and result in more creative solutions, given that the topic is of sufficient interest to engage a broader public.

A thorough evaluation of participation would require an analysis of how the actors in the process evaluate their opportunities for participation and how participation has influenced the outcome of the process. The issue of symbolic versus real participation is relevant in this context.

13.4 Negotiation and conflict resolution

How disagreements and conflicts should be treated is an important aspect of effective participation. When participation is in the form of joint decision-making or consensus, there is a need to have a defined modality for negotiation and conflict resolution. For instance, in the allocation of research funds, the members of the programme board may vote to decide who receives funding. The design of the structures for negotiation and conflict resolution will define how different stakeholders can influence the outcome of the policy process. A group can influence a process proportionally to the number of people in the group, or proportionally to its interests. The resources available to stakeholders may not reflect the legitimacy of their claims.

⁴ The PEFC was renamed the Programme for the Endorsement of Forest Certification in 2003. <http://www.pefcnorge.org>

When participation is consultative, there is no need for actors in the process to reach a consensus. In processes where the participants are supposed to recommend objectives or strategies for decision makers, a consensus would strengthen the recommendations, but is not needed per se. Consensus can in many cases be an impeding factor for participation if the actors are forced to reach a consensus, especially for minority interests. For environmental NGOs a consensus with economic stakeholders might also conflict with the NGOs' mission to continuously improve environmental performance.

In a democracy, the political institutions are supposed to balance different interests and incorporate the interests of the "silent majority". Thus an important dimension of genuine participation is that different arguments and interests are expressed and brought forward to decision makers. Structures and modalities for how expressed interests are treated can help to determine whether actors will be motivated to participate, and thus how broad participation will be. The use of existing political institutions in the decision making process can reduce the need for negotiation and decision making procedures within participatory processes, which would then be of a consultative nature.

The consultative nature of participation in Norwegian forest policy reduces the demand for negotiation and conflict resolution outside the political institutions. Conflicts are brought forward, debated, influenced by actors and balanced by politicians. The limited pressure to transfer decision making to processes outside the existing structures and institutions can be interpreted as a strong indication that most stakeholders in general view the current system as acceptable. Processes with many different interests are demanding for the participants, and demand good structures for negotiation and conflict resolution.

13.5 Intersectoral approaches

One of the main potential contributions of a NFP is the opportunity to address intersectoral impacts, in other words decisions outside the traditional mandate of forest policy that have impacts on forests and forest management practices. By involving other ministries and a variety of issue areas NFPs can establish a better understanding of how such decisions might affect the forest sector.

The main interests include forestry, agriculture, industry and the environment, and representatives from ministries and organisations through participation in working groups, hearings, and so on. The 1998–99 white paper on forestry addresses intersectoral issues and representatives from the different ministries participated in the process. The ministries with greatest relevance to forest policy are the Ministry of Finance, the Ministry of Foreign Affairs, and the Ministry of the Environment.

Issues that tend to fall between the mandate of different ministries or organisations can be better addressed. The holistic approach of the NFP can ensure that issues with weak governmental or institutional "homes" will be included appropriately. Examples of issues where a more cross-sectoral approach is needed in Norway are the development of hunting and tourist activities based on forest properties, and forest related projects in overseas development aid. The policy for increased use of biomass for energy is a result of improved intersectoral collaboration between the Ministry of Agriculture (provision of biomass), the Ministry of Energy (ensuring renewable energy sources) and the Ministry of Environment (reduced greenhouse gas emissions).

As a result of commitments under the Convention on Biological Diversity to develop a national action plan for biodiversity, the Ministry of Environment developed in 2001 the

white paper “Norwegian biodiversity policy and action plan – cross-sectoral responsibilities and coordination” (Report No. 42, 2000–2001). The action plan is the result of cooperation between seventeen ministries and forms the basis for cooperation within the public administration on principles for following up the specific actions to be taken in different sectors to meet the convention’s commitments.

The main focus of the white paper on biodiversity policy and the action plan is to identify cross-sectoral and sectoral responsibilities, and to coordinate the use of policy instruments for the conservation and sustainable use of biological diversity. A number of measures in different sectors have been included because of their importance in relation to biodiversity, including challenges and actions related to biodiversity and forestry. Three cross-sectoral priority areas are highlighted for ensuring that the value of Norway’s biological diversity is maintained: a national programme to survey and monitor biological diversity; coordination of legislative and economic instruments; and information, research and expertise. Implementation will be reported by different ministries and coordinated by the Ministry of Environment through further development of specific goals and key data. Reporting is planned for 2003 and 2005 in line with the reporting requirements of the Convention on Biological Diversity. A revision of the action plan is also planned for 2005.

The Ministry of Environment formulated a white paper on outdoor recreation in 2000/2001 (Report No. 39, 2000–2001). Because Norwegian forests are important areas for outdoor recreation, comments on existing forest policy and suggested changes were included in the report. Of particular interest in this regard are the specific regulations for forest management in areas important for outdoor recreation, which were suggested for consideration in the ongoing revision of the Forest Act.

The above mentioned references to different policy processes related to forestry illustrate the intersectoral nature of forestry. National policy processes are initiated as the results of international processes and commitments, cross-sectoral issues, or as sector specific initiatives. For a sector with so many complex and interwoven social, economic and environmental aspects on the one hand and relatively low political attention on the other hand, the possibility for initiating large-scale intersectoral processes might be limited. Rather there will be a hierarchy of processes and the challenge is to ensure consistency in the planning hierarchy, and at the same time to allow for the needed flexibility as a result of political development in the overall strategies and sector specific characteristics.

Overall it is a challenge to mobilise other sectors in forest policy processes. There is competition between different domains, and representation from other sectors in a process initiated by the forest sector does not necessary imply that other sectors are obliged, or have agreed, to follow the outputs from such a process.

Political issues related to forest resources are the responsibility of different ministries. Issues related to forest management are the domain of the Ministry of Agriculture. The Ministry of Environment coordinates environmental issues with linkages to international processes, such as the Convention on Biological Diversity. When the Nature Conservation Act is the juridical instrument, as in forest protection, the Ministry of Environment is the implementing ministry. International development activities are coordinated by the Ministry of Foreign Affairs and mostly implemented by the Norwegian Agency for Development Assistance (NORAD). This division of responsibilities follows a common pattern for other sectors. However, intersectoral co-ordination poses specific challenges for the forest sector where international issues are closely linked to domestic management issues, and where ecological, economic and socio-cultural aspects are of mutual significance.

13.6 Long term iterative planning

Iterative planning means a continuous process from problem to solution where each step implies an update of the situation based on all available knowledge. The practical implication of an iterative approach would be that a NFP should be a cyclical process comprising planning as well as implementation, monitoring and evaluation activities. The process should continuously reflect all relevant changes and the acquisition of new knowledge at all stages of the policy process, including during implementation.

In Norway the national budget process is of an iterative and cyclical nature and includes forestry issues. Other processes described in Table 13.1 above with reference to participation are more or less organised as ongoing or cyclic events. There is no overall framework for ensuring consistency and coordination between the different processes, but the involvement of many of the same actors reduces the risk of unfortunate divergences and conflicts. A revised NFP could seek ways to further promote holistic and cross-sectoral planning with relevance to forests and forestry.

A challenge for the revised NFP in Norway would hence be to institutionalise monitoring, evaluation, changes and new initiatives in a participatory structure. In the current structure, the bureaucracy, strong stakeholders and politicians to a large extent define the agenda.

13.7 The next steps

The Ministry of Agriculture has signalled a revision of the current NFP. An overall strategy for the NFP process is under development. The purpose of the process, its political functions and the thematic extent of the process are central questions at this stage. A step by step process consisting of the following main activities is suggested by Øistad and Trømborg (2002):

- 1 Develop an overall plan for the next stage of the National Forest Programme that can be communicated externally after consultations with the political authorities.
- 2 Assess how recent and existing forest policy processes follow the elements and principles for NFPs given by the proposals for action of the Intergovernmental Panel on Forests.
- 3 Assess the implementation of relevant international commitments in the forest sector.
- 4 Carry out an analysis of economic, social, environmental and institutional aspects of the forest sector where stakeholders are involved in order to establish a common understanding of challenges in the forest sector.
- 5 Consult political decision makers and stakeholders about how revisions of existing processes or a supplementary process with normative and strategic elements can contribute to closure of gaps defined by activities 2–4.
- 6 Possibly carry out a normative and strategy phase of the NFP process as a basis for political decisions.
- 7 Establish iterative and monitoring procedures based on an evaluation of the NFP process.

The rationale behind this process is to build up an understanding for a “new” NFP process and its possible benefits for the various actors, and also to limit the extent of new NFP activities by integrating existing processes by focusing on gaps in procedures and outputs.

13.8 Conclusions

The IPF has encouraged countries to develop, implement, monitor and evaluate national forest programmes “in accordance with their national sovereignty, specific country conditions and national legislation” (§17 a in UN 1997). The NFP elements and principles in the IPF proposals for action, the experiences from and research on implementation of different NFP approaches, and ongoing international processes dealing with forest issues, such as the UNFF, MCPFE and CBD, have stimulated discussion on how forest policy should be developed and implemented in Norway. Many actors in the forest policy arena are, however, still not yet familiar with the NFP concept.

The proposed step by step procedure for a revised NFP in Norway is aimed at building up understanding between actors and stakeholders of how the existing policy processes can be developed better to meet international recommendations, as well as to improve the situation related to forests from their various perspectives. As pointed out above, forest policy processes are initiated and influenced by different national and international processes, both outside and inside the forest sector. The limited interests in sector specific programmes on the one hand and the need for holistic views on forest policies on the other, constitute both a challenge and an opportunity for the NFP revision in Norway. The development of existing processes and the design of supplementary processes that are realistic in their demand for political attention and resources are essential in order to maintain the iterative ambitions of forest policy processes given by the NFP approach.

Formalised stakeholder consultations in forest policy processes imply that forest policy in Norway is relatively participatory. Forest management decisions are also taken by a large number of individuals due to the diverse ownership structure of forest land. Different and conflicting interests among stakeholders limit the potential to transfer a larger proportion of decisions from political institutions to forestry specific stakeholder groups in a NFP process. Existing political institutions will hence continue to play an important decision-making role in forest policy. Nonetheless, the NFP approach can enhance broader participation in consultative processes, clarify the objectives of groups, encourage actors to identify areas of mutual interest and bring the views of different stakeholders to the attention of decision makers.

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Chapter 14

POLAND: The National Policy on Forests and the creation of the Polish National Forest Programme

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14.1 Introduction

Poland is located in the geographic centre of Europe and occupies an area of 312,685 square kilometres. It is a multi-party republic with a two-chamber parliament (Sejm and Senate), each of which is elected for a four-year term.

The current area of forests in Poland is 8.8 million hectares, a percentage forest cover of 28.4 per cent. The property structure of Polish forests (Leśnictwo 2002) is the following: state forests 78.4 per cent; private forests 17.4 per cent; national parks 2.0 per cent; other forests (local, public) 2.2 per cent.

The national state forest holding – *Państwowe Gospodarstwo Leśne Lasy Państwowe* (PGL-LP) – is a state run, financially self-sufficient organisational unit. The legal basis for state forests is laid out in the Act on Forests of 28 September 1991, the Council of Ministers' decree on the detailed principles of the financial economy of state forests of 6 December 1994, and other decrees of the Minister of Environment.

The goals and priorities of the Polish forest economy have been taken into account in the Act on Forests and the document National Policy on Forests. This is one of the central documents on the legal and financial conditions of Polish forest policy. It is a complex, up to date regulation that takes into account the main principles of international forest policy and the reform of forestry in Poland. It is embedded in Polish forest law, environmental law and nature protection law. The document mentions the need to create a NFP, referring to this as the Strategic Government Programme. However the National Policy on Forests has yet to be applied or implemented and the Strategic Government Programme has not yet been created.

In European forestry there are two possible options with respect to NFPs. The first is to initiate a NFP process from first principles. The second is to argue that the existing forest policy meets, or in some cases is superior to, the requirements of a NFP, although this policy may require some amendment. In Poland the second approach has been adopted and a new National Policy on Forests has been worked out. This is expressed in the Regional Operational Programmes of the National Policy on Forests. The intention is to present the assumptions of the state forest policy and Regional Operational Programmes as a reference in the creation of the National Forest Programme of Poland.

14.2 Supporting and impeding factors

One of the most important supporting factors is the National Policy on Forests, a strategic document elaborated in 1997. The primary goal of this document is to define a set

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of activities that form the relationships between humans and forests. The intention is to preserve forests within the context of a changing environmental, social and economic reality and to establish the conditions of a sustainable multi-functionality of forests, the versatile usefulness and protection of forests, and the role of forests in contributing to the environment according to the current and future expectations of society. No doubt EC Regulation 1257/1999, like other international agreements, will also be an additional supporting factor.

The National Policy on Forests addresses forests of all ownership forms and their functions and purposes. It deals with the principles of the forest economy and the relationships between forestry, society, other sections of the national economy, and other organisational units involved with forestry. The basis of a sustainable use of all forest functions is the proper management and protection of forests and forest ecosystems.

One of the important tasks of forest policy is softening and avoiding conflicts between stakeholders over the various functions of forests, emphasising instead the complementary character of these functions. The methods of forest economy and forest production should therefore take into account the specificity of environmental, economic and social conditions in which policy is to be implemented, and conform with the ecological and social functions of forests.

Diverse environmental conditions and the spatially differentiated role of forests in the landscape, the growing scale of the threats to forests and the different expectations and needs of local societies indicate the need for a regionally differentiated forest policy programme. Such a differentiation should take into account:

- types of landscape, the state of the natural environment and the current and future role of forests
- functions of the area and the needs of the local society
- functional relationships with the wood industry and other wood purchasers
- intersectoral arrangements as an integral part of the state's ecological, economic and social policy.

The formulation of the state's forest policy goals requires taking into account the international conditions resulting from Poland's political participation in European and worldwide activities, particularly as these concern environmental protection and wood economy.

The National Policy on Forests document is intended to achieve the goals of the European Union's Forest Strategy, and – after a certain replenishment and elaboration of the operational programme – will play the role of a NFP. The role of the operational programme as an equivalent to a NFP for Poland is based on the following assumptions:

- The operational programme will apply both to PGL-LP (the national state forest holding) and to forests of other ownership forms, particularly private forests;
- The preparation and execution of the operational programme in relation to the National Policy on Forests cannot simply be an uncritical mapping of the tasks and methods applied in the countries of the European Union.

Important goals for the entire country with respect to forestry include ensuring ecological security (depending on the area of forests and the stability, diversity and comprehensive environmental values of forests) and satisfying social expectations regarding the continuity of the forest's various uses and services. Achieving these goals requires subordinating forestry's priority objectives within the NFP (that is, the Strategic Government Programme). The Strategic Government Programme would demarcate the country's forested areas; integrate the priority ecological, production and social goals of forest policy; build a basis for the execution of a long-term state forest policy; and become a sustainable foundation

for the country's spatial structure and social living conditions at the start of the third millennium. Supporting the main tasks of forestry within the context of a Strategic Government Programme can be justified with reference to, for example, the complexity of forest-related research problems, the specific need to connect theory with experimentation and practice with respect to forestry, and the enormous territorial and functional scope of implementing national forest policy. The strategy of the Strategic Government Programme, or NFP, should take into account the need to implement the provisions in international documents and resolutions including: the ministerial conferences, particularly the Helsinki resolutions and tasks resulting from the Ministerial Conference on the Protection of Forests in Europe; tasks related to the Framework Convention on Climate Change, the Intergovernmental Panel on Climate Change; the Convention on Biological Diversity; and the proposals for action of the Intergovernmental Panel on Forests and the Intergovernmental Forum on Forests. Such a strategy should also aim to execute the binding, complex approach to the Polish forest economy as laid out in the comprehensive document, National Policy on Forests.

With respect to impeding factors, some important factors that have worked against the implementation of a Polish NFP include:

- Insufficient emphasis on the non-productive functions of the forest economy, and society's lack of willingness to pay for these functions. This is doubtless related to the concurrence of non-production functions with public benefits (Klocek 2001).
- A lack of awareness on behalf of the wood industry of many forest-forming species of European trees, with strong preference instead being given to several well known, commonly occurring species that provide dimensional and qualitative homogeneity of logs.
- A clear difference in managing forest areas (including forest management) between 2 and 50 ha in size (landscape management) and forest areas exceeding 2000 ha (ecosystem management). Managing a larger area is far more complex, creates a larger hazard of the consequences of committed mistakes, and requires the comprehensive education of a large management team.
- So far there are no adequate economic tools for the proper evaluation of advantages and losses, hence a proper balancing of the division of costs and benefits is difficult. There is a need for the simultaneous usage of tools that enable the prediction of future demand for forest-related goods, and the costs of providing them. Instead at present there have been certain simplifications often related to specific forest operations connected with direct market oriented benefits.
- Serious gaps in information concerning forest utilisation, in particular the utilisation of non-timber forest products (section 14.4 below).

14.3 Participatory mechanisms

At the implementation level sustainable forest management in Poland is executed according to the forest management plan or the simplified forest management plan. The *forest management plan* is the basic document of the forest economy, and contains a description and assessment of the forest's condition and the goals, tasks and methods of managing the forest economy. The *simplified forest management plan* is compiled for forests over 10 hectares in size and which are treated as cohesive forest complexes. The simplified forest management plan contains an abridged description of the forest and land area assigned for forestation, as well as the basic tasks concerning the forest economy. The forest management plan is drawn up taking into account the environmental and economic conditions of the forest economy and its goals and principles, as well as the methods of execution specific for each forest stand, taking into account protected forests.

The forest management plan contains a description of forests and land assigned for forestation; an analysis of the recent forest economy; an environmental protection programme; task determination, particularly concerning the amount of expected wood extraction, forestation, forest renewal care and protection, including fire protection; game management; and the needs of the technical infrastructure. Forest management plans are created for forests owned by the state treasury, whereas simplified forest management plans are for forests not owned by the state treasury or part of the state treasury's Resource of Agricultural Property. The forest management plan for forests owned by the state treasury is validated by the Minister of the Environment, whereas the simplified forest management plan is validated by the *Voivod* (*Voivodship* refers to a province, a territorial administrative unit of the Republic of Poland). The execution of forest management plans for forests owned by the state treasury is supervised by the Minister of the Environment, whereas the execution of validated simplified forest management plans for forests not owned by the state treasury is supervised by the local government representative.

One of the vital elements in creating and validating forest management plans is the legally imposed cooperation of the State Forests Holding and management work contractors with local environment groups and other governmental and non-governmental institutions. At least one year before management work commences, the relevant RDLP (Regional Directorate of the State Forests) convenes a meeting with the representatives of regional management, forestry administration, management work contractors, and organisations dealing with social, environmental, natural and landscape protection and spatial planning issues, and puts forward the plans of *Lasy Państwowe* (PGL-LP).

In order to agree the basic guidelines for carrying out management work, the RDLP director convenes the first Technical-Economical Committee (I-KTG). This considers, amongst others, economic issues, acceptance of hewing age, guidelines on planning and usage, and recreational economy. After work has commenced the second Technical-Economical Committee (II-KTG) is convened; this evaluates work carried out to date, analyses the past economy and its influence on the current state of the forest, and judges the project in the context of the immediate economic future. It also establishes guidelines for the final forest management plan. In addition to representatives from RDLP, the forestry administration and the management plan contractor, both I- and II-KTG are joined by representatives of social institutions, organisations associated with environmental, nature and landscape protection and spatial planning, and local governments.

Before validation the completed forest management plan is submitted to the relevant territorial unit of the government administration.

14.4 Negotiation and conflict resolution

An important task of a multi-functional forest economy is to soften and preferably to avoid conflicts between stakeholders over different forest functions. Such conflicts can arise when an area of forest is used intensively in one way or another, for example, for intensive economic or recreational utilisation, or solely for ecological functions, such as biological diversity and soil protection. A conflict may appear between the recreational use of forests and ecological functions (e.g. forest littering, destruction of forest ground cover and young trees, increased fire hazard, animal rousing, and so on).

Mere acceptance of the concept of sustainable forest development does not rule out future forest conflicts. If all European countries accept sustainable forest development as a concept, which includes both the direct and indirect aspects of forest utilisation, then

subsequently many hidden and subtle forest conflicts can appear in the fine detail of a National Forest Programme. These concern, among other things, the causes and consequences of introducing machines and devices for wood extraction, building roads and bridges, erosion and avalanche prevention, the development of technical forest landscapes, the development of tourism and recreation, and the intensification of broadly understood forest benefits.

It can be argued that National Forest Programmes in Europe have three vital weaknesses:

- the absence of an operational definition of sustainable forest utilisation
- differing interpretations of the basic NFP elements by different countries
- the market-oriented dominance of forest economies, especially since the last decade of the twentieth century.

There is a very strong tendency, particularly in many European countries, to pay more attention to environmental and social matters, and to minimise the role of forestry as a vital element in economic development. The engineering and technological dimensions of forest activities and the creation of a forest infrastructure are often regarded as secondary to environmental effects.

In many European countries, including Poland, the formulation of a NFP has commenced, but with the view prevailing that the existing legislation enables a completely balanced forest economy and does not therefore require separate elaborations or fundamental revisions. However, in many cases if these NFPs are reviewed in detail – with reference made to the detailed operational procedures for wood extraction, transport, building forest roads and other forms of technical forest management – then often we will find only general statements, and beyond that no vision of possible practical solutions to forest-related conflicts. This particularly concerns problems related to the technical aspects of forest activities. For example, what should the scope and technical level of wood extraction, building roads and elements of technical forest management be? Can the very strong pressure on environmental protection from forest utilisation be resolved?

The modern technical and technological level of applied machines and devices can weaken the environmental effects of forest utilisation. However a separate discourse is required for the utilisation of non-wood products and forest services (minor forest utilisation), which has a broader meaning in multi-functional forestry. Minor forest utilisation covers not only the direct derivation of benefits from the forest, which are sometimes difficult to measure, but also encompasses the protection, recreation and landscape functions of the forest.

The problems connected with the utilisation of forest floor goods are currently especially important in Poland. The assumption is that the harvest of forest floor economic plants and mushrooms should be organised or, at least supervised, by the administration of the PGL-LP. However the gathering of plants and mushrooms for the collector's own use is in effect completely out of control. This includes protected species and collection in protected areas.

The organisation of edible mushroom collection is regulated by the Health Minister's decree of 19 December 2002 concerning mushrooms permitted in trade and processing products containing mushrooms, and the authorisation of the mushroom classification and fungi expert (Dz. U. z 2003 r. Nr 21, poz. 178). This document specifies a list of 42 edible mushrooms accepted for trade and includes some very rare species. In Poland a large volume of mushrooms and forest fruits, as well as some usable plants, can be found on the market, against all the principles of sustainable forest management.

It should also be stressed that the main problem is not the absence of legal regulations for minor forest utilisation, but that in reality these legalities simply are not respected. The solution lies in proper execution of the law at the local level. Below some activities are suggested that could help achieve this:

- Survey of minor forest goods resource bases in order to enable the rationalisation of the resource utilisation;
- Assessment of the potential for and economic efficiency of utilising non-wood forest products (NWFP);
- Study on the quality of forest raw materials, with particular attention being paid to the impacts of anthropogenic influences on biotic and abiotic factors;
- Study of the effects of NWFP utilisation on the natural environment;
- The creation and continuous verification of principles and rules for NWFP utilisation, the objective being to achieve their effective and active protection.

Within COST Action E19, the Department of Forest Utilisation of Warsaw Agricultural University is implementing a project entitled *The strategy of protection and utilisation of non-wood forest products*. This project aims to elaborate a scientific basis for priority recommendations on the regulation of minor forest utilisation in Poland as an element of the National Forest Programme. Within this project the following research tasks are being carried out:

- Examining the main changes taking place in non-wood forest products utilisation, including regulations on the utilisation of non-wood forest products in Poland and Europe.
- Evaluating the significance of National Forest Programmes in comparison to other policy tools and regulations in the area of forest utilisation.
- A synthesis of the data on forest resources of minor utilisation, enabling a rationalisation of raw material base usage.
- An analysis of, and prognosis for the changes to, forest raw material resources resulting from the changes to the forest areas of Poland, and in the context of the changes of stand species composition (according to various scenarios of increasing the forestage of the country).
- An analysis of the potential attractiveness of forest areas with respect to abundance of forest products (mainly mushrooms and forest fruits) and landscape values.
- An analysis of the non-wood forest product market.
- A specification of the degree to which richness in mushrooms, fruit and remedial plants is an element of the recreational attractiveness of forests.
- Creating mechanisms and regulations to ensure forest product protection simultaneously with utilisation, and formulating recommendations concerning the verification of legal regulations of forest resource utilisation and protection.

In many European countries, including Poland, environmental and forest education has not so far been able to prepare society for a full understanding of forest management regimes, which limit society's usage of some forest benefits, particularly with respect to the utilisation of non-wood forest products.

A related problem concerns the concepts of rural development, which constitute a common challenge not only for the principles of land utilisation, but also the space of rural areas. We are touching upon a very important problem here, which leads towards accepting the thesis that sustainable forestry development means multilateral utilisation of all of the forest's functions, including production related to the direct extraction of wood material and minor utilities. It should be assumed that at any specified time the level of the production function's intensity could dominate other functions (Paschalis 1996).

14.5 Intersectoral approaches

Intersectoral arrangements are an integral part of the state's ecological, economic and social policies, and within such arrangements the goals of forest policy should be pursued. Intersectoral forest policy should aim to soften conflicts between economic growth and the requirements of environmental protection; identify and integrate all the participants in economic and social life who are pursuing sustainable development, especially forestry development; and aspire to establish permanent consultations between such participants. A further objective of intersectoral forest policy should be the creation of an homogeneous body of legislation on the protection, maintenance and utilisation of the natural environment. Such legislation is necessary if the legal and economic conditions necessary for a balance between wood production and forest/environmental protection are to be achieved.

There are other ways in which intersectoral coordination can be achieved. They include the legal protection of forests of all ownership forms; ensuring the state's care over forests of all ownership forms and establishing supervision over the methods of forest management based on the principles of the sustainable development of a multi-functional forest economy; and building legal and financial mechanisms to encourage forest owners and administrators to invest continuously in forest management and thus to protect the social benefits of forests. Other important factors in realising forest policy include the creation of conditions favourable to the utilisation of wood as a renewable ecological product and biological energy carrier with comprehensive applications, and agreement on the principles necessary to reconcile the goals of the specific users of forest functions with the requirements of the agricultural and forest economy.

The role of forests in the social and economic development of the country, the manifold functions of forests and the ways in which the forest's condition is dependent on external economic entities all help to specify how, and in what ways, forest policy is actualised in intersectoral arrangements. Intersectoral arrangements therefore embrace and represent the environmental policy and strategy of the state in its fullest possible scope.

The multiplicity of forest policy interconnections inevitably leads to forest-related tasks and functions being implemented in the programmes of a broad range of administration entities and institutions. Special arrangements are required to manage the relations between forestry, the wood industry, other wood purchasers, economic entities drawing profits from forests and the sector providing services for forestry. It is necessary to organise and develop a functional or even a capital integration between forestry and wood purchasers, especially the wood, cellulose and paper industries. Such integration should be expressed in, among other things, the elaboration and execution of a long-term strategy for wood orders and a specification of the maximum possible supply volume from the national material base, which should not exceed the wood extraction volume specified in the forest management plan.

The implementation of forest policy in an intersectoral arrangement is based on a partnership between government, government administration units, *voivodship*, local administration and local governments, and private forest owners and their associations. An array of institutions thus participates in the execution of forest policy. In Poland these institutions include, among others, trade unions active in the area of forestry within their statutory powers, forest departments of universities, the Forest Research Institute and other scientific and educational centres. Some of the institutions implementing forest policy engage in activities that are key to forest management conditions, particularly with respect to:

- planning a favourable spatial structure of the country's forests and creating the necessary conditions for an optimal design of agricultural landscape, industry and urbanised areas

- utilising marginal soils and promoting the ecological development of rural populations in harmony with the country's forest resources
- protecting the natural resource assets of the state treasury
- utilising forests for the country's security and defence
- programmes for reducing the burden of investing in forest industry and technology
- minimising the losses in forest resources resulting from forest fires, ecological disasters and as a result of maintaining the social functions of forests
- international co-operation in the area of forestry, consistent with the state's foreign policy.

A particular role in designing Polish forest policy and forest law is played by the Parliament (Sejm and Senate). Parliament has responsibility for providing the appropriate resources and indemnities in the national budget for forest and ecological policies, and for overseeing the implementation of these policies, as well as the implementation of principles for sustainable development. The Polish government has overall responsibility for implementing the principles of state ecological policy in all sectors.

14.6 Long term iterative planning

Creating and universalising a model for a sustainable, multi-functional forest economy requires amendment of legislation and the design of a viable system for financing and organising forestry under changing economic conditions. The actualisation of the goals and tasks of forest policy requires the elaboration of long-term administrative programmes that specify the necessary organisational, economic and legal provisions for forestry's needs and the state's capabilities. In Poland a method has been elaborated to achieve such administrative programmes, namely the Regional Operational Programmes of the National Policy on Forests (RPO-PLP).

A strict implementation of the IPF understanding of the NFP idea has not taken place in Poland. However in the 1990s the PGL-LP adopted the goal of multi-functional forestry, anticipating in this respect many countries of the European Union. Multi-functional forestry has been pursued as a long-term objective consistent with the ownership structure of forests in Poland and the limited knowledge and interest of Polish society in the forest economy. In this respect the National Policy on Forests should be regarded as compliant, both in theory and practice, with the NFP principles of the IPF. It was assumed that international cooperation and social consultation should take into account the priorities of the Act on Forests, which in reference to multifunctional forestry aims to promote a long-term forest policy based on the assumptions of sustainability.

Operational programmes for Polish forest policy comply with the European Union's Forest Strategy and will formulate goals, tasks and solutions with respect to:

- developing partner relationships with domestic participants on the tasks outlined in the National Policy on Forests
- participation of forestry in rural development and the realisation of alternative incomes for the rural population
- implementation of obligations resulting from international conventions on forest-related issues, such as biological diversity and resource protection
- conformity of Polish legislation with European Union regulations on forestry activities.

The goal of a RPO-PLP is to introduce the principles of the National Policy on Forests into the forest sector management activities of a specific region. RPO-PLPs are currently considering three perspectives: short term (to 2012); medium term (2013–2025); and long

term (2026–2050). The basic material for a RPO-PLP project is created by a Task Force appointed by the Regional Director. The Task Force evaluates how the National Policy on Forests can be actualised in the region, specifies the problem areas that need to be addressed in the RPO-PLP, elaborates a thesis for the programme, determines the methods for implementing the programme, and identifies social and professional consultation groups.

At the national scale the problem areas of a RPO-PLP include:

- forestation of inefficient agricultural land
- improvement of the species-related and functional forest structure
- intensification of the role of forest ecosystems in atmospheric carbon uptake
- improvement of private forests
- wood promotion and marketing
- specifying and improving the relations between forestry and other economic sectors in the context of regional development
- cooperation between foresters and society
- recreational utilisation and management of forests
- cooperation between foresters and the governmental administration at various regional levels.

RPO-PLPs will also embrace other regionally important areas of forest policy. For example, the Task Force will consider social expectations regarding various forest functions, spatial management problems, agroforestry, the development of industries based on wood and non-wood forest materials, the development of tourism and recreation, protection of biological diversity, and labour market problems.

The RPO-PLP phase was completed at the end of 2003. Planning included in the RPO-PLPs at this stage will then be transferred into the NFP, which will address the challenges for multi-functional forestry for the entire country.

14.7 Preliminary assumptions of the Polish NFP

This section presents in abbreviated form those attributes that a group of experts and official advisers to the Ministry of Environment consider should be the preliminary assumptions of the National Forest Programme of Poland (as summarised by Rykowski 2001). It is emphasised that the Polish NFP has not yet commenced

- The NFP should constitute a continuation of efforts and achievements in formulating and implementing the concept of sustainable forest management in Poland.
- The formulation and implementation of the NFP should be in conformity with Polish legislation.
- The NFP should implement principles and guidelines specified in intergovernmental documents that the Polish government has agreed to, and comply with the forest strategy and other regulations concerning forests that are obligatory for the countries of the European Union.
- The NFP should embrace all forests in Poland and respect the specificity of Polish forestry. It should be consistent with the economic data produced by the PGL-LP, and improve the PGL-LP's capacity to realise the environmental and social functions of forests. It should improve the private forest economy and create the conditions for the further improvement of the private forest economy.
- The NFP should be coherent with the general programme of sustainable development of the Polish economy and state. An essential element of the NFP should be the

intersectoral relationships with the development programmes of other sectors, particularly agriculture, architecture, industry, transportation and energy.

- The forest economy should be socially acceptable, environmentally safe and economically cost-effective. This assumption is derived from the principle of sustainable and balanced development, according to the UNCED.
- The NFP should promote the development of a scientific basis for sustainable and balanced forest management and ensure the participation of science in the preparation of decisions based on the best scientific knowledge. The NFP should implement mechanisms that enable an active evaluation of the effects of decisions and implemented policy.
- The NFP should not be closed within a finite time frame, but should have a paced structure. This should favour the creation of mechanisms ensuring a sustainable, dynamic balance of the forest economy, and an economy that should be capable of correcting itself in line with social, environmental and economic objectives. A goal of such a sustainable economy is to maintain, develop and utilise the economic, environmental and social values of forests at the national, regional and local levels.
- The NFP should predict the future importance of forests in the nation's life and the future representation of forestry in governmental structures and administration. It should create conditions for ensuring continuity in implementing the accepted concepts and activity sub-programmes.
- An assumption of the NFP in the management of forests owned by the state treasury should be the maintenance of the current structure of the PGL-LP, with a simultaneous consolidation of subsidies at lower levels of management.
- The implementation of all forest functions at the same time in the same place is impossible. The NFP should therefore seek to answer the following questions: which functions?; where?; and when should they be implemented?
- The NFP should involve the creation of a system of financial mechanisms (subsidies, fiscal mechanisms, and so on) stimulating economic entities (forest owners and administrators) to make decisions on forests that are favourable from society's point of view.
- To broaden forest management to encompass environmental and social functions, the NFP should plan for various scenarios concerning future trends in the cost and income of forest production.
- The NFP should create mechanisms for achieving obligations resulting from the Framework Convention on Climate Change and the Kyoto Protocol. Reporting should take place on the emission and absorption of carbon dioxide from coal in Poland, emissions reduction by forest absorption, and Poland's role in the international emissions trading market.
- The NFP should include a Strategy of Biodiversity Protection in Forests and indicates methods of its implementation, based on the economic activities of forestry in relation to the National Strategy of Protecting Biological Diversity, and the National Strategy of Protecting Living Resources of the Environment.
- Within the NFP the practical utilisation and improvement of criteria and indicators for sustainable forest development should take place.
- The NFP should have a role in resolving conflicts and improving relations between actors involved in environmental protection (forest economy); private wood industry and wood users (state forest economy); silviculture (game management); forest protection (recreation and tourism); and others.
- Forest utilisation involves achieving benefits and satisfying needs, and takes place both in the material sphere (market values) as well as the spiritual sphere (non-commercial or heretofore not commercialised values). Therefore the NFP, as the main product of

a sustainable, balanced and multi-functional forest economy, should address the entire forest sector, of which wood is a derivative. Irrespective of this, however, the basic economic partners in a forest economy are wood purchasers, particularly the wood industry.

