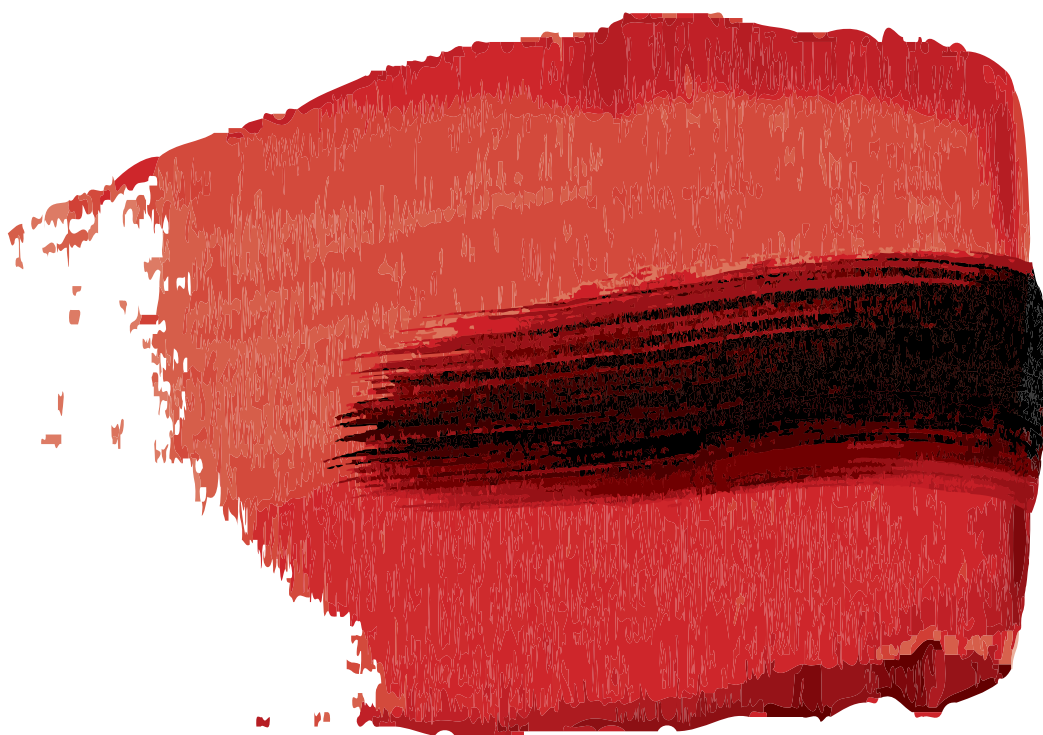


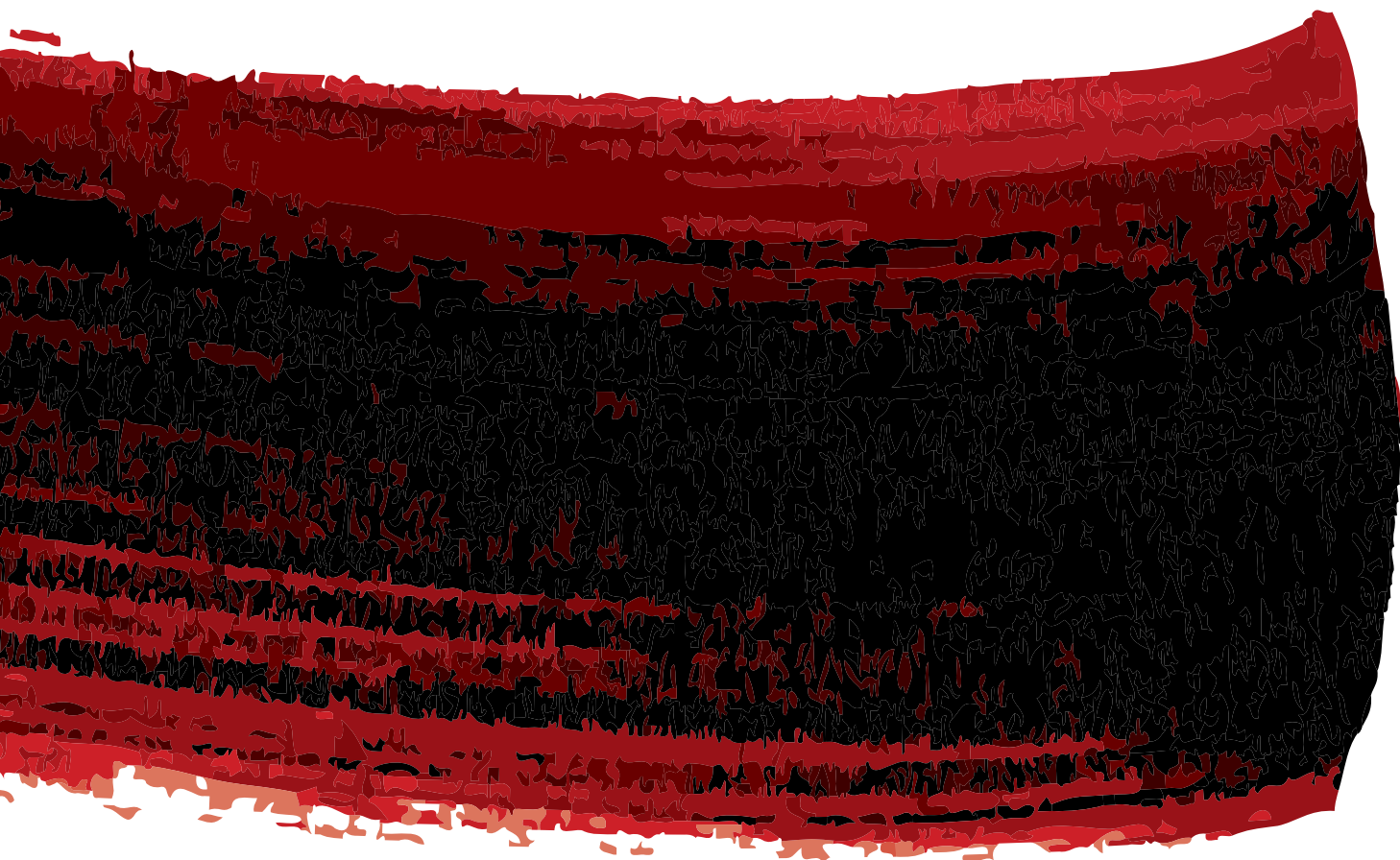
NES

ILC's National
Engagement
Strategy

Promoting people centred land governance ALBANIA



INTERNATIONAL
LAND
COALITION



ILC wishes to thank the following donors, whose support made this research possible



Ministry of Foreign Affairs



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The National Engagement Strategies

Working together towards people-centred land governance



The concept: what is a NES?

In recent years, equitable access to land, particularly in rural areas, has been high on the international policy agenda and is recognised as a crucial element attributing to sustainable development and poverty reduction. Innovative and progressive land policies and laws, particularly at the national level, are key to determining equitable access to, use of, and control over land and other natural resources.

The National Engagement Strategy (NES) is the first step of an approach being promoted by the International Land Coalition at country level, in order to create conditions for **inclusive and people-centred land-related policy change**. Jointly formulated and co-owned by ILC members and other relevant actors at national level, the NES itself is a framework for identifying key priority areas on which land-concerned actors see opportunities for catalysing change, either at the level of policy formulation or at the level of implementing existing progressive policies. The NES process also involves the establishment of a multi-stakeholder platform that accompanies the implementation of the NES, and makes necessary adjustments on the basis of lessons learned. A NES process is therefore aimed at facilitating collaborative and coordinated action amongst different stakeholders involved with land at the national level to promote people-centred land governance. Through these NES processes, opportunities are increasingly made available to national civil society actors to collaborate among themselves and with international actors, both governmental and non-governmental, and to engage with local and national governments.

Why a NES?

Political will is a fundamental prerequisite for addressing inequalities in land access and fighting poverty. However, the effective development and implementation of policies, laws and institutional frameworks requires the inclusion of a wide range of actors working together and sharing different perspectives and expertise.

A NES arises in recognition of this reality; that corrections in land inequalities, in favour of poor and marginalised groups, are more effectively achieved through the collaborative and coordinated efforts of multiple actors, rather than adopting overlapping or even confrontational approaches.

Experience has proven that NES processes have strengthened partnerships and the mutual recognition of diverse actors, producing a momentum for improved land rights. By fundamentally changing the quality of interaction between CSOs and Governments, NES processes have helped increase the political weight of civil society and vulnerable groups, shifting perspectives of Governments to see CSOs as credible sources of knowledge and experts on land related matters. National use of international instruments, such as the VGGTs and F&Gs have also fostered improvements in collaborations, as well as promoting a stronger focus on women's land rights and gender justice.