- A challenge for Polish forestry and the most important economic and social task for the coming decades is the role of the forest economy in the development of villages and rural areas. The main tool for implementing this task, which involves an increase in forested area, should be the NFP.
- A preliminary condition for creating the NFP is the diagnosis of the current and future needs of society regarding the utilisation of the forest's economic and environmental functions, including the consequences of implementing these functions by the forest economy.

14.8 Conclusions

Poland possesses significant legal regulations concerning forest policy. The document National Policy on Forests, published in 1997, is a complex and up to date regulation that takes into account the main principles of international forest policy and the concept of multi-functional forestry in Poland.

The Polish experience to date on the creation of a NFP has been preceded and informed by the elaboration of Regional Operational Programmes of the National Policy on Forests (RPO-PLPs). These regional programmes have fulfilled essential forest functions, created new opportunities in forestry development, and ensured the stability of the state's ecological security. The following three items may be considered the directional basis for the creation of the Polish National Forest Programme (also called the Strategic Government Programme):

- Acknowledgement of the fact that the forest as an ecological system in the current stage of Europe's civilisation development is managed by humans, which means that our responsibility for forests includes their full utilisation and protection.
- Acknowledgement of the fact that there is an essential correlation between forests and civilisation development irrespective of the forest ownership type. Equality of the law with respect to forest ownership type should therefore be retained.
- An important, but not sole, consequence of the above is the necessity of "humanising" forest works.

Amongst the factors that can have a retarding influence on NFP implementation in the Polish context, the most important are:

- Inadequate economic tools for the proper evaluation of advantages and losses, hence a proper balancing of costs and benefits is difficult.
- Insufficient emphasis on the non-productive functions of the forest economy, and society's lack of willingness to pay for these functions.
- A lack of awareness on behalf of the wood industry of many forest-forming species of European trees, with strong preference instead being given to several well known, commonly occurring species that provide dimensional and qualitative homogeneity of logs.

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Chapter 15

PORTUGAL: The forest policy process since 1996

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15.1 Introduction

Portugal and its political system

Located between the latitudes of 37° and 42° North, at its extremities Portugal measures approximately 560 kilometres in length and 220 kilometres in width, with a total land area of 8,879,862 hectares. The population in 1997 was 9,945,700, most of whom live in the coastal area between Braga and Setúbal. 30.5 per cent of the total population is concentrated in the metropolitan areas of Lisbon and Oporto. So in the coastal areas forests are pressed by demographic and urban growth. In the interior regions forests are threatened by rural emigration that takes away the people needed to manage the forests properly.

Since 1974 Portugal has been a democracy with semi-presidential features. The introduction of this political system followed a smooth revolution that ended a period of almost 50 years of authoritarianism. In the first decades of this political regime pine forests expanded throughout the commons of northern and central Portugal, under the sometimes authoritative interventions of the Forest Services. Most of the activities of this centralised and hierarchical public agency were focused on the management of communal forests and the public forests which represent respectively 5.4 per cent and 1.2 per cent of continental Portugal's forest area in 1995. Until the early-1980s no major public action was undertaken to stimulate the individual and collective initiative of private forest owners, who are responsible for the remaining 93.4 per cent of forest area.

Main forest policy issues

After centuries of forest cover decline due to different causes such as the expansion of farming and wood consumption for domestic uses and shipbuilding, forest area in continental Portugal was reduced to only 1,240,000 hectares in 1867 (Mendes 2004), that is, 14.1 per cent of the country's land area. With an estimated potential for forests of 5,280,000 hectares, it is not surprising that since the nineteenth century afforestation has been one of the major forest policy issues (Radich and Alves 2000; Mendes 1998a; 2004). The 1995 Forest Inventory calculated the forest area in continental Portugal at 3,349,327 hectares, that is, 2.7 times the 1867 figure. In spite of this large increase, the potential for further increases in forest area and in the productivity of existing stands remains high. With an important base of export oriented forest industries, especially in pulp, paper and cork manufacturing, it is not surprising that afforestation and reforestation remain high on the forest policy agenda.

However in recent years another issue has gained momentum in the forest policy debate that is on the verge of becoming a higher priority than afforestation. This is the improvement and protection of existing stands in order to minimise the risk of forest fires. Fires destroy

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every year a greater forest area than is afforested with the support of public incentives. The problem is worsening as a result of increasing rural outmigration which, for the last 40 years, has drawn away people who previously, at almost zero cost for the forest owners, maintained forests free of combustible materials.

Long term commitments of the NFP process

The NFP process launched after the approval of the Forest Policy Law of 1996 represented the first major recognition by the Forest Services, since their creation in the nineteenth century, of the irreplaceable role of private forest owners and forest industries in forest policy making and implementation, as well as the need to update and consolidate the scattered and sometimes incoherent pieces of forest legislation, some of which date from the early nineteenth century.

This process was perceived by the main private stakeholders as an opportunity to agree some kind of social contract with the public authorities on the concerted development of the forest sector. In the initial stages of the process there was a willingness on behalf of all major public and private stakeholders to reconcile timber production and environmental protection, and agreement that there should be less direct intervention by public authorities, more capacity building in the forest owners' organisations, less command and control regulation and more economic instruments, if possible with innovative incentives to stimulate private forestry, which is often small scale. In the initial stages of the process private stakeholders (forest owners' organisations and forest industries) showed a willingness to accept new duties derived from the commitment to sustainable forest management and a willingness to pay part of their costs (BPI *et al.* 1996; BPI and Agro.Ges 1997; Mendes 1996; 1997a; 1997b; 1998a). The hope was that a long-term commitment by the public authorities would follow not only with respect to general goals and operational targets, but also on the corresponding economic instruments.

This crucial phase of the NFP process took place between March 1998, when the Forest Services issued for public discussion a draft version (DGF 1998a) of what was called the Plan for the Sustainable Development of Portuguese Forests (*Plano de Desenvolvimento Sustentável da Floresta Portuguesa* – PDSFP), and July 1998, when a workshop was organised by the Forest Services to discuss the compilation of the various contributions produced by interested stakeholders and to agree a final version of the plan (DGF 1998b; 1998c).

This phase of the NFP concluded with approval by the government in April 1999 of the final version of the PDSFP prepared after the July 1998 workshop (DGF 1998d). The document contains the consensus reached on policy goals and operational targets and an indication of policy instruments, including some innovative economic instruments (a Forest Fund and forest taxation). However it failed in one significant respect: there was no credible long term commitment from the public authorities on the public contribution to the increased costs that forest owners would incur in order to achieve the agreed targets. In fact, the document approved by the Council of Ministers, despite proposals from some major private stakeholders, had no budget, this issue being deferred to negotiation with the EU authorities on the Regional Development Programme. So instead of a national and long-term social contract between the major forest stakeholders (forest owners, forest contractors and forest industries) and the rest of society represented by the public authorities, where each side agreed to share the costs of increased social benefits from improved forest management, the discussion on funding was transferred to the negotiation of a short-term contract between the national public authorities and the EU public authorities. This killed the continued participation of private stakeholders in the process. We can say that after the spring of 1999

the process did not continue as a true NFP process due to the breakdown of trust between private stakeholders and public authorities.

Operational targets of the NFP

Without going into detail, here are the different types of operational targets as stated in the final version of the PDSFP:

- improving the productivity of the existing stands;
- expanding the forest area (2 per cent annual growth in the forest area over 10 years);
- improving protection against forest fires (20 per cent reduction in the burnt forest area in the period 1998–2003, and a 50 per cent reduction in the period 2003–2008 compared to the period 1992–97);
- building forest management capacity, especially through the creation and development of forest owners' associations;
- creating a Sustainable Forest Management certification system based on the Pan European Indicators of Sustainable Forest Management at the forest management unit level;
- protecting biodiversity (10,000 hectares per annum of private forest projects protecting habitats with high environmental value, with all forest contractors following a code of environmentally friendly practices);
- consolidating forest legislation (establishing a Forest Code that updates and consolidates all the scattered forest legislation).

Policy instruments of the NFP

Among the different policy instruments established by the Forest Policy Law of 1996 and incorporated in the PDSFP are two major ones:

- command and control instruments centred around the so called Regional Forest Management Plans (PROFs);
- economic instruments centred around the creation of a Forest Fund financed by innovative sources of funds, such as the earmarking of taxes on fuels and on activities related to forest environmental services.

The PROFs are plans to be prepared by the Regional Directorates of the Ministry of Agriculture, under the national coordination of the Directorate General of Forests, each one covering a territory corresponding to level III of the EU geographic classification for statistical purposes. These plans will define “good” models for forest management – some indicative and others mandatory – to be followed by forest owners. The plans will also define the thresholds of forest holding size above which it is mandatory for private forest owners to have a forest management plan.

Concerning the Forest Fund, the PDSFP follows up on the statement of the 1996 Forest Policy Law on the creation of a permanent forest fund to finance forest investment (grants, low rate credit) and to pay forest owners for positive externalities. In Portugal this idea is at least 13 years old (Gomes 1985) and there have been substantial variations and evolution on how to put it into practice (Gomes 1985; CESE 1996; 1998; Mendes 1996; 1997a; 1997b; 2000a; 2000b; 2003a; 2003a), as well as some criticisms (DGF 1998c). It should be mentioned that this instrument has not received much attention in the proposals and reports commissioned by the pulp and paper industries as contributions for the NFP process (BPI *et al.* 1996; BPI and Agro.Ges 1997).

The plan proposes the following sources of finance for the fund:

- a new tax or the earmarking of the corporate income tax paid by the water and electricity power companies;
- a new tax on carbon emissions from polluting companies;
- 1 per cent of the proceeds from the tax on fuel and gas;
- bonds;
- philanthropic contributions.

This idea of a Forest Fund was taken up in 2001 in the draft of the National Programme for Climatic Changes (Martins *et al.* 2001a; 2001b) submitted for public discussion. Besides the Forest Fund, the PDSFP also proposed some tax incentives for forest owners.

In spite of the statements in the 1999 version of the PDSFP for new economic instruments to be included in national forest policy, there was no follow up in terms of effective governmental decisions for their implementation. This situation has only started to change very recently, in the aftermath of the huge forest fires of summer 2003.

Current status of the NFP process

As a NFP, the forest policy process since 1999 has seen virtually no public participation and intersectoral coordination. For example,

- the Forest Consultative Council met only twice and discussed no substantial matters;
- the Interministerial Commission for Forest Affairs met only a few times, with all ministries except the Ministry of Agriculture represented by low rank officials;
- there has been progress, albeit slow, only on the command and control instruments (PROFs) (no PROF is ready yet, but some are in preparation), with insufficient public participation and intersectoral coordination;
- innovative economic instruments (such as the Forest Fund) remained at “ground zero” in terms of practical implementation, and even in terms of public discussion, until the aftermath of the summer 2003 forest fires.

15.2 Supporting factors

Political culture

After almost 50 years of authoritative political rule and a longer tradition of highly centralised government, the political culture in the country is not the best environment for a NFP process. However, the arrival of democracy in 1974 made possible free speech and free association, which are indispensable pre-requisites for a NFP.

Private institutions

With increasing reason in a country where only 1.2 per cent of the forest area is fully public, and where there is an important economic base of export-oriented forest industries, the collective organisation of private forest owners and forest industries is an important pre-requisite for a NFP process. Partly due to the nature of the political regime that was in place for almost 50 years, together with the heterogeneous structure of the forest sector – there are three major species, each very different in terms of the organisation of its production, manufacturing and trade – such an organisation has taken some time to build up.

However, the first half of the 1990s happened to be a fructuous time in this matter for three reasons:

- a Forest owners' organisations (associations and cooperatives) finally started to grow in numbers, in membership and in technical capacity, in spite of a lack of unified representation at the national and international level (Mendes 2002a):
 - 1977: 19 organisations
 - 1998: 67 organisations
 - 1999: 110 organisations
 - 2002: 130 organisations.
- b Private forest contractors, animated by the afforestation programmes co-funded by the EU structural funds, also became a voice in the forest policy arena, unified in an active national association.
- c The associations of the pulp and paper industries merged into one, as did the associations for the woodworking industries.

Public institutions

In the mid-1990s the public agencies most directly involved with forests had an “identity crisis” that was not necessarily unfavourable to a NFP process. What happened was a governmental decision of June 1996, which transferred most of the human and material resources of the General Directorate of Forests (DGF) at the local and regional level to the Regional Directorates of the Ministry of Agriculture. The intention was to promote an integrated action of foresters, agricultural engineers and veterinarians of the Ministry of Agriculture, working on the field to assist farmers and forest owners, who often are the same persons. The major change for the DGF was the loss of its centralised and hierarchical control over local and regional offices, which for many years had been in charge of managing public forests and most communal forests.

The DGF, with much less direct and operational responsibilities on the ground and while painfully adjusting to its new responsibilities, had to turn more to forest policy making and to building bridges with the private stakeholders. The NFP process launched in 1998 was an outcome of this situation.

The foresters remaining in the Regional Directorates of Agriculture had to undergo an adjustment process to the new chains of command while the regional directors of agriculture had to adjust to new responsibilities in forest management to which they were unaccustomed. It is fair to say that this merger of the two agencies at the regional and local levels is still not fully completed. The preparation of the PROFs is the process through which that integration process may finally progress, providing foresters in the regional services with new missions and possibly new motivations.

Laws and regulations

The approval of the Forest Policy Law in the summer of 1996 was a major precondition for the launching of the NFP process. Article 3 of this law clearly adopted some core principles of a NFP:

- multiple use and sustainable management of forests as the main goal of forest policy;
- participation;
- intersectoral coordination and conflict resolution schemes;
- commitment to the international forest policy dialogue.

As a frame law, the Forest Policy Law should be followed by the translation of its principles into operational targets and policy instruments. The NFP process could deliver that.

The NFP process could also respond to the criticism made so many times to the public authorities about a “lack of forest policy”, and it could provide a coherent and updated code of forest legislation for a country with a “forest vocation” and an active presence in international markets and institutions related to forests.

International context

When the Forest Policy Law was approved and the NFP process was launched Portugal was in charge of the Liaison Unit of the Ministerial Conference on the Protection of Forests in Europe, leading to the organisation of the Lisbon Conference in 1998. This international context was certainly an important supporting factor for the NFP process, which is explicitly acknowledged in the introductory chapter of the final version of the PDSFP.

Financial incentives

Another supporting factor for the NFP process, also explicitly acknowledged in the introductory chapter of the PDSFP, was the fact that the government had to negotiate with the EU authorities a Regional Development Programme for 2000–2006 which included forest development incentives. To engage in such negotiations it was clearly preferable to have a coherent set of goals and operational targets, if possible backed by a consensus built with the major stakeholders in the forest sector.

Trends in forest resources

Trends in forest resources were an important supporting factor in the pre-NFP period. Considering the three major species, the main facts relevant for this matter are the following (Mendes 2004):

- a In the period 1987–93 the average forest area burnt was 55,602 hectares per year, which is more than twice the area of afforestation supported by public incentive schemes.
- b The species most affected by forest fires was pine, with a sharp drop in its area from 1,252,300 hectares in 1980 to 976,069 hectares in 1995.
- c Cork production was not affected by the same problems as pine, but has suffered from a long period of low investment in the renewal of the existing stands and the creation of new stands, as the following figures on cork extraction clearly show:
 - 1959-67: 221,111 ton/year
 - 1968-76: 198,111 ton/year
 - 1977-85: 155,756 ton/year
 - 1986-94: 152,044 ton/year
- d Even with eucalyptus, the most dynamic species in the Portuguese forest sector, there were some problems (the need to renew about one third of the existing plantations, as well as the need to relocate some plantations sited in inappropriate places), together with claims by the industry of a short supply of pulpwood requiring an unprecedented resort to imports.

15.3 Impeding factors

Political culture

The instauration of a democratic regime in 1974 with all its benefits in terms of conditions for participation in policy making is not in itself enough to eliminate the consequences of decades, even centuries, of authoritarian and centralised governance. Furthermore, within the central government and at the local levels of the public administration there is no tradition of effective intersectoral coordination of public policies.

The internal structure of the ministries usually changes when the minister changes. The areas of responsibilities of different ministries sometimes overlap. Often the regional divisions of different ministries do not match. An increasing number of public authorities at the central and local levels make policy inputs to forest related issues, although often in an incoherent way. This is further complicated by the fact that there have been no spaces where these conflicting claims at the local, regional and national levels can be discussed and harmonised.

Private institutions

Despite the important steps towards the collective organisation of the major private stakeholders in the forest sector accomplished in the pre-NFP period, the capacity of these organisations when the NFP process was launched was still fledgling. The technical capacity of most private institutions in terms of forest policy formulation was poor and in some cases like the forest owners' associations it was impossible to build a strong and unified voice at the national level.

Hence it is no surprise that the NFP process initiated in Portugal in 1998 was essentially a central agency-driven process with moderate levels of participation and intersectoral coordination.

Public institutions

For many decades the Forest Services focused most of their activities on the direct management of public and communal forests. Until they lost most of those responsibilities in 1996, they did not build sufficient technical capacities to switch their activities to forest policy making and to the support of private forestry, which is much needed especially in regions with small scale forestry. So when the NFP process was launched the staff in the central office of the Forest Services were just beginning to learn and adjust to these new roles and to set aside the "command and control" approach of the authoritarian political culture.

The same happened with respect to the foresters left at the local and regional levels within the Regional Directorates of Agriculture. Here an additional complicating factor was that these professionals were often put under the supervision of non-foresters. This situation of "identity crisis" often inhibited foresters in the public administration from contributing to the NFP process.

Financial incentives

The possibility of Portugal having access to substantial transfers of EU structural funds, including for forest development, is having a perverse effect as far as a NFP process is concerned. If such funding sources did not exist, private and public stakeholders would have to rely on a social contract within the national borders to share the costs of achieving sustainable forest management. Since, for the moment, the country has access to substantial amounts of EU structural funds the pressure to move towards such a social contract is lower. The government has used the possibility of access to EU money within the III Common Support Framework to fund some of the actions proposed in the PDFSP. The big problem here is that the private stakeholders do not know what will happen to these incentive schemes after 2006. This has sent a bad signal to private stakeholders who understand this as a lack of long term commitment by the public authorities to share the costs of sustainable forest management.

Heterogeneity of the forest sector components

The forest sector (forestry, forest industries and related industries and services) has a great importance in the Portuguese economy (Mendes 2004):

- With 2.9 per cent of the GDP in 1998 and 4.3 per cent of the workforce in 1995, it is one of the top three clusters in terms of value added and employment, together with textile and clothing and the agriculture and food industries;
- With 11 per cent of the exports, it is the fourth major exporting sector.

Although important in the aggregate, the forest sector has a heterogeneous structure, which makes it difficult to co-ordinate public policy and to achieve strong and unified representation of private stakeholders, especially of forest owners. In fact the sector is split into three key forest products that are very different from each other in terms of forest production and market structures: pine wood and the woodworking industries (sawmilling, carpentry, panels and furniture); pulpwood and the related pulp, paper and board industries; and cork production and industries. There are important differences between these three components in terms of ownership structure and forest management (Mendes 2004):

- in pine, communal forests represent 11.9 per cent of the total area, while non-industrial private forest owners often with small holdings represent 84.2 per cent;
- in eucalyptus, non-industrial private forest owners represent 69.9 per cent of the total area, and pulp and paper industries 28 per cent;
- in cork oak, non-industrial private forest owners often with large holdings represent 96.8 per cent of the total area.

Finally, within each segment of the forest industries there are substantial differences in terms of business structure:

- small- and medium-sized firms dominate in sawmilling, carpentry, furniture, preparation and transformation of cork and manufacturing of paper and board products
- big firms dominate in the pulp, paper and panel industries.

15.4 Participatory mechanisms

Stakeholder participation during the planning and evolution of the NFP

During the preparation of the PDSFP, that is from January 1997 until November 1998 when the Forest Services handed to the government the final version of this document, the

mechanisms for stakeholder participation put in place by that public agency were the following:

- a Organisation of workshops open to a wide audience of all concerned stakeholders;
- b Smaller informal meetings at DGF offices with experts and some stakeholders at the request of the Forest Services, or at the request of the concerned stakeholders to discuss specific proposals to be included in the PDSFP;
- c Circulation of a draft version of the PDSF in March 1998 in written and electronic formats to collect contributions from interested stakeholders.

Concerning the workshops mentioned in a), there were two. The first held in Tróia (30 January to 1 February 1997) focused on the steps to be taken to establish the implementation decrees for the 1996 Forest Policy Law (DGF 1997). The second held in Tomar (July 1998) analysed the draft version of the PDSFP which incorporated contributions from the earlier public discussion phase of that document (DGF 1998b).

The first workshop involved presentations from keynote speakers invited by the Forest Services about the specific chapters of the Forest Policy Law. The second was organised with plenary sessions and smaller working group discussions on thematic areas. It focused on the contents of the PDSFP and aimed to reach a consensus among concerned stakeholders on conflicting issues.

This stage of the NFP process proved that such a process, which had not been previously undertaken in Portugal, could not only be initiated, but could also count on the participation of all the main stakeholders. Even though this participation did not go much beyond the groups of stakeholders traditionally more concerned with forestry – such as forest owners' associations, forest contractors, forest industries, foresters and other forest professionals, forest researchers – it nonetheless proved that some constructive steps could be undertaken to bring in other relevant groups, such as environmentalists.

The process proved that some consensus could be reached among major concerned stakeholders. Finally the process proved that participation could be an effective way to introduce new ideas to forest policy and forest legislation.

One example of how this happened relates to innovative financial instruments, namely the Forest Fund defined in the Forest Policy Law of 1996. Some proposals focused on the resources that should feed in this fund (Mendes 1997). Basically these proposals advocated the earmarking of existing taxes related to forest environmental services. These proposals were supported by technical advice provided to the Forest Services by a World Bank expert who had knowledge of the Costa Rica case. However, other expertise commissioned by the Forest Services to the Economics Department of the New University of Lisbon (Baganha 1998) was critical of those proposals. The discussions during the July 1998 meeting in Tomar were crucial in turning the tide in favour of either the earmarking of the resources for the Forest Funds or some other stable connection between the Forest Fund and existing taxes related to forest environmental services. So it was this type of proposal that finally was built in the version of the PDSFP approved by the government in April 1999. Unfortunately this new policy orientation was left in the laws of the country without effective implementation until the aftermath of the summer 2003 forest fires. The public discussions on this subject (Mendes 2003a; 2003b) and the reforms promised by the government finally brought about concrete decisions to implement the Forest Fund. We turn to the specifics of those reforms below.

Stakeholder participation since the start of the implementation process

Article 3 of the 1996 Forest Policy Law defines seven guiding principles, three of which concern participation, negotiation and conflict resolution:

- “*strategic cooperation*: the participation of the different social, professional and socio-economic groups in the definition and implementation of forest policy should be promoted and animated by the competent bodies of the central, regional and local administration;
- *social responsibility*: citizens should participate in the establishment of the goals of the forest development policy, in respect of the economic, social, environmental and cultural values of forest and the associated natural systems;
- *intervention and mediation*: the authority responsible for the implementation of forest policy should standardise, monitor and provide information for the activity of the stakeholders, as well as reconcile the different interests in presence, arbitrating the conflicts resulting from that implementation”.

The institutional framework for organising participation at the national level according to that law is the Forest Consultative Council, a new body to be created under the presidency of the Minister of Agriculture, Rural Development and Fisheries and made up of representatives of the different stakeholders in the forest sector. The 1996 Forest Policy Law only determined the creation of this body as an advisory council assisting the government in forest policy matters. It did not specify important issues for its establishment, such as its composition. This aspect was the first stumbling block to establishing the council. Lack of unified representation at the national level of some key stakeholders such as the forest owners’ associations made it difficult to quickly reach a politically accepted compromise about that composition. That compromise was finally reached, but when the council met for the first time the government in place did not last for much longer. So no substantial discussions and political commitments actually took place in the initial meeting. Since then the council has met only one more time, in 2003, with a new government in power, but still with no substantial items on the agenda.

At the regional level organised participation in forest policy making can take place within the Regional Agrarian Councils, which are advisory bodies of the Regional Directors of the Ministry of Agriculture where private stakeholders in the agricultural and forest sectors are invited to participate. In some regions these councils are broken into specialised sections, one of which is concerned with forestry.

At the sub-regional level organised participation in forest policy making can take place within the Follow Up Commissions accompanying the preparation of the Regional Forest Management Plans by the Regional Directorates of Agriculture and where the stakeholders concerned by the geographical area covered by each of these plans have a seat.

Participation at the local level can take place within the Specialised Commissions for Forest Fires presided over by the mayor of each municipality and where firemen associations, forest owners’ associations, police authorities and other stakeholders concerned with issues related to forest fire prevention and fighting have a seat.

One can conclude that there is a poor articulation between these four levels of organised participation. At the local level the leading authority in promoting participation is the municipality. At the sub-regional and regional levels the Regional Director of the Minister of Agriculture has this responsibility. At the national level it is the Minister of Agriculture with the close assistance of the General Director of Forestry.

At all four levels participation is impeded by the fact that forestry is an activity competing with many other issues in the busy agendas of the Minister of Agriculture, the regional directors of agriculture and the mayors. So these participatory bodies do not meet regularly and with sufficient political commitment.

Furthermore the authorities with a direct leading role at each level are different and there are no formal and effective channels of communication between them.

Finally, participation tends to be centred on narrow forestry and silvicultural related issues, and on technical and command and control instruments, and does not encompass socio-economic, environmental and broader intersectoral coordination matters and economic instruments.

Another implementation failure concerns the relationship between participation and science. In the participatory bodies public and private stakeholders often reduce their contribution to making political statements without a proper supporting body of scientific knowledge and technical expertise.

In short, the participatory bodies have so far been unable to deliver enough substantial and innovative policy measures and a forest policy strategy with sufficient coherence, intersectoral coordination, sound scientific basis and strong political commitment. Instead they have been no more than fledgling first steps in a country and a public policy where participation was absent for many decades. More has to be done to progress towards effective and substantial participation.

15.5 Intersectoral approaches

Intersectoral coordination encompassing private stakeholders has been dealt with in the previous section. Here we examine intersectoral coordination encompassing inter-ministry coordination.

In its guiding principles the 1996 Forest Policy Law recognises forests as a resource to be managed in a “multiple use” way, with the support of public policies that should be “articulated with the sectoral policies for agriculture, industry, environment, taxation, and land use planning”, and which should be fed by contributions from participatory mechanisms at the national, regional, sub-regional and local levels involving all concerned public and private stakeholders.

For this purpose the 1996 Forest Policy Law established an Interministerial Commission for Forest Affairs to be presided over by the Minister of Agriculture, Rural Development and Fisheries and including representatives of the different ministries concerned with forests. The commission was created and the ministries nominated their representatives, but the experience showed that, with the exception of the Ministry of Agriculture, Rural Development and Fisheries, other ministries sent low ranking officials and did not commit to serious inter-ministry coordination on forest affairs. The commission has met only a few times and has been ineffective in fulfilling its mission.

Many important needs for this kind of coordination have remained unanswered since 1996. We will stress four of them concerning some of the major social benefits provided by forests.

One is the preparation and implementation of the National Plan for Climatic Change within the Framework Convention on Climate Change. This process has been the

responsibility of the Ministry of Environment, with some inputs requested from and provided by the Forest Services. However, the Forest Services' contribution has had some serious limitations, including a lack of scientific research that could have been prevented if demands from the public authorities had been made well in advance and matched with appropriate resources. The result is still unresolved doubts on the crucial point of to what extent Portuguese forests are a carbon sink. Furthermore, an opportunity has been lost to link this process with innovations in the financing of forest development and concrete steps towards the implementation of the Forest Fund determined by the 1996 Forest Policy Law and the 1999 PDSFP.

Another outcome of weak inter-ministry coordination is the fact that public affairs related to the forest industries – including the preparation of the privatisation of the Portuguese pulp and paper industries, the provision of public incentives to support the modernisation of forest industries, capacity building in the forest industries' association and research projects for these economic activities – are channelled mostly through the Ministry of Economy, with no major steps to articulate the necessary improvement in the management of private forests with the necessary improvement in the competitiveness of forest industries.

Another area where there has been insufficient inter-ministry coordination concerns non-forest activities that are heavily dependent on forest resources, namely water supply and rural tourism. Water is a major source of electrical power generation in Portugal and is crucial for domestic and industrial uses. Electricity markets are undergoing major structural changes in the Iberian Peninsula. The same applies to water supply, not only in terms of new infrastructure building, but also in terms of water pricing, water quality improvement and entrepreneurial structures for water management and supply. Even though in Portugal the quality and quantity of water resources are heavily dependent on forest management, the links between water management and forest management have only rarely been made.

A further activity that is crucial for the economy and which is increasingly dependent on proper forest management is tourism. Portugal has a comparative advantage here due its attractive coastal areas, but also because of the demand for rural tourism. Landscape quality, including forest landscape, is a crucial resource to be managed and improved. Many times tourist business interests claim supportive public policies, and many times governments have responded to those calls. However, appropriate links to forest management improvements have almost never been made, hence no practical concerted actions have been implemented in this area.

Finally intersectoral coordination concerns an issue of rising importance for Portuguese forests, namely the protection against the risk of forest fires. In the predominantly Mediterranean type of weather existing in most of the country, the more appropriate way to deal with this risk is through prevention because, once a fire starts, it spreads very quickly, making fighting largely ineffective, except for the protection of human lives and houses. Fire prevention is essentially a matter of improved forest management, namely through preventative silvicultural works reducing the accumulation of combustible materials to proportions with low probability of fire ignition. With rural emigration these types of works are more and more expensive for private forest owners. Therefore a major axis of forest fire prevention policy should be to promote the collective organisation of private forest owners to carry out those works with some economies of scale and proper technical guidance, and to provide to these owners some co-funding in order to lower the private costs of those works to levels compatible with their willingness to pay for the remaining part.

A positive step in this direction was taken in 1999 with a decree providing some financial assistance to forest owners' associations for the creation of brigades to carry out fire

surveillance and preventative silvicultural works. The problem is that the status and future of these financial incentives have been uncertain, and many associations participating in this programme with insufficient capacities and resources to sustain the brigades have opted out. The inadequacies of inter-ministry coordination concern the fact that the management of this programme has shifted between the Ministry of Agriculture, Rural Development and Fisheries, which was responsible for its conception but did not have the money to fund it, and the Ministry of Internal Affairs, which was responsible for the funding. Recently the bodies dependent on the Ministry of Internal Affairs and related to the coordination of fire fighting and civil protection (including fire prevention) were merged, with much criticism from the interests involved (firemen's associations and other stakeholders in this area), which added to the problems in the management of the programme.

15.6 Negotiation and conflict resolution

Instances for organised negotiation and conflict resolution of forest policy law making are the same as for participation. So the same analysis applies here as for section 15.4 on participatory mechanisms.

15.7 Long term iterative processes

The 1996 Forest Policy Law set a duration of one year after its approval for the necessary implementation decrees to be in place. That deadline was not met. It was only in 1997 that decrees were approved about the new roles and internal organisation of the General Directorate of Forests, as well as the establishment of the Interministerial Commission for Forest Affairs. In 1999 the PDSFP was issued as were decrees about the Regional Forest Management Plans, but the preparation of these plans dragged on for three years.

1999 was also the year that a decree was approved providing financial support to forest owners' associations to create brigades for preventative silvicultural works. The implementation of the Forest Fund had to wait until the aftermath of the forest fires of summer 2003.

The PDSFP states in its final chapter that a monitoring and evaluation system would be established and a participation-driven revision of the plan within the framework of the Forest Consultative Council would be undertaken within two years. However neither monitoring and evaluation nor a revision of the plan has occurred.

This inertia can be explained due to a change in the political composition of the government and parliament responsible for the 1996 Forest Policy Law and the PDSFP. The current government and parliament have not scrapped the Forest Policy Law, which was approved with unanimity, and they continue to refer to the 1999 PDSFP which, in spite of incomplete implementation, has the strength of having been generated through participation and consensus-building among the major stakeholders in the forest sector.

However with respect to the implementation of the Forest Policy Law and the PDSFP the current government has adopted a "pragmatic" approach: instead of reinitiating and deepening the participatory process which led to the 1999 PDFSP, the Minister of Agriculture preferred to call a one day brain storming in his office with a reduced number of invited experts with no institutional representation in order to draw up an action plan for forest policy that would be financially and politically feasible in the short run. After that meeting (September 2002) and some work by the Directorate General of Forests, the government

approved in February 2003 the “Action Programme for the Forest Sector” (DGF 2003). This document was the guiding plan for forest policy adopted by the government and the General Directorate of Forests until the forest fires of summer 2003 broke out. Because its preparation was not a participatory process, it is not surprising that the Action Programme did not gain the same commitment from private stakeholders as the 1999 PDSFP, even though it was intended as a follow up to the PDFSP. One clear sign and outcome of this lack of participation is that nowhere in the list of actors responsible for the eleven groups of actions around which the Action Programme is organised can one find private stakeholders. All the committed actions involve the public administration, mostly the Directorate General of Forests, followed by the Regional Directorates of Agriculture.

15.8 Synergies and innovations

The main innovations brought about by the NFP process in Portugal between 1996 and 1999 are the following:

- a The NFP proved that when the public forest authorities make a serious and credible call to the private stakeholders for forest policy making they have enough institutions throughout the sector and beyond to listen to them and respond in a constructive way.
- b The process also showed that it is possible to introduce into the forest legislation some innovative financial mechanisms for forest development, something that has proved difficult in other countries undergoing processes of forest legislative reforms (Spain, for example).
- c Participatory and intersectoral coordination mechanisms have been created at the national level, although they have been weak.
- d The NFP process also created a regional level of forest planning with accompanying participatory mechanisms.
- e A further relevant innovation to emerge from the process was public financial support for forest owners’ associations, with the possibility of obtaining co-funding for technical capacity building and the creation of brigades to carry out preventative silvicultural works.

The problem with these innovations is that they are only first steps. In some cases they have not been sufficient to result in implemented actions. In other cases they have been implemented, but in a weak manner that risks reversal.

15.9 The forest fires of summer 2003 and their effects on forest policy reform

In the summer of 2003, 423,949 hectares of forests and shrublands burnt in Portugal, which is 3.4 times the already high average of burnt area during the period 1998–2002. One positive result of this calamity was the raising of awareness among the population and public decision makers about the economic, social, and environmental importance of forests. The government in place was naturally responsive to these changing perceptions and, after the most immediate actions concerning the operations of fire fighting and relief to affected populations, announced a “structural reform” of forest policy going beyond the February 2003 “Action Programme for the Forest Sector”. The main axes of this reform approved by a resolution of the Council of Ministers on 31 October 2003 are the following:

- a Raising the political profile of forest affairs in the structure of the government through the creation of a Secretary of State for Forestry in the Ministry of Agriculture, with interministerial coordinating capacities in the area of forest fire prevention;

- b Providing new financial incentives to improve private forest management through the following measures:
 - implementation of the Forest Fund created by the Forest Policy Law of 1996 to be fed by resources from an additional tax on fuels and proceeds from the management of public forests;
 - tax deductions for forest investments;
- c Raising the profile of command and control instruments acting on private forestry through the following measures:
 - regulations for mandatory reinvestment of income of private forest owners in improved forest management;
 - sanctions against private forest owners who leave their forests unmanaged or have inappropriate forest management practices;
 - mandatory unification of management of forest areas to be submitted to priority intervention due to the high risk of forest fires.

It is too early to make a fair judgement of these planned measures. However, some tentative remarks can be made. First, concerning the long awaited implementation of the Forest Fund; its creation has been welcomed by the main stakeholders in the forest sector, especially the forest owners' associations. However some cautionary notes can be made at this point concerning some weaknesses in the solution chosen by the government:

- the solution raised some opposition because it consists of creating a new tax instead of earmarking an existing one, whereas the electoral promises of the government were to cut taxes;
- by restricting the new tax to fuels instead of extending it to other activities related to forest environmental services, the government became exposed to opposition from the strong transport lobby.

Other alternatives for the implementation of the Forest Fund not suffering from these weaknesses had been proposed in the years before these decisions were taken by the government (Mendes 1997a; 2003a; 2003b), but were not considered.

“Command and control” approaches to improved forest management, may be considered as having high risks of implementation failure in a country where 93.4 per cent of the forest area is privately owned and where the public administration does not have a good track record in policy implementation. Probably the arenas where these approaches will be attempted are the PROFs. Those plans (for the northwestern region) that are available for public discussion at the time of writing (December 2003) suffer from the following weaknesses:

- they make mandatory impositions upon forest owners in terms of the management options for their forests;
- they propose, but cannot guarantee, compensations for the increasing duties that will be imposed on private forest owners;
- they set unrealistic targets and timetables for improved forest management.

Instead of this policy from the public administration, what is advisable at this stage is an experimental period of forest planning where high priority is given to capacity building and participation through the following actions:

- a Increase the support available to the collective organisation of private forest owners;
- b Increase the support available for developing bridges between these organisations and institutions with training and research capacities;

- c Use the PROFs as vehicles to create and develop concerted action at the regional and subregional levels between forest owners' associations, municipalities, fire fighting associations, regional forest services and other stakeholders, through mutual understanding, persuasion and cooperation, instead of adopting bodies of "top down" mandatory regulations.

Certainly there might be some need for mandatory regulations and sanctions against careless forest owners, but such instruments are certainly not the most needed axis of forest policy at this stage. The experience available on the ground with some existing forest owners' associations that are doing their job well is that private forest owners, large or small, are responsive to technical support services provided by institutions that they can trust and which are capable of engaging with their goals and constraints. Furthermore, private forest owners are usually willing to match appropriate public incentives with their own funds for sustainable forest management.

15.10 Conclusions

The forest policy process in Portugal since 1996 can be characterised as follows:

- a An initial stage, from 1996 until the end of 1998, where private stakeholders experienced for the first time active participation in policy making;
- b The incapacity of the public authorities – government and parliament – to fully adopt strong, long-term commitments to forest development.

Such commitments could include:

- through active and effective interministerial coordination, demonstrate to private stakeholders that the government considers forest affairs to be serious matters of strategic national importance;
- promote the implementation of innovative and permanent financial mechanisms to pay forest owners for some of the public goods provided by forests, as established in the 1996 Forest Policy Law and in the 1999 PDSFP.

As such commitments have been absent, we cannot say that the forest policy process has been a substantive NFP since the initial stage of the process. Now, as in the pre-NFP period, it is a central agency driven process, and judging from the February 2003 Action Programme approved by the government it will continue like this. The discussions in the aftermath of the summer 2003 fires forced an expansion of stakeholders' participation, but we are still far removed from something that deserves the name of a NFP.

In spite of this, the experience of the initial stage of the process as well as the principles and operational targets defined at that time still remain in the institutional memories of stakeholders and in the laws of the country. So they may be resurrected in the future as capacity building continues within the organisations that are representative of the major stakeholders, namely forest owners. Furthermore, the magnitude of the recent forest fires and the economic and human tragedies resulting from them made urban society aware of the economic, social and environmental importance of the forest sector. These two trends may contribute in the future to the resurgence of a forest policy process that comes closer to the NFP concept.

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Tabulated information for Portugal²

National definition of SFM	Pan-European definition
Lead forest agency	Ministry of Agriculture, Rural Development and Fisheries
Definition of forest cover	<u>TBFRA2000 definition</u> : Land with tree crown cover (or equivalent stocking level) of more than 10%, with an area of more than 0.5 hectare and a width of more than 20 metres. Young natural stands and all plantations established for forestry purposes which have yet to reach a crown density of 10% or tree height of 5 metres are included under forest, as are areas normally forming part of the forest area which are temporarily unstocked as a result of human intervention, forest fires or natural causes but which are expected to revert to forests. Includes forest nurseries, seed orchards, forest roads, cleared tracts, firebreaks and other small open areas within forest, windbreaks and shelterbelts of trees with an area of more than 0.5 hectare and a width of more than 20 metres, land with tree crown cover (or equivalent stocking level) of more than 10%, with an area of more than 0.5 hectare and a width of more than 20 metres but which does not reach a minimum height of 5 metres at maturity in situ.
Forest cover: total hectares coverage and as % of total land area in continental Portugal, in 1995	3,349,327 hectare (37.7%), of which 148,196 hectares were temporarily unstocked (areas burnt, clear cuts, etc.).
Population and population density (hectares per capita) in continental Portugal, in 1995	0.9440 hectares per capita
Forested land per capita (hectares per capita) in Continental Portugal, in 1995	0.3561 hectares per capita
Contribution of the forest sector (forestry and forest industries) to GDP in 1998	2,486.812 million Euro (2.9% of GDP)
Contribution of the forest sector (forestry and forest industries) to employment in 1995	193,000 persons (4.3%)

² The sources for the quantitative data are the following: INE (1996), MCPFE (1998), DGF (2001) and Mendes (2003).

Forest ownership structure in 1995	1.2 % public
	5.4 % communal
	86.9 % private (non-industrial private forest owners)
	6.5% private (pulp and paper industries)
Forest types in 1995 (excluding forest area with species which do not reach a minimum height of 5 metres at maturity in situ)	1.6% Undisturbed by humans
	73.7% Semi-natural
	24.7% Plantations
Most populous tree species as % of forest in 1995 (excluding forest area temporarily unstocked and forest area with species which do not reach a minimum height of 5 metres at maturity in situ)	Maritime pine (30.5%)
	Cork oak (22.3%)
	Eucalyptus (21%)
Main forest policy issues	Afforestation and reforestation
	Protection and improvement of existing stands
Main influences in formation of NFP.	Forest Policy Law (1996)
	Ministerial Conferences on the Protection of Forests in Europe
	Negotiations between Portugal and the EU about the Regional Development Programme for 2000–2006
Name of NFP (or equivalent) and status	Plan for the Sustainable Development of Portuguese Forests (formulated with effect from April 1999 for a period of 15 years; first review scheduled for 2001).
NFP policy tools	Regional Forest Management Plans (plans to be prepared by the Forest Services to define the best practice forestry in each region and the thresholds of forest holdings sizes beyond which forest owners are required to have forest management plans)
	Loosely defined rebates on taxes over forest incomes, forest land and VAT, but without a clear governmental commitment to put them in practice.
	Creation of Forest Fund to finance afforestation, reforestation of burnt forest areas, forest roads and other forest public infrastructures, training and research, forest land consolidation, and internalisation of forest externalities. Some indications about possible resources to feed this fund such as the earmarking of taxes on fuels and automobiles, but no budget and no clear governmental commitment to do so.

Participatory mechanisms and decentralisation	Forest Consultative Council. Met only twice since its creation.
Negotiation and conflict resolution	Initially negotiation between stakeholders in the Forest Consultative Council. Where agreement is not possible, the matter is referred to the Minister of Agriculture, Rural Development and Fisheries.
Intersectoral coordination	Interministerial Commission for Forest Affairs (established in 1997): a high-level ministerial coordinating body on forests including the Ministers (or their representatives) concerned about forests, presided over by the Minister of Agriculture, Rural Development and Fisheries.
Long term iterative processes	<p>Annual review of financial incentives by the Forestry Authority and the Finance Ministry.</p> <p>Annual reviews of policy effectiveness prepared by the National Association of Foresters and the National Consultative Forum on Forests.</p> <p>Analysis of assessment of policy options via experimentation with different policies in different sub-national districts.</p>
Forest products certification system	Pan European Forest Certificate (system still at a preparatory stage with no forests certified yet)
Evaluation and monitoring mechanisms	No evaluation and monitoring mechanisms in place

Chapter 16

SPAIN: The reform of national forest policy

Gloria Domínguez Torres,¹ Cristina Montiel Molina² and Laura Nieto Zas³

16.1 Introduction

Spain is geographically located on the Iberian Peninsula between the Mediterranean and the Atlantic. The mountainous character of the country (57 per cent of the land is more than 600 meters above sea level) confers an extraordinary richness and biological diversity on Spanish forest areas. The forest surface of Spain (including grasses and shrublands) amounts to 26,273,235 hectares (51.93 per cent of the national territory), but only 56 per cent of this surface (14,732,247 hectares) is woodland. However, approximately 80 per cent of the Spanish forest area has specific characteristics derived from Mediterranean ecological and socio-economic features (Solano 2001). These Mediterranean forest zones pose special challenges for management, owing to their low economic profitability, extensive surface area, and the importance that positive externalities⁴ acquire.

In the European context the Spanish National Forest Programme (SNFP) is unique. It is a consequence of the original model of administrative decentralisation of the country into autonomous regions (*Comunidades Autónomas*) that was developed after the Constitution of 1978. In the 1980s the responsibilities for forest management were transferred to the seventeen autonomous regions and to the two autonomous cities of Spain. This allowed the reform of forest policy to be initiated through some Regional Forest Plans (RFPs) which have then been integrated into the SNFP. As such, the planning documents of the SNFP are not only the Spanish Forest Strategy (SFS) and the Spanish Forest Plan (SFP) developed by the National Central Administration, but also the thirteen strategies and/or RFPs that the regional administrations have so far developed.

The SNFP was developed in two phases. In the first phase, a strategy that defined the major outline of the SNFP was carried out. It facilitated a change in perception and culture concerning the forest sector, given that this was the major obstacle to policy reform (Solano 2002). The result was the approval of the Spanish Forest Strategy on 17 March 1999 by the Environmental Sector Conference (*Conferencia Sectorial de Medio Ambiente*). The second phase addressed the planning process and legislation. Currently Spain has outlined the policy outputs of the SFP and RFPs, and the policy outcomes of these outputs are now starting to be realised (Table 16.1 below). Consequently, the national forest policy is the result of the addition of different levels of policy outputs: forest plans, forest strategies and forest laws. An evaluation of the SNFP requires, therefore, the analysis of the procedural elements and targets and policy instruments defined by the SFP and the RFPs.

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⁴ The positive externalities of Mediterranean forest multifunctionality are the social, economic and environmental benefits which, although they have a high economic value, are not included in the market, and for this reason do not provide a direct benefit to the owners or managers of the forest.

Table 16.1 Development of the reform of Spanish forest policy: National Forest Programme and Regional Forest Plans

Policy process	Policy outputs	Policy outcomes
Sector Organisation		
1996: Identification and contact with stakeholders.	13 Strategies and/or Regional Forest Plans (since 1989)	
1997: First draft of Spanish Forest Strategy (SFS).		
1998: Second draft of the SFS.	Spanish Forest Strategy (1999)	Creation of forest consciousness: enhanced culture of participation.
1999: General consensus.		Two forest certification schemes put into effect
	7 Forest Laws and 3 Regional Implementation Provisions	
Planning and Legislation Processes		
Regional Forest Plans (RFPs)		
Spanish Forest Plan (SFP)		
Forest Land and Forest Products Act	Spanish Forest Plan (2002)	
	Preliminary Forest Act (January 2003)	

The SNFP includes all the regional and national forest planning documents formulated over the last thirteen years. The SFP, approved by the Council of Ministers on 5 July 2002, is the principal national framework whose primary function is to facilitate and guarantee the fulfilment of forest and international forestry commitments assumed by the country, through cooperation with the autonomous regions entrusted with territorial management responsibilities.

The two principal challenges in the SFP are the integration of positive externalities, such as secondary non-commercial products and recreation, in the valuation of forestlands, and increasing the value of the forests. Another objective of the SFP is the sharing of information and increasing social concern about the value of the forests.

To achieve these objectives eight main lines of action have been defined, grouped into homogeneous blocks. The first four concern territory whose management responsibility belongs to the community. The second four lines of action define social, cultural, institutional and administrative actions in which the major responsibility belongs to the central administration.

16.2 Supporting and impeding factors

The reform of forest policy in Spain has been conditioned by factors that have both positively and negatively influenced its development. In the preliminary phase of the SNFP, the most important factors in the process were the political culture and social context of the country together with the system of land tenure. The start of the political process emphasised the importance of institutional aspects related to the particular model of decentralisation that constitutes the autonomous regions and the sector legislation. Furthermore, the development of the political process has led to the recognition of the need to reinforce the economic resources allocated to Spanish forests.

Traditionally Spanish forest policy has been strongly centralised and with a markedly sectoral character. Furthermore, the policy has been interventionist, with the majority of actions focused on public forests belonging to the state and local entities (Montiel 1996; 1999). This political model has not been conducive to the genesis of a forest culture, understood as the knowledge, use and appreciation of the value of the forests by society. However despite the large territorial importance of forests in Spain, the forest sector is socially and economically undervalued due to the fact that the environmental and social functions filled by forest ecosystems do not have a market value. The scarce contribution of the resources of the forest sector to the GNP (0.15 per cent) is one of the principal reasons for the absence of a forest culture in the country, with the exception of certain regions, such as the Tierra Pinariega in Castilla y León and the Atlantic autonomous regions. Hence the lack of interest of Spanish society in forests, in contrast to the importance given to agrarian culture, is related to the low economic value of national forest production.

In this sociocultural context, the lack of organisation in the forest sector has served as an impeding factor for participation (Solano 2002). Although the necessities, uses and demands of society towards the forests have grown and diversified dramatically during the last two decades, forest culture continues to be insufficient and incomplete in Spain. The forest sector has occupied a marginal place in the raising of environmental concerns since the mid-1970s. The SFP tackles this problem in the fifth line of action, which is dedicated to socio-economic and cultural actions and outlines the need to communicate to society basic knowledge about the importance of the forests. The intention is to promote realistic decision-making that is congruent with the objectives defined in the Plan. The SFP also includes social organisation and forest associations, and aims to address the enormous fragmentation and dispersion that characterises ownership structure, stakeholders and entrepreneurial entities of the sector.

Together with the political culture and social context, political-administrative decentralisation is another fundamental aspect of the SNFP. Central government forest policy is based on the Forest Land Act of 8 June 1957 and its Implementation Provisions (approved by Decree 485/1962 of 22 February 1962), with minor changes in Law 5/1977 Development of Forest Production (4 January 1977). Certain functions were decentralised in the mid-1980s by the approval and implementation of Royal Decrees on Transfers to the Autonomous Regions. By virtue of these decrees, the central government retained, at least partially, some management responsibilities, particularly coordination, international representation and subsidiarity, while giving management responsibilities to the autonomous regions. The autonomous regions have the capacity to create and execute their own Regional Forest Plans and to define their own forest policies in the current political and territorial configuration of the country (Montiel 2002c). However, the strong traditional centralism that characterised Spanish forest policy until the transfer of responsibilities to the

autonomous regions has contributed to reinforcing the leadership capacity of the central administration in the SNFP at the expense of the Regional Forest Plans.

The process of political decentralisation and the transfer of responsibilities of forest matters to the autonomous regions signalled the beginning of forest policy reform at the regional level through the approval of regional forest laws and RFPs (Montiel and Galiana 2002). The first forest policy reform document in Spain was a RFP, the Forest Plan of Andalusia, approved in 1989. In fact, the experience gained through the RFP was later integrated into the SNFP formulation process that began in 1996.

The majority of the autonomous regions have a forest plan or strategy (Alcanda 2001) and the central administration must justify its implementation before the Commission and the European Council. In this sense, the SFP establishes the general objectives and the basic guidelines that aim to ensure sustainable forest management (SFM) on the part of the autonomous regions through their RFPs, for an initial period of 30 years (2002–2032). They also establish the coordination mechanisms that facilitate the application and coherence of these policies (Solano 2003). The Spanish political-institutional system poses unique coordination problems. In view of those problems, the SNFP, among its basic pillars, proposes as a solution the *collaboration* between the central administration and the autonomous regional governments to support actions that the regional governments are already carrying out or which are proposed in their respective strategic documents. The objectives previously defined in a RFP are framed in the SFP. One of the principles of the SFP is *complementarity*, which aims to distribute the workloads of different administrations according to their responsibilities and in an holistic manner.

The *forest legislative arrangement* has also influenced the development of the SNFP, even though in reality it has been part of the political reform process. Article 149.1.23 of the Constitution mandates the creation of a Forest Lands and Forest Use Act as a general legal framework for forest policy. However, basic national forest legislation in force at the time that the SNFP began was pre-constitutional, outdated and poorly suited to the new political and social requirements. As a reaction to the lack of renovation in legislation at the national level, and in the development of their responsibilities in forest affairs, some autonomous regions have developed their own legislation (De Vicente 1995). As such, regional laws have contributed to the reform of forest policy at the regional level, incorporating new concepts and management criteria and establishing a basis for the creation of Regional Forest Plans. For its part, the central administration included the creation of the Forest Land Act among the objectives of the SNFP, and in January 2003 the Preliminary Forest Act, which regulates and develops certain aspects of the SFP, was opened to public debate.

One outstanding aspect in current forest legislation concerns the characteristics and rights of *forest ownership*. The right of ownership has two principal components: individual interests and social function. Due to the low profitability of forests in Spain, the first element shows a deficit that should be balanced through an appropriate mechanism for economic compensation. The social function, on the other hand, presents deficiencies of regulation and management. The system of ownership is, therefore, together with the socio-political context and decentralisation, one of the principal factors in the SNFP. This is mainly due to the predominance of private forest ownership and the problems associated with the ownership of small land plots and territorial disorganisation (Montiel 2002b).

One of the main characteristics of ownership structure in Spain is its high fragmentation. According to the *Catastro* (land registry) data, there are more than 27.5 million plots (not

including the Basque Country and Navarra). Overall the average surface area of forest plots in Spain is barely one hectare. Furthermore, according to the second National Forestry Inventory, 66.75 per cent of Spanish forest area is privately owned. Private ownership has traditionally remained on the margin of forest policy in Spain, hence the predominance of private forest land has been an impeding factor in the development of the SNFP and the RFPs. On the other hand, the history of ownership of the Spanish forests is marked by multiple conflicts that have had direct repercussions on the natural state of forest areas and on the current relationship between rural society and the forest administration. Likewise, one of the principal challenges of Spanish forest policy since the middle of the 19th century has been the support of public ownership of forest lands as a better guarantee for the promotion and conservation of forest resources (Montiel 1996; 1999).

For all of these reasons, the structure and rights of forest land tenure has not only influenced the political process of the SNFP, but the SFP and the RFPs have addressed this issue as well (Montiel 2002b).

Finally, the system of *economic incentives* has decisively influenced the development of the SNFP. The scarcity of human and economic resources is a common deficiency diagnosed in all of the Regional Forest Plans and in the SFS. In addition, private owners, municipalities, and forest managers have to confront the difficulty of financing forest management, given the low profitability of the forests. Because of this, one of the SFP's objectives is to improve the allocation of economic resources for the forests, particularly those provided by European funds. The Preliminary Forest Act allows for the creation of a system of fiscal advantages and subsidies and credits for those managed forest areas owned by individuals and local entities. The idea is to compensate owners for their expenses to guarantee the social function played by forest lands and, in the case of protected areas, the restrictions imposed. In this manner, the Act aims to compensate private forest owners for the positive externalities their forest creates, and to integrate them into a productive system established by the SFS.

16.3 Participatory mechanisms

In Spain, a tradition of organisation amongst social agents and their integration into the political process has not existed. Neither has there been a permanent system of communication, training and information sharing that could facilitate participation. A further factor that impedes participation is the disorganisation of the forest sector (Solano 2002) and the appearance in the last few years of different associations related to the sector (syndicates, professionals and conservationists) that were at the margin of the communication systems of the administration.

Although some participatory mechanisms including different social agents have been established in certain autonomous regions (Domínguez 2002), including the Private Ownership Board (Rojas 2002), Intersectoral Boards and Regional Forest Councils, the development of a broad participation mechanism at the national level began only with the Spanish Forest Strategy (1997). The SFS established different working groups and defined the objectives and priorities of forest policy at the national level. The working groups were also important for identifying interested stakeholders and establishing channels of communication between the administration and themselves.

After participation was accepted as a principle by the major stakeholders and put into practice during the initial phase consistent with the creation of the Spanish Forest Strategy, it was then institutionalised through the National Forest Council. The National Forest

Council was created by Royal Decree 203/2000 on 11 February 2000, and its first meeting was on 23 January 2002. The functions assumed by the National Forest Council are to:

- Promote the creation of reports and studies on forestry
- Monitor National Plans and Programmes
- Propose measures to the public administrations to improve SFM and sector competition
- Formulate an annual forest report
- Advise the Spanish delegation in international organisations
- Promote dialogue, participation and collaboration among all the administrations, institutions and stakeholders facilitating the exchange of information among the members of the National Forest Council.

The composition of the National Forest Council includes representatives from different sectors. There are 58 members elected for three years and presided over by the Environmental Minister. The First Vice President is the General Secretary of Environment and the Second Vice President is the Director General of Nature Conservation. In order to promote intersectoral coordination, there are eight board members from the central administration and its public organisations representing the Ministries of Agriculture, Fishery and Food, Economy, Treasury, Industry and Energy (now Science and Technology), Labour and Social Affairs, Health and Consumerism, Public Administration and the Interior Ministry.

Due to the high importance in the SNFP of multilevel government coordination that resulted from administrative decentralisation, there are also representatives from the central administration, the autonomous communities (17), the autonomous cities of Ceuta and Melilla (2) and local governments (8). Also represented are sectoral groups: entrepreneurial organisations (3), private forest land owners (3), syndicate organisations (1) and national associations of users and consumers (1).

There is also a professional and scientific research group including representatives from research (3), universities (2) and a board member from each of the six professional colleges related to forests, forest engineers, agricultural engineers, biologists, geologists and geographers. Finally there are interest groups represented by experts with experience and prestige in the forest sector (2), sustainable rural development NGOs (2) and nature conservation NGOs (2).

This form of participation permits the exchange of opinions among the Council members, although the full voicing of opinions is somewhat limited due to the high number of members. In reality the council serves as a forum in which members may voice their opinions to the administration that holds the meeting.

The first draft of the SFP was submitted to the Forest Council in its constitutional session with the result that all members analysed it and recommendations were made. Those recommendations provisionally accepted were then debated at a later council session and were subsequently incorporated into a second draft that was also submitted to the Council. After minor changes, the SFP was unanimously approved at a third session.

16.4 Negotiation and conflict resolution

We can distinguish between two main kinds of conflict resolution: conflicts between the administration and private owners; and conflicts between different levels of government. Conflicts between the administration and private owners are the responsibility of the autonomous communities, which have designed and implemented their own mechanisms.

Two institutions have been created for the resolution of possible conflicts and to promote negotiation between regional administrations and the central administration. The first is the National Commission of Nature Protection (*Comisión Nacional de Protección de la Naturaleza*) and resulting possible specific working groups such as the Forest Committee (*Comité Forestal*) defined in the Preliminary Forest Act. The second is the Bilateral Committees (*Comités bilaterales*), another mechanism for financial collaboration and monitoring. These committees comprise the central administration and the administration of an autonomous region, thus there are as many bilateral committees as there are autonomous communities.

The function of the different committees is to assess the annual investment proposal and to approve the actions to be carried out, to promote specific agreements that are necessary for the execution of the works included in the programme, and to receive and assess the annual activity report. Possible conflicts should be resolved by these committees.

16.5 Intersectoral approaches

The comprehensiveness of the SFM concept in the Pan-European context highlights the importance of different sectors in forest plans and programmes (Domínguez and Plana 2002) and is highlighted in the National Forest Strategy, the Spanish Forest Plan and in the Spanish Strategy for Sustainable Development.

One aspect of the intersectoral paradigm is the dispersion and scattering of statistics related to forests among numerous organisations, often without effective mechanisms or procedures for sharing information between them. Furthermore, the information gathered is heterogeneous and there are often important differences among data from different databases and information systems.

The recognition of this problem has led to the inclusion of the Ministries of Economy, Treasury, Industry and Energy, Labour and Social Affairs, Health and Consumerism, Public Administration and the Interior Ministry, in addition to the Ministry of Agriculture, Fishery and Food (MAFF), in the National Forest Council. The inclusion of MAFF is especially important because although national forest policy was transferred to the Environment Ministry in 1986, MAFF retained some responsibilities and the Rural Development Programme is managed from this ministry.

The inclusion in the forest policy discussion of all involved sectors in the administration is one of the factors that must be strengthened in the next few years. The aims must be to guarantee intersectoral cooperation and coordination with other environmental policies (such as water and protected areas), renewable and non-renewable resources policy (mining, renewable energy, and so on) and land use planning, including coastal zone planning.

The need for better integration of land use policy and forest policy, both of which are under regional jurisdiction, is clear. The coordination problem between forest policy and land use planning, which in practice often means the independent implementation of Regional Forest Plans and Land Use Plans (Montiel and Galiana 2004), has been recognised in the Spanish Forest Strategy. Although coincident timing of both planning processes could be an added opportunity, there has been neither fluent communication nor a detected willingness to coordinate and converge the two policies (Montiel and Galiana 2004). One result of this is that the principles of forest management have been insufficiently considered in land use planning.

However, the analysis of wild forest fires as the “tip of the iceberg” of the economic and social disintegration of rural areas (Plana 2000) illustrates the relationship between landscape changes, forest structure changes and socio-economic problems. Socio-economic problems include ageing, rural exodus and lack of technical training. These problems have resulted in the abandonment of traditional forest management, leading to an increase in the accumulation of wood fuel. All of these factors indicate that the objective of forest policy should not centre solely on the natural environment but also on rural and local development, both of which are inextricably linked to the future of forest areas, as has been highlighted in the SFS.

16.6 Long term iterative planning

Iterative planning implies the implementation of a continuous policy cycle that involves the planning, monitoring and evaluation of achieved goals, and the revision of objectives and instruments.

Rapid social change renders difficult the use of traditional long term planning of forest activity because it requires that planning be changed to midterm goals which are nested in the long term planning process (Solano 2003). The SFP includes the goals previously defined in the SFS and the existing RFPs, programming more than 150 measures for 30 years. It is intended that mid-term and final evaluations will be carried out of the SFP and the state of the forests, with the objective of identifying policy deficiencies and defining methods to correct them. This evaluation will be based mainly on the six criteria of SFM of the Pan-European process adapted to the reality of the Spanish condition.

Also intended is a more quantitative evaluation of the degree to which the plan is fulfilled through analysis of the actions undertaken and their effects on the forest. Both will be carried out in coordination with the regional governments and will be discussed in the National Forest Council.

Another important aspect in the Spanish context is the required coordination between the objectives and instruments of the SFP and those of the RFPs. The collaborations required by the SFP between the central government and the autonomous regions are carried out through bilateral framework agreements of coordination. These agreements regulate the financial participation of the different administrations in the actions established in the SFP framework and the monitoring of bilateral committees for the action plans of the autonomous regions. These committees meet at least twice a year and are an important element in the iterative and adaptive planning process.

In view of the various SFP mechanisms (evaluation and deliberation in the National Forest Council, bilateral framework agreements of coordination and bilateral monitoring committees) and the cycles of revision and renovation of RFPs during the life of the SFP, a better convergence of principles and objectives and a harmonisation of the RFPs both before and after the SFP, should be introduced. Attention now turns to this subject.

16.7 Towards a subregional planning level

As previously noted, the main document of the SNFP is the SFP, which structures the necessary actions for the development of a Spanish forest policy on the following principles:

- Sustainable forest management
- Forest multifunctionality

- Territorial cohesion, involving biodiversity conservation in forest management and preserving the forest genetic heritage
- Public and social participation

The SFP and the RFPs highlight the social and territorial importance of Spanish forests as a theoretical principle for forest policy formulation. However, the development of the social and territorial component throughout the planning process has been inadequate. The last Forestry Inventory showed an increase to the already high percentage of forests. This growth is due to the rural exodus and abandonment of grasslands and marginal crops that has been occurring since the middle of the 20th century. It is also a consequence of national and European policies highlighting the National Plan of Farmland Afforestation since 1993. However, many forestlands are insufficiently integrated into land planning systems.

The SFP recognises the important territorial role played by forests, and with the aim of guaranteeing the continued existence of Spanish forestland and ensuring the continuity of all its functions, proposes the creation (in collaboration with the autonomous regions) of “guidelines for forest management” to promote SFM. The Preliminary Forest Act establishes that those guidelines will determine the Spanish system for SFM criteria and indicators, evaluation and monitoring, and the minimum content of forest management projects and revision.

Additionally, the SFP recognises that the lack of forestland planning has arisen in part because land use planning usually only addresses urban areas. Consequently, agricultural areas and especially forest areas remain without real spatial planning tools that assign uses and prevalent forest functions at the county or forest area levels. Considering this, the SFP proposes the design of a planning instrument for forestland at county level that will deal with this problem. This instrument should also be linked to natural areas and planning and management tools and must address not only conservation but also economic and social aspects. Accordingly, the Preliminary Forest Land Act defines a new forest planning instrument integrated into the land use planning framework: the Forest Resources Plans (*Planes de Ordenación de los Recursos Forestales*, or PORF). The PORF addresses areas with homogenous geographic, socio-economic, ecological or cultural characteristics for areas larger than the management unit but smaller than a province (district). Consequently PORF will become the main forest management tool at the subregional level.

The subregional management level offers the opportunity to integrate forest policy with land use planning. Up until now, the resolution of forest policy at the subregional level has only been effective when the forest has been viewed in the context of environmental concerns, that is, when forests are in a protected area. The only existing link between forest policy and land use planning has been established through environmental legislation (natural resource use planning). The SNFP introduces an important change through the PORF, because the subregional level is the most suitable level at which to develop the necessary convergence in content and instruments between land use planning and forest policy (Montiel and Galiana 2004).

The link between land use planning and forest planning at the subregional level also has important potential for local development through the increase in the value of forests and through the creation of employment in forest regions.

16.8 Conclusions

The SNFP is involved in the policy process of renovation and organisation of the forest sector as a consequence of international forest commitments and as a response to new social demands (Montiel 2002a). The delay in formulating the SNFP relative to other sectoral programmes was due to a lack of concern and disinterest towards forests that complicated the creation of a national framework after administrative decentralisation had begun. Various factors have contributed to reinforcing the importance of two of the essential SNFP elements: participation; and negotiation and conflict resolution. With these elements the SFP has overcome initial obstacles by involving stakeholders in the definition process and enhancing common objectives for RFPs and the SFP. This was achieved through the creation of commissions with the aim of facilitating vertical coordination through those administrations with forest management responsibilities.

In order to achieve its goals, the SNFP started with a break down of the forest sector. It aims to enhance the positive elements and address the negative factors that influence forest management and policy. In addition, the SNFP assumes that the role played by national forest policy in the context of autonomous regions is essentially one of coordination and liaison between regional forest policy and European institutions, as well as representation and decision functions at the international levels. For this reason the development of the SNFP has been based on good coordination and understanding between different political and territorial levels. Intersectoral coordination that allows the integration of different sectoral policies, particularly at the subregional level, will become one of the most important mechanisms for achieving the SNFP's objectives. In the assessment and monitoring of the SNFP, the degree of integration of the different sectoral policies will be highlighted from the local to the general level. In this sense, the PORF will be decisive.

In conclusion, the SNFP is a substantive NFP adapted to the political, socioeconomic and environmental realities of the country. It has allowed the beginning of genuine change in Spanish forest policy based on the participation of stakeholders and the achievement of consensus in decision making.

Glossary

MAFF	Ministry of Agriculture, Fisheries and Food (Ministerio de Agricultura, Pesca y Alimentación)
PORF	Forest Resources Plans (Planes de Ordenación de los Recursos Forestales)
RFP	Regional Forest Plan (Planes Forestales Autonómicos)
SFP	Spanish Forest Plan (Plan Forestal Español)
SFS	Spanish Forest Strategy (Estrategia Forestal Española)
SNFP	Spanish National Forest Programme (Programa Forestal Español)

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Chapter 17

SWEDEN: Meeting the IPF requirements without a formal National Forest Programme

Sven A. Svensson¹

17.1 Introduction

The King of Sweden rules over nine million people but has no formal political power. Political power at the national level resides in a single-chamber parliament and the government. Parliamentary elections take place every four years. One important task of the parliament is to decide on national policy goals and policy tools, including legislation, for the different sectors of society and to allocate state grants for implementing the policies. Policy implementation is carried out by state authorities that are non-political and comparatively independent from the ministries. For example, the National Board of Forestry (NBF) under the Ministry of Industry, Employment and Communications is responsible for the implementation of forest policy, while the Swedish Environmental Protection Agency under the Ministry of Environment has overall responsibility for national environmental policy. However, it is emphasised that environment policy implementation is integrated in the implementation of other sector policies as far as possible.

Major changes to national policy goals and tools are normally prepared by government commissions. Based on the proposals of these commissions, the government will present a bill to the parliament. Stakeholders from outside the government and the parliament are normally involved in the work of the commissions.

Other levels of governance in Sweden are the 21 counties and the 290 municipalities. The municipalities have no significant mandate over forestry issues. The County Administrative Boards have responsibility for most state activities at the county level. However, there are some specific sectoral authorities, among them the Regional Forestry Boards (RFBs), which have charge of sub-national state policy implementation. The operative work of the RFBs is carried out by so called Forestry Districts.

Sweden has a forest policy tradition dating back at least 100 years. In contrast the history of environmental policy dates back just 40 years. The current forest policy (Skogsstyrelsen 1996) was formulated in 1993. It has been evaluated twice, first in 1998 (Skogsstyrelsen 1998), and then in 2002 (Skogsstyrelsen 2002). In 1998 parliament made an adjustment to the forest policy tools, although the two overall goals – production and environment – were not changed. A new policy adjustment is scheduled for 2003.

The NBF has been given the mandate of breaking down the two overall forest policy goals into more detailed sub-goals, or forest sector goals. Forest sector goals were elaborated in 1994 and revised in 1999. A new revision is scheduled for 2003. With respect to the forest environment the break down into sub-goals had to a large degree already taken place in parliament's general decision (Anon. 2001) in 2001 on environment goals for all sectors of society. Because a decision by the parliament overrules a decision by a state authority, the parliament's decision on sub-goals on the forest environment must be accepted and integrated

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as forest sector goals within the forest policy. An evaluation of environmental policy, including forests, is planned for 2004. The next subsequent evaluation will take place in 2008, and will probably be integrated with an evaluation of forest policy.

The four main forest policy tools are:

- extension and information
- legislation
- financial support
- inventory, follow up and evaluation.