How?

A NES is developed in two phases, the first being **formulation**, and the second being actual **implementation** of the strategy.

The formulation phase of the NES is carried out through regional and national multi-stakeholder consultations and workshops, where participants – identified amongst the key national players – identify priorities, potential synergies and agree on joint actions to be undertaken resulting in an action plan that will guide the implementation phase of the NES for the following years.

Who?

While national civil society members of ILC represent the starting point and main promoters of NES during their initial stages, NES are to be considered open and living processes for knowledge production and sharing, policy dialogue and coordinated action, and are therefore open to any civil society, public or private land actor willing to participate and contribute to working towards a united goal, that is: the realisation of people-centred land governance.

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Acknowledgements

This document is based on a series of discussions and consultations with various actors and stakeholders concerned with land issues, together with regional workshops and a multi-stakeholder workshop held at the national level. The draft scoping paper was prepared and used as a reference for further discussions and feedback, ideas about the draft document, future actions to be undertaken, and potential cooperation among actors.

This document was prepared by an assigned working group, which is grateful to the members of the Economic Commission of the Albanian Parliament (responsible for agriculture and environment), officials of the Ministry of Agriculture, Food and Consumer Affairs the Ministry of Environment, Forestry and Water Administration, the National Federation of Communal Forest and Pasture Users, relevant civil society organisations (CSOs), villagers, and various actors and stakeholders at village, regional, and national levels.

The working group is also grateful to all those who participated in the national-level workshop for their valuable contributions and their ideas and proposals to improve and finalise the preliminary draft of the strategic document.

Last but not least, the team is grateful to the International Land Coalition for the opportunity it has given to tackle land-related issues and for the support given in this respect.

Acronyms and abbreviations

AAC	Albanian Association of Communes
CCC	Consultative and Coordinating Committee
CNVP	Connecting Natural Values and People
CSCN	Centre for Studies and Consultations "NATURE"
CSO	Civil society organisation
DFS	Directorate of Forest Service
FPUA	Forest and Pasture Users Association
GDP	Gross domestic product
GEF	Global Environmental Fund
IDA	International Development Association
ILC	International Land Coalition
IPARD	Instrument for Pre-Accession Assistance in Rural Development
IPRO	Immovable Property Registration Office
IWE	Institute for Welfare and Environment
LEAA	Livestock Entrepreneurs Association of Albania
LGU	Local government unit
LPC	Land Protection Commission
LPI	Land Protection Inspectorate
MARDWA	Ministry of Agriculture, Rural Development and Water Administration
ME	Ministry of Environment
NFCFPA	National Federation of Communal Forests and Pastures of Albania
NGO	Non-government organisation
NRDP	National Resources Development Project
REFORD	Regional Centre for Forestry and Rural Development
RFCFP	Regional Federation of Communal Forests and Pastures
SDC	Swiss Agency for Cooperation and Development
SFM	Sustainable forest management
SIDA	Swedish International Development Cooperation Agency
SV/CNVP	SNV Netherlands Development Organisation/Connecting Natural Values and People
TWA	Transborder Wildlife Association

Executive summary



Albania is a country with limited agricultural land, although its geographic position, climate, and natural resources offer great potential for agriculture and rural development. A legal framework comprising a number of laws and bylaws, decisions of the Council of Ministers, and rules and regulations has been guiding the transition of agriculture from a centralised to a market-oriented sector as part of the country's wider economic processes of decentralisation and privatisation over the past 20 years. However, changes to the legal framework, political directions, and decisions made over this period have not succeeded in bringing about essential economic and social changes in agriculture and rural development. For example, there is a serious imbalance between imports and exports, which currently have a ratio of 8:2. A number of important land-related issues are still impeding the sector's development, among them property rights, land fragmentation, farm size, illegal construction, land erosion and degradation, conservation of land and natural resources, lack of modern cultivation technologies, deforestation, and a lack of new plantations. As land is such a key factor for development and prosperity, a broad-based dialogue has taken place to identify problems and challenges related to issues of land ownership and management, the land governance framework, the implementation of existing laws, the need to support beneficiaries, the actors involved and their roles and responsibilities, and potential areas for intervention and support.

In most cases, the legal framework does not provide a basis for conflict resolution: on the contrary, it has given rise to issues around property recognition and has caused conflicts. In many cases legal acts and sub-acts contradict one another; they are frequently open to different interpretations and in many cases do not favour small-scale, poor farmers or vulnerable groups such as women. In addition, the implementation of laws is very problematic, often due to a lack of proper knowledge of the legal framework, policies, and strategies for the vast majority of farmers, a lack of political will to implement the legal base, and inconsistencies in the way that laws are implemented, depending on geographic and social diversities, especially gender.

Land size, land fragmentation, and the allocation of farm plots, together with the quality of land and management practices, are crucial factors affecting efficient and effective production. The working team on this paper and the stakeholders they consulted have reached the conclusion that possible areas for intervention would best be identified by

setting up periodic dialogues on land, forest, and pasture amongst key stakeholders at the national level; piloting a unified database and mapping through use of geographic information systems (GIS), both hardware and software; piloting land consolidation in farm, forest, and pasture land (at the commune level) and considering its relation to property rights (for both men and women); addressing land ownership and registration processes through awareness and land titling on a pilot basis; addressing control of land erosion and other land management issues and lobbying and advocating for improvements to the legal land framework, through public hearings on agriculture, forest, and pasture land and decentralisation processes as part of the political agenda; and addressing issues on pasture land and livestock as natural resources that are currently misused.

Policies, laws, government decisions, and problems faced in the field related to agriculture, forest, and pasture land have been considered during the preparation of this document, which is an initiative coordinated by the National Federation of Communal Forests and Pastures of Albania (NFCFPA) in cooperation with the International Land Coalition (ILC) and other stakeholders with an interest in land-related issues.

NFCFPA is a people's organisation comprising 600,000 users of communal forest and pasture areas in Albania. They are individuals, families, or groups of families who tend about 30% of the country's forest land. NFCFPA is composed of ten Regional Federations of Communal Forest and Pasture Users and 240 Associations of Forest and Pasture Users.

This document represents an opportunity to increase the interest of relevant stakeholders, policy formulators, and decision-makers, providing a basis on which stakeholders are invited to make comments and suggestions, define necessary steps, and contribute to future land governance in Albania.

Bearing in mind the Tirana Declaration¹ in the UN's International Year of Forests (May 2011), the National Engagement Strategy (NES) for Albania aims to stimulate investments (public and private) in agriculture and other activities based on rural land, activities that are sustainable from a social point of view, are efficient and environmentally friendly, and are intended to alleviate poverty. The NES will aim to stimulate land governance to help define responsibilities, encourage dialogue between government and civil society and changes in policy formulation, and lead towards a full decentralisation of management rights and control over forests by villages and families. It will encourage political dialogue by stakeholder groups at national level on ways to improve land management to fulfil the basic needs of poor families, along with the preparation of a national plan on land consolidation and modernisation of the cadastral system.

1 <http://www.landcoalition.org/en/tirana-declaration>

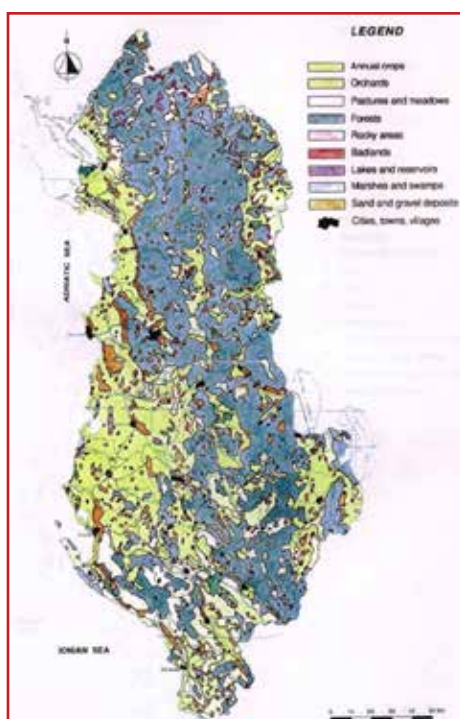
Background

Context

Land is the main element for the livelihood and survival of the population, especially in rural areas. The continuous growth of the world's population has made the role of land even more important, especially the role related to food provision.

In 2010, 4,000 sq m of land served to feed 1.6 people on average, but in 2050 the same area will have to feed four people; this is because by 2050 the global population is projected to grow by 50%.

Albania has 2,875,000 hectares of land in total, of which 690,000 hectares are arable land (24% of the total). Of the total territory, a considerable part is occupied by forests, with about 1,063,750 hectares (or 37%); pastures account for about 517,500 hectares (or 18%) and other types of land for about 603,750 hectares (21%). The agricultural sector is one of the most important to Albania's economy: around 17% of gross domestic product (GDP) comes from agricultural production and almost 50% of the population live in rural areas. Poverty is still mainly concentrated in rural areas.



Geographically, Albania is divided into three regions: a low-lying coastal area that contains 44% of the arable land and is considered the most fertile, with the highest potential for agricultural development; a hilly area, which has 37% of the arable land; and a mountainous region, with 19% of the arable land. Around 81% of agricultural land is privately owned, and 19% is owned by the state. Of the total forest area, 37% is administered by the state and 60% by rural municipalities, or communes; only 3% is privately owned. Of pasture land, 55% is in state ownership, 38% is owned by communes, and 7% is in private ownership.

Figure 1:
Map of land typologies in Albania
(Source: FAO)

Twenty years after the beginning of its reform process, Albania has about 388,697 farms with an average size that is still very small at about 1.26 hectares per family, with farms consisting of several different plots (on average 4.7 plots per farm). This compares with an average of 5 hectares per farm in Central and Eastern European countries and 27 hectares in countries in Western Europe. Small farm size is one of the main factors limiting competitiveness in the region, and beyond.

Land rights and registration remain hot topics and a cause of dispute, and in many cases even lead to armed conflict between relatives and/or neighbours. In remote areas, access to land by farmers and vulnerable groups is problematic and raises issues of social and economic disparities.

According to 2011 census data, Albania's population is 2,831,741, with a density of 98.5 people per sq km, and a ratio of 50.2% male (1,421,810) to 49.8% female (1,409,931). The 2011 census showed that for the first time the urban population was larger than the rural population, with 53.7% living in urban areas and 46.3% in rural areas. This is a result not only of population movements from rural areas abroad, but also domestic migration towards urban areas. This movement is also reflected in a declining number of people occupied in the agriculture sector, with the agricultural labour force decreasing from 526,337 in 2002 to 506,664 in 2011.

Albania has a negative balance of imports and exports of agricultural products, resulting in a ratio of 8:2 in recent years. There is thus an urgent need for more effective and efficient use of natural resources, an area where land management and agricultural best practices play a crucial role. In this context, land issues should be a priority in the country's political agenda; the aim of this document is to play an important role in lobbying and advocating for this to happen.

Albania's juridical regime for land has evolved over a number of distinct periods, spanning pre-Independence in 1912; from independence until the Second World War; from 1945 until the collapse of communism in 1992; and the post-communist period of the past 20 years.

Signs of private land ownership in the low-lying areas of the country were documented as long ago as the fourth century BC, while in mountainous and remote areas ownership rights to land were regulated according to common laws, which in most cases were unwritten. The Romans enforced their laws in arable areas, with private property dominant. The emperor Justinian approved the first agrarian law, which was subsequently amended many times, depending on rulers and socio-economic developments in the parts of the country that were under occupation.

In the mountainous areas, relationships were regulated through three main laws – the "Kanuns" of the mountains or Leke Dukagjini, of Arberi or Scanderbeg, and of Laberi or the South. These Kanuns sanctioned small-scale private property as the main type of holding in the country's mountainous areas, along with feudal property and common use property inherited via the primitive community system.

The Ottoman Empire's regime of land governance was established following its conquest of Albania and was based on feudal military property. The Ottomans introduced land registration and declared all land (arable, meadow, pasture, forest, etc.) to be state property administrated by the Sultan. Later, the period 1800–1864 was characterised by a series of land reforms that brought other organisational changes, based on the French system. In

uncultivated lands such as pastures, rent was collected. Laws on land were complicated and hard to understand, subject to continual change, in conflict with local traditions, and violently imposed; hence they were often not recognised or enforced, with consequences for land and natural resources.

After the proclamation of Independence in 1912, the Albanian state confiscated the properties of the Turkish state but maintained private property. Land was shared out in an unequal way, and as a result just 3% of the population ended up possessing 27% of the land. The best of the fertile land was in the hands of a small number of large land owners, the state, and religious institutions; meanwhile about 14% of the population in rural areas were landless. During this period, for the first time as an independent country, Albania promulgated its own law on Forest and Pastures, dated 27 January 1923.

After the Second World War, the Law on Agrarian Reform was accompanied by the redistribution of more than 170,000 hectares of land from large owners to some 70,000 families with no land or with less than 5 hectares. At the same time, large or medium-size owners were permitted to possess no more than 5 hectares. This process was followed by the distribution of officially recognised ownership titles called *tapi* to the new land owners. Further, the policies of the Albanian state immediately led to the collectivisation of land and assets, a movement that originated in 1946 and led to the establishment of the first agricultural cooperatives and later of state farms. As a result, at the end of the 1980s the sector's structure included 77 state farms and 415 agricultural cooperatives, with only 4.3% of land possessed by the private sector.

At the beginning of the 1990s, with the collapse of the communist regime, land reform was introduced, based on Law 7501 of 1991, which privatised the cooperatives and state farms. The distribution of land under this reform benefited 445,000 families; as a result, 80% of all agricultural land was owned by farmers and only 20% by the state. This process has proved to be an important factor in poverty alleviation, as farmers began using their land not only to meet their own food needs but also to sell produce in the market.

Formulation of the National Engagement Strategy (NES)

This strategy document has gone through a clearly defined process and is based on broad-based consultations and discussions. The first step was the establishment of a national-level Consultative and Coordinating Committee

(CCC). This committee is composed of 15 members including representatives of the Albanian Parliament, the Ministry of Agriculture and Rural Development, the Ministry of Environment, Forest and Water Administration, the Ministry of Interior, civil society, and academia. For the purpose of this process, three meetings of CCC members were organised. In addition, a number of individual meetings on land reform strategy were organised with the Head of the Parliamentary Commission on Production Activities, Trade and Environment, with the General Director of Land and Water Resources, and with representatives of the Ministry of Justice.

Consultations were also organised with officials from the Ministry of Environment, the Ministry of Finance, the Ministry of Economy, and the Ministry of Interior, focused mainly on the Platform for Forest Privatisation in Albania, which has become part of the strategy paper.

The consultation process also involved, chronologically, the following activities:

- » Twenty meetings were organised to increase the capacities of Forest Users Associations and local government units (LGUs) in the management of communal forest and pasture areas, and to increase awareness at the village level. The meetings were organised at local (village) level in Tirana and Lezhe districts, which are pilot areas for the purpose of this strategy.
- » At regional level, two workshops were organised in Tirana and Lezhe, with the participation of various stakeholders, e.g. commune representatives, village actors, the Ministry of Environment, the Directorate of Forest Service (DFS), regional federations and local associations of forest and pasture users, and civil society. The purpose of these workshops was to discuss the outcomes of village-level meetings, participatory planning, and the farmer forestry model.
- » A two-day national workshop was organised in the capital Tirana and was attended by approximately 40 participants. The first day focused on outcomes from village- and regional-level meetings and was split into three sessions: on strengthening sustainable communal forests and pastures; developing the farmer forestry model, building experiences on this model, and disseminating these experiences more widely; and a discussion of critical challenges.

On the second day of the workshop the scoping paper was presented and was discussed by participants, who suggested improvements to the document and to the strategy itself. Through discussion, the most critical and urgent challenges were identified as: i) legal improvements in the ownership of agricultural, forest, and pasture land; ii) making progress with the forest and pasture land transfer process; and iii) strengthening the role and capacities of forest and pasture users' associations as well as women's involvement in decision-making processes.

Land and forest governance challenges in Albania



The formulation of the NES began with an assessment of the current challenges and limitations faced by traditional land users living in rural areas. The analysis highlighted the main contradictions in the national legal framework related to agriculture, forestry, and pasture land; these are examined below. This section also looks at the gender dimension of the strategy and the current political context in which the strategy will sit.