So far no formal NFP has been completed in Sweden, nor has a specific formal NFP process been commenced. It is presently being debated whether or not Sweden should initiate such a process and produce a NFP document. Rationally speaking there is no need for a NFP process in the near future. Why is this? The following reasons can be offered. First, to run an entire formal NFP process would result in significant duplication of work. The national environment policy has already been elaborated in a political process that is separate from the forest policy process, but in which the forest environment is included. Second, the political and other processes to design and implement the forest policy and the environment policy have gradually evolved, and to a great extent satisfy all the procedural requirements of a NFP process.

The following sections will show how Swedish national forest policy meets the substantive IPF requirements of a NFP. However as there is no formal NFP process in Sweden, it is not possible to demarcate separate periods, such as a pre-NFP period, a NFP formulation period, and a NFP implementation period.

17.2 Supporting and impeding factors

Land tenure

Approximately 50 per cent of Swedish forests are owned by private persons (family forestry) and a further 20 per cent are owned by non-public forest industry companies. The state owns slightly more than 20 per cent, of which 15 per cent is owned directly by the state-owned stock company (*Sveaskog*) and 2–3 per cent in nature reserves. The remaining 10 per cent are public forests with shifting ownership conditions.

Forest owners in all categories favour a basic minimum of forest legislation, combined with the acceptance of responsibility on the behalf of owners to contribute to the fulfilment of sustainable forest management (SFM) through their own forest management. For example, forest owners have agreed voluntarily to support SFM by setting aside forest areas for nature conservation and by taking other kinds of environmental care without compensation from the state. The non-public forest industry companies and *Sveaskog* are certified by the Forest Stewardship Council (FSC), whose standard stipulates a set aside percentage of at least five percent. Almost one-fifth of family forests are certified by the Pan-European Forest Certificate (PEFC),² a proportion that is steadily increasing. PEFC requires a 3–5 per cent set aside forest area. However, at present the willingness of Swedish forest owners to accept further voluntary environmental undertakings seems to be low.

The right to property is regulated by the Instrument of Government (SFS 1974), Chapter 2, Article 18, and is strongly defended by landowners' associations and by most political

² Now renamed the Programme for the Endorsement of Forest Certification.

parties. Forest land use conflicts have not been a major problem for a long time, although there are two exceptions: conflict between forestry and reindeer husbandry in northern Sweden; and conflict between hunters, above all moose hunters, and forestry in the whole country.

The indigenous Sami people have the traditional right to herd their animals over vast areas in northern Sweden, although they have no ownership rights. On the one hand forestry often negatively affects grazing conditions, while on the other hand the reindeer may damage young forest stands. The Sami people have also been involved in conflicts on hunting, fishing, agriculture and erosion of the sensitive high mountain vegetation, chiefly lichens. These conflicts have been ongoing for 50–100 years.

The right to hunt and use game belongs to the owner of the land. This right is often released to a team of hunters as a business deal. If the game populations are too large relative to the amount of fodder on the land then serious game damage to trees and vegetation may occur. Despite constant or even declining moose populations in the 1990s, the damage to young pine stands has increased, indicating a need for smaller populations. This is mainly due to the reduction of the annual harvest area and changes of harvesting methods. The hunters are normally unwilling to accept smaller moose populations. Locally such conflicts can be serious.

Of course, the traditional right of the Sami people and the right of the hunters could be seen as an impeding factor for SFM. But considering the broad scope of the SFM concept it is not: balancing the interests of the different users of the forests is part of the forest policy process as well as national policy processes on the Sami people, reindeer and hunting.

Generally, forest ownership conditions in Sweden support SFM. The mixture of different types of owners creates a good environment for dialogue and competition.

The distribution of responsibilities between the state and the forest owners is a key factor for achieving SFM in Sweden.

Law and regulations

The main legislation on Swedish forestry is the Forestry Act (SFS 1979; Skogsstyrelsen 1994) and the Environmental Code (SFS 1998). The Forestry Act is a framework legislation. Binding rules are set by the NBF through regulations. The number of binding rules is relatively few, but those rules that do exist are fundamental, for example, the obligation on forest regeneration. There is a minimalistic approach to forest legislation and regulations. This means that the fulfilment of rules alone is not sufficient for achieving SFM and forest owners have engaged in additional voluntary commitments. Some rules are process-oriented. For example, when planned harvesting will affect forest stands that are valuable for reindeer husbandry, consultations with the Sami people involved must take place.

Since the 1970s the environmental requirements in the forest legislation have developed continuously. At present there are minimum rules on how environmental and cultural heritage considerations should be taken into account in forest operations. The introduction of new methods and techniques in forest management must be preceded by an Environmental Impact Analysis.

The Environmental Code regulates forest management in two main ways. First, it gives the right to the state to establish nature reserves and corresponding set aside instruments.

Normally the landowner is then compensated economically with the market price. Second, when planned forest operations are expected to considerably affect the environment, consultations with the responsible authorities must take place.

Overall Swedish legislation on forestry strongly supports SFM. However, because the forest legislation is a basic minimum legislation, the achievement of SFM is dependent on how the forest owners cope with the responsibility to take necessary actions voluntarily beyond the minimum requirements of the legislation. So far, this has not been a major problem, although some negative developments have occurred. There has been no systematic analysis on how other legislation, such as tax legislation, may impact upon SFM. However, the evidence to date is that tax legislation is not, at least, an impeding factor for SFM.

Financial incentives

Subsidies are marginal in Swedish forest policy today. Those subsidies that exist have been established in the 1980s and 1990s and cover only environment, recreation and cultural heritage aims. They can be seen as reimbursement for the non-market services provided by the forest owners to the general public.

Before 1993, when the new forest policy was introduced, wood production subsidies were relatively common. They were financed by a tax on forest properties, in other words a tax on forestry itself, and then redistributed among the forest owners. Since 1993 no subsidies exist for wood production. The simple reason for this is that in Sweden the view now prevails that wood production is an economic activity that should bear its own costs and be economically self-sufficient. Hence Regulation (EEC) 1257/99 on co-financing forest subsidies has been only marginally utilised in Sweden.

Before 1991 harvesting in family forestry was impeded by a high marginal income tax. Nowadays tax legislation considers forestry a normal industrial activity and marginal income taxes are much lower. This has promoted the wood production component of forest management. Furthermore, some special tax regulations for forestry are favourable.

Political culture

The culture of the forest authorities in Sweden has for a long time been characterised by the drive to solve existing problems and conflicts and to achieve mutual understanding and consensus that maintains both local support and a bottom-up approach that emphasises the principles of equality and agreement. The simple thinking behind this culture is that forest owners will not normally take efficient and necessary actions with authoritarian attitudes and behaviour; such actions instead require mutual understanding and consensus. The different organisations of forest owners have been involved in the preparation of forest policy decisions, for example regulations and forest legislation, for at least 30 years.

It can be argued that the initiative in the late-1980s to commence a dialogue with those environmental NGOs that had heavily criticised forestry for employing techniques and methods that destroyed nature was rather late. However it was, if not the first, then certainly one of the first, such dialogues between state forestry authorities and environmental NGOs in the world. It is mainly through this dialogue that the environmental NGOs have developed an understanding of wood production, and the forest authorities have developed an understanding of nature conservation. The dialogue has created favourable conditions for reaching consensus and solving forest-related conflicts.

As noted earlier, new or revised policy decisions by the parliament are normally prepared in advance by a commission. Sometimes these commissions are parliamentary (the members of the commission represent the political parties in the parliament) and sometimes they are non-parliamentary. So far the important forest policy decisions have been prepared by parliamentary commissions. The reason for this is that all parties recognise that consensus will lead to a long-term stability in forest policy. The latest such process took place in the years 1990–1992. The 2001 environmental policy goal decision of the parliament was also prepared by a parliamentary commission.

Normally attached to a commission is a group of stakeholders and experts representing different interests, organisations, authorities and competencies. This guarantees a broad approach to the issue in question. The experts have the right to speak during the meetings of the commission and also to attach to the commission's report an opinion on the conclusions and proposals. This arrangement can be seen as a form of "state-organised lobbying" whereby relatively weak organisations have the opportunity to influence political decisions. Ordinary lobbying also exists in parallel to this process.

Another important part of the policy decision process is that all relevant state authorities and interest organisations must have the opportunity to comment on the conclusions and proposals of the commission. These comments are then considered when the government prepares its bill for parliament. Normally, the relevant government authorities also have the opportunity to comment on the draft bill before it is presented to parliament. This procedure works well in the case of a majority government, but can be problematic when a minority government has to negotiate the bill with other parliamentary parties.

It can be concluded that the Swedish political culture, and the decision-making procedures that are grounded within this culture, constitutes a supporting factor for political decisions that promote SFM.

Institutional aspects

The NBF and the ten RFBs are responsible for the implementation of Swedish forest policy, which covers all three dimensions of the sustainability concept; economy, ecology and social factors. However the NBF and RFBs have no responsibilities with respect to the forest industry and the energy industry. The responsibility for the ecological dimension is called "the forest sector authority responsibility". The Swedish Environment Protection Agency at the national level, and the County Administrative Boards at the regional level, have mainly oversight roles with respect to forest environment issues.

The RFBs are geographically subdivided into Forestry Districts. The local presence of a forest authority in these districts is of the utmost importance for the implementation of the forest policy, and therefore for the achievement of SFM. Through the district organisation it is possible to communicate with the individual forest owner and to use the forest policy "tool kit" in an efficient way. In this respect it should be emphasised that the reduction of state grants for the forest administration during the 1990s has decreased the effectiveness of forest policy implementation, and a further reduction would seriously hamper the potential for realising SFM.

There is one Swedish principle of an institutional character that is important for forest management. Freely translated into English it reads: "The forest owner shall not need to communicate with more than one government authority concerning the management of his/her forests" (Anon. 1990). The intention of this principle is to render policy

implementation efficient and to avoid double or multiple policy signals to the forest owner. The principle requires a rational division of responsibilities, and good co-operation, between authorities. The principle is broadly, although not completely, applied. A complete application of the principle is probably not realistic, as no single forest administration can provide all the different kinds of expertise that are needed. For example, archaeologists have no responsibility for daily forest management issues, yet they are often involved in the management of cultural relics in the forests. From time to time it happens that co-operation between the forest administration and other authorities is unsatisfactory. When this is the case, it is inevitable that forest owners, single or collectively, will receive double or multiple forest policy signals.

The institutional conditions for achieving SFM should be judged as favourable, provided that sufficient state grants are made available. However, conflicts between state authorities with different mandates do sometimes occur, and this makes it more difficult to “market” the SFM concept to forest owners.

17.3 Participatory mechanisms

The general participatory procedures related to government commissions and bills have been described in the section on political culture above. Participatory mechanisms also exist with respect to the implementation of forest policy by forest authorities. At the national level five permanent advisory groups with representation from other authorities and organisations, including environmental NGOs and research and development (R&D) bodies, are attached to the NBF. One of the groups, the National Advisory Group, is a general policy group that is presently involved in the preparation of forest sector goals. Another deals with issues relevant to both forestry and reindeer husbandry.

At the regional level there are permanent Regional Advisory Groups attached to the RFBs which aim to represent the main authorities and interests concerned, although in a few cases environmental NGOs have been excluded. Regional Advisory Groups play an important role in breaking down the quantitative environment and forest sector goals from the national level to the regional level.

Besides the permanent advisory groups, temporary groups are often established when important activities (e.g. inventories, outlook studies, environment impact analysis, information campaigns) are planned and carried out.

The widespread use of advisory groups at both the national and regional levels has evolved gradually during the latest 30 years. The main contributions they have made to Swedish forest policy are to:

- broaden the discussion and analysis so that all relevant facts and values are properly considered;
- build confidence between different stakeholders on the various forest policy activities;
- consider new and innovative currents in forest management (e.g. profitability, management methods and attitudes of forest owners) and in society;
- reduce the risk of double or multiple policy signals to forest owners;
- increase the engagement of actors towards policy goals;
- facilitate the establishment of efficient policy implementation activities amongst all the main actors involved, or at least with the active support of these actors;
- reduce the risk of counter-productive regulations being introduced by the NBF;
- promote consistency and “transparency” without hidden agendas.

Generally speaking, the knowledge of those who represent authorities and NGOs is sufficient for them to make a constructive contribution. However, an increasing problem for both authorities and NGOs is the limited resources available for participating in the multitude of advisory groups.

17.4 Negotiation and conflict resolution

One consequence of Sweden's democratic system is a long tradition of involving various major interest groups and organisations in decision-making processes. These groups and organisations play an important role both in the process of policy development and in policy implementation. The well-established Swedish consensus-oriented strategy of policy making is the result of a continuous process in which discussions and mutual experiences result in, at best, shared values and attitudes. There are a number of possibilities for such discussions in the forestry sector: private forest owners are organised in Forest Owners' Associations while forest workers are organised in trade unions. People interested in nature conservation, hunting, recreation, out-door activities and so on can join various organisations, while the Sami people have their own organisation for reindeer husbandry.

A "glimpse in the rear view mirror" tells us that public criticism of Swedish forestry was low until the mid-1960s when the use of chemical herbicides and large-scale clearcuts drew public attention. After years of debate, the use of herbicides was forbidden in 1971. In 1970 (the Global Environmental Year) there grew a more organised and intense criticism of forestry, resulting in continuous and heated discussion throughout the 1970s. The northern parts of Sweden (especially Norrland and Värmland) came under scrutiny because of the large-scale forestry methods used by the forest companies and in state owned forestry areas. The public criticism of forestry was at first rejected and received with confusion by the forest professionals. However as some of the criticisms proved to have foundation, attitudes among the professionals slowly began to change, and various attempts such as policy declarations and information campaigns were launched to change and improve the situation. During the 1980s, several new environmental groups were formed that aimed to bring attention to multiple-use forestry and nature conservation issues. A specific movement for the protection of montane forests (FURA) was also founded during this period. Local groups were established (one of the better known was called One Step Ahead) to carry out inventories of threatened species, and their results were sometimes used in negotiations with forest owners and forest authorities. Today there has been a change in the attitudes and strategies both of the environmental groups and the professional forest sector, and this has resulted in an improved knowledge; both parties are now better informed of the actual environmental situation, and accordingly the discussions are becoming increasingly constructive.

One important basis for conflict resolution is an objective description of reality that the conflicting interests can accept. Once such a description is accepted meetings between the various interests can focus on the evaluation of facts, rather than on meaningless discussions on how the current reality should be defined. Swedish forest policy recognises inventory, follow-up and evaluation as vital policy tools. The results of inventories such as the National Forest Inventory and forest statistics are an essential basis for negotiations and conflict resolution in the Swedish forest policy process; this data is comprehensive and easily accessible for all parties. The general Swedish principle of public access to official records is also supportive. For example, harvest notifications are public and may be used by local NGOs when scrutinising planned forest operations.

Although there are no established instruments for conflict resolution in contemporary Swedish forestry, there are several formal and informal fora for reaching a reasonable balance between conflicting interests. To avoid clashes of interests when forestry activities are to be carried out near *urban* recreational areas, public meetings and hearings are often set up to provide a fair chance for the forest authorities, other authorities concerned, landowners, interest organisations and citizens to express their views, give information and influence plans. A recent example of a successful model for involving local urban citizens is the Uppsala municipal forest, where the municipality initiates meetings on a regular basis and provides information based on inventories and management plans. In more *rural* areas, such as Linderödsåsen in the southernmost part of Sweden, the RFB has recently launched an informational and educational campaign on the basis of landscape analysis in cooperation with local actors. During the monthly meetings various topics are discussed, including family forest management, nature reserves, tourism and recreational needs, summer cottage areas, hunting areas and infrastructure.

17.5 Intersectoral approaches

The forest policy process of Sweden aims to integrate the three central dimensions of the sustainability concept; economy, ecology and social factors. However the policy process is almost completely restricted to forest management. Hence there are some important forestry issues that are not considered in the policy process at all, or if considered are done so only marginally. The most important ones are infrastructure, forest industry, forest sector product markets, research and development (R&D) and, finally, education. These issues are normally dealt with in other policy processes. Sometimes the forestry interests are invited to these processes, and sometimes not.

Let us take infrastructure and R&D as examples. What is needed is, first, that realistic objectives and requirements from the forestry point of view on infrastructure and R&D are discussed and formulated within the framework of the forest policy process. Clearly this can only be done effectively with the active participation of representatives of infrastructure and R&D in the forest policy process. Next, the agreed objectives and requirements should form an essential input to the infrastructure and R&D policy processes respectively. These policy processes are collectively supported by all interested parties in forestry, hence forestry should have considerable influence in these processes. In this way genuine intersectoral coordination can be achieved. However a coherent and integrated intersectoral approach such as this has yet to be realised in Sweden.

17.6 Long term iterative planning

The formulation of forest and environment policy goals has gradually developed towards more quantitative goals, or targets. As a consequence, follow-up planning has been more straightforward and more systematic. Indicators are now being introduced to make the follow-up process more transparent and easily comprehensible for politicians, the forest sector, the general public and others.

As mentioned in section 17.1 above, both forest policy and the forest dimension of environmental policy have had a strong impact on Swedish forestry. Both are evaluated every four years. The evaluations have a heavy element of self-evaluation as the policy implementation authority, the NBF, is responsible for them. To avoid, or at least to reduce to a minimum, the risks associated with self-evaluation, external parties such as the Environment Protection Agency, forest owners associations and environmental NGOs, are

invited to participate in the evaluation processes. Some issues are considered only by external, neutral evaluators. In future the evaluations will be coordinated; the two processes will take place simultaneously and will thus be integrated as far as possible.

Principally on the basis of the conclusions of the evaluations, the NBF makes proposals to the government. These proposals can refer to policy goals, policy tools and the state grants for implementation of the policy. External parties are also involved in the NBF's proposal-making process.

In between evaluations, various long-term impact analyses (Skogsstyrelsen 2001) are normally carried out in the form of scenario studies. The impact analyses examine the consequences for potential future harvest levels, forest biodiversity and other forest impacts using different assumptions and restrictions on the use of the forests and forest management. The results of the impact analyses are then input into the proposal-making process mentioned above.

Continuous follow-up, evaluations and proposal-making carried out by the NBF and the subsequent political decisions on amendments of the forest and environment policies constitute a four-year cycle for long-term iterative planning. However more radical policy changes will probably need a stronger political contribution than the present iterative process, and could occur perhaps once every 10–15 years.

17.7 Other elements of Swedish national forest policy

Decentralisation

The forest administration in Sweden has gradually been decentralised over the past 20 years. To a great extent the NBF manages the objectives of the RFBs. The same applies for the RFBs' management of the local Forestry Districts. The RFBs and the districts today have an extensive decision-making mandate when applying forest policy tools. At the same time, there is perhaps an opposite trend; to have more internal policies, follow-up systems and administrative systems in common for the whole forest administration. This promotes a uniform approach towards forest owners, for example in the supervision of the Forestry Act, and a generally more efficient implementation of the forest policy.

The development of new internal policies and common systems normally takes place with the active participation of established networks made up of experts from the NBF and all RFBs. The management committee of the forest administration, comprising the Director General and the Deputy Director General of the NBF and all the heads of the RFBs, is always involved in important decisions on, for example, target formulation, internal policies, priorities and development investments.

The national forest environment targets approved by Parliament have recently been broken down to regional targets in participatory regional processes. The same will happen for the production part of the forest sector targets when the national targets have been decided. This breaking down of quantitative targets is a challenging exercise in which the regional conditions must be taken into account. The process must to some degree be iterative in order to guarantee that the sum of the regional targets is equal, or approximately equal, to the national targets. So far the process has worked surprisingly well with no major interventions from the national level. The targets will only be achieved if the forest owners take the necessary actions. Through the participatory process the forest owners associations, the forest industry companies and other categories of forest owners have committed themselves to take the necessary actions at the regional level.

Delegation

No major functions or management responsibilities for forestry have been transferred from the public to the private sector during the latest 20 years. However, there have been some changes inside the public sector. Previously most state forests were managed by a government authority. Now a state-owned stock company is responsible for the management. Another state-owned company has taken over the state's responsibility for seed and seedling production from the NBF. These state companies operate under the same conditions as private stock companies and have a board that is appointed by the government.

The forest policy revision of 1993 resulted in a delegation of management responsibilities from the state to forest owners. It was clearly expressed that the forest owners should have more "freedom under responsibility". In return for acceptance of this responsibility, parliament and the government offered deregulation and minimalist legal regulations. As mentioned in section 17.2 above, the forest owners have also voluntarily agreed to invest in nature conservation without any compensation from the state, such as setting aside forests.

Knowledge

COST Action E19 has identified four core elements of a NFP. Knowledge is not one of them, although it is mentioned under some other elements. Under the Swedish principle of "freedom under responsibility" it is recognised that sound knowledge on behalf of all actors in the planning and executing of forest operations is a prerequisite for achieving forest policy goals, and thus for achieving SFM. Hence extension and information is today considered the most important forest policy tool. The Swedish experience suggests it would have been appropriate to include knowledge as one of the core elements of a NFP.

Forest environment goals

The process of goal-setting for the ecological dimension of SFM is currently more advanced in Sweden than that for the economic dimension. This is why the forest policy goals and targets outlined below are restricted to ecology and must be seen as examples. Note that these goals and targets have been prepared in an environmental policy process. It is expected that the on-going goal-setting process for the economic and social dimensions will render goals and targets of a similar type to those shown below.

There are 15 so-called environmental quality objectives (Naturvårdsverket 2003). The objective for forests is named *Sustainable Forests* and states that "The forest and forest soil's value for biological production must be protected at the same time as biological diversity and cultural and social values are protected". For this objective there are 13 goals which, it is planned, should be achieved over the next generation:

- 1 The natural production capacity of forestland is preserved.
- 2 The natural functions and processes of forest ecosystems are maintained.
- 3 Natural regeneration is practised wherever the land is suitable for this method.
- 4 The forests' natural hydrology is protected.
- 5 The effects of forest fires on the forests are managed.
- 6 Care-demanding forests with valuable natural and cultural assets are managed in such a way as to preserve and enhance these assets.

- 7 Forests are protected where there is great variation in the age of the trees and the composition of tree species.
- 8 Cultural monuments and environments are protected.
- 9 Importance is attached to forests as sources of nature experience and recreation.
- 10 Endangered species and natural ecosystems are protected.
- 11 There are viable populations of domestic plant and animal species living in natural conditions.
- 12 Endangered species can spread to new habitats in their natural areas of distribution, thus ensuring viable populations.
- 13 Alien species and genetically modified organisms that may be a threat to biological diversity are not introduced.

There are four targets related to the *Sustainable Forests* objective:

- 1 A further 900,000 hectares of productive forestland that is in need of protection will be excluded from forest production until the year 2010.
- 2 The amount of dead wood and the area of forest with a high proportion of deciduous trees and old-growth forest will be maintained and increased up to 2010 by:
 - increasing the quantity of hard dead wood by at least 40 per cent throughout the country and considerably more in areas where biological diversity is particularly at risk;
 - increasing the area of established forest with a high proportion of deciduous trees by at least 10 per cent;
 - increasing the area of old-growth forest by at least 5 per cent;
 - increasing the area regenerated with deciduous forest.
- 3 Forestland will be managed so as not to damage ancient monuments and to ensure that damage to other well-known and valuable cultural remains is negligible by 2010.
- 4 By 2005 action programmes will be under way for endangered species that require targeted measures.

With the exception of target 4, the targets will be included in the forest sector goals. Target 4 is directed towards government authorities and its realisation cannot be achieved by forestry itself. The policy tools to be used in implementing these goals are the same as those outlined in section 17.1 above.

In addition to the goals and targets of *Sustainable Forests* there are also some forestry-related goals and targets under other environmental quality objectives.

17.8 Conclusions

The description and analysis presented in this chapter demonstrates that the IPF requirements for NFP processes can be met without a formalised NFP process. It remains for the Swedish authorities to inform the international forest community that Sweden almost completely meets the requirements. This report, which adheres to the COST Action E19 framework, can only partially serve this purpose. Furthermore, the contents of the Swedish “NFP” – that is the national forest policy’s goals and tools – also need to be communicated to the international forest community.

Generally, the Swedish conditions with respect to land tenure, legal regulations and institutional aspects support the development of SFM. The participatory mechanisms are also well developed. Negotiation and conflict resolution is facilitated by comprehensive and easily accessible information on forests and forestry. However, no specific instruments have been developed for conflict resolution. Imperfections in the intersectoral approaches exist and need to be further addressed. The relevant policy processes are distinctly iterative within a four-year cycle.

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- Note:* SFS, or Svensk författningssamling, denotes the Swedish Statute Book

Chapter 18

SWITZERLAND: Optimising sustainable forest management

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18.1 Introduction

Forests are a major element of the Swiss landscape, comprising 30.8 per cent of the total territory. In comparison, agricultural land has a share of 36.9 per cent, unproductive areas (high mountains, lakes, rivers) make up 25.5 per cent and settled area accounts for 6.8 per cent (Bundesamt für Statistik 2001, p.3). Approximately half of the forest is found above 1,000 metres altitude and 42 per cent of the forest grows on slopes with a gradient greater than 40 per cent (Mahrer 1988, p.67). There are many non-market values and services of the forest that contribute to the economic and social welfare of Switzerland, such as the protection of human settlements and infrastructure against avalanches, landslides and rock fall (Bisang 2001, p.146). With respect to biodiversity, the forest is home for 35 per cent of all flora and fauna species of Switzerland (BUWAL 1999b, p.13). Due to the ecological fragility and diversity of the Swiss landscape sustainable forest management is a crucial principle for well-being and development in Switzerland.

Switzerland is a federal state with three administrative levels, namely the confederation, cantons and communes. Each level has its own responsibilities. The confederation and the cantons typically assume strategic functions, while the communes assume operative functions. The confederation is responsible for ensuring that the forest provides protection, production and welfare functions. It is supposed to outline policies for the protection of the forest and to encourage conservation (Article 77 of the Federal Constitution). The constitutions of each canton regulate the forest protection and production mechanisms in compliance with the Federal Constitution and complement the federal law with the means to further stimulate forest protection and production.

The origins of Swiss national forest policy date to 1874. As a reaction to the progressive clear-cutting of forests during the nineteenth century the protection and extensive use of forests became the cornerstones of Swiss forest policy. The first federal forest act was ratified in 1876 and a first federal forest law promulgated in 1902 (Schmithüsen and Zimmermann 1999a, p.14). Since 1902 emphasis has been laid on forest area conservation and sustainable forest management in Swiss forest policy. Social development and new challenges in forest management during the twentieth century made improvements to the Swiss forest law necessary. This was achieved by step-by-step adjustments in line with the new requirements (Kissling-Näf and Zimmermann 1996a, p.56).

In 1991 a new federal forest law came into force. Its main emphasis lies on qualitative and quantitative forest area conservation. The law reacted to important changes of the role of forests in society and retains the principle of forest protection and conservation. It provides for a multifunctional approach to sustainable forest management, aiming at protection from natural hazards, wood production, recreational and educational uses, landscape and nature conservation as well as forest sector development. In the process of revising the forest law

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many conflicts had to be resolved, both at the federal and cantonal levels. To date 24 out of 26 cantons have ratified a new cantonal forest law (Seitz and Zimmermann 2002, p.347).

During 1997 and 1998 Swiss forest policy underwent a sustainability assessment by an international expert group (BUWAL 1999b). Despite the relatively good results of this assessment the Minister of the Federal Department for the Environment, Transport, Energy and Communication (DETEC) decided in May 2001 to continue the discussions on the future federal forest policy. The *Waldprogramm Schweiz* (WAP-CH), the Swiss version of a National Forest Programme (NFP), was launched at the start of 2002. The programme is both a response to the proposals for action from the international forest policy discourse and a forum to discuss national concerns about the future of Swiss forests. The explicit aims of the WAP-CH are an optimisation of Swiss forest policy and further improvement of the federal forest law (Schärer 2001, p.531).

The NFP in Switzerland is clearly defined as a political programme for action that includes all relevant stakeholders. In this chapter we discuss the development, processes and prospects of the Swiss NFP. The WAP-CH has been based on the assumption that it is not necessary to completely reform Swiss national forest policy. Rather it is a means to adjust and optimise, where necessary, the policy and legal framework to assure sustainable forest management in the long term. We consider the WAP-CH as an example of modern environmental policy planning. However, it is still early to draw conclusive lessons from it. Our results are consequently rather speculative. Nevertheless, the analysis of the Swiss NFP process provides an opportunity to take a look back, to discuss the current policy process and to reflect on the strengths and weaknesses of the WAP-CH compared with the international requirements of a substantial NFP.

18.2 Supporting and impeding factors

The sustainability assessment of Swiss forest policy provided an analysis of its strengths and weaknesses. It was carried out by an international team of experts from different disciplines independent of the forest administration. The experts assessed the federal Swiss forest policy programme according to the six Helsinki criteria² and about forty other indicators (Kübler et al 2001, p.21). The assessment summarised the actual state of Swiss forest policy and provided an excellent basis from which the WAP-CH was launched. The identified strengths and weaknesses can be seen as the supporting and impeding political factors for sustainable forest management in Switzerland. Due to the fact that the assessment was focused on the current Swiss forest policy programme, those factors identified in the pre-NFP period continue to have the same supporting or impeding impact during the current NFP period. However, they can only partly be considered as the motor for the launch of the Swiss NFP. More important factors appeared to be the altered international forest policy context and phenomena such as changed societal expectations in the forest as a zone for recreation, difficulties in the forest industry and the repeated occurrence of unforeseen natural calamities.

Supporting and impeding political factors for maintaining and improving sustainable forest management in Switzerland are found in the five themes concerning land tenure, law and regulations, financial incentives, political culture and institutional aspects.

² The six Helsinki criteria were established at the second Ministerial Conference in Helsinki in 1993 (MCPFE 1993). They provide general guidelines for the sustainable management of forests in Europe. The six criteria are: 1) maintenance and appropriate enhancement of forest resources and their contribution to global carbon cycles; 2) maintenance of forest ecosystem health and vitality; 3) maintenance and encouragement of productive functions of forests (wood and non-wood); 4) maintenance, conservation and appropriate enhancement of biological diversity in forest ecosystems; 5) maintenance and appropriate enhancement of protective functions in forest management (notably soil and water); 6) maintenance of other socio-economic functions and conditions (MCPFE 1994).

Land tenure

A characteristic of Swiss forest ownership is that about 70 per cent of the total forest area is public property. This is undoubtedly a supporting factor as not only economic but also ecological and social interests in the forest are pursued. There is moreover the obligation to carry out silviculture close to nature (see Schütz 1999) and forest policy planning including the public. A substantial average financial contribution of † 40 million of the communes for the forest support the hypothesis of a strong public interest in the forest (calculated after Baruffol et al 2003, pp.37, 41). On the other hand, there are more than 250,000 private forest owners who lack the preconditions for economically sustainable forest management. The average private forest property of less than one hectare impedes any economically profitable activity.

Law and regulations

The basic legal framework, i.e. the federal law on forests, is one of the major supporting factors. A comprehensive set of policy goals and instruments composed of, to name but a few, a restrictive definition of forest area, a ban on deforestation for all forests and compulsory compensation for deforestation, produces non-market benefits and forest services. The effect of this policy is an increase of the forest area in Switzerland by approximately 250,000 hectares within the last 50 years. Moreover, the explicit obligation to carry out close to nature silviculture (Article 20, Federal Forest Law) and numerous prohibitions against damaging the forests or deforestation are part of a culture of penalty norms in Swiss forest policy. However, recently there have been calls that too many and too restrictive regulations hinder the sustainable development of the forest economy.

Financial incentives

The forest law of 1991 provides compensatory payments to forest owners for specific tasks or restrictions in the public interest. Financial incentives for forest management, access infrastructure and the management of forest reserves support forest owners in managing their forests in a socially and ecologically sustainable manner (Zimmermann 1994, p.242; Kissling-Näf and Zimmermann 1996a, p.65). The annual expenditure of the confederation for subsidies to the forest sectors rose from †36 million in the mid 1980s to †115 million in the mid-1990s (Baruffol et al 2003, p.36). Generally, the financial incentives act as supporting factors for sustainable forest management in Switzerland, especially because they build on previous achievements and further insights into the delivery of public services in the forestry sector. However, the substantial federal contributions to the forest sector may hinder eventual structural adjustments to achieve also an economically sustainable forest management (Kübler et al 2001, p.99).

Political culture

The political culture of Switzerland emphasises direct public participation in all political and policy decisions. There is a clear division of competencies and responsibilities between the confederation, cantons and communes. A balance of power between the administrative levels and regions is created. This contributes to a consensual system where discourse instead of top down decision making is the rule (Linder 1994, p.168). The principle of participation is ratified in federal law and in all cantonal forest laws. There may be differences in implementation of participatory forest planning in the cantons and communes but generally it is always respected one way or another (see also Sutter 2000). Recent surveys have shown

that the forest in Switzerland is highly appreciated for its cultural values and aspects of identity. The Swiss population tends to value the significance of the forest as part of a typical Swiss landscape pattern and as a space for recreation that is worth more than just its economic value (BUWAL 1999a, p.111; Schmithüsen et al 2000, p.19). This shows a strong rural preference amongst the Swiss people, although most of them live in urban environments. In addition, a predominantly public ownership and common property ethos of forests seems to prioritise the non-wood and public good dimensions of forests over economic productivity. The Swiss forest policy is therefore strongly shaped by the broad involvement of the public and consultation between the various administrative levels, as framed by the federal democratic institutions.

Institutional aspects

Four strong pillars of the institutional setting of Switzerland can be identified, namely direct democracy, federalism, autonomy of communes and state of law (see Linder 1994). The first three pillars are all supporting factors for sustainable forest management and the process of a NFP in Switzerland. The strong influence of the law is, on the one hand, supporting because it creates a high level of legal certainty. On the other hand, it may create a tendency to inflexibility which partially impedes the forest policy process. A special aspect of forest policy is the strong position of the forest administration, acting on four different levels (confederation, cantons, districts and communes). If it acts as a consulting institution it is usually supportive. However, if it acts as a controlling or intervening actor then it may impede the activities of forest owners.

In many aspects the institutional structures in Switzerland still lack intersectoral policy goals and instruments. Managing the forest in a sustainable manner requires integrated spatial planning concepts to protect the distribution and quality of the current forest cover. Intersectoral coordination between the different federal departments and federal agencies responsible for environmental, agricultural, infrastructure and development planning is still weak (see also section 18.5).

When the Swiss Forest Agency launched the WAP-CH it did not primarily respond to these impeding factors. However, the creation of six working groups according to the six Helsinki criteria allowed, first, the discussion of impeding factors and, second, scrutiny of these impeding factors from different angles and disciplinary backgrounds. New supporting and impeding factors may be identified during the current WAP-CH process.

The discussions in the international forest policy arena and in COST Action E19 have suggested four key elements for the planning, elaboration and implementation of NFPs (Bisang and Zimmermann 2002, p.421). These are participation, intersectoral coordination, conflict resolution and an iterative approach to policy making. Although it is not entirely clear why these key elements were selected, their combination in the policy process may make a NFP a substantive instrument of modern policy making in the forestry sector. In an ongoing research project at the ETH Zurich NFP processes are analysed against the background of these four key elements. It is found, however, that other elements should be added. Sections 18.3 to 18.6 discuss these four key elements in turn. Section 18.7 then examines further key elements essential for a NFP in Switzerland.

18.3 Participatory mechanisms

Participatory mechanisms in policy making are firmly institutionalised in the political system of Switzerland. The Swiss version of democracy combines participatory democracy with representative democratic elements and provides considerable scope for direct political

participation for those members of the population who are eligible to vote. There are a number of constitutional guarantees for direct public participation. Classic examples are the popular initiative and the referendum (Articles 136–142 of the Federal Constitution). The popular initiative is a political instrument by which citizens may seek constitutional amendments, changes in legislation or the adoption of new legislation. The referendum is an approval of a veto cast by a popular ballot with regard to acts of parliament and/or government (Linder 1994, pp.85–87). The nature of Swiss direct and semi-direct democracy therefore provides the right to popular participation in almost all political decisions. Participation is essential to the Swiss notions of “government through the people” and “sovereignty of the people” (Linder 1994, p.15). There are opportunities for broad participation at all administrative levels and in policy formulation, planning and implementation. The lower the administrative level, the more possibilities for participation are provided (see for example Haering Binder 1996; Sutter 2000).

Vernehmlassungsverfahren (meaning “consultation”) (Article 147 of the Federal Constitution) is a procedure known at all administrative levels. It invites cantons, political parties and interest groups to provide opinions and feedback to important resolutions and other projects of magnitude (Klöti 1984, p.323; Gabriel 1990, p.112). It is an important instrument in the Swiss political decision-making process and aims at achieving consensus among the administrative levels and interest groups. It is a means to avoid the lengthening of the policy process by an unforeseen referendum. Another effective instrument that supports a participatory environmental policy process is the *Verbandsbeschwerderecht* (meaning “right of associations and communes to file a complaint”) (e.g. Article 12 of the law on nature and cultural heritage conservation). It states that communes and long established organisations have the right to file a complaint or to make a rebuke in order to maintain the interests of the protection of environment and landscape (Keller et al 1997, pp.66, 253; Bloetzer 2002, p.120). The *Verbandsbeschwerderecht* is an effective instrument that enhances the pressure on policy makers, administration and private enterprises to include the interest of the environment in their projects (e.g. construction plans). Many projects are prospectively improved in order to avoid a complaint. The *Verbandsbeschwerderecht* is relatively rarely, but effectively, used by environmental organisations (BUWAL 2000, p.42). It generally improves the implementation of environmental law.

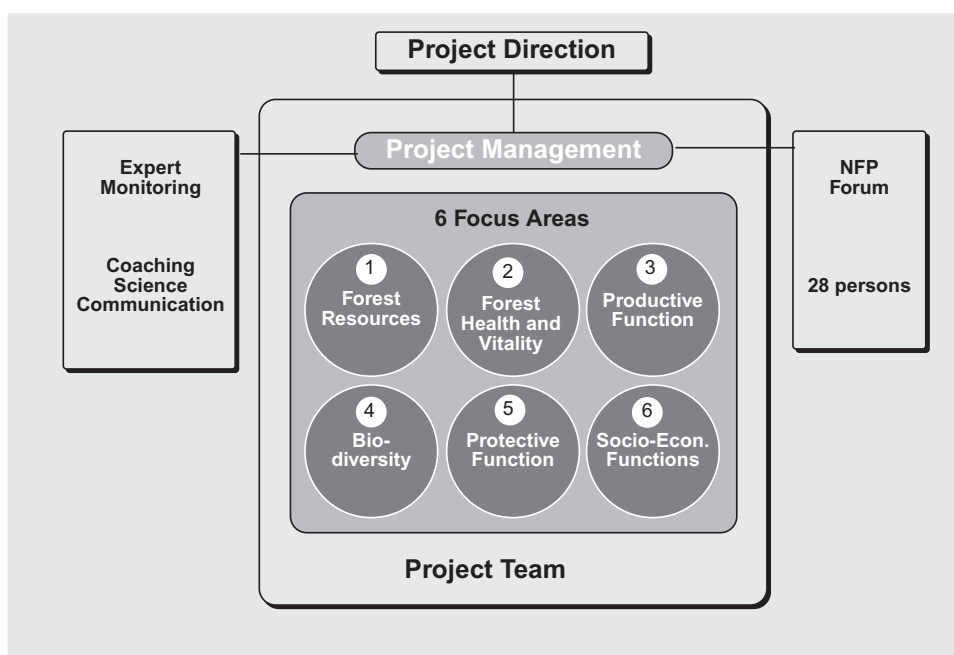
The WAP-CH is situated at the federal level. At its initial stage, the WAP-CH represented primarily an administrative exercise. On the basis of several reports the DETEC elaborated a document with six central theses. Only later was a participatory element added. Feedback was sought from cantons, organisations, associations, private enterprises and individuals by disseminating the DETEC document in the *Vernehmlassungsverfahren*. Forty-five written statements were returned to the DETEC, representing a rather weak response. In summary, the statements revealed relatively critical and declining reactions. It was confirmed that the current problems in forest policy and forestry needed to be solved but without a complete reform of the policy. The feedback made clear that the socio-economic functions of the forest should become a main topic for discussion in the reorientation of forest policy (BUWAL 2001, p.17).

The next step was again based on a hierarchic decision as the DETEC defined the six themes alone. Only then was it decided that the policy process should be participative and not entirely dominated by experts and bureaucrats. A broad stakeholder participation was found to be essential for the WAP-CH process. Its organisational structure is as follows. It is managed by the project direction, composed of the director and vice-director of the SAEFL and the director of the Swiss Forest Agency, and the project management board, composed of the director of the Swiss Forest Agency, an accountant, a communications

manager and an international relations expert, all employed by the Swiss Forest Agency. Six working groups elaborated on the identified main topics. They are composed of stakeholders originating from the federal administration, cantonal executive organs, academia, environmental organisations, professional associations, forest enterprises, private forest owners, wood industry, private enterprises and others. The forum is the political organ and is composed of selected members of parliament and actors represented also in the six working groups. The WAP-CH is moderated and assisted by an external expert monitoring (see Figure 18.1).³

In total more than 130 people are involved in the WAP-CH. The chair of the forum and of each working group is appointed by the Forest Agency and remains within it or the federal administration. The WAP-CH process is principally participative but the Forest Agency is clearly the steering force.

Figure 18.1 Organisational structure of the Waldprogramm Schweiz (Swiss NFP)



Source: BUWAL 2002.

In order to strengthen their stakes in the WAP-CH process other organisations and associations, especially from the forest and wood industry sector, organised meetings and workshops. A panel on the future of Swiss forest policy was organised by the Swiss Association for Mountain Areas (SAB). Three parallel workshops were held on the initiative of the associations of forest engineers and foresters. They were open to the public but the participants tended to represent particularly expert interests evolving from the forest sector. The participants were predominantly members of the professional associations of foresters who work as forest officers in the cantonal offices. Other participants were representatives of the wood industry, private forest owners, environmental organisations and private enterprises. The official WAP-CH became engaged in these meetings and supported the events with financial and human resources. The results of these meetings fed into the WAP-CH process.

³ Available online at <http://www.waldprogramm.ch/>

In summary, the WAP-CH process makes use of participatory mechanisms that principally allow broad stakeholder participation and enable a public debate about the future of Swiss forests. However, as contents and procedures are largely prescribed by the federal administration there is a tendency towards technocratic and expert domination. This may circumscribe the participatory approach of the process. The Swiss NFP has essentially directed existing mechanisms of participation towards forest policy. What is somewhat new, however, is the possibility of broad stakeholder participation which is so far restricted by a rather hierarchical structure of decision-making in the forest sector.

18.4 Negotiation and conflict resolution

Negotiation and conflict resolution are in-built elements of consensus and conflict resolution that are inherent to the Swiss political system. The use of the referendum has enhanced the historical experience of power sharing according to a kind of consociational democracy and has led to the institutional system of *concordance* (Linder 1994, p.131). Concordance means negotiation and political bargaining, and is closely linked with some of the participatory mechanisms discussed above. It is the opposite of majority or hierarchical decision-making.

In policy formulation, negotiation and political bargaining are very common in Switzerland. The public administration is obliged to provide the opportunity for a dialogue and to make the policy process as transparent as possible (Article 147 of the Federal Constitution). The *Vernehmlassungsverfahren* on the programme formulation level and the *Verbandsbeschwerderecht* at the implementation level are instruments that help formulate diverse policy stances. Final decisions are still mandatory decisions, although informal negotiation always precedes them. Policy implementation is strongly shaped by the law.

It is difficult to assess how the WAP-CH deals with the key element of negotiation and conflict resolution as final decisions yet to be agreed. It is clear, however, that the process and its contents were launched in a top-down manner. At the current stage, negotiation about contents and objectives takes place in the WAP-CH working groups, the forum, private interest groups and associations. The process is still in a “brainstorming” phase, seeking to identify the range of interests, problem definitions, visions and strategies of the various stakeholders without ranking them. So far it is characterised more by conflict prevention mechanisms than conflict resolution mechanisms (*Vernehmlassung*, hearings). Both in the forum and the six working groups negotiation dominates. This is supported by a team of external moderators, employed by a private consultancy firm and engaged by the Forest Agency. It may be expected that conflict resolution mechanisms will only apply at the federal level. This is the classic political institutional level where decisions are finally made by the head of the DETEC, the Federal Council and the parliament.

Two things may be anticipated. First, conflicts are more likely to emerge from conflicting objectives and contents rather than from inadequate procedures. Second, a reasonable trade-off between the interests of economy and ecology needs to be found for future strategies in forest policy.

18.5 Intersectoral approaches

The development of public policy in Switzerland shows that the tasks for the federal state are constantly increasing while some of them overlap and contradict each other. The Swiss federal administration is characterised by a division into seven federal departments.

They are headed by the seven ministers of the Federal Council. Ideally, the Federal Council makes decision as a government collective beyond the departmental boundaries. However, policy is largely made in the respective departments. The emergence of expert ministers strengthens the continuity of political affairs but weakens to some extent collegial government and intersectoral coordination (Altermatt 1991, p.25). At the level below the federal departments the number of governmental agencies, offices and committees has greatly increased. This leads to a dense web of structurally and conceptually highly complex relations and responsibilities, which can sometimes be more hindering than enabling (Kissling-Näf and Zimmermann 1996a, p.53; Schweizerische Bundeskanzlei 2002, pp.32–33).

The accelerated development of public policy includes forest policy. The number of tasks and responsibilities for the Swiss Forest Agency has grown. At the same time, a number of administrative reorganisations have taken place (see Adam and Schaffer 2002). The Swiss Forest Agency, formerly an independent federal agency, was merged into the Swiss Agency for the Environment, Forest and Landscape (SAEFL). The SAEFL, founded in 1989, integrates a number of divisions such as Nature and Landscape, Water Protection and Fisheries, Waste Management, Air Abatement and Noise Pollution.⁴ This organisational structure should enable intersectoral approaches between the divisions in order to address the overarching problems of environment and landscape in Switzerland. However, the total integration of the Forest Agency and the other divisions has not yet happened. The Forest Agency still works relatively autonomously. An institutionalised coordination between the SAEFL and other forest-relevant agencies, such as the Federal Office for Spatial Development, Federal Office for Agriculture, Federal Office for Water and Geology, regional policy, research and tourism does not yet exist.

The WAP-CH considers forest to be a landscape element with multiple functions. This calls for intersectoral coordination with agriculture, environmental protection, education, research and so on. In the WAP-CH organisational structure the requirement for intersectoral coordination and cooperation is to some extent satisfied. The chair of the WAP-forum, for example, is the vice-director of the SAEFL. He ensures coordination between the Forest Agency and the SAEFL Division of Nature and Landscape Protection. Representatives of the Federal Offices for Spatial Development, Agriculture or Research and Education are participating members in the forum and working groups. This may strengthen intersectoral coordination and cooperation between the usually strictly divided offices and agencies.

18.6 Long term iterative planning

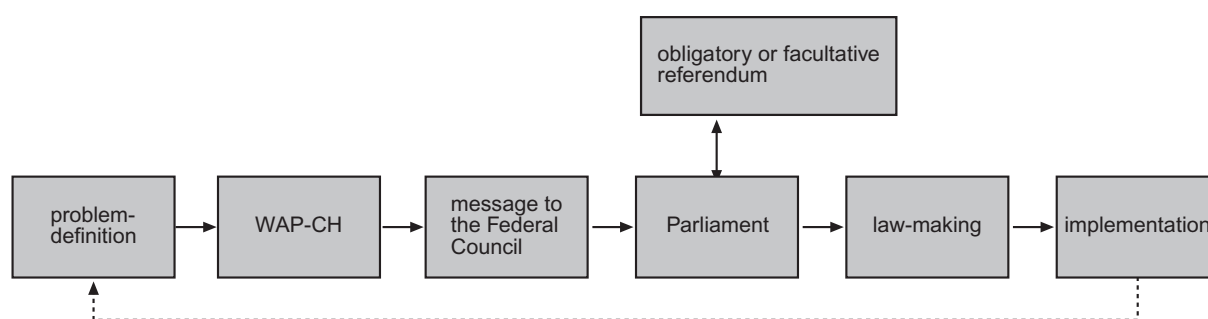
Swiss policy makes use of a number of middle- and long-term planning instruments, for example, the planning of the legislative period, financial planning and sectoral planning. These planning exercises, however, remain rooted in the traditional style of policy planning with cycles of four to five years. The iterative element is still missing.

In Swiss forest policy long-term iterative planning does not yet exist. Forest policy planning is rather characterised by selective or step-by-step modifications of the existing policy framework, thus it represents more an incremental than an iterative policy process. The incremental process in forest policy processes in Switzerland is characterised by the principle of “muddling through” (Lindblom 1973, p.168; Kissling-Näf and Zimmermann 1996a, p.66; Sutton 1999, p.19). Clear objectives and the systematic use of monitoring, controlling and evaluation instruments are missing.

⁴ See <http://www.umwelt-schweiz.ch/buwal/eng/info/buwal/organisation/index.html/>

Also the WAP-CH appears to be more a unique process resulting in the amendment of the federal forest law, rather than a genuinely iterative process that operates at different levels. The WAP-CH defines itself as proactive rather than reactive. Its aim is to provide the DETEC with a message on Swiss forest policy and suggestions for a revision of the forest law. On this basis the forest law revision process would be launched in 2004, going through various stages of consultation in the cantons and the parliament until the revised forest law finally comes into force in 2007.⁵ The WAP-CH process seems linear and non-iterative following the classic sequence of problem definition; a message to the Federal Council, negotiation in parliament, revision or amendment of the law, and implementation of the law and respective policy. The WAP-CH as well as the referendum are instruments that enhance this policy process by political negotiation and bargaining. This sequence is shown in Figure 18.2.

Figure 18.2 The WAP-CH policy process in Switzerland: An example of a linear policy process



In summary, the WAP-CH neither specifies iterative adjustments nor does it make use of institutionalised monitoring and evaluation instruments. A systematic iterative process is much supported by monitoring and evaluation of policy decisions. Therefore, monitoring and evaluation are considered as additional important elements for a substantive NFP in Switzerland.

18.7 Additional requirements for the NFP in Switzerland

The above discussion focused on four key elements that are indisputably essential for outlining and guiding the procedures of the NFP as an instrument for enhancing sustainable forest management. However, these four elements alone, which largely define the procedural requirements for the NFP, may not guarantee that the overall objectives of NFPs are met. By drawing on the documents of the IPF (1997), IFF (1999; 2000), UNFF (2001), COST Action E19, MCPFE (2001) and the literature on environmental policy and planning we consider that additional elements are also important (Bisang and Zimmermann 2003, p.43). Our concern is with the content and institutional elements that may enhance the policy planning process for sustainable forest management. Our list of additional key elements does not claim to be complete. Its aim is to provide a reference for debating and evaluating the contents and impacts of NFPs, both in Switzerland and in other countries.

We establish our argument for additional key elements as follows: It is not only the procedure but also the policy style and politico-institutional context that are decisive for the policy process. Jänicke et al (1999, p.110) define the complex of procedural elements,

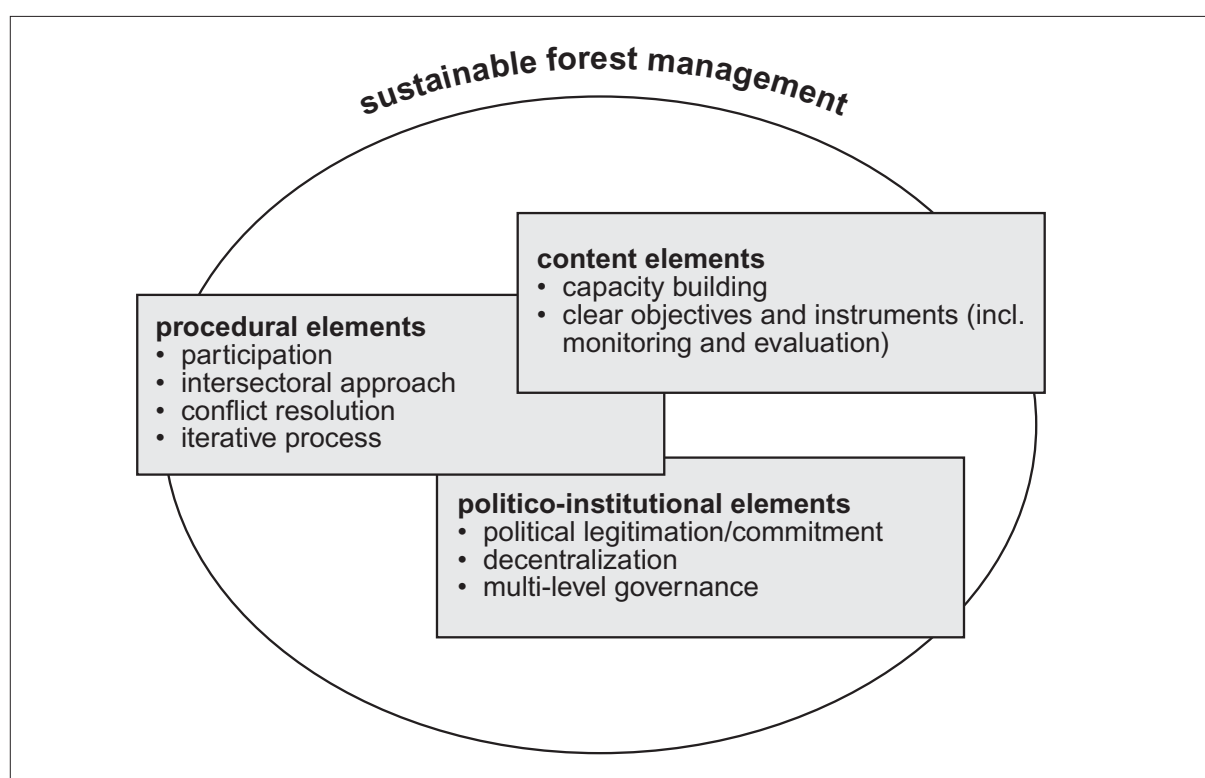
⁵ See also <http://www.waldprogramm.ch/e/projekt/projectMile.shtml>

policy style and politico-institutional context as the “policy pattern”. They (1999, p.108) argue that this complex creates or inhibits real options and objective chances for action towards sustainable forest management as it circumscribes the action context of the actors involved in the environmental policy process. Therefore, the nature of objective setting, consensus orientation, competence and capacity of the governmental agencies as well as the role of other policies are as important conditions for the NFP process as the key procedural elements examined in sections 18.3 to 18.6.

The concept of the policy pattern suggests the integration of additional key elements to be included in the NFP process to support or optimise sustainable forest management through policy guidance. They are identified as follows (Figure 18.3):

- capacity-building
- clear objectives and instruments (including monitoring and evaluation)
- decentralisation
- multi-level governance, and
- political legitimation and commitment.

Figure 18.3 Key elements of a Swiss NFP



Capacity-building is an element of specific importance for any strategic political planning exercise. It defines the ability of a society and its public administration to identify problems and to solve them (OECD 1995, p.8; Jänicke 1997, p.1). The concept of capacity-building emphasises that there are real limitations for the success of policy intervention. Limitations do not lie only in an inadequate or wrong problem definition or selection of instruments, but in the structural characteristics of capacities. Policy actors possess various actor-specific resources that limit or enhance their capacities, such as organisational strength, expertise, financial means and alliances (Jänicke et al 1999, p.112).

In Swiss forest policy the competencies are well organised and shared between different levels. The Forest Agency acts at the federal level and cantonal, district and local forest offices work at the subordinate levels. The people who staff these offices have either a university degree in forestry and related environmental disciplines or a degree from the two forest professional schools in Switzerland. The most important partner of all is the wood industry. The partnership with environmental and conservation organisations is not yet well established. However, regarding the curricula in the Department of Forest Sciences at the Federal Institute of Technology (ETH Zurich) there is a trend towards more integrative and interdisciplinary policy formation. In terms of financial means the forest sector receives a well-endowed budget from the federal government. Today it is three times as much as in the 1980s (Schmithüsen and Zimmermann 1999b, p.34). During the last two decades Switzerland has invested in capacity-building of the administration and private environmental organisations through training and social learning processes. Knoepfel (1997, p.195) claims, however, that it is not possible to predict whether the current capacities are sufficient to guide environmental politics towards more consistent natural resource management.

On various occasions during the WAP-CH process, the policy actors involved question the current capacities and competencies of the Swiss Forest Agency and the forest offices at the cantonal and commune levels. They are criticised for their strong sectoral approach and their tendency to rest on their achievements rather than to plan for the future. The forest industry representatives, for example, claim that the cantonal forest offices are too protective and uneconomical and that they firmly hold on to their mandatory authority. Critical voices from academia claim that the forest service is too conservative and not fit to address the problems and conflicts in Swiss forestry today (BUWAL 2001, p.9). Therefore, capacity-building is considered an essentiality for NFPs. New alliances and better intersectoral cooperation may increase capacities for future forest policy making.

As NFPs are instruments for improving or optimising sustainable forest management it is expected that the federal state should work according to specific policy programmes to attain this goal. Clear objective setting and the definition of policy instruments are necessary (Jänicke et al 1999, p.110; Nordbeck 2000, p.17). Linked with clear objective setting we find that *monitoring and evaluation* are important instruments for NFP processes. They improve efficiency, reduce costs and make the activities of the policy actors and administration more transparent. The documentation and analysis of the implementation and impacts of policy measures are important for the iterative learning of both the actors involved and the wider public. In addition, they require the formulation of clear objectives and quantifiable aims. The strength of monitoring and evaluation therefore depends on the nature and coherence of objective goal setting and implementation (Kissling-Näf and Knoepfel 1997, p.148). In the WAP-CH process the objectives of optimising sustainable forest management and improving the legal framework are clearly defined. Monitoring and evaluation are, however, not specifically foreseen in the programme. We think that it would be instructive to carry out monitoring and evaluation exercises for two reasons. First, this would promote clear objectives and, second, new insights of opportunities and constraints of the launched policy process are likely to feed into further policy planning. Some experiences with monitoring and evaluation have already been gained in the forest policy sector. They emphasise the new public management approach in environmental policy making (see also Kissling-Näf and Zimmermann 1996b; Zimmermann 2000).

Decentralisation is another element that seems to be crucial for attaining sustainable forest management in the long term. Although the division of power between the federal

state, cantons and communes is regulated by law in Switzerland, the question about the “adequate” level of decision-making in forest policy issues remains a subject of discussion. There is a tendency to centralise tasks at the federal level, which results in the bureaucratisation of many policy issues that could be tackled more specifically at the cantonal or communal levels. Decentralised policy making implies that policy formulation and implementation are responsive to the specificities of geography, topography and forest share in the different cantons. The decentralised structure offers more opportunities to test innovations at the local level and to work towards less complicated and more efficient solutions (Ribot 2002, p.4). The principle of subsidiarity supports decentralisation. It states that a task can only be handed over to the federal institutions when an overall solution is necessary or when the problem cannot be solved in the locality (Linder 1994, p.56; Nohlen et al 1998, p.630). Swiss forest policy largely corresponds with the idea of decentralisation. In practice, forest protection, for example, is centrally controlled as it is an overall goal of Swiss forest policy. Forest management, on the other hand, is both centrally and locally administered (Schmithüsen and Zimmermann 1999a, p.14).

The question of the “adequate” level is also addressed with the key element of *multi-level governance*. This becomes ever more important in the sense that policies get shored-up or side-tracked at various levels of formulation and implementation. Multi-level governance refers to negotiated, non-hierarchical exchanges between institutions at the transnational, regional and local levels (Peters and Pierre 2001, p.131). Switzerland is eager to coordinate and harmonise national and international policies. The NFP provides an example of a national policy framework elaborated on the basis of international conventions and agreements. However, problems emerge with the vague definitions and overly general objectives and contents of many international agreements and national programmes. As both clear definitions and objectives of the NFP are still missing, it is therefore difficult to coordinate international forest policy with national or cantonal forest policy. It is important that decentralised forest policy is coordinated with planning and implementation with the national (WAP-CH), supranational (for example, European Union, MCPFE) and international levels (UNFF), as it may receive valuable inputs from agreements and conventions ratified at higher levels.

Finally, the *political commitment* and *legitimation* of a reorientation or optimisation of Swiss forest policy towards sustainable forest management are identified as key elements that provide the major politico-institutional background for all others. Politics and policy making in Switzerland are firmly regulated by the principle of the rule of law. It claims that the federal state is legitimised only to do certain things that the sovereignty of the people approves of. According to the legal system it is also stipulated which institution is responsible to do what. Swiss forest policy enjoys, thanks to its legal framework, high political legitimation. The adaptation of the legal framework for forest policy may contribute to making an NFP more substantial. The possible positive consequences of the involvement of the legislator include, to name but a few, a greater democratic legitimation, more legal certainty for the administration and the NFP target groups, and a stronger legally binding force for the NFP (Zimmermann 2002, p.53). The WAP-CH itself does not yet enjoy high political legitimation. Only when the message to the federal council concerning the WAP-CH is debated in parliament then some of the instruments suggested may be written in the forest law or rejected. It may be expected that the parliament will decide to amend specific legal articles but that it will not approve of the entire Swiss NFP.

18.8 Conclusions

The WAP-CH process was launched as a response to the international forest policy discussions and the potential gain from an amendment of the legal framework to make forest policy in Switzerland more sustainable. It was launched by the DETEC and the Swiss Forest Agency. In subsequent stages higher institutions such as the Federal Council and parliament will be involved in the WAP-CH process. Up to now the process is characterised by a mix of traditional procedures of legislation and more recent approaches to governance and policy planning, which focus on networks, negotiation and participation. Participation, one of the four key elements for NFP procedures, receives greatest attention in the WAP-CH process. It is supported by general democratic instruments, political culture, a relatively low level of conflict, and broad support for the current forest policy formulated and implemented at both the federal and cantonal levels. The other three key elements for a substantial NFP are applied only in part. The process is characterised by negotiations that are closely linked with the element of participation. The WAP-CH process may, however, not be able to solve conflicts. It rather prepares conflict resolution processes to be carried out in other political arenas. The intersectoral and iterative approaches are rather rudimentarily applied. There is an attempt to integrate forest-relevant agencies and politicians. However, intersectoral coordination between the policy areas needs to be developed more consistently. The same is true for the iterative approach. The WAP-CH process is still characterised by traditional processes of legislation that put the revision of the federal forest law and forest changes to the fore. It does not pay very much attention to trust- and coalition-building. The process is therefore more linear than iterative and bears the risk that it is only assessed by its success in legal amendment.

In a WAP-independent research project additional key elements to which the NFP processes in Switzerland may need to be responsive are currently elaborated.⁶ This project focuses on institutional aspects and programme contents, elements that are so far barely addressed in the WAP-CH. These additional elements help as guidelines according to which the NFP process and the role of the administration in launching a national environmental strategy can be assessed.

The analysis of the Swiss version of a NFP reveals that it represents a new approach that competes with the historically developed and institutionalised forest policy structures. Instead of completely reforming the Swiss forest policy the WAP-CH process may, in the best case, result in incremental adjustments of the legal framework as experienced over the last decades. It is too early to assess the WAP-CH conclusively, as the process is still ongoing. However, the WAP-CH process may improve the culture of discourse and negotiation among the many involved public and private forest policy actors. If this is going to happen then the WAP-CH process is a significant example of modern forest policy making. Whether it will be able to amend the current legal framework is then of secondary importance.

⁶ Research project on “Substantial and Formal Requirements for a National Forest Programme, illustrated for the Swiss Federal Forest Policy”, carried out by Willi Zimmermann, Kurt Bisang and Claudia Zingerli. The project forms part of COST Action E19 on “National Forest Programmes in a European Context”.

Glossary

BUWAL	Bundesamt für Umwelt, Wald und Landschaft = SAEFL
DETEC	Federal Department for the Environment, Transport, Energy and Communication
ETH	Eidgenössische Technische Hochschule = Swiss Federal Institute of Technology
IFF	Intergovernmental Forum on Forests
IPF	Intergovernmental Panel on Forests
MCPFE	Ministerial Conference on the Protection of Forests in Europe
NFP	National Forest Programme
SAEFL	Swiss Agency for the Environment, Forest and Landscape = BUWAL
UNFF	United Nations Forum on Forests
WAP-CH	Waldprogramm Schweiz = National Forest Programme of Switzerland

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Chapter 19

UNITED KINGDOM: A tradition of consensus in forest planning and regulation

Marcus Sangster¹

19.1 Introduction

During the twentieth century the forest area of the United Kingdom increased rapidly, encouraged by state support and the establishment of two state forest services that together are the UK's largest land managers. Initially focused on producing a reserve of timber in time of war, this utilitarian approach has been replaced by an emphasis on multiple functions and sustainability. The international discourse of sustainable forest management has played an important part in shaping contemporary forestry policy, practice and culture. Since 1991 sustainable forest management has been the basis for all forestry policy in the UK, a situation that was strengthened by the commitments the UK entered into at the United Nations Conference on Environment and Development (UNCED) in 1992.

Forest expansion has resulted in a change to the nature of UK forests. The policy of maximising timber output required the use of productive conifer species. Scots Pine (*Pinus sylvestris*) is the only timber-producing conifer native to the British Isles and is only moderately productive. Therefore conifer species from North America have been chosen for the new forests, with an emphasis on Sitka Spruce. Conifers make up approximately 60 per cent of the forest area. Initially the conifer plantations were criticised as sterile monocultures. However, changes in forest management practice and increased diversity in the forests as they age has led today to an increasingly positive public perception of forests.

Attrition of what remained of native British woodlands continued for most of the twentieth century, with large areas converted to agriculture. Conversion to agriculture effectively ceased in the late-1980s, but there is still a significant loss of woodland to development each year. Today ancient native woodlands comprise just 1.5 per cent of the UK's land area.

Occupying only 11 per cent of the UK's land area, woodlands and forests nevertheless are home to about 40 percent of the priority species listed in the UK Biodiversity Action Plan. UK forests support a modern wood processing industry, provide for around 360 million recreational visits from home each year plus a large number of visits on holiday, and are a resource for rural tourism. Total employment in forestry and the processing of domestic forest products is about 30,000.

The whole of the forestry and primary wood processing sector² makes only a small contribution to the economy of the UK, in the order of 0.15 per cent of GDP. Less than 1.6 per cent of the UK working population is engaged in any kind of primary industry, and very few people have any connection with farming or forestry. The Forestry Commission

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² Those using UK timber, including sawmills, wood based panel mills and integrated pulp and paper mills.

today recognises that the service functions of forests are among their main public benefits. Its research and policy development aims to deliver public benefits that are in tune with the needs of a post-industrial, consumerist society.

The UK's strategy for sustainable development was published in May 1999 (HM Government 1999). It continues the government's support for forestry that delivers multiple objectives and sets out a policy framework based on:

- Sustainable forest management
- Sustainable timber production
- Protection of ancient and semi-natural woodland
- New woodlands and forests
- Links with urban and rural development
- Integrated rural policy.

The UK published its National Forestry Programme (NFP) in 2002 at a time of radical constitutional changes and changes to forestry institutions.

This chapter explains these changes. It sets out the thinking behind the UK's NFP and then looks at supporting and impeding factors, participatory mechanisms, systems for managing disagreement, intersectoral approaches and long term planning. Further information on the United Kingdom's NFP can be found in the national report submitted to the United Nations Forum on Forests (United Nations 2003).

19.2 Constitutional reform and institutional changes in forestry

In 1999 responsibility for many areas of public policy, including forestry, was devolved to new administrations in Scotland and Wales. Power was devolved in 1999 to a Northern Ireland Assembly. However the Assembly was subsequently dissolved in 2003 due to complications in the Northern Ireland peace process. For forestry devolution is a driver of institutional change, with the result that the UK's NFP has been built from the forestry policies and processes evolving in each constituent country, together with commitments made at the UNCED, the post-UNCED international forest fora³ and the Ministerial Conference on the Protection of Forests in Europe (MCPFE) process.

The Forestry Commission remains the Department for Forestry in England, Scotland and Wales and manages state forests in those countries on behalf of the government and the devolved administrations. The Forestry Commission is currently being reorganised, with most of its functions being devolved to country offices. In Northern Ireland the Forest Service has become an agency of the Department for Agriculture and Rural Development, which is responsible for forestry policy. England, Scotland and Wales have produced their own Forestry Strategy, and Northern Ireland is in the process of developing a new Forestry Strategy. These strategies will be the predominant policy frameworks for domestic forestry.

Forest research is largely undertaken by the Forestry Commission's Forest Research Agency. Ministers in the four countries have agreed that research should continue to be carried out as a United Kingdom function, with arrangements for each country to feed its priorities into the research process.

³ Intergovernmental Panel on Forests (1995–1997), the Intergovernmental Forum on Forests (1997–2000) and the United Nations Forum on Forests (created in 2001).

19.3 The UK National Forestry Programme

The UK takes the view that a National Forestry Programme comprises the sum of the activities that a country takes in support of its forestry sector. It is not simply a text. It includes explicit regulations and statutes, but also actions, perceptions and attitudes that are implicit in national practice and culture. It also encompasses relevant practices, regulations and statutes from outside the forestry sector, such as tax and trade legislation, European directives and international commitments such as the United Nations Framework Convention on Climate Change and the Convention on Biological Diversity.

The United Kingdom has only a limited forestry statute. Most forestry regulation is developed through negotiation and is based on voluntary principles and compliance. This collective approach traditionally has been incentivised by the government with financial support for positive action to meet its policy objectives.

In June 2002 the UK published its NFP (Forestry Commission 2002c). Its two principal components are:

- The country forestry strategies in England, Scotland and Wales and a consultation document for Northern Ireland, and
- The UK Forestry Standard that sets out the criteria and standards for the sustainable management of all forests and woodlands in the UK (Forestry Standard 1998a).

These two main components are supported by a text that confirms the UK's commitments to the UNCED and pan-European forestry processes. They have been collated in electronic form and distributed on a CD-ROM.

Further components of the UK NFP are:

- Environmental guidelines that cover the practical application of the UK Forestry Standard. The topics covered are water, soils, landscape, nature conservation, recreation and heritage.
- The United Kingdom Woodland Assurance Standard (UKWAS) that provides a basis for independent, third-party certification of sustainable forestry and timber (UKWAS 2000a; 2000b; 2003).
- Indicators for sustainable forestry (Forestry Commission 2002d).
- A research strategy that sets out the priorities for United Kingdom forest research.
- A national inventory of forests and woodlands (Forestry Commission 1998b).
- UK policy on international development assistance in forestry.