Agricultural land

Law No. 7501 of 1991 – “On Land” – forms the basis for the provision of agricultural land in Albania, both in terms of ownership and use, with the intention that it should be used only for agricultural purposes. Under this law, land beneficiaries were agricultural families or former members of agricultural cooperatives. Land was shared based on criteria of parity, ensuring equal per capita shares while also taking account of soil quality. This law and Law No. 8053 of 1995 – “For devolution of agricultural land in ownership without remuneration” – enabled provision in ownership or use of agricultural land without remuneration, again with the intention that it would be used for agricultural purposes. Reforms in the four-year period from 1991 – beginning with land privatisation under Law No. 7501 and the Decision of the Council of Ministers No. 452, and including the official recognition of employees of former state farms as owners of this land under Law No. 8053 of 1995 – led to uncertainties relating to ownership and transactions concerning these lands. With the enforcement of Law No. 7501, the status of land ownership was defined under the following categories: a) legal owners of land, including the state and private owners, according to Laws No. 7501, No. 8053, and No. 7698; private owners receiving official compensation due to displacement from their land as a result of natural disasters or governmental projects; b) illegal or informal buyers, including those who bought land from legitimate owners in an unofficial way; c) non-legal owners, including people settled illegally on lands possessed by the state or lands possessed by private individuals.

Between 1991 and 2008, Law No. 7501 was revised more than five times, leading to the following changes:

- » Law No. 7715 of 1993, on the possibility of owners renting agricultural land to legal or physical entities, domestic or foreign, enforced the provisions of the Civil Code for arranging the **lease contract**, hence enabling the start of land **mobility**. Under the same Law, provision of land in ownership or use to legal or physical entities, as well as avoidance of disorders emerging during the process, was regulated through the establishment of the **Governmental Land Commission** under the Ministry of Agriculture and Food, as well as the **Commission on Land Division** at district level, commune, and village levels. Amendments under Law No. 7763 of 1993 stipulated that Article 8 of Law 7715 gives the **final executive title** for decisions to commune or municipality councils. The law also defines the role of **bailiff's offices** in the collection of fines when these are not paid willingly by anyone who violates the law.
- » Law No. 7855 of 1994 states that village land commissions should **submit documentation for land division** to the district cadastre according to defined provisions and criteria, and that members of commissions will be punished for administrative violations, depending on the level of damage. If commission members do not respect the provisions and/or do not submit documentation, they are liable to be denounced and prosecuted for abuse of office.
- » Law No. 8752 of 2001 addresses the **establishment and functioning of land administration and protection structures**. At the district council level it established the Section of Land Administration and Protection as a function delegated from the Council of Ministers, while an office of land management and protection was established in every commune and/or municipality. The law also defines the tasks and responsibilities of all bodies responsible for land protection and administration.
- » Law No. 9244 of 2004, on the protection of agricultural land, established **state structures for the protection of agricultural land**, their **tasks and responsibilities**; and set out measures for the **prevention of damage** to agriculture land, the **obligation to notify** officials of damage to agricultural land, and measures for rehabilitation of damaged land.

Currently, despite these laws and amendments, the legal status of agricultural land remains unclear, as farmers do not possess officially recognised land titles for the land that many of them have been cultivating for 20 years now. However, the latest initiative of the new government, following elections of June 2013, has signalled the beginning of a pilot project in Fier, the largest and most important agricultural region. Under this process, farmers will be provided with land titles and their land will be registered via the Immovable Property Registration Office (IPRO).

In addition to land categorised as arable and cultivated, around 134,000 hectares of agricultural land are currently owned by the state, of which 108,500 hectares are land for which individual farmers declined to take ownership under Law No. 7501 of 1991. The main reasons for refusing ownership were related to the land's unsuitability for agricultural purposes and included poor natural fertility; distance from residential areas; lack of

infrastructure such as roads and irrigation and drainage systems; steep slopes; a location in hilly or mountainous areas with poor soil quality and vulnerability to erosion; small and fragmented land area, among others.

In addition to this category of land, some areas that could potentially be cultivated have been abandoned due to factors including domestic rural-to-urban migration, lack of supportive government policies for agricultural development, lack of knowhow to bring these areas into efficient production, and lack of financial support schemes such as subsidies. Poor quality and unfavourable locations have made the status of such land unclear, i.e. whether it is of any interest to purchasers or tenants.

The issue of restitution and compensation for former land owners (those who held land that was collectivised after WWII) is still unresolved, and has created insecurity around land ownership and investment. Law No. 7698 of 1993 – “For restitution of property to former owners” – states that families who owned land before 1945 can request restitution of their non-agricultural properties, or otherwise be compensated with physical property or financial compensation.

The unresolved issue of restitution/compensation has become one of the main obstacles to the completion of land reform and official land registration. The initial law authorised the restitution of land and houses within villages, as well as in some cases the restitution of forest and pasture land, but did not include the restitution of agricultural land. Nevertheless, in practice this rule has not been rigorously enforced: in several villages land has been divided between inhabitants based on ownership before 1945, while in some cases land has been occupied by newcomers and the local authorities have pursued the principle of equal shares, according to Law No. 7501. In other cases, conflicting documents have been used to establish ownership, such as where different families have claimed ownership of the same property. Similarly, restitution of forest and pasture land has taken place in some areas but not in others; meanwhile the status of many forest and pasture areas is unclear, as it has been proposed that they be used as an alternative form of compensation for former owners. The case of forest and pastures is even more complicated, as in many cases the status of ownership and of territorial boundaries is unclear.

Fragmentation of land has led to decreased efficiency in farming, making it difficult to establish proper infrastructure or organise cultivation, as fragmentation restricts crop rotation. It also limits cooperation between farmers, and is one of the main obstacles to the development of the agricultural economy and its competitiveness in the region and beyond. Fragmentation has had negative effects on both production and incomes for farm families. These problems have attracted the attention of the Albanian government, which is preparing a strategy on land consolidation and is aiming to make this issue a future priority for national policy and part of its Rural Development Strategy for 2013–2020. The land consolidation strategy aims to establish economically sound and competitive farms that meet the requirements of a modern market economy and are farmed according to environmentally friendly practices. The strategy also aims at improving the organisation of the agricultural sector and increasing the independence of private sector actors, further developing the sector by establishing a more appropriate farm structure, improving

infrastructure, and developing a system of market-oriented family farms. The strategy includes a 15-year action plan with interventions on policy, institutional and legal aspects, methodologies, capacity building, and so on.

Natural resources, including land, are under constant pressure from over-exploitation, with erosion being one of the most urgent issues to be tackled. Factors causing erosion include degraded vegetation, deforestation and overgrazing, land degradation caused by cultivation practices, the activity of hydrological networks and rivers, sloping terrain (60% of agricultural land lies on steep or very steep terrain), climate change, the quantity and distribution of rainfall, average altitude above sea level, population growth, migration, changes in consumption habits, corruption and other forms of poor governance, lack of investment in land protection, and new afforestation, among others.

Erosion is apparent across the whole of Albania and appears in various forms, such as surface corrosion of soil, river stream beds, in the form of solid sediments, landslides, and physical and chemical degradation of land, which not only erodes land but affects its quality and functions, such as soil fertility.

Around 20% of Albania's land is prone to critical erosion at a rate of over 50 tons per hectare per year; 70% of its territory is being eroded at a rate of 30 ton/ha/year and 10% at 15 ton/ha/year. Each year, Albania's land loses an average of 2–5 mm of soil cover, with an estimated value of USD 5–7 million.

Monitoring of soil corrosion in river beds, sea, and solid sediments during flooding has shown that the Shkumbin and Vjosa rivers are responsible for high levels of agricultural land loss, due to their water flow, poor maintenance of protective banks, and increased exploitation of inert materials. Another increasingly common phenomenon is soil loss caused by rising sea levels and inland penetration: for example, around the Seman river the sea has advanced about 200 m inland along 26 km of coastline, inundating about 250 hectares of land. Meanwhile, across the country as a whole about 140,000–150,000 hectares of land area is at risk of landslides.

Forests

Law No. 8743 of 2001 defines "state immovable properties" to include "public immovable properties, if those belong to the state, including forests, pastures and meadows, as well as every kind of immovable property built on them, that serves directly to their protection and development".

With the aims of decentralisation and better administration and governance, the ownership of about 60% of Albania's state forests has been transferred to local government. The process of transfer was based on Law No. 8744 of 2001, and in particular Article 3 which, among other things, states that properties to be transferred to local government include "properties such as forest, pastures, public parks, and gardens, with the aim to be used for local interest".

Article 9 of Law 8744 defines the conditions for non-alienation of property by LGUs and states specifically: "LGUs cannot alienate the property benefited (taken) in ownership according to this law in all ways recognised by the legislation in force, against a legal or physical entity, in one of these cases: a) there is a condition or restraint that prohibits the alienation or giving in use, b) the property is necessary for performing a function of the local government."