19.4 Supporting and impeding factors

Land tenure

Ownership of the UK's forests is relatively concentrated, especially for productive conifer woodland. Of a total forest area of 2.8 million hectares the Forestry Commission manages 0.8 million hectares in England, Scotland and Wales. Indicative information on land holdings is available. Public bodies, which include nationally important landowners such as the Ministry of Defence and bodies such as local authorities, national parks and the rural agencies, occupy about a million hectares of woodland. The mean size of public holdings is between 100 and 500 hectares. About 110,000 private and corporate entities occupy the remaining area. 70 per cent of private holdings are farm woodlands of less than 5 hectares. Land inheritance in the UK was historically based predominantly on primogeniture whereby private landholdings were passed on without division. This means that there is not the extreme fragmentation of the forest estate

that is sometimes found elsewhere in Europe. The UK has no significant area of public woodlands with regional or local ownership.

There is a tradition of corporate ownership of woodland by companies seeking tax advantages. Some of the traditional estates are regionally important owners of forests. There is no significant ownership of forests by wood processing companies, though one international forest products company has recently started to own and manage woodlands. An unusual feature of British forestry is that a small number of forest management companies manage significant areas of forests on behalf of private landowners whose interest may be as part of a wider investment portfolio rather than in forestry itself.

From research we know that private owners have different priorities to state and corporate owners. Amenity and sport, especially shooting, are their main interests. Privacy and exclusive use of woodland is highly valued. Most privately owned woodland is part of a mixed landholding.

The concentration of ownership of the productive conifer forests has allowed the establishment of a modern wood processing sector, where capital investment has been supported by guarantees of wood supply from the state or other large owners.

A long term concern for forest policy is that farm woodlands, which account for a large proportion of broadleaved woodland, receive little or no management. These woods tend to have high value for biodiversity and for landscape. Their regeneration is a concern since many of them suffer from grazing by deer or domestic stock.

The structure of the forestry sector

The UK is the world's fifth largest market for internationally traded timber products; 91 per cent of the UK's wood supply is softwood and 80 per cent of the wood is imported. Sweden, Finland and the Baltic states are the main suppliers. Domestic prices for wood products are therefore set by the price of imports, giving domestic producers and processors little power to influence prices. Timber is traded mostly in dollars and euros so domestic growers and processors are subject to constant currency risk. Prices can fluctuate sharply even over short periods.

The Forestry Commission currently produces almost 50 per cent of softwood harvested in the United Kingdom. The age structure of UK woodlands means that the potential supply of softwood will increase over the next twenty years, peaking at about 16.5 million cubic metres before falling over the following two decades. The proportion of wood from private forests will rise to 55 per cent. The state forest services, therefore, are dominant players.

Law and regulations

The UK has two major Acts specific to forestry, dating from 1953 in Northern Ireland and 1967 in Great Britain.⁴ Both have subsequently been amended. They deal with the powers of ministers, forestry commissioners and the Forest Service. Land use planning legislation, related to development control, introduced tree felling controls that complement the powers of the Forestry Commissioners to regulate felling. Other than this forestry regulation is based on domestic and European legislation that encompasses forestry and may or may not be specific to it.

⁴ The full title of the country is The United Kingdom of Great Britain and Northern Ireland. Great Britain is used to refer to England, Scotland and Wales.

Financial Incentives – taxation

Forest expansion reached its peak in the 1980s, partly driven by tax incentives. In 1988 changes to tax laws effectively took forestry out of the tax system. There are exemptions for inheritance and capital gains tax and forestry income is free from income tax. The tax exemptions support a market in forest land for tax planning purposes.

Financial incentives – partnerships

Forestry in the UK is increasingly dependent on funding and partnership from outside the sector, though still largely from public agencies. It has been a beneficiary of European Union structural funding including LIFE and LEADER. For the future it is hoped that the rural development regulation in the revised Common Agricultural Policy (CAP) will help to integrate forestry as part of the broader rural economy. Forestry is increasingly being included in development initiatives that have broader objectives, for example in environmental regeneration schemes, in tourism and in landscape-scale environmental conservation projects. All these processes have their own funding mechanisms and regulatory structures.

Financial incentives – grant aid

The Forest Service and Forestry Commission not only plant and manage public woodland but also help other woodland owners with grants for planting and management. Almost all woodland creation in the UK receives some form of assistance. There are support schemes specific to farmers. Grants are available through woodland grant schemes and the farm woodland premium schemes. Each is partly co-financed with European Union EAGGF (European Agricultural Guidance and Guarantee Fund) structural funding.

- *The woodland and forestry grant schemes* aim to encourage new woodlands and the management of existing woodlands by providing money towards the cost of the work involved.
- *The farm woodland premium schemes* are designed to encourage new woodlands on farms. This is through annual payments that help offset the loss of earnings from taking the land out of agriculture. Payments are made over a period of 10 or 15 years.

The grant schemes will change to suit the needs of each country. For example, Scotland has recently reviewed its financial support for forestry.

Integrated and holistic approaches to land management are often constrained by the rules of the different funding mechanisms and by institutional barriers that compartmentalise different land uses. Another factor here is the large number of official agencies with responsibilities in rural areas. More than a third of the UK countryside is designated in some way or another. Land often carries multiple designations made by different agencies.

Political culture

Forestry in the UK has been characterised by a consensual approach to regulation founded on voluntary principles and on consensus between stakeholders. However, multiple use forestry inevitably implies multiple stakeholders. Newly recognised stakeholders have not been part of this tradition, and the complexity of managing dialogue with a broader college of interests seems likely to require more formality and a greater emphasis on process.

The increased reliance on partnerships and outside funding seems to have led to a culture of greater openness and acceptance of differing views by forest managers. Recent

research by Cardiff University shows that the discourse of sustainable development has been a factor in changing the culture of British forestry, encouraging the inclusion of new stakeholders and a much broader and transparent dialogue on forest policy and forest management. This recognition of a broader range of stakeholders does, however, imply a change in the power of different interests, and perhaps a change in dominant values.

Mechanisation has resulted in a decline in overall employment in the forestry sector and there have been structural changes where contractors have replaced directly employed labour. As well as structural change in the workforce, change is also taking place in land ownership where wealthy urban people are buying rural land as part of their lifestyle rather than a livelihood. These new owners are currently underrepresented in traditional representative bodies and as participants in grant aid schemes.

The forestry community in the UK – including forest owners, forest contractors and workers, employees in downstream industry and forestry officials – probably numbers less than 150,000 people. The total population is nearly 60 million. There is a danger that this community could lose its voice as emphasis shifts to service functions supplied to a market of articulate and demanding consumers. There is a clear need to ensure that latent, inarticulate or minority groups are not overlooked or dominated by articulate minorities. Again, this implies greater use of process and more formality in forestry dialogue.

In England and Wales recently introduced legislation has given the public greater rights of access to the countryside. In Scotland similar changes include pre-emptive rights for local communities to purchase land on changes of ownership.

Education and accessible language

In the UK and elsewhere there is a growing concern that “sustainable development” is in danger of being seen as separate to the realities of daily life. The UK strategy for sustainable development accepts that sustainability depends ultimately on individuals changing their behaviour and patterns of consumption through informed choice. To do so they need information expressed in language that is free from the technical terms and abbreviations common to officials, academics and international NGOs. This is an area where the forestry sector can contribute and provide a lead to others. Greater emphasis and more resources for education, information and communication are required to bring about these changes in consumer behaviour.

Technology

The UK state forestry sector, and to a much lesser extent the larger private owners and management companies, relies heavily on computerised Geographic Information Systems (GIS), digital mapping, aerial photography, computerised growth and yield modelling and computerised visualisations for its long term planning. The quality of information this technology yields, and the quality of planning it enables, have been important factors in the certification of the state forests.

19.5 Participatory mechanisms

The UK Sustainable Development Strategy and the National Forestry Strategies are the products of comprehensive, iterative consultations carried out in the spirit of guidance on consultation issued by the Cabinet Office.

In the UK forestry sector it is standard practice to initiate discussion and consultation processes where important changes in policy or practice are proposed. For example, a recent review of grant aid for forestry in Scotland was subject to extensive public consultation. The statutory requirement for Environmental Impact Assessments at times of significant change in land use includes a requirement for consultation.

More locally, the Forestry Commission and Forest Service work closely with communities in their management of public forests, and each has formal consultation processes. The Forestry Commission has published its policies for engaging local communities in forestry planning and management decisions, and set out how these policies should be implemented in state forests.

The United Kingdom Forestry Standard requires forest owners to consult locally on their forest management. This is a condition for grant aid in Great Britain where plans involve major planting or felling. Long term forest planning is encouraged through incentives. Certification under UKWAS also requires owners to have suitable processes of consultation.

Although consultation practices vary in different parts of the UK there is a common agreement that:

- local people will have the opportunity of an input in the planning and managing of local woodlands;
- the needs of local businesses and contractors will be a factor in forest planning and management;
- information on recreation in forests will be made available to support local access and tourism;
- local job opportunities will be encouraged;
- communities will be consulted on the sale or development of land; and
- different communities have different needs.

The UK has developed indicators in the social field, including participation. However, it is recognised that more needs to be learned about integrating social outcomes into evaluation processes, and the government has established a programme of research to develop indicators and systems of appraisal that will encompass both quantitative and qualitative outcomes.

We may distinguish between two types of community. Communities – defined in terms of where people live, such as members of rural settlements – have increasing opportunities to engage in forest planning and policy making. Communities – defined in terms of shared interest, for example walkers or cyclists, or shared identity, for example particular ethnic groups or, perhaps, particular age groups – do not seem to have the same level of opportunity. It seems possible that there are imbalances in power and the ability of different groups to make themselves heard. Devolution and the further development of regional forestry approaches is likely to help address such gaps and lead to better enfranchisement of interests with a country, regional or local presence. To examine these issues the government has recently established a research programme on participation and governance in forestry.

The emphasis in sustainable development rhetoric on a model with three interrelated dimensions – economic, environmental and social – has undoubtedly played a positive role in focusing attention on all aspects of forestry. It has been an important factor in deploying resources more equally into research and policy development across each of the three dimensions.

Whilst the emphasis is on identifying stakeholders and encouraging the added value they can bring to planning outcomes, and thus producing a better plan, forest planning

also provides a means of dealing with disagreement early in the forest planning process and at a local level. There are formal systems of appeal in respect of planting and felling of the kind typical in democratic countries. In Great Britain local authorities are consulted on all significant forestry proposals, complaints can be referred to regional advisory committees, to country boards or to the board of Forestry Commissioners and, if necessary, to ministers for a decision. The Forest Service and Forestry Commission are accountable to ministers of elected administrations.

Members of parliament and of the country legislatures frequently ask questions on behalf of constituents. This applies not only to state forests but also to private forestry, for which the two forestry bodies are the regulatory authorities.

In Great Britain the Forestry Act has established a statutory system of advice to the Board of Commissioners, and requires the appointment of non-executive Commissioners. The Forestry Commission also operates regional and country level advisory panels. In Great Britain forest districts in state forests have voluntary panels that provide access to local lay knowledge and can also be a source of high quality technical advice on specialist topics.

19.6 Intersectoral approaches

As mentioned above, cross-sectoral partnerships have become much more important in the management of both privately and publicly owned forests. Within the past five years we have seen a change in the way forestry is funded. Nowadays up to 25 per cent of the income of some state forest districts comes from external partners who see the forests as a means of achieving their own objectives. These partners include the tourist agencies, environmental agencies and national park authorities. This change is driven in part by a change in the philosophy underlying public funding regimes, with a focus on outcomes and less concern for process. Barriers between traditional sectors are weakening – for example agriculture, forestry and economic development – which is reflected in recent changes to ministries and public agencies. The aim is to work across disciplines in order to deliver jointly held objectives. Recent research by Cardiff University shows that UK foresters have become used to working in multiple partnerships.

At an operational level forestry skills are applicable to many land management activities. Generalist forestry contractors are increasingly diversifying into urban and specialist rural land management. However, contractors specialising in forestry are investing heavily in capital equipment and concentrating on large-scale forestry operations that give economies of scale, continuing a long term process of mechanisation and reduced labour input that mirrors trends in agriculture.

As well as an increasing cross-sectoral trend, partnerships between corporate and public interests are becoming increasingly frequent. Mention has already been made of guarantees of supply as a means of attracting processors to invest. Other partnerships range from operational activities such as recreational franchises in public forests through to high level collaboration on issues such as certification, timber procurement policy and renewable energy.

Within government the UK has recently strengthened the co-ordination between departments. The International Forestry Group includes representatives from the Forest Service and Forestry Commission, the devolved administrations, Foreign Office, Treasury, Department for International Development, Cabinet Office, Department for Environment, Farming and Rural Affairs and the Department of Trade and Industry. The full group meets twice a year, with more frequent smaller meetings covering topics of interest to specific departments.

19.7 Negotiation and conflict resolution

UK forestry in the early and middle twentieth century was built on collaboration between landowning, forestry and wood processing interests. There were well-developed processes of communication and networks based on personal relationships, but they tended to focus only on forestry. During the 1980s the criticism of the forestry expansion programme developed into a bitter contest led by environmentalists not only in NGOs but also within government agencies. New planting on the peatlands of north Scotland attracted particular attention.

The forestry sector was at first dismissive of such criticisms but was eventually forced to bend to political forces that threatened to overwhelm it. A painful lesson was learned and as a direct result the Forestry Commission has since consciously set out to develop advisory systems and avenues for dialogue with the environmental movement. The statutory advisory committee that previously drew its membership from the forestry and processing sectors was broadened and strengthened and a new environmental sub-committee was added. Regional advisory systems were also revised.

In 1991 the government issued a new policy statement that emphasised multiple purpose forestry, including landscape and environmental aspects, and explicitly recognised the social benefits of forests. The current environmental guidance has its roots in these times. This was the start of a consensual and consultative approach that is continuing to evolve, involving not only environmentalists but also all forestry stakeholders.

The social dimension of the UN Intergovernmental Panel on Forests (IPF) proposals for action has provided a useful mandate for building inclusive processes that suit UK culture and custom. The Forestry Commission has recently published guidance and provides training for state and private forest managers on techniques for engaging with communities. It supports a programme of research into best practice in participation, and is developing systems of appraisal that take account of qualitative outcomes and give a voice to local communities. Forest planning today routinely involves local participatory processes. These are map based but will shortly use computer simulation and GIS systems to model and illustrate the outcomes from differing scenarios in a way that non-experts can easily understand.

19.8 Long term iterative planning

Inventory

Since 1919 the UK has undertaken periodic national inventories of its forests and woodlands, and has recently adopted a system of continuous rolling inventory that will cover Great Britain every ten years or so. Advances in technology and greater availability of commercial aerial photography mean that the cost of inventory is falling whilst accuracy increases. The inventory supports a well-developed system to forecast the availability of softwood in the private sector and this complements the state sector's production forecasts. This has played an important part in attracting new capital investment into the processing sector. The UK uses economic modelling in both its planning and forecasting.

Restructuring

A large part of the UK forest estate is plantations that were established over a short period. Until recently clearfelling has been the normal practice so that large areas were felled or scheduled for felling over a short time, leading to public concern about rapid change to the appearance and environmental value of familiar landscapes.

This has led state and private forest owners to adopt the concept of “restructuring”, which is a redesign of the forest at felling, taking account of timber, landscape, recreation and wildlife. Felling creates opportunities to change the structure of the forest. The Forestry Commission and larger forest owners use computer modelling to explore the visual, economic and wildlife implications of different options.

Long term plans

Long term forest design plans have been produced for all the state forests and for many private forests. The processes underpinning these plans are essential components of sustainable forest management, and have been a factor in the successful certification of UK forests. In England, for example, the plans include restoration of native woodland on 20,000 hectares, which is nearly 10 per cent of the total forest area that had been converted to plantation. The plans also give a much wider recognition of the other habitats of the forest.

19.9 Certification and other NFP elements

Certification and labelling

Forest certification, which measures forest management practices against an agreed standard and awards a label on meeting that standard, is now embedded in UK forestry. It mirrors a growing trend throughout the land-based sector towards quality and origin labelling.

In 2000 UK state forests were certified against the domestic United Kingdom Woodland Assurance Standard (UKWAS), which is based on the UK Forestry Standard and Forestry Stewardship Council (FSC) principles. Significant areas of private forestry have also been certified and market forces are likely to maintain this trend. However, owners of small woodlands have not participated significantly in certification. This is a concern, as these woodlands account for a large proportion of the UK’s broadleaved and native woodland and often are not actively managed.

With hindsight certification has proved to be a positive experience. State foresters report that they found it an educative process that gave practical meaning to concepts that had previously been theoretical.

Introducing a national certification scheme into the UK

A number of factors combined to make the UK one of the first countries to introduce a national certification scheme and to apply it to the national forests.

- The UK is a major destination for internationally traded wood products. The organisations promoting certification therefore felt it worthwhile to target the UK and to spend time and effort making their case.
- Almost 45 per cent of the forest area is in state ownership under a single management that can be influenced directly through political lobbying.

- The UK's distribution systems for wood products are relatively highly concentrated, with just a few companies dominating the market. One of the largest companies, B&Q, was a champion of certification and an early development was the emergence of a strong buyers group representing about 25 per cent of the UK domestic timber market. This was co-ordinated by the World Wide Fund for Nature (WWF).
- There was therefore a more or less explicit coercive threat based (a) on adverse publicity for companies selling uncertified timber to end-users and (b) the loss of access to markets for growers of uncertified domestic timber.
- The UK had a system of environmental regulation based on the UK Forestry Standard and its supporting guidance that already had strong support. This provided the basis for a UK-specific certification process.
- There was support in government from outside the forestry sector for certification.
- Certification was seen by some of the major timber producers, including Forest Enterprise,⁵ as a means of differentiating their products.
- Certified timber was becoming available in the UK from sources such as Poland, Sweden and Malaysia and there were fears of substitution of domestic timber.
- The absence of old growth forests or potential wilderness areas, that had been stumbling blocks in other countries, also helped the process of developing a national certification scheme.

Despite these factors, certification was a contested process. In retrospect it is clear that forest owners had three key concerns, spoken and unspoken:

- Ontological*: a belief that current practice was already sustainable and that certification devalued the efforts and achievements of forest owners and was in some way an attack on their values and identities.
- Cost*: certification was seen as an additional overhead on a sector that was making little or no money. Small owners had special concerns that the FSC at first refused to acknowledge.
- Power and equity*: certification was seen as something imposed coercively by outsiders with no stake in forestry.

The Forestry Commission played a central part in encouraging a national certification process. It proposed that a new standard be developed by all stakeholders including industry, environmental groups and the FSC. There then followed 18 months of negotiation leading to the preparation of the UK Woodland Assurance Standard (UKWAS). The Commission supported the process by allocating staff time, hosting an informal workshop to explore common ground, and commissioning an independent comparison of the emerging UKWAS scheme Standard and the FSC's international Principles and Criteria. This showed that the gap between the two was bridgeable.

Significant disagreement arose over genetic modification, use of chemicals and the restoration of ancient semi-natural woodland, but these were overcome through goodwill by all the participants, pragmatism and a willingness not to fall out over problems that existed in speculative scenarios rather than in reality.

⁵ Forest Enterprise is the agency of the Forestry Commission entrusted with the management of the nation's forest estate. It aims to produce environmental, economic and social benefits from the forests it manages for the benefit of the people of Great Britain.

The benefits of certification

David Bills, Director General of the Forestry Commission, has identified a number of benefits to certification:

As a result of the process, environmental and forestry groups have overcome barriers to co-operation and communication. There is now a level of dialogue in the broad based UKWAS Steering Group that simply did not exist in any forum before. There is a far better understanding of each other's concerns and in place of dispute over the sustainability of UK forestry, there is now a consensus and willingness amongst ENGOs⁶ to positively promote UK forestry as a sustainable activity. ... This spirit of co-operation and goodwill continues to be under-pinned by the joint ownership of UKWAS and the shared will to make it work. UKWAS is not exclusively linked to the FSC label, as it is possible for UKWAS to be the Standard used by other certification schemes. This has been important in securing the support of those who are concerned that the FSC does not have a monopoly over certification in the UK. ... The endorsement of forest products by an independent certification system backed by the WWF provides powerful reassurance to consumers that their purchasing decisions are not damaging to the environment (Bills 2001).

Disadvantages of certification

At present certification and long term planning are located overwhelmingly in the state sector. The clear disadvantages to private owners are cost and the need for new resources. Small landowners in particular are notably absent from the UK scheme, despite some attempt to encourage them through the development of group certification. This has important policy implications because these owners occupy most of the UK's broadleaved woodland and predominate in the populous lowlands and close to centres of population. If lack of certification is a barrier to bringing neglected woods into active management then there are long term negative implications both for biodiversity and for the character and quality of the UK's lowland landscapes.

There are also continuing tensions particularly relating, first, to the trade-off between local disadvantage for national benefit and, second, ethical disagreements in respect of deer management.

Climate Change

The UK responded to the Kyoto Protocol by drawing up a strategy for climate change in November 2000 (HM Government 2000). The Forestry Commission and Forest Service contributed to the strategy and are members of an interdepartmental group that is developing the UK's policies on climate change.

Like many countries and organisations the UK government is cautious about promoting carbon sequestration by forests as a means of stabilising atmospheric CO₂ levels. Current UK policy is that the most valuable role for forests is as a source of renewable energy and materials.

⁶ Environmental non-governmental organisations

The UK has a programme of forest research to develop forestry policies and practices that will allow UK woodlands to withstand the rigours of climate change. It aims to understand what the changes might be, how we can plan for robust woodlands that will be sustainable in the long term and how forestry can contribute in adapting to the impacts of climate change in the wider landscape. The programme includes the development of an integrated dynamic growth model that can respond to climate change scenarios at the stand level and take into account factors such as insect attack, management intervention and tree stability.

To gain a better understanding of the effects of air pollution and other environmental factors that affect UK forests, ten long term intensive monitoring plots covering three tree species have been established. The plots form part of a European-wide network (“Level II”) established under European Union legislation. Data from these plots form part of the UK environmental monitoring programme and feed into the research carried out across Europe to understand the relationships between trees and the environment, and how trees might behave in a changing environment.

Renewable energy

Interest in the use of wood as a fuel has increased significantly in the last few years throughout Britain. At present, economic and logistical factors are the main constraints to the successful development of a wood fuel industry. The costs of felling, transporting and drying wood fuel mean that current prices for wood fuel leave little margin for profit to the producer.

Logistics are possibly a greater impediment. The UK does not currently have enough biomass to generate the expected proportion of the government’s renewable energy targets of about 1 gigawatt by 2010. New planting is essential to increase supply. The regional availability of resources is also uncertain. National figures estimate that by 2010 available wood fuel resources will be around 4 million cubic metres, but it is more difficult to say what will be available in what areas and at what prices.

The Forestry Commission has produced a draft wood fuel policy. Although England, Wales and Scotland will have scope to develop their own wood fuel strategies, a broad three-phase framework strategy has been outlined.

The first phase is to stimulate and promote markets for wood fuel by focussing on existing or low-risk technologies. It is hoped that development of markets for heat and co-firing with coal for electricity generation will demonstrate that a market for wood fuel exists and improve the knowledge base and operating systems, which will in turn lead to a reduction in costs and an increase in profitability.

Phase two will attempt to develop wood-fuelled production of combined heat and power, evaluate new technologies and systems, especially co-firing with gas, pyrolysis, and ethanol production, and improve perceptions of wood fuel.

Finally, phase three will build on pilot projects by introducing the most successful technologies and systems identified at the pilot stage. At the same time, the sustainability of various levels of wood fuel removal will be monitored and, where levels are unsustainable, practices adjusted to ensure sustainable forest management.

Renewable products

Forest products are in direct competition with other materials such as steel, concrete and plastic. This is particularly apparent in the building and packaging sectors. So far the competitive advantage for wood from being a renewable material has not been fully exploited. The Forestry Commission and Forest Service participate with major wood product suppliers, including overseas suppliers, in a generic promotional campaign for wood. The Forestry Commission also supports a substantial research and development programme to do with the use of wood in building and construction. Pan European action in this field would be welcome.

Consumerist demand for services

If the service aspects of forests continue to grow in importance the UK forest sector will have to rethink the way in which it generates, communicates and disseminates information. Forest Enterprise has a policy of tailoring information to the needs of specific groups, and has invested resources to keep information up to date. This is part of a trend towards adopting commercial practices such as market research and promotion. By doing so the range and value of the public benefits of forests will probably be extended. This will require forest managers to learn new skills.

19.10 Conclusions

There is a substantial body of research indicating that the UK forest sector has undergone a cultural shift, where sustainable forest management has become a core value and the rhetoric of sustainability contributes in large part to contemporary constructions of forestry by practitioners and policy makers. The UNCED process in particular has been important in making it legitimate to question established practice. It has provided frameworks that guide such questioning and offer alternative approaches.

The discourse of sustainability has allowed UK forestry to encompass a productive approach to forests and woodlands within a broader framework. Progress has been made in understanding and coping with the social aspects; economic questions have been reframed to take account of services and benefits from forests that do not have an immediate cash value. Research and knowledge about the environment and forests is being applied in new ways to understand contemporary concerns such as climate change, effective regulation and managing for multiple outcomes.

The introduction of a national certification scheme in the UK has been a difficult but important step in encouraging better understanding among all the participants. Whether certification is for the long term or is a child of the times is open to speculation: if UKWAS is successful then it will put itself out of business simply by being needed no longer. It is also likely to find itself in competition with other labelling schemes with regional and local themes that include agricultural and fisheries products.

Sustainability is a journey to a destination that recedes as our knowledge increases. The UK NFP has been a step on that journey rather than a destination in its own right. Perhaps the value that the UK has gained from its NFP is a better understanding of what sustainable forestry means in the context of its own culture, customs and practices.

Forestry in the United Kingdom cannot be considered in isolation to the broader European and global picture, with processes such as CAP reform and World Trade

Organisation negotiations likely to be important drivers of change. Future progress with respect to sustainability in forestry is likely to come from better integration of social, economic and environmental aspects and from a focus on services and on renewable products. Forests have a capacity to generate a flow of benefits for society. Understanding and matching these benefits to the needs of society in different places and at different times implies a willingness and capacity to adapt in a sector that will continue to experience constant change in its external and internal worlds.

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Chapter 20

BAVARIA: A Regional Forest Programme formulated within the framework of the German NFP

Michael Suda and Roland Beck¹

20.1 Introduction

Germany with about 80 million inhabitants is a highly industrialised country. Nevertheless some 30 per cent of the country is covered with forests. The political system can be characterised as a parliamentary democracy with a federal structure. For specific policy fields, such as forests and forestry, according to the federal constitution (*Grundgesetz*) the Federal Government can only provide a legal framework. This framework has to be developed at the regional level by the individual federal state (*Bundesland*), which has considerable independence with respect to institutional design, policy formulation and implementation. This chapter will examine one of the German federal states, the state of Bavaria, which has elaborated its own regional forest programme (the Bavarian Forest Programme, or BFP). Bavaria has also contributed to the federal level German National Forest Programme (chapter 7 of this volume).

Bavaria, the largest German federal state, is located in the south-east of Germany, and has approximately 12.3 million inhabitants (2001). 32 per cent of the region is covered with forests. 2.4 million hectares (30 per cent of the forests) belong to the state. 14 per cent is owned by communes and 2 per cent is owned by the Federal State, but the majority (54 per cent) belongs to approximately 700,000 private forest owners. Private forests are characterised by fragmentation; the average size is 3 hectares, while 90 per cent of private forest owners own less than 10 hectares.

The major forest policy issues were formulated in the Bavarian Forest Act of 1974:

- Forest protection against external threats (for example, air pollution).
- Sustainable forest management and wood production, which includes the provision of private and public goods and services, measures against the fragmentation of forests through supporting the organisation of private forest owners, financial subsidies and informational support to forest owners to ensure and improve the profitability of forest management and enhance wood production and wood marketing.

Most recent issues contain discussions of:

- 1 The impact of planned modifications to federal regulations, such as the Federal Forest Act and the Federal Nature Protection Act, on the management of private forest land, including the introduction and specification of best forest practices and regulations for protected areas.
- 2 The future tasks and structure of the Bavarian Forest Service.
- 3 The profitability of forestry, based on a general debate on economic affairs that includes the dominant role of economic thinking in forestry.

By definition the Bavarian Forest Programme (BFP) follows the concept of a cooperative and participatory approach for situation analysis, problem solution, decision making and

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policy implementation in conflicting fields. The BFP seeks to integrate the social, ecological and economic aspects of forest management. It is designed as a forum that is open to all individuals and organisations interested in forests and aims to reveal different views, uncover problems and find appropriate solutions.

The first steps of the process were intended to last for one year (May 2001 to May 2002). This phase included the discussion of topics by open round tables, with the objective of formulating thematic reports that included demands for political decision makers and administrators, as well as commitments from other participants. The report from the first round was completed in September 2002 with the publication of an intermediate report.

This chapter will focus on the status and development of the BFP so far, with a specific emphasis on the supporting framework, participation and conflict resolution.

20.2 Supporting and impeding factors

Clear land tenure rights have existed in Bavaria for almost 200 years. The clear status of land tenure rights, stable structures and existing regulations have positively influenced sustainable forest management (SFM). The sound management of state and communal forests is prescribed by the Bavarian Forest Act, which stresses that forests “have to be managed in an exemplary way”. The management of private forests is mainly influenced through financial incentives (subsidies for silvicultural measures, forest road construction, forest inventory and forest owner associations), extension free of charge and regulatory means (such as no clear cuts in protection forests and re-forestation obligations) that are implemented by the Bavarian Forest Service.

Although the impact of regulations on forest management decision-making is rather moderate, the perceptions of communal and private owners is that regulation is either sufficient or already excessive. Regulation can be seen as an obstacle rather than an opportunity for forest owners, who often see it as leading to a potential deterioration of the status quo, while the BFP has been viewed as a process that involves opposing interests in goal setting and decision making.

Informal and institutionalised exchanges of positions and demands with respect to forests and forest management are already conducted by differing forest policy interest groups, through which the fields of conflict have become more clear and the positions more static. Due to this the influence of such exchanges on SFM policies has remained limited.

The Forestry Council, an institutionalised forum to support the Bavarian Minister for Agriculture and Forests, consists at present only of the representatives of the different forest ownership groups and their organisations, although it is also intended to include membership of nature protection groups and other NGOs.

A cooperative effort called the “Environment Pact”, which tried to involve multiple interests in land management goal setting, failed when several actors left the pact after the formulation of compromises.

The traditionally strong position of the Forest Service as a neutral mediator between economic, ecological and social interests in the forest policy field made this organisation the perfect body for the introduction, initiation and conduct of the BFP process, including the formulation of papers and the publication of its contents related to SFM.

The perception within the political administrative system as personified through the Bavarian Minister for Agriculture and Forests was that the BFP was politically relevant, and this clearly supported the initiation and formulation process through awareness raising and a willingness to participate.

Discussion of planned and ongoing initiatives within the environmental law framework of the EU with a potential impact on forest management (such as the FFH Guidelines and the Natura 2000 Programme) caused mistrust between forestry representatives and environmentalists and had a negative influence on discussions for the BFP.

The forest certification discussion, and in particular the implementation of two competing certification systems (Forest Stewardship Council and Pan European Forest Certificate), created a psychological barrier against cooperative policy development, with certification viewed by forestry interest groups as norm setting outside normal institutionalised political procedures. As a result the divisions between the major opposing groups – environmentalists and forest owner representatives – grew deeper.

Furthermore a symposium in 2001, the “Forest Summit” which involved all relevant stakeholders at the national level and which tried to introduce best forest practices into the SFM debate, led to further mistrust between the interest groups. As a consequence the resolution produced by the Forest Summit has not been signed by the representatives of the forest services and environmental groups.

The BFP process did not directly result in the emergence of additional supporting and impeding factors, although single elements of the programme (such as suggestions for the modification of the forestry financial support system and demands for the monetary calculation of the social benefits of forests) can be noted in discussions in the follow up to the BFP process.

Neither the political culture, characterised by consensus seeking rather than discourse, nor the communication channels between the different actors, changed through the process. It has to be stated, however, that the process led to an exchange of ideas and positions of actors that had not previously taken place in the forest policy arena. A clearer formulation of positions than hitherto was the result.

Temporary strategic alliances of actors and actor groups both hindered and furthered the development of the BFP process. The involvement of the Forest Service as the main provider of infrastructure and financial and personal support, as well as the use of external moderators, seemed to be important contributions to the success of the BFP.

20.3 Participatory mechanisms

Participation in this context refers to those structures and procedures that involve individuals and groups taking part on a voluntary basis in the process of political decision finding and decision making. The rules for participation may be defined either through a legal framework (institutionalised participation) or by a declaration (a call for involvement in a voluntary process, like the BFP).

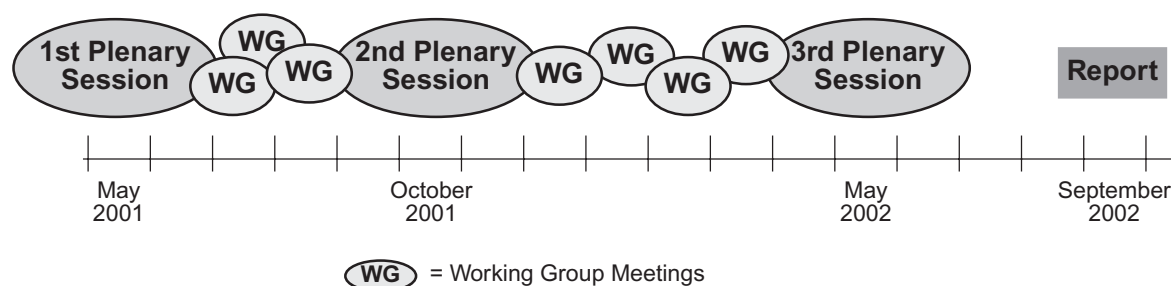
The Bavarian Forest Service, which took the lead in the initiation and formulation phase of the process, sent out a first call for participation to all groups that were perceived to have an interest in forests and forest management. These groups were then asked to name any relevant additional groups (not individuals) that had not so far been included on the potential participation list. The decision on whether or not to participate was left to the groups. No specific stakeholders, with the exception of political parties, were excluded.

The modified list was used to invite groups to participate in the first introductory plenary session where, in a strictly structured and moderated dialogue, stakeholders elaborated a list of critical topics to be covered in the BFP process. The participants then agreed to the formation of four working groups to discuss these topics further:

- Group 1 Forests and Ownership
- Group 2 Forests and Society
- Group 3 Forests and Wood Production
- Group 4 Forest Ecosystems

For the discussions in the groups external moderators were nominated and working guidelines introduced (section 20.4 below). Participation in the working groups was open to every interest group. After more than 36 sessions, including an intermediary plenary session which served to inform all stakeholders about the state of discussion, each working group produced a position paper. These results were presented at a final plenary session and published together with additional comments from several stakeholders in a document entitled “Bavarian Forest Programme, Intermediary Report, September 2002”. Figure 20.1 below details the time frame and course of the BFP.

Figure 20.1 Time frame and course of the Bavarian Forest Programme



To date the process itself ends with this report. No further joint or concerted action has been conducted besides a few formulaic commitments. It has become clear that actors view participation in the process as more likely to be time consuming than to lead to meaningful action. The formulated compromises of the BFP intermediary document manifest a political consensus based at the lowest common level, with some additional comments formulated and added after the discussion process, or even later. This outcome supports a pessimistic approach towards participation, according to which actors primarily tend to follow short term, self interested goals, rather than to cooperate actively with other stakeholders.

However there were some distinct benefits to the participation process. For the first time differing groups tried, at least for a while, to communicate with, rather than to act against, one another. The forest resource became an important issue in the agenda of many participating groups for the first time. The increase in participation from 27 interest groups at the start of the process to 45 at the end supports this view.

But overall the BFP participatory process did not lead to changed views, as the entrenched positions of many groups could not be overcome. Those actors that benefited most were those that had not previously been involved directly in discussions on forest and forestry issues. However the BFP process did lead to positions being made clearer so that fields of conflict and consensus become more apparent.

20.4 Negotiation and conflict resolution

The exclusion of interests from a process would represent a significant obstacle to negotiation and conflict resolution. The BFP process avoided this through the initiation and design of thematic working groups as open forums.

The introduction, joint modification, acceptance and implementation of guidelines for the thematic discussions and result formulation were used as major arbitration tools, and were intended to avoid from the beginning extended discussions on process at the expense of discussions that concentrated on content. These guidelines were adopted from a draft derived during the first round of the federal level National Forest Programme. Designed as a “living document” the actors had the opportunity to modify or concretise the guidelines when necessary, although this option was not used after the formation of the working groups.

The guidelines included sections on the future political relevance of the BFP, and the organisation of round tables/working groups. We now consider these two areas.

Future political relevance

To achieve a broad support for the BFP that involved as many interests as possible an intersectoral approach that included the relevant sections of political administration was favoured (section 20.5 below). A high grade of commitment on behalf of the actors can be seen as a necessary precondition for a broad consensus. The aim of the process was for goals, measures, affected actors, time frame and necessary resources to be concretised and documented.

However the process exposed the inability of many actors to genuinely commit themselves to clearly formulated common measures and to find a broad consensus. One reason for this was that many actors feared that the BFP process would lead to them losing competencies and functions.

Organisation of round tables/working groups

Participation in working groups should be transparent and the participating representatives should have a full mandate for negotiation and decision making in order to avoid time consuming, counterproductive and conflict ridden delays. Where representatives do not carry a full mandate for negotiation the principle of transparency can be met only formulaically, as referrals back to principals can lead to conflict and duplication of work.

The following measures should contribute to transparency of statements and consensus forging: distribution of all written statement to all participants; and protocols that enable time for considering statements before the next round of discussion. For the BFP this task was the responsibility of the Ministry of Agriculture and Forests, and it worked well. However the goal of reaching as much consensus as possible was not realised.

The establishment of thematic working groups facilitated by external moderators furthered the process and avoided break-ups of the discussion rounds. However the neutrality of moderators was questioned several times, which as a result increased the latent level of conflict within working groups. But without moderation no output would have been achieved.

The results of the working groups were written reports that followed a standardised structure and which were edited together for publication. These papers were formulated within the full working groups. A proposal to form editing teams to formulate text for discussion in the group was rejected. This caused some conflictual discussion on detail

formulations, which hindered progress. For the next round of the BFP it is inevitable that editing teams will need to be established to raise the efficiency of the discussion process and to improve the content of papers.

The guidelines provide for the establishment of a monitoring and evaluation process, both for the BFP process and the implementation of the proposed measures. Such systems have not been realised so far.

Overall it can be stated that the guidelines have proved to be a valuable tool for steering negotiation and conflict resolution. They were accepted and thoroughly implemented during the first phase of the BFP process. However since the formulation of goals and measures commenced conflicts have arisen that have resulted in a disregard of, and even contempt for, the rules, leading to less consensus and action that has no real mandate.

The way out of this situation is to accept the contradictory statements in the final report, and to at least document the differing positions, although admittedly doing so will further disrupt the consensus and weaken the political relevance of the outcomes.

The involved government agencies had a positive influence on the negotiations in the working groups as they were able to clarify situations and to steer discussions back to the real context. No further conflict resolution mechanisms have been implemented since the end of the first BFP round.

20.5 Intersectoral approaches

Intersectoral cooperation has existed for a long time at the various levels of the public administration, and involves coordination meetings or periodic exchanges of staff at ministerial level – for example the “Environmental Pact”, with the Ministry of Agriculture and Forests and the Ministry of Environment as major partners – as well as joint actions from the ministry at the regional and local levels. These activities have influenced the BFP process by creating an atmosphere of trust between ministries and their representatives, so that no mutually conflicting positions have been negotiated. The taking over of the initiative and the coordination of the BFP by the Ministry for Agriculture and Forests has never been questioned.

In addition the following ministries have participated: the Bavarian Ministries for (i) Environment, (ii) Financial Affairs and (iii) Economy, Traffic and Technology; and the Federal Ministry for Consumer Protection, Food and Agriculture.

Intersectoral exchange between government and non-state actors has been realised through the involvement of the following sectors:

- Government (4 organisations)
- Science (3 organisations)
- Economy: forestry and wood industry (6 organisations)
- NGOs: environment/recreation (17 organisations)
- NGOs: owner representatives (8 organisations)
- Trade union/employee representatives (6 organisations).

Both formal and informal intersectoral mechanisms between the state, forestry and the wood industry existed before the start of the BFP. For example, the German Forest Council (DFWR), with members from all the main ownership organisations and employee representatives, formulates and distributes common positions to the political arena. It also has strong links with the German Wood Industry Council (DHWR). The Bavarian Forest Council, an institutionalised body that advises the Minister for Agriculture and Forests,

consists of representatives of the different forest ownership groups and their organisations.

At present it is too early to analyse whether and how the BFP process has positively influenced these already existing intersectoral linkages. However it is clear that the functioning intra-governmental cooperation has at least not been disrupted by the programme. In fact the participants addressed this issue in the BFP document, stressing the need for intra- governmental cooperation as a problem solving approach, and there has been considerable cooperation between the Ministries of Agriculture, Environment and Education in the field of information and education for SFM.

20.6 Long term iterative planning

Besides the general demands for an increase of subsidies for forestry measures that exceed the regulatory standards, only a few iterative process approaches have been formulated in the BFP. Major requests address the need for improved and coordinated intra-governmental information efforts, or the valuation of the social benefits of forests as a basis for compensation payments. In terms of involving non-state actors, the final BFP document stresses voluntary commitments at the local level (for example, negotiations that involve all affected actors in recreational forest use conflicts).

20.7 Decentralisation, delegation and policy tools

The federal structures of the German political system represent major aspects of decentralisation *per se*, namely the transfer of power and responsibilities to regional political and administrative bodies. In this sense the political systems itself already bears the mechanisms for the initiation of a Regional Forest Programme. The experiences and results of the first round of the National Forest Programme process, perceived to be very broad and not addressing the main conflicting issues or formulating appropriate incentives to reach common goals, very soon raised the question of initiating forest programmes at the regional level. Central to the proposal for regional forest programmes was the hope of increasing acceptance and of gaining higher political relevance through regionalisation.

Examining the results of the BFP so far, it becomes clear that a real delegation of tasks and authority from the state to the private sector has not so far taken place. On the contrary, most of the formulated demands and suggestions for problem resolution (financial support or compensation, information, coordination) were addressed towards the forest authority. This is the result of the dominant policy situation, which is characterised by the strong position of the Forest Service within the forest policy arena. The same discussion today on the fundamental reform of the forest administration, both in terms of structure and tasks, would certainly lead to different results in terms of delegation. What we have observed is that the representatives of the owner groups had built a communication network at an early stage. In addition, they tried to gain expertise on how to contribute to the process from scientific forest policy experts in Germany. A similar network was created between the environmental groups at the end of the process of formulating the BFP.

The formulation of (forest) policy tools and recommendations for the necessary activities followed some commonly accepted principles:

- a Subsidiarity: i.e. the implementation of tools at the lowest possible level.
- b Free will: i.e. voluntary action and participation before obligation.
- c Implementation of legal regulations only if other tools fail.
- d Self-commitment: i.e. taking over of responsibilities by participants.

This framework indicates the preference for policy tools. The demand for financial incentives in the context of SFM for wood production and social benefits dominates. Expertise is sought on the clear valuation of forest benefits as a basis for compensation payments. Market mechanisms (for example, contracts between forest owners and other beneficiaries) should be used where possible. Informational means play only a minor role. Besides demands from environmental groups to specify only broadly defined terms (such as “sound forest management”) in the Forest Acts at the federal and regional level, no new regulatory tools or modification of existing regulations have been formulated. In general the legal framework is viewed as sufficient for SFM so far.

Overall the elaborated policy targets and tools show no significant difference to the already existing policy framework, which is clearly dominated by the tasks and services of the state forest administration. Self-commitment is rather rare. Therefore the chances for an increased involvement in the implementation of problem solution schemes have not been realised by the participating actors and interest groups, although the process has certainly raised the awareness on specific topics and different views.

20.8 Conclusions

After the completion of the first round the course of the BFP fulfils the major requirements of a participatory process. There has been an exchange of different positions in an open setting so that interest groups have learned about the views of each other and have been able to reconsider their own positions. This has enabled groups to address critical issues and to direct their views to political decision makers and implementing state organisations.

Through the BFP process for the first time a broad range of interest groups and stakeholders involved in various ways in forests and forest management in Bavaria were brought together to conduct an open dialogue on critical issues of forests and forestry. In that respect the process has been highly significant.

The BFP process suggests that if round table discussions in plenary and working group sessions are to be successful, a variety of factors will play a crucial role. These are the setting of a clear pace and organisational responsibilities (schedule, logistics, infrastructure), clear negotiation mandates for participants, external moderators and a clear commitment to commonly accepted guidelines for discussions, consensus building and documentation. Essential for the content of any documents is the willingness of the participants to thoroughly analyse the actual situation and different positions, develop a cooperative vision and shared goals, and to treat the process as a chance and not as an obstacle. This demands a culture of and competence for discourse, something that is not highly developed in the BFP process so far. Results rather show an orientation towards minimal consensus and the reluctance of groups to give up competencies and functions. This hinders real innovation.

When the political administrative system signals that it attaches a high political relevance to the results of a process such as the BFP then this can help to further that process. The acceptance of a forest programme as a tool, and therewith its continuation, demanded a clear support for the results from, and subsequent implementation by, the political administrative system. Where the political system merely accepts the final document from such a process, as is so far the case with the BFP, then this will be insufficient to gain progress or to keep the process alive. This underlines the important role for mutual or multilateral commitments from actors or interest groups for problem solution in forest programmes, which demands a shift away from current problem solution schemes.

Chapter 21

FLANDERS: A free-standing Regional Forest Programme in Belgium

Noël Lust, Inge Serbruyns and Peter Van Gossum¹

21.1 Introduction

Belgium covers an area of some three million hectares, of which 22 per cent is forested. Since 1970 the state has evolved into a federal structure. Three regions were established, namely the Flemish Region, the Walloon Region and the Capital Region of Brussels. This reorganisation has had an important impact on forest policy. Since 1983 the Flemish, Walloon and Capital Regions determine their own forest policy. Before 1983 forestry in Belgium was part of the Department of Agriculture, which was not specifically interested in forests. Today, the forest administrations are part of the specific competence of regional ministers.

There are significant differences in the forest situations of Wallonia and Flanders. (In the Capital Region of Brussels the forest area is quite small and apparently there is no need for a forest plan.) Wallonia is more than 30 per cent forested and 50 per cent of the forests are privately owned. The economic function of the Walloon forest is still important, due primarily to the good growth of Norway spruce, used for timber and pulp and paper, whereas the ecological and recreational pressure on the forest is relatively low. On the contrary, Flanders is a very densely populated region with a low forest area, but with a very high ecological and recreational significance.

In Belgium no documents exist that equate with a National Forest Plan. However, in Flanders documents have been formulated that may be considered a *regional* forest plan. In Wallonia no such plan exists. This paper therefore applies the COST Action E19 framework on NFPs to the Flemish Regional Forestry Programme (RFP), rather than to the country as whole.

In Flanders the first serious forest planning regulation was foreseen in the Forest Act of 1990. Consequently, a first Forestry Action Plan was drawn up in 1994 (Anon. 1994), although this did not attain a legal character. In 1998 the Flemish Forest Service drew up two documents: the Long Term Forestry Plan (Anon. 1998a); and a strongly revised Forestry Action Plan (Anon. 1998b). The former document describes objectives and the strategic planning, whereas the Forestry Action Plan describes in more detail 29 actions and 19 regulating initiatives to be achieved within the frame of the Long Term Forestry Plan. The introduction of the Long Term Forestry Plan states that the Flemish authority intends to implement its international commitments, namely the drawing up of a Forest Plan, in line with the provisions of the UNCED conference of 1992 and the Intergovernmental Panel on Forests in 1997. Although several government advisory committees have supported both documents, they have never been legally approved.

The Flemish RFP officially aims at sustainable forest management and pays particular attention to the principle of multiple use of forestry, the overall value assessment of forests and the creation of the needed capacity. A more detailed description of its objectives is presented by four key notions and related objectives:

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1 Forest maintenance quantitatively

- i To preserve existing forests and to protect them against destruction
- ii To make forest ownership attractive

(Examples: moratorium on deforestation; reduction of inheritance taxes.)

2 Forest maintenance qualitatively

- i A sustainable and qualitatively valuable forest management
- ii The restoration and maintenance of stable ecosystems and the development of nature values in forests
- iii An active policy against fragmentation and restoration of existing fragmented forests

(Examples: code for good forest practice; pilot projects concerning forest certification.)

3 Forest extension

- i Implementation and strengthening of the forest structure
- ii Support of forest extension by local authorities and private owners.

(Examples: establishment of urban forests; subsidies for acquisition of lands.)

4 Integrated social task fulfilment

- i To achieve a greater involvement of the target groups in forest management and policy
- ii To maximise the contribution of forests to the quality of the environment
- iii To participate actively in international processes for the encouragement of the maintenance, management and the sustainable development of all forests of the world.

(Examples: participatory approach; design of international forest policy strategy.)

The main part of the Long Term Forestry Plan contains four chapters: task description; Long Term Forestry Plan; organisation of the Forest Service; and scientific research, in particular at the Institute of Forestry and Game Management.

The Forestry Action Plan is an implementation plan within the frame of the Long Term Forestry Plan. It concretises the key actions and objectives as performable actions or initiatives. For each key action and objective a strategy is determined and then, for each strategy, one or more Actions or Regulating Initiatives are formulated (see examples above).

21.2 Supporting and impeding factors

It is evident that the content of a NFP is strongly determined by local circumstances and that it is therefore desirable for NFPs to be elaborated on a *decentralised* basis. So in Belgium the Flemish RFP will be clearly distinguishable both from the eventual Walloon RFP and from that for the Capital Region of Brussels.

The idea of a NFP and its core concepts are relatively new. Furthermore, forestry objectives have evolved rapidly over recent years. The holistic concept of sustainable forest management, though well known in forestry for a long time, was emphasised at the UNCED and has undoubtedly contributed to the concept of a NFP. It is, however, not clear to what extent the concept of a NFP itself has contributed to new approaches to forestry. Indeed, ideas of SFM have developed separately from the NFP concept. SFM as a concept pre-dates Rio, but the principal aim of a NFP is to realise SFM. The question also arises of to what extent foresters themselves have contributed to the conceptual development of SFM and NFP. Attitudinal shifts in society as a whole are likely determining factors, and the attitudes of those who are not forest owners have strongly influenced forest policy. So it is not always easy to find out which elements of forest management have been changed by the NFP process itself.

The terms SFM and NFP are clearly different, yet they are also strongly related to each other. Today the term SFM is quite well known in forestry circles in Flanders. It has been readily accepted by policy makers and a certain number of larger forest owners, although it is not well known by the large majority of the forest owners. The term NFP is hardly known at all.

In Flanders six principal impeding factors that work against the establishment of a RFP can be identified. First, the internal forest ownership situation is unfavorable. 75 per cent of the forests are privately owned, mostly by very small owners who have little interest in their forest area, which has almost no economic value. Such forest areas are rarely used by forest owners and third persons.

Second, with respect to SFM, the forest structure is also mostly unfavorable. Half of the forest area consists of coniferous species that are not indigenous, the majority of the forests are homogenous stands, and naturalness and biodiversity are limited. Logging problems are serious, partially due to unfavorable weather circumstances during the logging period. Poplar, the sole species with a relative high economic value, is not popular with conservationists and its position is threatened. Besides, the poplar has been strongly attacked by rust during recent years.

Third, although the forest area is limited, the amount of deforestation is still quite high, whereas the number of new afforestations is very limited. The forest area is threatened by different sectors, such as industry, recreation, house building, infrastructure, agriculture and even by nature conservation.

Fourth, forest extension, one of the most important objectives of the Flemish RFP, is very difficult. Areas available for afforestation are hard to find. Afforestations should mainly occur on former agricultural land, but the agricultural sector has a strong resistance to forest extension. Moreover, there is considerable competition for the occupation of available land by all sectors, of which nature conservation is just one.

Fifth, an important negative factor is that the political interest in forests is very limited. Politicians rarely discuss the forest in parliament and the forest is not a topic in political election campaigns. However, in recent years there have been some events, such as the establishment of new urban forests and the debate on deforestation, whereby the forest received public attention.

Sixth, high inheritance taxes are a specific negative point for private forest owners. This acts as a disincentive for forest conservation, and causes owners to loose their interest in the

forest. This problem clearly needs to be addressed by the finance minister rather than the minister competent to forests, and illustrates the importance of an intersectoral approach to NFPs.

Despite these impeding factors a number of positive forces have developed and combined to yield a specific forest management vision for Flanders. First, as a consequence of regionalisation, a specific Flemish Forest Act was issued in 1990, and revised in 1997. It has a strong ecological impulse, although the term sustainable forest management as such was not used. The establishment of a forest management plan became obligatory for forests larger than five hectares.

Second, international processes such as Pro Silva and conferences such as UNCED, Helsinki and Lisbon have had a great impact on Flemish forest policy.

Third, in 1991 the Flemish government issued a first provision concerning the financial support of private forest owners. Then the 2080/92 regulation was elaborated in order to stimulate the afforestation of abandoned agricultural land. This action, however, was not successful, mainly due to high pressure from the agricultural sector, and also from landowners who are afraid that the value of their property will diminish as a result of afforestation.

Fourth, nature conservation groups supported the ideas of SFM and insisted on more ecologically oriented measures in the forest. This resulted in the adoption of some legal measures. The Flemish Environment and Nature Development Plan of 1997 supported the establishment of a Forestry Action Plan. The Nature Conservation Act of 1997, revised in 2002, imposed several forestry measures, and also stipulated additional financial incentives for measures aiming to increase the ecological value of the forest. The success of this regulation, however, has so far been poor.

Fifth, the establishment of an Educational Forestry Centre in 1992 was an important and very efficient measure. Its mission mainly consists in providing forest owners and other stakeholders with information and the necessary theoretical and practical education.

Sixth, the setting up of mixed “forest groups” has also been very important. Such a group is an association of all kind of forest owners, both public and private, aiming at a more efficient forest management. Forest groups appear to be a very useful instrument, since private forests are extremely fragmented, with an average area of less than 1 ha per owner. Mixed forest groups promote an integrated and more efficient forest management of small forest lands. The first results have been very promising.

Seventh, the Flemish government has pursued an active purchase policy with a double objective: on the one hand to purchase valuable but threatened existing forests; and on the other hand to purchase agricultural land for afforestation purposes. This way an area between 500 to 1000 ha is bought annually. This policy will conserve and increase over the long term the forest value in Flanders. The policy is mainly oriented at the purchase of agricultural land, with the aim of afforesting it.

Eighth, in the mid-1990s a strong movement developed in favor of the establishment of new urban forests. At the beginning there was societal resistance to this, but the social carrying capacity slowly became strong enough to achieve the objectives.

Finally, the process of certification has developed along with the implementation of SFM. Criteria have been developed in Flanders both for SFM and for certification. Although the certification process has up to now not been very successful, it has to a large extent

contributed to societal visions on and attitudes towards the forest. However it also needs to be noted that the present criteria for forest certification, as set by some internationally recognised institutions, do not guarantee sustainable forest management.

In recent years there have been three notable developments in Flanders. First, the interest of private forest owners in forest policy has strongly increased. Before the 1990 Forest Act forest owners had an almost entirely free hand in deciding their forest management objectives. But now they also have several obligations. These concern the establishment of a management plan, including licenses for cutting. These obligations have become greater as ecological considerations and criteria for sustainable forest management have increased. As a reaction to this, private forest owners have become better organised and now play a more active role in forest policy discussions.

Second, the impact of conservationists on forest policy has strongly increased. In 1990 their influence on the Forest Act was still relatively limited. Today, however, they play a more dominant role on forest policy. Forest owners, who were at the beginning suspicious of the Forest Act, nowadays consider it to be a strong weapon against conservationists.

Third, forest maintenance, including the prevention of deforestation, was a major objective of the Forest Act of 1990. This purpose was further strengthened by the revision of the Act in 1999. However, due to external pressures a new act in 2000 led to weaker provisions. This means that today deforestation is possible under certain circumstances and provided compensation is available.

In the frame of the Rio, Helsinki and Lisbon conferences, criteria of sustainable forest management have been established in Flanders. The discussion on criteria took several years and all interested stakeholders were involved. Upon the request of the Flemish government two statement papers were prepared, one by the Flemish Supreme Council of Forestry and one by the Flemish Environment and Nature Council. It is expected that a governmental provision will follow. Meanwhile, the unofficial Flemish criteria for sustainable forest management have been accepted by all partners, including private forest owners. The main disputed criteria were:

- *Native tree species*: at least 30 per cent of an area should consist of native species;
- *Forest structure*: private forests should aim for 20 per cent of mixed stands; in poplar stands an under or middle storey should be planted over at least one third of the area;
- *Dead wood and old trees*: there should be a dead wood quantity of at least 5 per cent of the total growing stock and at some ten holdovers per ha, with a maximum of 10 per cent of the basal area;
- *Natural forest composition*: an area of at least 15 per cent in public forests and 10 per cent in private forests should be selected where the stands can develop towards the natural forest composition.

21.3 Participatory mechanisms

The IPF underlined that all concerned actors should be invited to participate both in forest policy decision-making and implementation. Participation encompasses different degrees, ranging from providing people with information to real involvement (Lust 2000).

Though participation in forestry decision-making in Flanders cannot be considered as common, a number of important forestry topics can be noted where participation has played a role (Lust 2001). These include forest legislation and forest policy, management plans, the Long Term Forestry Plan and Forestry Action Plan (RFP), the Spatial Structure Plan of

Flanders, the establishment of urban forests and the creation of forest groups. From the forest there was participation from the forest administration, the Flemish Supreme Forestry Council, forest owners, forest associations and scientific institutes. Non-forest groups from the agricultural sector and the nature conservation sector are the most salient external actors participating.

In Flanders, the first attempts in 1994 to formulate a forest plan were one-sidedly drawn up by the forest administration based on a university scientific study. Afterwards, as legally foreseen, the draft plan was submitted to different advisory committees. In 1998 new plans were made, but this time they were unilaterally prepared by the forest administration and only afterwards presented to some advisory committees. At that time the plan had to be submitted to the recently established and powerful Environment and Nature Council, in which representatives of all involved sectors participate.

In the second Flemish Forestry Action Plan of 1998, which was also one-sidedly established by the forest administration, the involved partners are cited. Altogether 58 different stakeholders are mentioned, indicating that quite a high number of actors in the region are interested in the forestry sector. The most cited stakeholders are, in order: forest owners (20 times), Institute of Forestry and Game Management, nature associations, administration of rural order, local and provincial governments and the Educational Forestry Center (7 times). Stakeholders involved with the five most important actions or regulations are: forest owners, recognised nature associations, Flemish Land Agency, agricultural sector, nature sector, administration of rural order, local and provincial authorities and forest administration. For the project on EU regulation 2080/92 ten types of actor were mentioned: Flemish Land Agency, administrations of rural order, agriculture, nature, administration of roads, administration of traffic, municipalities, provinces, forest owners and research institutes. Practice proved however that the structured and successful participation of all these groups was impossible, and the set objectives of participation were not attained.

An example of participation took place with respect to the preparation of a new urban forest around Ghent. The study was commissioned by the Forest Service and the Administration of Planning and Nature Conservation of the provincial government. It was carried out by the Seminar for Survey and Rural Planning of a Belgian university and the Society for Forests in Flanders. Participation was officially organised by the creation of two kinds of commissions:

- a scientific supporting commission, comprising representatives from five institutes or administrations;
- a steering committee, comprising 19 officials and scientists.

Other recent examples of successful participation include the establishment of forest groups and the formulation of management plans. In forest groups, for example with a forest area of 1,700 ha and with more than 2,000 forest owners, all owners are considered equal and each owner has one vote. The statutes of the forest groups are established after several public meetings. It is likely that future forest management plans will be the result of interactive discussion between all interested stakeholders.

The reconciliation of interests and the raising of awareness on forests and forestry issues can be identified as the most relevant benefits of participation in Flanders. However, the past can only be considered as a first step in the development of genuinely participatory processes. Real participation presupposes institutionalisation, with participation considered a “normal fact”. However a number of questions are not clear: when is participation is

needed?; who should be involved in it?; for which subjects or themes should participation apply?; and to what extent should one take into account the points of view of interest groups?

Moreover, a distinction must be made between participation and external pressure. Today, the “pressure behind the scene” is very great and to a large degree the real decision making occurs there. The impression certainly exists that external actors from the economic sector, the nature sector and the agricultural sector, which are often not directly involved in forest decision making, presently determine many more forest policy topics than the forestry sector itself. Besides, participation is not itself an *a priori* basis of success.

21.4 Negotiation and conflict resolution

Conflict resolution is often directly linked to co-ordination. Successful co-ordination and conflict resolution enable rational decision making and should therefore be considered as the most important prerequisites for successful implementation. Rational problem solving requires at least the following elements: goal setting; flexibility with respect to innovatory ideas (although innovation itself is not necessarily good); and implementation and evaluation (Lust 2000).

In Flanders experience with problem solving concepts is very poor in forestry. Some experience was gained with the preparation of the first pilot project for an urban forest in the Kortrijk region in 1995. At that time the preparatory study was almost entirely conducted without involving interest groups, most of which were deliberately excluded. Instead there was an intense collaboration between the forestry administration, the Society for Forests in Flanders and the local administration of rural order. Finally the results and proposals were published by a press communication.

The reactions were mixed. The agricultural sector reacted very negatively, making their opinions open and clear. Actors in economic circles also reacted negatively, but in a more silent way. The industrial sector tried to profit out of the situation, by forwarding their new requirements. The initially very negative attitude of the nature sector was surprising, as the project was strongly oriented towards nature objectives. As a consequence of these reactions a small group of strongly motivated supporters launched a large campaign and a political debate started. Within a short time a wide range of interest groups was involved in the matter, albeit in an unofficial way. After five years of varying situations, the establishment of the urban forest was legally approved. The first trees were planted in 2002, seven years after the start of the project.

Other experiences were collected with the first negotiations about the Forest Stewardship Council (FSC) certification process. In the first stage an attempt was made to establish common criteria for the whole of Belgium. A national working group was established with a broad representation of forest owners. This initiative could be considered an example of a bottom-up participatory process. Several meetings took place, but it soon became apparent that only a very few forest owners were interested in FSC criteria and, in general, in criteria for sustainable forest management. In a second stage the process was further elaborated in Flanders. On the one hand the government launched an official initiative, aiming at sustainable forest management according to the Helsinki resolutions of 1993. After many meetings and compromises a document about criteria for sustainable forestry was approved by the Environment and Nature Council and by the Flemish Supreme Forestry Council, thus including private forest owners. So an unofficial working group, consisting of NGOs and scientists, had elaborated a document concerning FSC criteria for “well managed

forests”, which are very similar to criteria for sustainable forestry. But most private forest owners have so far refused to collaborate with this initiative, so that at present the FSC process has had limited success in Flanders.

Altogether, the first results concerning experiments with participation and negotiation in the forestry field are mixed. Although there are some impressive and well-informed documents, the implementation results so far have been rather poor (e.g. EU regulation 2080/92).

21.5 Intersectoral approaches

Two different dimensions of intersectoral approaches are identified here. The first one is land-use related, including sectors such as agriculture, infrastructure and tourism. The second dimension is related to the further processing and marketing of forest goods and services. However, the latter element has so far received very little attention. In Flanders there is an urgent need for a better consultation and coordination between these two dimensions of intersectorality on forest-related issues.

In Flanders, the first Forestry Action Plan of 1994 specifically mentions the relationship between forestry and other sectors. On the one hand it is stressed that forestry policy makers should seek greater collaboration with other sectors and policy domains. On the other hand it is stated that the forestry sector itself should be recognised by these other sectors. The plan further stresses the following relationships:

- 1 *Relationship with the green area sector.* The forestry sector should collaborate with the offices of public green areas (public parks, recreational areas, road plantations, and so on).
- 2 *Relationship with the nature conservation sector.* Nature conservation should be more emphasised in forest policy and management. This is possible with, for example, the establishment of new forests, the management of existing forests and the designation of forest reserves.
- 3 *Relationship with the agricultural sector.* For the establishment of forests in agrarian zones forest policy makers should strive to reach a consensus with the agricultural sector.
- 4 *Relationship with other sectors and policy domains.* Special mention is made of water collection areas, industrial areas, highways, residential areas, the timber column, landscape aspects and international collaboration.

Today groups in the agricultural sector and the nature conservation sector are undoubtedly the most salient external actors. The administration of rural order is also to some extent an important sector, although it shows only little attention and interest in the forest. The attitude of the economic and industrial sector is ambiguous: actors in these sectors rarely enter into public discussions about forests, but they undoubtedly exert a very strong influence behind the scene. Politicians, whose role could be very important, have in the past not been very interested in forest matters. Consequently forest problems rarely came up in political debate. This situation, however, has changed slightly during recent years. Youth organisations, though they are in some cases great users of the forest, do not play a role as organised forest actors. Other recreational groups can practically be neglected.

The case of Flanders appears to typify the view that the forestry sector is involved in the decision making of other sectors. However this rarely occurs. For example, it is remarkable

how little the nature sector, though a very related sector, involves forestry in nature policy, even with respect to nature policy on forests. Hence the relationship between the two sectors is far from optimal.

21.6 Long term iterative planning

According to the IPF outputs the NFP process is intended to be a continuous cycle, including planning, monitoring and evaluation of national forest policies. A long-term orientation should be ensured by continuous adaptation of forest strategy to changed conditions. In this context appropriate monitoring tools have an important role. Furthermore, the iterative process should be considered important at all scale levels (Lust 2000).

In Flanders, the NFP process has already passed through many stages, although these were not always coherent. The first serious regulation was the Forest Act of 1990, Article 6 of which stipulates that a Long Term Forestry Plan should be drawn up by the Forest Service and that an implementation plan should be established. Both plans should receive input from the Flemish Supreme Forest Council, the Flemish Supreme Council for Nature Conservation and the Flemish Supreme Hunting Council. It is also stipulated that the Long Term Forestry Plan must be approved by the Flemish government and announced to the Flemish parliament.

Consequently a comprehensive scientific study and an analysis of the forest and forest economy in Flanders were carried out. Thereafter, in 1994 a Forestry Action Plan was drawn up, which was considered to be the implementation plan for the Long Term Forestry Plan. In 1997, the Flemish Environment and Nature Plan states as action 114 that a Forestry Action Plan should be drawn up. This says nothing about a Long Term Forestry Plan itself, although it determines a number of topics relating to the content of a Long Term Forestry Plan.

In 1998 the Forest Service drew up two documents, the Long Term Forestry Plan and the Forestry Action Plan, which together constitute the Flemish RFP. The policy plan formulates forest policy objectives with a plan horizon of 20 years, including a long-term vision. A regular assessment and adjustment of aims and objectives is needed for various reasons: the social evolution of policy can be unpredictable; the dynamics of the international level of nature and environment policy are changing; and the long term objectives must still be quantified. It is intended to assess the Long Term Forestry Plan and to adjust it within a five year cycle. The Forestry Action Plan is evaluated and adapted yearly.

There is a clear difference between the plans of 1994 and 1998. At the beginning only a Forestry Action Plan was drawn up, whereas in the second phase a Long Term Forestry Plan and a Forestry Action Plan were launched simultaneously. In 1994 the Forestry Action Plan was based on an extended scientific study, although its structure was less systematic compared to 1998. Furthermore, compared with 1998 the 1994 actions and regulations are less clearly formulated, and are mentioned only in the annex of the plan. The action plan of 1998 is better elaborated than that of 1994. In 1998 a financial section was built into the plan (although this has not led to better results). The chapters in the two documents have different titles, but similar contents. In 1994 the titles of the chapters corresponded to the terminology of the Forest Act of 1990, whereas in 1998 the terminology was not typical forestry language. In 1998 the documents refer much more to international documents and conventions. However, since the term NFP was not well known in Flanders when the 1998 documents were prepared, they were not drawn up according to the IPF principles for

NFPs. The result is that participation and intersectoral approaches have been almost completely neglected and insufficient consideration has been given to the means for capacity building. Also striking is the complete absence of references to the timber sector, which employs 35,000 people.

21.7 Other NFP elements and the next steps

With the Flemish Long Term Forestry Plan the Flemish government aims to fulfill its international commitments and to follow the proposals for action developed by the IPF. The Long Term Forestry Plan is based on the Strategic Plan of Flanders, which elaborates a declaration of intent (mission statement), policy indicators and priority issues. It also refers to the Act on General Provisions Concerning Environmental Policy of 1995. The main bases of this act are the prevention of environmental harm, the precautionary principle, the priority for source-oriented measures, the stand-still principle and the polluter pays principle. The act is also based on spatial planning, especially on the provisions of the Spatial Structure Plan of Flanders.

With respect to the “empowerment of regional and local government structures”, which is essentially the same as “capacity building”, the Flemish RFP also pays attention (albeit limited) to the internal organisation of the Forest Service. A mission and vision has been formulated. The importance is stressed of agreeing a univocal vision for the Forest Service that is fully understood by personnel at all levels. The following objectives are proposed with respect to the internal organisation of the Forest Service:

- a flexible organisational structure that can adapt to fast changing needs;
- a uniform and internally supported forest management and policy.

The Flemish RFP also pays some attention to scientific research and education. The Flemish government has concentrated forestry scientific research around the Institute of Forestry and Game Management. The Institute should focus primarily on applied long-term research, whereas universities should concentrate, first, on more fundamental research and, second, on applied short-term research. Attention should be paid to the communication policy of the Institute in order to extend its research results to the different target groups. Regular consultation between the Forest Service and the Institute should take place. It is proposed that a more structured collaboration should exist between the Institute and the universities in the future. More specifically it is stated that:

- research programmes should aim at complementarity, efficiency and multidisciplinary;
- the Institute should be involved in the working of university laboratories (for example, for the guidance of thesis students and doctoral students, and for providing guest lectures).