Based on this legal framework, the Council of Ministers issued Decision No. 396, “On criteria of transfer and use of forests by Local Government Units”, in 2006. This decision set critical rules for the administration of such properties and laid out the transfer process, which includes the following:

- » **Accompanying documentation** of the forest asset to be transferred, including a technical description, its location, and proof that the forest is not in private ownership;
- » **Criteria of giving in use or in ownership** such as the presence of the forest area in the commune’s territory; the clear division of boundaries; improvements in the socio-economic situation of the village/commune; alleviation of community needs for firewood supply and fodder for livestock; management based on tradition and reflected in the management plan; enforcement of legal requirements, criteria, and standards; and ensuring sustainable management.
- » **Criteria for use** such as maintaining the designation and size of the area; user identification; establishment and functioning of forest users’ associations; drafting, approval, and implementation of communal forest management plans; active participation of the community; cooperation with the regional structures of the Ministry of Environment and with forest and environmental associations; establishment of investment and maintenance funds based on income from taxes, tariffs, and fines.

Decision No. 22 of 2008, in paragraph 3, “Administering communal forest”, defines certain activities to be carried out in communal forests, such as maintenance and rehabilitation; cutting and collection of wood and non-wood products; livestock grazing based on the needs of inhabitants; and giving in use of communal forest areas according to legislation. Such activities are based on an annual exploitation plan which considers possibilities foreseen in the management plan.

An important part of this decision concerns the collection of tax and tariffs by local authorities and the allocation of funds for reinvestment. Paragraph 6 states: “Not less than 70% of the funds established need to be used for improvement of the communal forest”, and requires that LGUs should invest the funds in a transparent way, based on needs defined in the management plan.

Despite the progress made so far and impacts on the regeneration of vegetation in communal forest areas, there are a number of problems related to the incomplete execution of the process as a whole. *The legal framework on which the transfer process of communal forests and pastures is based, and many years of experience based on this process, have shown that there are shortages, gaps, and overlapping competences or controversies that hold back the transfer process and the performance of reform in this sector.* Ownership and usufruct rights to communal forests and pastures are left unclear and their further privatisation is as yet undefined. Problems include interested actors lacking familiarity with the process; issues related to the definition of boundaries between LGUs, overlapping land ownership titles, changes in the designation of territory use compared with the initial inventory of 2004, use rights to forests and their secondary products, and unclear roles and responsibilities of various actors; weak extension services at communal level; and a lack of civil society capacity to become involved in all steps of the process and to support farmers.

Article 6 of Law No. 8743 of 2001 specifies that “all state immovable properties are registered on the Immovable Properties Register in line with Law No. 7843 of 1994, ‘On registration of immovable properties’”. Registration is carried out by: a) the Council of Ministers for properties under control of the central government, which are registered as properties of the Republic of Albania; and b) LGU councils for immovable properties under their ownership, which are registered as their property, including communal forest.

In reality, properties have not yet been registered with the IPRO under the cadastral items “forest” and “pasture”. One of the main obstacles is the requirement that maps submitted to the IPRO should have a scale of 1:2,500, while at present forest and pasture maps in the management and inventory plan are at a scale of 1:10,000 or 1:25,000.

Pastures

The situation regarding pastures is unclear, as the decentralisation and privatisation of these assets have been neglected. Pastures can be transferred from central government to LGUs but, while this is recognised by law, most communes are either not familiar with their rights and roles, or are not interested in administering such valuable assets.

When rights are transferred from central administration to local government, the ownership and use status of land is sometimes left unclear. There is also a continuous impoverishment of pastures, due to a lack of investment and to overgrazing. Because of significant limitations on transhumance activities from lowland areas to mountainous ones, summer pastures have unused capacities, while there is critical overgrazing in winter pastures and those close to settlements. Especially in the southern part of the country, stakeholders lack awareness of their roles and responsibilities, and there is uncertainty around the definition of legal boundaries between LGUs and almost no participation by civil society (users’ associations). Contracts signed between owners (local government) and leaseholders (farmers) are often biased as they are short-term and so limit farmers’ ability to invest. Often contracts are signed with two or more farmers for the same plot, putting pressure on pasture grazing. Furthermore, pasture management rarely involves broad participation by local stakeholders.

Gender and land

There are significant gaps between the land rights provided under law and the reality, with particular uncertainties in laws relating to gender and land. For instance, legislation recognises ownership rights on a family basis as well as on an individual basis. The Civil Code, approved by the Albanian Parliament in 1994, and Law No. 7512 of 1991 on private property recognise private and individual ownership as well as the right of all citizens to possess and inherit property. Family ownership of land is defined according to the Law on Land; the Civil Code classifies agricultural land as being collectively owned by the family (Article 22) and not as property that can be sub-divided between family members, except in specific cases (Articles 226–228). So, while some laws guarantee equal individual rights of ownership for men and women, husbands and wives, and sons and daughters, a number of provisions in the same laws define the family and not the individual as the possessor of agricultural land.

In reality, women have limited rights to land. This is linked to their generally limited knowledge of their ownership rights, shortcomings in legislation, and unreliable court and administrative practices, as well as a lack of monitoring of law enforcement in respect of gender equality. Regardless of the efforts that have been made, women remain one of the most vulnerable social groups, along with youth, elderly people, and those living in informal areas. Meanwhile, mass migration of men and youth has left women in rural areas even more vulnerable in terms of developing their family economies. Rural women are also disadvantaged due to limitations related to ownership, access to resources, the ability to use land to build up capital, lack of participation in decision-making, and so on.

Although the law allows for equal sharing of ownership between husband and wife, in most cases land is inherited only through the male blood line, with men inheriting family and ownership titles as well as in their own names, except when the only heirs are female. Widows and divorced women are in a particularly difficult situation. Without ownership titles, women have no access to loans, cannot invest, and miss out on opportunities for support from subsidy schemes.

In future, the Albanian government is aiming to a) register properties with use of certificates and “kartelas” (land titles) under the name of both husband and wife in line with Article 41, paragraph 2 of Law 33/2012; b) record data on the IPRO electronic database that indicates the gender of the person to whom the property is registered; c) train central and local IPRO staff to respect principles of gender equality in the registration process.

Current political processes and new initiatives

A consultative process, to which most of the actors engaged in formulating the NES have contributed, took place to produce the draft Forest and Pasture Law. Comments provided by different stakeholders addressed the existing legal contradictions with the aim of creating a national law that is able to respond to traditional users’ needs and expectations. The draft law needs, among many other elements, to provide a framework for ownership and management of land. The government is responsible for taking the law forward and working towards its approval. The implementation of this strategy will support the political process of further consultation and refinement of the law and will also sustain political will for its approval.

In the meantime, a vibrant discussion is animating a current reform that will simplify and reorganise the way in which the Albanian state is administered, by creating 3–4 regions and merging LGUs, reducing the number to around 80.² Once the reform is finalised, the country will have a different administrative landscape, though the village will remain the basic unit of administration. This strategy will also take into account the 2013–2020 Rural Development Strategy and activities related to land consolidation and sustainable use.

With the approval of a forthcoming World Bank project on payment for environmental services, special attention will be given to establishing a national cadastre to ensure that traditional users can secure their rights to land, forestry, and pastures.³

² Currently there are 12 qarqe (regions) and 317 LGUs. [check]

³ World Bank, Albanian Natural Resources Development Project. <http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,contentMDK:22648459~menuPK:141310~pagePK:34370~piPK:34424~theSitePK:4607,00.html>

NFCFPA is promoting the “family forestry model”, in which farmers can support their basic livelihoods through use rights and management of small (communal, not state-owned) forests. Around 300,000 families in Albania are directly dependent on these small communal forests for their family and livestock needs, due to their lack of access to or ownership of sufficient agricultural land. Family user rights to communal registered forests are based on a related model initiated at the farm level, in Kthelle (Mirdite district) and Zall Basatar (Tirana district). In both cases, traditional users were identified, plots were measured in a participatory way, and it was decided which users had long-term use and management rights to the forest. In Kthelle, the LGU successfully applied for and received ownership of communal forests from the national government, and then transferred use and management rights to particular plots (identified through participatory engagement) to traditional users whose families had historically maintained the forest land and who had applied for the right to use it. This experience generated wider interest amongst traditional users, and further pilot activities will use the same methodology to secure land rights, with the aim of publicising the results and influencing policy.

Strategic objectives and actions



Based on analysis of the overall situation, key challenges have been identified, objectives for each challenge have been set, and activities foreseen, as follows. The aim of the NES for Albania is to build synergies between different actors to secure land rights to forest and pasture land for traditional users.

Strategic objective 1

Establish a Consultative and Coordinating Committee (CCC) to influence the formulation of policies, decisions, and an institutional framework on land and natural resources for the benefit of rural people, and disseminate the Albanian experience in the Balkan region.

Broad strategy to achieve objective 1

- » Strengthen vertical and horizontal partnerships to resolve forest and land governance issues.
- » Revise legal and institutional frameworks.
- » Enhance knowhow of stakeholders for better management in line with European Union (EU) directives on forestry.

Expected outcomes for objective 1

- » Establishment of a multi-stakeholder Consultative and Coordinating Committee
- » composed of actors engaged with the NES.
- » Legal framework improved and institutional arrangements in place to respond to dynamics of communal forest and pasture management in support of rural people.
- » Partnerships and collaborations established at different levels, including with central and local government and non-government partners.
- » Consolidate the Regional Centre for Forestry and Rural Development (REFORD) as the Balkan Network of Forest and Pasture Concerned Associations.

Activites under objective 1

Establish multi-stakeholder Consultative and Coordinating Committee

NFCFPA will facilitate periodic dialogues between different actors involved in land governance issues to build an enabling political, legal, and institutional environment for securing pasture and forest rights for traditional users. The same committee will share good practices and evidence to inform policies and processes. The CCC will be composed of the organisations that have participated in formulating the NES and will be open to new actors who can constructively contribute. An agenda of four meetings will be prepared in consultation with these actors to discuss relevant topics, from taking forward the draft Law on Forests and Pastures to sharing knowledge on best practices. Currently the CCC is composed of various institutions focusing on policy-makers and experts from the Ministry of Environment – the Directorate of Forest Service (DFS), Ministry of Agriculture and Rural Development, members of the Albanian Parliament, Ministry of Interior, IWE, NFCFPA, SNV/CNVP, LEAA, CSCN, TWA, civil society, academia, and others. NFCFPA will facilitate the meetings, which will be followed up by the production of information materials, such as policy briefs, and advocacy messages. The NES Albania communications strategy will strategically support the advocacy undertaken in this context.

Meetings at regional level

Three regional meetings will provide a forum for public debate on the legal framework for forests, pastures, and land. The current draft Law on Forests and Pastures is being discussed with different stakeholders (public institutions, civil society, and academia).⁴ During these meetings the draft law and acts within it will be discussed, including recognition of Forest and Pasture Users' Associations (FPUAs) as important stakeholders in the management of forest and pastures and the rights of users to market access. These discussions will allow inputs to be collected on defining the roles of all actors involved and will ensure coordination to avoid overlapping roles and responsibilities. Participants in these meetings will include representatives of regional governments, communes, the DFS, FPUAs, and village commissions. The debate generated by these regional meetings will call attention to the need for the law to be approved and implemented. The results of each regional meeting will be collated into a regional brief and will be disseminated to relevant stakeholders.

National meeting

An event promoted by the CCC and organised at the national level will share the results of the regional meetings. Representatives of central government (Ministry of Environment, Ministry of Local Government, National Agency for Inventory and Transfer of Public Property, Directory of Biodiversity, Ministry of Agriculture, and Ministry of Interior) will engage with preparations for this meeting and will actively participate in it. The meeting will provide a forum for discussing changes in the law that affect the roles and responsibilities of stakeholders in forest management, and will also provide an opportunity to share success stories.

⁴ Recommendations made by NFCFPA on the process of drafting the law can be found at: <http://www.scribd.com/doc/188561342/Jeto-Gjelber-133>

Consultative and lobbying steps for changes to the law

The target groups for this activity, led by NFCFPA, will be the Prime Minister, the Albanian Parliament, the National Agency for Inventory and Transfer of Public Property, the Ministry of Environment, the Ministry of Agriculture, the Ministry of Interior, and the Ministry of Justice. The steps to be taken to reach this audience are as follows:

- » Prepare and submit an informative, evidence-based policy brief document containing recommendations to the Minister of Environment on the changes needed in the draft Law on Forests and Pastures. The policy brief will be shared with all relevant institutions participating in the CCC;
- » Media coverage: publish different articles related to this topic in the “Live Green” newsletter and in national newspapers;
- » Hold formal and informal meetings with members of Parliament (the Parliamentary Group on the Development of Economic and Environmental Activities);
- » Organise a meeting with the Prime Minister;
- » In case efforts with the Prime Minister fail, prepare a petition containing 50,000 signatures to be submitted for consideration by the Albanian Parliament.

Balkans regional meeting on forestry and pasture

This activity aims to strengthen the existing regional network of forest and pasture owners and users in the Balkan region, REFORD. Representatives of FPUAs from seven Balkan countries (Albania, Kosovo, Croatia, Republika Srpska, Bulgaria, Macedonia, and Montenegro) will meet to discuss ownership rights to forest in the region and address common challenges in the framework of EU integration processes, and will produce a final resolution to be promoted regionally.

Strategic objective 1: Timeline of activities		
Timeline	Type of meeting	Topic
13–15 May 2014	CCC meeting	Launch of NES
May 2014	Public hearing of Commission on the Environment and productive activities on draft law	Draft Law on Forests and Pastures
May–June 2014	Regional meetings (three)	Collecting inputs on draft law
July 2014	National meeting	Sharing inputs from the regions on the draft law
July 2014	Balkans regional meeting	Strengthen regional lobbying on recognition of traditional users’ rights in forestry and pastoral laws (held during the same time period as the national meeting)
July 2014	CCC meeting	Way forward – approval of draft law
October 2014	CCC meeting	Securing traditional users’ rights: collective benefits for Albania; gender rights
December 2014	CCC meeting	Inter-sectoral rural development

Strategic objective 2

Achieve better management of land, forestry, and pasture by improving the capacity of local government units and forest and pasture users' associations and federations, and increasing the number of women involved in decision-making processes.

Broad strategy to achieve objective 2

- » Provide support for the transfer process, mapping, strategic planning, and analysis of forest use by LGUs.
- » Enable women to access decision-making processes through all structures (management, association, regional and national federation structures).

Expected outcomes for objective 2

- » Participatory management plans at the local level are increased in number and improved.
- » NFCFPA, regional federations, LGUs, the DFS, and FPUAs have increased capacities to develop management tools and strategies responding to the expectations of rural villages and traditional users.
- » Women are better represented in FPUA decision-making bodies and in managerial positions.

Activities under strategic objective 2

Awareness-raising campaign

The target group for this campaign will be women, especially young women, mainly from rural areas. As part of this activity, an awareness-raising campaign will be organised on gender equality and property rights issues through meetings of groups of women and the distribution of printed brochures and posters. The campaign will focus on creating awareness of women's entitlement to land, will promote co-ownership and the inclusion of women in decision-making processes, and will document and share success stories (e.g. the experience of Malzi municipality in Kukes district). The campaign will enable links with other rural women's associations dealing with broader issues of gender equality.

Provision of training courses

Sixteen training courses will be organised, each involving 20 participants and together covering the whole of the country, to increase knowledge amongst stakeholders and to build the capacities of FPUA members and the staff of LGUs and the DFS. The training will aim to build sufficient capacities to make a difference in securing land rights and ensuring sustainable management of land, forest, and pasture, including in at least 26 LGUs. It will build competencies in identifying and securing land rights for traditional users and in developing participatory and sustainable forest and pasture management plans.

Strategic objective 3

Ensure secure user rights for rural families and traditional users through participatory processes based on successful experiences, and promote investment for collective benefits in forest and pasture areas.

Broad strategy to achieve objective 3

- » Spread the transfer modality of user rights to traditional users.
- » Monitor the collection of tax and tariffs, the transparency of the process, and the reinvestment of funds (target is 70% or more).
- » Engage central and local institutions in the process of transferring user rights.

Expected outcomes for objective 3

- » 1,800 families will have access to secure tenure (traditional user and usufruct rights).
- » Transfer processes are completed, including registration (to IPRO standards) and certification in three pilot areas.
- » A unified cadastre is piloted for natural resources (forest, pasture, agriculture land). Good practices are documented and mutual accountability is promoted in the collection and management of fees and tariffs for forest and pasture use.