Since the last documents date from 1998 and the planning intention was to adjust within a five-year cycle, it is anticipated that a new Flemish RFP will be drawn up in 2004. Some provisional remarks and statements can be made about this process:

- although there have been a number of positive points concerning the realisation of the existing plan, there have also been some action points with very poor results;
- the revision will be done by the Forest Service, without the involvement of the many internal and external forest actors;
- the RFP will be discussed in the Flemish parliament, with the intention that it be legally approved.

21.8 Conclusions

In Flanders the forest plan is rarely discussed and the process is unknown by most stakeholders at present. Nevertheless, some similar processes aiming at sustainable forest management can be identified.

The Flemish Long Term Forestry Plan and the Forestry Action Plan dating from 1998 are valuable documents, at least from a theoretical point of view. Although these documents have no legal status, their authoritative character has undoubtedly contributed to the strengthening of the forest sector in Flanders. Indeed it is clear that both documents have considerable significance, both internally and externally. They are the consequence of an intensive discussion within the Forest Service. Moreover an impressive list of 58 stakeholders has been identified. The documents emphasise nature and “rural order”. However, the public forest dialogue has yet to start.

Some further negative points should be noted:

- 1 The Flemish RFP does not correspond to the accepted principles of a national forest programme, such as participation, holistic and intersectoral approach and capacity building.
- 2 The RFP's theoretical basis does not always correspond to forestry language. It is based on general planning strategies, which use a number of relatively forest unfriendly terms.
- 3 The documents were drawn up with little participation.

Today it is clear, that the forestry sector will have to better apply the principle of participation in its broad sense. However, participation has to be a mutual process: external interest groups have to take into consideration the views of the forestry sector. Moreover, there are other issues where progress has yet to be made. Two typical and very important issues are the setting up of management plans and the forest certification process.

The weakest point of the present documents is that they have never been legally approved. Furthermore they have never been discussed at a political level. The main challenge in Flanders during the revision of the Flemish RFP will be attaining legal approval for the revised documents.

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Chapter 22

CANADA: From Strategy to NFP?

Michael Howlett¹, Jeremy Rayner² and Adam Wellstead³

22.1 Introduction

Canada has extensive forests, a globally-significant forest products industry, and a long history both of engagement in international environmental negotiations and of active participation in international policy regimes. In addition to directing much of its diplomatic energies over the last decade to the unfinished project of negotiating a global forest convention, Canada has been fully supportive of the IPF, IFF and UNFF processes. As a member of the eight-country initiative that sought to define a programme of work for the UNFF, Canada specifically endorsed the IPF/IFF proposals for action with their emphasis on the value of National Forest Programmes for coordinating forest policy towards the goal of sustainable forest management (Anonymous 2000). Nonetheless, Canada has no formal NFP of the kind found in many European countries.

The position of the Canadian government is that Canada discharges its obligations to implement this part of the IPF/IFF proposals through the National Forest Sector Strategy (NFS) (Natural Resources Canada 2003a). The federal government has emphasised that the language surrounding the proposals for action, as well as the original UNCED forest principles, has consistently stressed the freedom of sovereign countries to adapt the proposals to their own peculiar circumstances. Canada is a federal state where provincial jurisdictions own and are responsible for the extensive public (Crown) forested land. As a result, forest policy-making at the national level is extremely difficult. In the absence of any constitutional authority to coordinate forest policy by federal law and regulation, it is argued, the NFS is the closest thing to a national forest policy framework that is possible in Canada.

The NFS is certainly participatory, based on wide consultation and the drafting of a consensus document containing a number of specific commitments. It is also iterative (it is now in its fifth version) and organised around a “vision” for Canadian forests – “[t]he long-term health of Canada’s forest will be maintained and enhanced, for the benefit of all living things, and for the social, cultural, environmental and economic well-being of all Canadians now and in the future” – that is couched in the language of sustainability (National Forest Strategy Coalition 2003, p.3). However, the NFS has no legal status and the Forest Accord that accompanies the Strategy is merely a statement of the signatories’ good intentions with respect to their NFS commitments.

Canada’s claim that the NFS should be regarded as “NFP equivalent” in the light of Canadian circumstances has been endorsed by the UNFF. A report on NFPs prepared by the FAO in consultation with the UNFF Secretariat and delivered to the UN Economic and Social Council reaffirms that “[n]ational forest programmes should be based on a national sovereignty, specific country conditions and national legislation, as well as be consistent with national, subnational or local policies and strategies, and – as appropriate – international agreements.” It includes three examples of NFPs in industrialised countries: Germany, Finland and Canada (UN ECOSOC 2001, p.11).

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From an analytical point of view, the extent to which Canada's NFS is actually a full equivalent to a NFP is debatable. Many European countries, including countries with federal systems of government, exhibit a pattern of policy development in which NFPs are formulated in addition to, and as developments of, existing forest sector strategies (Schanz 2002). If such a step is possible, what has Canada lost by not taking it? Moreover, while the NFS is certainly the outcome of wide-ranging and sophisticated participation and contains some other noteworthy and innovative features, it is not really an instrument of intersectoral coordination or conflict resolution. Serious questions have been raised about the effectiveness of the review process at each iteration, and the NFS lacks many other key elements of a NFP process as elaborated in international discussions. What is missing from the NFS that might usefully be found in a Canadian NFP? Is it desirable – or possible – that a future NFS might look more like a formal NFP?

22.2 The Canadian forest policy sector: supporting and impeding factors for NFP development

Forests are, by any measure, significant contributors to the cultural heritage and standard of living enjoyed by Canadians. Approximately half of Canada's total land area of 921.5 million hectares is forested, of which slightly more than half (417.6 million forested hectares) is considered commercial forest. Of the commercial forest area, roughly half again, or 119 million hectares, is managed primarily for timber production. Canada's forests account for about 10 per cent of total world forest cover, including 20 per cent of the world's remaining temperate rainforests and 30 per cent of the world's boreal forests (Natural Resources Canada 2003b).

The origins of the forest industry are usually traced to the marking of trees in the forests of what would later become the Maritime (eastern) provinces of Canada as a source of masts and spars for the Royal Navy, deprived of its traditional Baltic sources during much of the Napoleonic wars. The modern forest industry, however, is essentially a late-nineteenth and twentieth century phenomenon and has always been closely tied to the production of softwood lumber, and later pulp and paper and other manufactured wood products for the US market (Howlett and Rayner 1997). In 2001 the total value of the forest industry was estimated at C\$74 billion and the contribution to Canada's trade surplus at C\$34 billion, up from C\$32.1 billion in 1996. Of Canada's forest products exports, rather more than 75 per cent by value has traditionally gone to the US. In Canada direct forest-related employment was estimated at around 350,000 and more than 300 communities across Canada were listed as "forest dependent", defined as having more than 50 per cent of their base employment derived from forest-based activities (Natural Resources Canada 2003b). Over the course of the NFS iterations, the process of forest policy making has grown increasingly complex, with networks of new actors, ideas, and institutions emerging in Canada's forest policy communities. This is reflected in the growing sophistication of the NFS.

Land Tenure

The most unusual feature of Canada's forests remains the pattern of ownership and jurisdiction. Approximately 94 per cent of Canada's forests are located on publicly owned or Crown land. Of this, 71 per cent is on provincial Crown lands and the balance on lands controlled by the federal government in the northern territories, parks and "Indian lands." The 6 per cent of forested land that is privately held contributes disproportionately to timber harvests by virtue of its superior productivity (Tollefson 1998). However, private forest

landowners are a variable quantity in the forest policy arena, and are more important in New Brunswick and Nova Scotia than in western Canada. Most important of all, the original Canadian constitutional document, the *British North America Act, 1867*, gave ownership and legislative jurisdiction over public land within a province to the relevant provincial government. Subsequent constitutional case law and a 1982 constitutional amendment confirmed exclusive provincial jurisdiction over the management and disposition of the forest resource on that land. Case law also established that while the federal government has the sole power to negotiate international treaties on behalf of Canada, the implementation of international treaty obligations in areas of exclusive provincial jurisdiction remains the prerogative of the provinces.

Thus, although the federal government does retain some theoretical ability to influence forest policy through its jurisdiction over international trade and in areas of overlapping jurisdiction, such as environmental policy, the pattern of federal government involvement has generally been one of episodic interest followed by swift retrenchment in the face of provincial hostility (Howlett 2001; Byers and Sandberg 1998). From an institutional perspective, the jurisdictional weakness of the federal government, even in a policy area where Canada has made significant international commitments, is the most important impeding factor for the development of part of the formal NFP concept in Canada.

Given the overriding importance of federal-provincial relations to understanding the barriers to a NFP in Canada, we will adopt a set of distinctions used to analyse the interaction of the two levels of government in environmental policy (Harrison 2000). Thus, we distinguish between *unilateralism*, where no effort is made to coordinate the activities of the two governments; *collaboration*, where an effort is made to work as partners; and *rationalisation*, where the objective of coordination is to separate out distinctive spheres in which the different governments can best work independently but towards a mutually agreed goal. In their different ways, both collaboration and rationalisation require coordination between the two levels of government

Law and regulations

As we have seen in Europe, macro-institutional features are not the only predictor of NFP developments. In addition, we need to consider the development of law and policy by the provinces. Left substantially to their own devices when it came to forest policy and legislation, the major forest-owning provinces exhibited significant policy convergence in the second half of the twentieth century. The favoured policy instrument has been the “evergreen” tenure, essentially a licence to operate over a large area of public forest for 15–25 years. Such licences are subject to conditions, which often include the construction and operation of a manufacturing facility and which involve various performance requirements that would be assessed when monitoring and renewing the licence. The underlying title to the forest remains with the provincial Crown and licensees are still required to pay stumpage charges for the timber removed from their licence areas.

The overall direction of law and regulation has been driven by a very strong planning impulse: “forest management” has become almost synonymous with long term planning for forest renewal. The major lines of disagreement have concerned, first, the extent to which planning responsibilities should be devolved to licensees or performed by government agencies and, second, the extent to which forest planning should be driven by timber production targets or whether it should attempt to achieve certain kinds of desirable future forest conditions, more broadly defined. Recent developments have tended to favour placing more responsibility on licensees (most of whom have a primary interest in timber production)

while moving towards the broader conception of the appropriate goals for forest management on public lands (Howlett and Rayner 2001). They thus raise, in acute form, a whole set of governance issues related to the use of private interests and actors to achieve public goals. For this reason alone, these developments should also promote the use of more sophisticated governance frameworks. The question remains, however, whether a *National Forest Programme* is the framework that is needed, or even possible, in Canada.

Financial incentives

Financial incentives have been an important element of Canadian forest policy. While judicial interpretation of Canada's federal constitution has emphasised a relatively strict division of legislative jurisdiction between the two levels of government, there is no constitutional objection to the federal government creating programmes and spending money in areas of exclusive provincial jurisdiction (Watts 1999). By setting conditions on how this money is spent, the federal government can affect policy outcomes in sectors that are closed to it through law and regulation, an instrument known in Canada as the "federal spending power." In the past, the federal government has used the spending power to modernise the pulp and paper industry and to address a perception that significant areas of public forests were failing to regenerate after harvesting.

It is no accident that the origins of the NFS lie in the period when the federal government was most active in the use of subsidies for forest management or that the subsidy programmes were closely tied to the industry development and wood supply focus of the first two Strategies (Howlett 2001, pp.369–91). The Strategies were part of a larger project of collaborative federalism, in which the federal government intended to assert a leading role. However a combination of neoliberalism, federal deficit cutting and growing provincial resentment at the use of the federal spending power eventually brought about the demise of these programmes and gave rise to a short-lived period of unilateralism in federal-provincial relations in a number of policy areas, including forestry. Unilateralism, of course, prompted a reconsideration of the purpose and usefulness of the NFS itself.

The other main element of financial subsidy is more controversial and is inextricably connected with the long running softwood lumber dispute between Canada and its main export partner, the United States. The claim that guaranteed long-term wood supply to licence-holders on public lands constitutes a subsidy because timber costs are set by stumpage and not on an open log market is a complex and sensitive one (Cashore 1997). However, whatever the merits of the case, the subsidy claim was quickly developed by both domestic and international environmental groups into a larger charge that Canadian producers are not paying the full cost of forest management activities, leading to wasteful and destructive logging practices and a lack of long-term investment on public lands.

Canada is particularly vulnerable to changes in international public opinion about forest practices, especially in the crucial US market on which Canadian companies are so dependent. Nonetheless, the first international boycotts organised by environmentalists and aimed at Canadian forest products came as an unpleasant surprise (Bernstein and Cashore 2000). In response, by the early 1990s the Canadian forest policy community had begun to embrace the emerging ideas of sustainable development and SFM as a way of reorganising forest policy and breaking out of the impasse which pits development against preservation. Here the drawbacks of the legal and institutional arrangements for forest policy in Canada became evident. Not only did the new paradigm demand a more participatory style of planning and management, but questions of international environmental regimes and international trade both lie within federal jurisdiction and involved a perception of *Canadian*

practice that demanded a coordinated response from a fragmented community. A new period of cooperation was ushered in, and the NFS found itself with a new role to play.

Political Economy and Political Culture

There are three significant interrelated aspects of the contemporary structure of Canadian political culture that affect Canadian resource and environmental policy considerations. First, the fact that the production of wealth in Canada as a whole has been and, to a substantial degree, remains dependent on resource extraction has coloured Canadians' attitudes towards the environment as well as influencing the configuration of actors involved in the formulation of Canadian resource and environmental policy (Bakvis and Nevitte 1992). Second, not all regions of the country are dependent on the export of the same resources, nor to the same extent, which has resulted in different patterns of resource and environmental interests and actors in different parts of the country (Brownsey and Howlett 2000). Third, as noted above, most resource commodities are exported to international markets, increasingly to the United States. This results in the existence of a small, open economy in Canada subject to international pressures in a variety of areas, including both resource trade issues and those concerned with environmental protection.

Canada's regional variations in resources, population and production have contributed to regional differences in wealth and power, but also to different demands being placed on governments in different areas of the country. Although the Canadian economy as a whole never experienced the shift into manufacturing industries that orthodox theories of economic development envisioned, the economies of Ontario and, to a lesser degree, Quebec did do so. In recent decades, the western Canadian provinces have had a very high share of Canadian primary production; that is, agricultural and natural resource production. Central Canada, on the other hand, has completely dominated manufacturing activities in the country. The Atlantic provinces, given their relatively small economies, are not surprisingly marginal producers in all three sectors of the national economy. More specifically, provinces such as Prince Edward Island, Saskatchewan and Alberta continue to rely heavily on their natural resources and agricultural sectors to generate economic wealth. Others such as Ontario, Quebec, New Brunswick and British Columbia have a significant component of provincial manufacturing activity in resource-related sectors such as oil refining, smelting, sawmills or pulp and paper production.

The legacy of a staples political economy for Canadian forest policy is readily apparent in both a positive and negative sense. On the one hand, land and animals have been viewed as objects to be exploited and ecological values and considerations have largely taken a back seat to the attainment of economic objectives linked to their harvesting or extraction. On the other hand, however, the lack of appropriate climatic conditions for large-scale agricultural production and reliance on other resources for economic development has meant that much land in Canada remains relatively untouched by humans, unlike the situation in many other parts of North America or the world where native ecosystems been completely transformed by farming. This has meant that the potential for significant ecosystem diversity and biodiversity protection measures remain a very real possibility in Canada (Bocking 2000). The existence of a hinterland-based staples political economy has also meant that Canada avoided, or postponed, many of the sharp confrontations over issues such as urban pollution and degradation of the urban environment that have been the features of environmental policy in smaller or more populous countries (Hanf and Jansen 1998).

However, as long as resource extraction activities maintains a significant share of the labour force and generates much of the country's wealth, efforts at environmental protection

or mitigation in Canada always begin with the knowledge that resource harvesting or extraction enjoys a potent blend of private (industry) and public (labour) support. As a long-standing democracy, Canadian governments have had to tread carefully in this policy area lest their environmental policy led to electoral disfavour (Amos et al 2001)

Generally speaking, as a result of these geographic, demographic, economic and political background conditions, Canada has developed an environmental and resource policy regime that shares many characteristics with those of other countries having similar background conditions, such as Norway, Sweden, Australia or New Zealand. Nonetheless, as in these other countries, the growth of an urban-based tertiary sector associated with the transition to a post-staples economy in Canada has undermined elements of the existing resource and environmental policy regimes, altered public and regulatory priorities and created a possible foundation for the emergence of alternative policies.

An increasingly large component of the population – especially in central Canada and in metropolitan areas – whose employment is less directly dependent on resource extraction is becoming generally more supportive of environmental initiatives in areas of wildlife and ecosystem conservation than more directly resource-dependent population groups, found especially in rural western and in Atlantic Canada. The steadily increasing urban service sector component of the Canadian population can be expected to continue to support a wide range of environmental initiatives, from biodiversity and habitat protection to more general issue areas such as global warming and more specific items related to the quality of urban life, such as smog, congestion, housing and health-related issues. Thus, elements of Canadian resource policy, such as the National Forest Strategies, have been shaped both by the initial development of a staples political economy and, more recently, by the present uneven and incomplete transition of Canada from a staples to a post-staples economy (Hessing and Howlett 1997).

Institutional aspects

For much of the 1970s and 1980s, the Canadian forest policy community would have described the gradual extension of long term tenure arrangements and forest management planning as a policy of sustainable forest management (Cashore et al 2001). In fact, of course, the policy was one of sustainably managing forests for commercial timber production. The debate over instrument settings and programme specifications that this policy generated was almost exclusively carried on within a closed, expert forest policy community and was concerned with how to plan and manage forests and the forest industry to ensure a smooth transition from cutting the old forest to cutting second and third growth stands with different volume and value characteristics.

Equally important, these forest policy communities were organised at a provincial level, and each province developed its own forest administration, its own forest industry associations and its own local and provincial environmental organisations. Intersectoral coordination is thus both horizontal and vertical. Horizontal coordination between agencies responsible for related policy areas within provincial jurisdiction is handled differently in different provinces, with most preferring integrated departments of resource management and a minority retaining stand-alone forest ministries.

Federally, the situation reflects the reduced ambitions of the federal government since the heady days of the late-1980s, when a Ministry of State for Forests was created and federal spending on forestry quadrupled. The Canadian Forest Service (CFS) is now part of Natural Resources Canada and retains at least some presence in all regions of the country,

mainly as a research organisation. Its most important initiative, the Model Forests, is intended as a pilot partnership between government, industry, communities, First Nations and civil society. The Model Forests continue to perform important functions in research and education that ultimately influence the direction of some provincial forest policies. Natural Resources Canada represents the federal government at the Canadian Council of Forest Ministers (CCFM), and the CFS is the lead federal agency with respect to the NFS and a signatory of the Accord. In times of policy controversy, other federal agencies may be involved in forest policy, notably Environment Canada and Foreign Affairs (International Trade), and to a lesser extent Indian and Northern Affairs and Agriculture Canada, but horizontal coordination is perhaps a less significant issue at the federal level than it is in many provinces. The recent passage of Canada's new endangered species legislation, the *Species-at-Risk Act*, may change this.

Vertical coordination depends very much on the prevailing style of federal provincial relations. In general, brief periods of unilateralism, for example, clashes between provincial forest agencies and the federal Department of Fisheries and Oceans over the protection of fish-bearing streams, have usually been succeeded by renewed attempts at some form of cooperation. Significant cooperation, whether of the coordinating or rationalising kind, depends in practice upon the adoption of comparable policy goals by all parties, both government and non-government. Vertical coordination of the different levels of government has been largely the work of government-to-government negotiation, institutionalised in the CCFM. The creation of the CCFM signalled an important change of policy style, a switch from the attempt by the federal government to take the lead in a collaborative national forest policy to a process of rationalisation in which both levels of government have tried to reduce overlap and duplication in the pursuit of common goals.

Thus, it was the CCFM that took up the cause of a new Strategy after the federal pull-back in the early 1990s, and which was able to get agreement on the general goal of restoring international confidence in the sustainability of Canadian forest practices. The third (1992–97) and fourth (1998–2003) strategies contained commitments to sustainability, support for the negotiation of a global forest convention and, most important, an attempt to broaden the base of support for the NFS and hold it at arms-length from provincial governments who were generally identified as too closely aligned with the forest industry. The result was the creation of the National Forest Strategy Coalition consisting of over 50 government agencies, industry organisations and NGOs and originally charged with the task of overseeing the implementation of the Strategy, including mid-term and final evaluations (Simmons 2001). For the fifth NFS (2003–2008), the Coalition took complete charge of the process and included campaign-based NGOs for the first time.

Canadian forest policy is neither an oxymoron nor simply the sum total of the various provincial initiatives in the sector. Except for the occasional and short-lived interlude of unilateralism, there has generally been a recognition that there are some forest policy issues that are national in scope and which require a coordinated response. The NFS has evolved as a coordinating instrument in tune with the changing issues and priorities. Federalism, the governance question, and the development of a more environmentalist political culture are all factors that have promoted rather than impeded the evolution of the NFS as a coordinating instrument yet, as we shall see, they do not amount to a formal NFP.

22.3 Participatory mechanisms: the NFS as policy broker

In general, Canadian forest policy is characterised by high levels of public consultation over everything from large-scale planning exercises for protection designations covering

areas the size of a small European country right down to applications for single cut blocks of a few hectares. The issue is not the public's right to be consulted, which is supported by the general development of administrative law in Canada over the last 30 years and is usually now given a specific statutory basis in most provincial forest and planning legislation, but the effectiveness of the participatory processes in guiding public policy.

The combination of very widespread consultation and weak impact on outcomes is no accident. The demand for consultation stems from public awareness of the feeble oversight that legislatures exercise over the political executive, especially in Canadian provinces where legislatures often meet infrequently and provide few resources to the ordinary elected member. If land use or forest practices decisions are going to be made in Cabinet or by a single minister or his designate, activists are aware that there is very little chance of influencing those decisions through ordinary party politics, hence the demand for consultation. However, there is nothing in consultation itself that will alter the basic distribution of political power in the forest policy community. Consultation usually takes place when the agenda has been set and the general policy line has already been decided. Only in very exceptional circumstances can interests create a situation where decision makers, though still legally free to ignore the outcomes of a consultative process, would find themselves paying an unacceptable political price if they were to do so. For example, it appears that the British Columbia government will press ahead with its proposal to designate a "working forest" in spite of strongly expressed public opposition to the idea. Herein lies part of the explanation of the dominance of campaign and issue based activism among environmental groups in the Canadian forest policy arena and their frequent appeals to international audiences in Canada's export markets.

In fairness, it should be noted that experiments with more sophisticated and intensive forms of public involvement, up to and including shared decision-making, have all been tried. With few exceptions, local and context specific forms of participation, such as the Public Resource Advisory Groups in Alberta, the Local Resource Boards in British Columbia, or the Eastside Plan in Manitoba (Manitoba Conservation 2000) have been more successful than the larger scale efforts at regional planning or issue resolution. The tendency of forest policy in Canada to create two well-defined, competing advocacy coalitions, one promoting more industrial development and the other conservation, has made finding common ground elusive. Both coalitions are quite broadly based, with the development coalition drawing on timber-dependent rural communities and the conservation coalition appealing to a number of economic sectors whose activities may suffer negative impacts from forestry, including fishing and tourism (Lertzman et al 1996). Aboriginal organisations, whose involvement is increasingly important after their court victories over rights and title to unalienated public lands (Poelzer 2002; Cashore et al 2001, pp.120–139), have further complicated matters by tending to opt out of involvement processes on the grounds that their rights are non-negotiable.

Seen against this background, the participatory elements of the NFS look rather impressive. While the first two Strategies reflected the technocratic approach of the dominant forest policy community and stressed public "awareness" in the sense of a top down education in forest management, the later Strategies have been increasingly participatory. The practice of creating a draft strategy which is then circulated to members of the Coalition and redrafted until a consensus position is reached has successfully allowed the Strategy to express a much broader range of issues than those generated by the older, closed policy community. In addition, the Strategy is adopted and evaluated at a National Forest Congress, where motions from the floor may result in further changes to the document. The result is a document in which log rolling and other tactics of negotiation create the opportunity for

the competing advocacy coalitions to include elements of their programme which would normally be rejected by their opponents. In the current NFS, for example, there is a commitment to investigate the advantages of intensive forest management, or plantations, a policy that has long been a goal of industry and professional foresters while distrusted by conservationists because of its potential impact on biodiversity. On the other side, there is commitment to implement management systems that set resource use levels as an output of planning processes rather than as inputs, and hence constraints, upon them. For long a cherished goal of environmentalists, this proposal has been resisted by government and industry because of its unpredictable consequences for timber supply.

Of course, this degree of participation and negotiation comes at a price. Environmental critics have noted the tendency for recent Strategies to become ever more expansive and to contain an unrelated “grab bag” of initiatives that government and industry have already embarked upon – initiatives that are triumphantly cited in the midterm evaluations as evidence that the Strategy is being implemented (von Mirbach et al 2002). However, if we consider the Coalition and the Congress as institutionalised fora where competing interests can meet, find areas of common ground and delineate their remaining differences more clearly, then the Strategies have achieved some measure of success as a venue for policy broking and policy learning (Sabatier 1993). The emphasis is clearly on agenda setting and problem definition rather than decision making, whatever the participants may choose to think, but the participatory element provides a welcome contrast to the quasi-judicial Royal Commissions or the expert panels that once dominated these stages of Canadian forest policy development. It is hard to see how a more formal NFP could have improved on the record of the NFS.

22.4 Negotiation and conflict resolution: problems of pluralism

Over the last two decades, Canadian forest policy has been characterised by relatively high levels of conflict, on occasions boiling over into public protest and even civil disobedience. While the rules for managing intergovernmental conflict are fairly clear – intergovernmental negotiation followed by constitutional challenges in court if necessary – how to resolve conflicts within the larger policy community is less obvious. Ironically, the source of much of this conflict can be traced to the intensive efforts at planning and long-term forest management found in most provinces. Once all the accessible forest was included in management plans and timber harvests regulated on this basis, then changes to the area under management, for example by additional protected area designations without other compensating factors, must inevitably involve redistribution of benefits away from the existing licensees. Similar considerations apply to regulatory changes that reduce the timber volumes that can be harvested per hectare.

Managing the conflicts generated by the politics of redistribution has not been easy. Faced with diminished deference and the demands for greater involvement noted above, some provincial governments have experimented with large scale planning exercises designed to find compromise positions. Such exercises have been particularly common where provinces have attempted to raise their proportion of protected area to the 12 per cent recommended in the Brundtland Report, a policy that often meant doubling or tripling protected areas from levels current in the late-1980s. British Columbia’s Commission on Resources and Environment (CORE), which tried shared decision making on a regional scale, and Ontario’s Lands for Life, which charged politically-constituted panels with the task of making recommendations on the basis of public consultations, are examples (Rayner 1996; Cartwright 2003). Science assessments and expert panels on the US model are less common, though not unknown, while the discretionary language of most Canadian forest statutes

and regulations tends to rule out appeals to the courts except in the growing number of cases involving aboriginal rights. Once again, the real success stories have tended to be local and carefully circumscribed in their scope and methods.

There are two difficulties with citing these examples as evidence that Canadian forest policy encompasses the negotiation and conflict resolution elements of a NFP. First, they lie entirely outside the NFS process and there is no evidence that the NFS negotiations have achieved any reduction in levels of conflict other than conflicts about the content of the Strategy itself. Second, as in the Dutch case (Schanz and Ottitsch, chapter 12 this volume), which contains some striking parallels to the otherwise quite unrelated Canadian example, even if the Strategy is read as committing its signatories to implement a consensus position, the predominantly pluralist conception of group representation in Canada means that it is very difficult to set up negotiating tables at which there are groups capable of speaking for any particular interest. Provincial governments have very different capacities and interests with respect to forest policy. Business associations tend to be fragmented, even at the provincial level, and environmental organisations are often coalitions composed of notoriously fissiparous campaign- and issue-orientated local groups. As the British Columbia CORE process discovered, compromises reached at the table had a tendency to come apart once a wider membership was called upon to fall into line. It is unlikely that a more formal NFP process could overcome this difficulty.

22.5 Iterative planning: a provincial responsibility

Similar considerations apply to the question of how far the NFS process embodies the principle of iterative planning. After a somewhat uncertain start, the NFS process has certainly been iterative, in the sense that the third and subsequent Strategies have been evaluated at midterm and the results of the evaluation have been a significant focus for the redrafting and discussion of the next version. The real problem lies with the claim that the NFS is a plan or that the NFS process could be described as planning in any meaningful sense. Rather, the process is self-consciously one of encouraging debate, setting some very broad strategic directions and noting concerns about the present state of forest policy in Canada with respect to realising the larger “vision” of sustainability.

Now, it might be claimed that the NFS cannot be a plan in the narrower sense of the term because planning responsibilities lie with the provincial governments as landowners and with their licensees as part of the terms of their forest management agreements. However, the real issue here is not where planning takes place but the disjunction between the increasingly sophisticated repertoire of policy instruments and forest management techniques now in place and the lack of explicit objectives that the instruments and techniques are supposed to attain (Nilsson and Gluck 2001). In part, of course, this disjunction is a product of consensus-oriented decision making in the context of a deeply divided and conflict-ridden policy community. While everyone can agree on a “vision” stated in sufficiently vague and anodyne language, disagreement erupts as soon as an attempt is made to express the vision in terms of objectives that could drive plans.

In Canada, as in many other countries, an attempt is being made to use criteria and indicators (C&I) to bridge the gap. However, the C&I process has typically been a technocratic, top-down one, which, though coordinated by the CCFM, has been kept distinct from the NFS. More promising developments are taking place at the provincial level. In Ontario, the Forest Resource Assessment Policy (FRAP) sets out to measure progress towards desired future forest conditions in an iterative process that coordinates a large number of Ministry of Natural Resources’ strategies, policy statements and other initiatives

(OMNR 2003). The participatory element, however, remains weakly articulated in the sense that some of the components policies were the result of sophisticated involvement exercises while others were not. In British Columbia, new Sustainable Resource Use Plans, facilitated by the Ministry of Sustainable Resource Management rather than the Ministry of Forests, hold out at least the promise of a more participatory approach to objective-driven management, one that again links a number of other key policy initiatives including the Working Forest Directive and the results-driven Forest Practices Code (BCMRS 2002). Sustainable resource management plans are, however, too new to be fairly assessed.

22.6 Intersectoral coordination: beyond policy broking?

Intersectoral coordination is perhaps *the* critical function that can be performed by a NFP in a decentralised federal system. The combination of uneven economic development in Canada combined with almost exclusive provincial jurisdiction over forest policy makes the issue of coordination particularly tricky. As already noted, provinces have distinctly different interests in the management of their forest resources and different capacities to carry out independent policy initiatives, all the while sheltering under the vague and capacious umbrella of sustainability.

Unfortunately, intersectoral coordination is undoubtedly the weakest element of the NFS in Canada. Once again, the situation is strikingly similar to that described in the Netherlands, where the Strategy approach provides for what Schanz and Ottitsch (section 12.7, this volume) call “linkages without coordination”. In this respect, the gradual development of a real arms-length relationship between the CCFM and the NFS process is not necessarily a positive development. The CCFM exists as a forum for coordinating the forest policies of the various governments and, within the limits imposed by Canada’s decentralised federalism, it has become a reasonably effective instrument for doing so. The Strategy, on the other hand, has become a forum for linking the various groups and interests with a stake in the forest policy sector without providing any real capacity to coordinate their activities, other than the “brokering” functions already noted.

Moreover, the scope of the coordination problem and the need for some more sophisticated coordinating mechanism has become more rather than less pressing. The movement towards greater reliance on private sector governance capacity to achieve public purposes in forest policy (chapter 2) poses real challenges for coordination. Reflecting on their experience in devising the fifth NFS, the Sierra Club of Canada, a campaign-orientated environmental organisation, listed a number of issues that they felt had not been sufficiently addressed in the NFS: “forest certification, environmentally perverse subsidies, intensive forest management, climate change impacts and adaptation, and the on-the-ground requirements to practice ecosystem management” (Sierra Club 2003, pp.12–13). With the possible exception of the last issue, which is a question of technique, all the others raise acute coordination problems. Can certification be a private arrangement between corporations and civil society? How will government steer their private sector partners towards public goals if they can no longer use a range of financial incentives because of their environmental consequences? What structures need to be put in place in order to ensure that the response to climate change deals efficiently and fairly with different sectors? Once again, there is little doubt that a more formal NFP process is potentially a vehicle for addressing these coordination problems at a national level, while the NFS with its exclusive focus on agenda setting and problem definition, fails to do so.

22.7 Conclusions: the challenge of governance

The changing shape of the NFS has reflected the vicissitudes of the all important federal-provincial relationship in Canada. Originally intended to help promote federal leadership in a coordinated national forest policy designed to address some specific difficulties of the forest industry, it was transformed into an instrument designed to support a collaborative and defensive response to international concerns about Canadian forest practices. While the federal government continues to influence Canadian forest policy in a variety of ways, it is hard not to come to the conclusion that the NFS is now a policy instrument in search of a problem.

Ironically, of course, there is no lack of policy problems to which the NFS could be attached. Our argument, however, has been that the NFS needs to evolve much further towards the formal NFP if it is to be effective in tackling them. To the objection that the extremely decentralised character of Canadian forest policy and administration precludes any kind of *national* programme, we respond that this depends on the way in which a NFP is conceived. In an era in which the style of resource and environmental policy in Canada is characterised by rationalisation rather than collaboration; in which the governance of policy networks composed of both public and private actors is at issue; and in which civil society's interest in participation and capacity to participate has never been greater, there is a real opportunity to engage in a NFP process. What will always be different in Canada is that the provinces will continue to retain control over the substantive instruments of forest regulation and management and no NFP process that attempts to challenge this control will have any chance of success.

However, the instruments of governance are in many respects different from the traditional instruments of regulation or markets. Especially in connection with regulation, there is the recognition that "regulated enterprises have a diversity of motivations and that it cannot be assumed (as in some version of command and control regulation) that deterrence is the principal weapon available to regulators and policy makers" (Gunningham and Sinclair 2002, p.199). While so-called "next generation" forest regulation (chapter 2, this volume) will still mostly be carried out in the shadow of the law – and, in Canada, those laws will be made by the provinces – they will rely on motivations broader than legal deterrence, such as the impact of negative publicity, informal sanctions, third-party incentives, legitimisation (especially where private corporations are engaged in quasi-public activities) and the maintenance of trust.

In these respects, then, the regulatory activities of provincial governments will become less rather than more important. We have already noted some provincial initiatives that focus on a more objective-driven planning process that is similar in form to a *regional* forest programme (RPF). A NFP that attempted to fill in the gaps in such RFPs, for example, by continuing to engage the forest policy community in debate about what these objectives should look like from a national rather than a purely local perspective, would complement rather than compete with RFPs. Similarly, objective oriented planning and regulation depend on the provision of trustworthy information and audit. The inclusion in the fifth NFS of a whole new section on information and accountability is a very timely recognition of the role that could be played by a NFP that built on, rather than competed with, provincial initiatives in an era of rationalising federalism. The new stress in the Canadian Forest Service on policy analysis and evaluation is another significant development in the right direction (Natural Resources Canada 2003c). Building a NFP from the bottom up in a decentralised federation and resisting the temptation to impose direction from above that could only be self-defeating will not be easy. Something like it, however, is urgently needed to respond to

the challenges of forest governance in Canada in the new century. It would be a worthy successor to and logical development of the five Strategies and a significant innovation of the NFP idea.

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