Activities under strategic objective 3

Mapping and identification of traditional users

Traditional users of forest and pastures will be identified in three pilot villages, in the north, south, and central areas of the country. A database will be established and work will then begin on mapping the areas, with the aim of improving planning for the use of forest, pasture, and agricultural land. This will include defining and mapping areas in traditional use (three FPUAs). Then, based on existing models developed with the support of SNV/Connecting Natural Values and People (SNV/CNVP), use of these areas will be transferred to identified traditional users. In selecting the pilot villages, special attention will be given to traditional users of pasture land (including mobility issues and contractual arrangements for the seasonal leasing of pasture), a group that is often neglected in terms of support and intervention.

In addition, training courses will be organised to build the capacities of staff of regional federations, communes, and the DFS to assist traditional users to complete the certification process (see activities under Objective 2). These will include training them to use geographical information systems (GIS) to map forest areas. The aim of this process is to overcome the separation of forest, pasture, and agricultural land and to build a unified dataset.

The information generated in this piloting exercise will inform debate within the CCC, and evidence will be provided to policy-makers for effective people-centred policies. The same experiences will be shared in the frame of the new project funded by the World Bank for the component related to the establishment of the new national cadastre and of the Swedish International Development Cooperation Agency (SIDA) project implemented by SNV/CNVP for the establishment of a local cadastre.

Monitor and support the process of reinvesting funds

The strategy will identify communes that most successfully collect fees and tariffs for forest and pasture use. Two pilot communes will be selected, one for forest and one for pasture, to: a) identify the extent of funds established from the contribution of fees and tariffs; b) support commune staff in planning investments based on established funds; and c) monitor the reinvestment of the funds, with a target of at least 70%. Cases will be documented and used to inform CCC dialogue; successful cases will be made public with the aim of building awareness and a sense of mutual accountability within FPUAs and regional and national associations. Currently only 57 LGUs out of 373 are collecting fees and tariffs for pasture and forest use.

Actors involved in land governance in Albania



Ministry of Agriculture, Rural Development and Water Administration (MARDWA)

The ministry is working, within the framework of EU funding for agricultural and rural development policies, to create the preconditions needed to enable more extensive financial support from the EU. At the end of October 2013, a signing ceremony was held for the first 15 contracts awarded under the Instrument for Pre-Accession Assistance in Rural Development (IPARD) grant scheme, which will help farmers and agro-producers to invest in manufacturing and agro-processing. This was the beginning of a significant investment in Albanian agriculture which will see farmers share their investments with EU funds. The project aims to support farmers and agro-producers to modernise their production and achieve standards required by the EU in production, manufacturing, and agro-processing, in support of Albania's ambition of EU accession.

According to the latest EU progress report, adoption of the strategy for agriculture and rural development for 2014–2020 is still pending and the establishment of a land cadastre system continues to progress very slowly. According to the National Plan for the Implementation of the Stabilisation and Association Agreement (2010–2014) with the EU, the government's short- and medium-term objectives in consolidating ownership of agricultural land are based on developing the strategy on agricultural land, usership, markets, management, and protection. Agricultural land reform, sustainable land management, and soil protection comprise three main pillars for the realisation of these objectives.

The **Rural Agricultural Development Agency**, also known as the Payments Agency, was established by the Albanian government at the end of 2008, and started operations on 1 January 2009. The Payments Agency has both a central structure and local structures, and is responsible for the administration of funds for agricultural and rural development programmes and for the implementation of policy measures on agricultural and rural development.

Ministry of Environment (ME)

At the beginning of 2014 the new government reorganised a number of institutions under the Ministry of Environment. Under this reform, the Directorates of Forest Service and Biodiversity were established, and the Environment Agency was reorganised along with regional environmental agencies, removing the function of on-site inspection. Also established was the State Inspectorate of Environment, Forestry and Water; the purpose of this new structure is to ensure that legal requirements are respected in the area of environmental protection, forestry, and water. This structure is organised at central and regional levels, and is responsible for all inspection functions.

For the past year, the ME has been working on a draft of the new forest and pasture law. Albania's existing strategy for the development of forestry and pasture is in need of urgent revision and updating.

Ministry of Interior (MI)

The Ministry of Interior recently asked the Council of Ministers to approve a draft moratorium for three years on the exploitation of forests in Albania, including a halt to the activities of licensed sawmills. Recently, the MI and ME signed a cooperation agreement for the preservation of forest resources. The agreement controls the transport of timber and stops illegal activities in order to protect forest and pasture resources.

Ministry of Justice (MJ)

There is a cross-cutting strategy for reform in the area of property rights from 2012 to 2020. This strategy is expected to address multiple problems and identify ways to balance conflicting property titles in a fair manner.

Immovable Property Registration Office (IPRO)

The IPRO's remit is the registration of property titles and other rights to real estate, based on legal documents that prove the ownership of immovable property and the preparation, maintenance, and administration of property records, census maps, and documentation proving rights of ownership and other real rights over immovable property.

Local government units (LGUs)

In June 2008 the Government of Albania formalised the transfer of land rights to 345 LGUs as a concluding response to a pilot process begun in 1998. The pilot, which was part of the Albanian Forestry Project financed by the World Bank, gave rights to 30 LGUs. In 2013 these 30 LGUs began registering their ownership of forest and pasture land. Further steps are being taken with the support of SNV/CNVP to grant certificates of use to traditional users.

World Bank

The World Bank financed the Albanian Natural Resources Development Project (NRDP), which built on and explored synergies with other Bank operations, including the Albanian Forestry Project, the Agricultural Service Project, the Microcredit Project, and the Irrigation/ Water Resources Management Project.

Through the NRDP, the International Development Association (IDA) and the Swedish government supported participatory forest and pasture management planning and investment in 251 rural communes. These investments helped to support increases in income earned from forest and agricultural activities in communal areas and to bring about a significant reduction in erosion, and Albania is now one of the first countries to sequester carbon on eroded lands through the BioCarbon Fund.

Given its large areas of abandoned and highly eroded lands, Albania has great potential for carbon sequestration, according to the World Bank. This would attract the attention of other investors to help the country afforest its degraded lands, while at the same time enabling it to sequester some carbon, bringing direct benefits to the communities that are part of this scheme as well as to the wider world.

A Payment for Environmental Services Project is anticipated to start with the support of the World Bank, the Swedish government, and the Global Environmental Fund (GEF).

SNV/CNVP – Swedish International Development Cooperation Agency (SIDA)

The project “Strengthening Sustainable Communal Forestry II – Albania” is being implemented in cooperation with the Ministry of Environment, and the NFCFPA and will be completed by the end of this year. The project is co-financed by SIDA and the Dutch Ministry of Foreign Affairs through SNV Netherlands Development Organisation.

The ultimate beneficiaries of the project are poor rural families dependent on communal forests and pastureland; it pays specific attention to the role of women in the economic and subsistence functions of forests and sustainability in forest management.

One expected result of the project is improved, decentralised management and more secure property rights for forest and pasture users in target communes in six regions. This includes improving the capacity of 12 target LGUs to manage communal forests and pastures, and securing property rights for rural forest families while respecting traditional use rights. In particular, the project supports the registration and mapping of forest and pasture land owned by the target LGUs. Further steps are being taken to grant certificates of use to traditional users.

CNVP has also implemented a **Word Bank-PROFOR project** on the “Study and Analysis of Innovative Financing for Sustainable Forest Management in the Southwest Balkans”. This was a two-year project that began in November 2011 and focused on reviewing the role and contribution of sustainable forest management (SFM) in securing environmental services. The project was implemented in two parts: one on SFM and watershed management in the Ulza watershed in Albania, and one on SFM and the production and use of wood biomass in Kosovo.

National Federation of Communal Forests and Pastures of Albania (NFCFPA)

NFCFPA is the only CSO in Albania representing the interests of forest and pasture users at the central level. The organisation is currently working on giving its comments of the draft Law on Forests and Pastures.

The Federation played a substantial role, in cooperation with the International Land Coalition (ILC), in organising the international conference on “Securing Land Access for the Poor in Times of Intensified Natural Resource Competition” in Tirana in 2011. It has also undertaken a series of initiatives on the challenges of clarifying ownership of forest and pasture land, as well as exploitation rights. This present document, and its further development based on contributions by interested stakeholders, constitutes another element of NFCFP’s efforts in this regard.

Livestock Entrepreneurs Association of Albania (LEAA)

The LEAA is the leading organisation representing the interests of artificial insemination technicians and cattle and small ruminant farmers in Albania. Established in 1999, it encourages cooperation and brings together supplies and services to promote livestock production.

Institute for Welfare and Environment (IWE)

The IWE is a non-profit NGO whose main goals are contributing to safeguarding the environment, encouraging rural development, protecting flora and fauna, raising awareness among the public and policy- and decision-makers, and improving the welfare of rural communities.

Albanian Association of Communes (AAC)

The AAC was founded in 1997 on the initiative of a group of mayors from across the country. It is a non-profit organisation representing 308 communes, which account for around 55% of the country’s population. The main body of the AAC is its General Assembly, which is composed of 308 mayors.

Centre for Studies and Consultations “NATURE” (CSCN)

CSCN undertakes studies, projects, and consultations on the protection, use, and management of natural resources (agricultural land, forests, pastures, watersheds, and other terrestrial resources) and deals with environmental and social problems. Its studies also include assessments of damage to natural resources from erosion and issues related to land degradation, pollution, flooding, urbanisation, protected areas, wetlands, and so on.

Communications strategy



There is a need to ensure that all those who have influence on land and forests in Albania, from local people to political authorities and decision-makers, are sufficiently informed with adequate knowledge to address the challenges identified.

The objectives of the communications strategy are to:

- » Ensure that a wider number of stakeholders are aware of the NES and understand why its implementation is important;
- » Provide timely and accurate information to identified stakeholders about the steps to be taken;
- » Ensure that stakeholders have opportunities to give feedback and contribute to the successful implementation of the NES;
- » Develop partnerships between NFCFPA and key stakeholders to facilitate a broad communications strategy;
- » Mobilise support for the implementation of the strategy through awareness raising;
- » Influence specific policies or policy-makers on key issues such as the transfer and registration of forest land to traditional users.

The audience (target group) includes representatives of the Albanian Parliament, the Ministry of Agriculture, Rural Development and Water Administration, the Ministry of Environment, the Ministry of Interior, forest and pasture users' associations, regional federations, LGUs, the DFS, local communities, and CSOs concerned with land, forest, and pastures.

Various tactics and communication tools will be used to reach this audience, including newsletter articles, promotional materials such as flyers and posters, press releases, social media (such as Facebook), information sharing via e-mail, and publication on the NFCFPA and ILC websites.

Coordination and mobilisation of resources



Interlinkages between NES components

The different components of the NES are inter-related. The knowledge generated and documented will be used to inform political debate. Capacity-building processes will strengthen local capacities in land governance, with the result that relevant actors will be empowered. The communications strategy will increase public awareness and will make the NES and its achievements known to a wider public. The CCC will engage actors with different and complementary expertise and capacities. Keeping the CCC open will allow the engagement of new actors relevant to the process of implementing the strategy. National and local activities will be coordinated, as well as technical and political components of the strategy.

National Consultative and Coordinating Committee (CCC)

The national CCC will embrace a wide diversity of actors with different capacities in forest, pasture, and land governance, from securing access to promoting sustainable management for poverty eradication in rural areas. NFCFPA will facilitate dialogue within the CCC and will support synergies amongst different actors.

Coordination mechanism for NES implementation

Coordination of the NES will be done by a Lead Committee consisting of NFCFPA, LEAA, CSNC, TWA, and CNVP. Each activity in the workplan will be implemented under the responsibility of NFCFPA, whose staff – at its main office in Tirana and three other regional offices in Diber, Kukes, and Korce – will also be responsible for overall coordination. Regional coordinators will coordinate all regional activities, and local and national advisers will be contracted as needed by partners.

NFCFPA's constituency of small local (communal) forest and pasture users will be the main beneficiaries of activities under the NES. LEAA will provide technical expertise on pastureland issues, and TWA and SNV/CNVP on forests, land mapping, and management.

SNV/CNVP in addition will support implementation of the strategy using its expertise on women's access to land and gender equity. The coordinating mechanism will be based on partners' complementary expertise and capacities as well as geographical coverage.

Mobilisation of resources

If the objectives of the NES are to be realised, additional sources of funding are required. Partners will first analyse the financial resources they have available for implementing the strategy (planning and reporting-based) and will use these as effectively as possible.

The strategy will be used to attract other donors working in Albania to support the multi-year process, especially GEF, the World Bank, FAO, and SIDA through the Swedish Embassy, the Swiss Agency for Cooperation and Development (SDC) through the Swiss Embassy, and Albanian institutions such as the Ministry of Environment and the Ministry of Agriculture.

Most potential donors have taken part in consultation sessions during the strategy's drafting phase, and it thus incorporates suggestions from all the actors involved and covers all people's needs and represents a comprehensive people-oriented strategy on land. In addition, the NES is in line with Albania's Rural Development Strategy and with ILC's land strategy, and so opportunities are good for obtaining support in implementing it.

ANNEXES

LOGICAL FRAMEWORK

The aim of the NES Albania is to build synergies between different actors to secure land rights to forest and pasture land for traditional users.

	Summary	Indicators
Objective 1: Establish a Consultative and Coordinating Committee to influence the formulation of policies, decisions, and an institutional framework on land and natural resources for the benefit of rural people, and disseminate the Albanian experience to the Balkan region	National-level multi-stakeholder platform on land issues in Albania	15 CCC members participate actively in periodic meetings; number of CCC members increases yearly
	Legal framework and institutional arrangement	Inputs included by NES consultations facilitated by NFCFPA in draft Law on Forests and Pastures
	Partnerships and collaboration amongst different actors	Quality and quantity of partnerships increased within the CCC
	Strengthening Balkan regional network of CSOs on forestry and pastures	ILC membership applications from the Balkan region
Objective 2: Achieve better management of land, forestry, and pasture by improving the capacity of local government units and forest and pasture users' associations and federations, and increasing the number of women involved in decision-making processes	Participatory management plans at the local level increased and improved	26 additional participatory management plans developed Quality of management plans improved
	NFCFPA, regional federations, LGUs, DFS, and FPUA capacities increased for developing management tools and strategies responding to expectations of rural villages and traditional users	16 training courses for 20 participants each on participatory and sustainable management plans
	Women are better represented in FPUA decision-making bodies and managerial positions, and have better access to resources	Number of women participating in meetings Number of brochures and posters distributed to women Media coverage Number of women on the boards of FPUAs and federations
	1,800 families have access to secure tenure (traditional user and usufruct rights)	Agreement between LGUs and traditional users
Objective 3: Secure user rights for rural families and traditional users through participatory processes based on successful experiences, and promote investment for collective benefits in forest and pasture areas	Transfer processes are completed, including registration (IPRO standards) and certification in three pilot areas	Number of families receiving forest use certificates
	Unified cadastre for natural resources (forest, pasture, agricultural land)	One pilot developed
	Document good practices and promote mutual accountability in the collection and management of fees and tariffs for forest and pasture use	Two good practices recorded Increase in number of LGUs collecting fees and tariffs, and related reinvestment in forest and pasture lands

Means of verification	Assumptions	Baseline
List of participants; records of proceedings; communications products	Political stability and functioning of institutions are an external factor for successfully achieving this objective	15 CCC members (targeting policy-makers for change)
Draft law; process of approving law Regional and national meetings, reports/briefs	Political will and stability of the government	Comments provided by NFCFPA on 25 Articles
Project reports	Enabling political environment for collaboration	Five CCC members; quality/degree of current expertise and competencies within existing CCC
Common resolution to address European Union and national processes	Enabling political environment in seven countries	Seven countries
Participatory management plans	Local capacities and interest generated to develop participatory plans	Out of 373 LGUs, forest has been transferred from national to local ownership in 317 LGUs. 250 LGUs have developed management plans, of which 80 recognise traditional users
Records of lists of participants; training modules; participants' evaluation	Expertise within CCC in developing effective training modules	None
Awareness campaign materials; brochures	Effective campaigns conducted	Current percentage of female participation on boards is about 10% (to be confirmed following update of NFCFPA membership database)
1,800 official agreements recognised by the commune	LGU council body has an enabling environment to approve transfers to traditional users	180 families have forest user rights
Database of traditional users in three villages Set of official documents	LGU council body has an enabling environment to approve transfers to traditional users	None for traditional users
Database and geo-referential records	Inter-sectoral data barriers can be removed	None
NFCFPA database and documents	LGUs are incentivised to promote fees and tariffs for reinvestment	57 LGUs collecting fees and tariffs on forest and pasture use, of which two LGUs are reinvesting in communal forest and pasture lands

LIST OF PARTICIPANTS IN THE NES WORKSHOP

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Ilmi Gjana	Directorate of Forestry Service
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ILC Mission

A global alliance of civil society and intergovernmental organisations working together to promote secure and equitable access to and control over land for poor women and men.

ILC Vision

Secure and equitable access to and control over land reduces poverty and contributes to identity, dignity, and inclusion.

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