

## Conflicts of Interest on National Parks and Protected Areas during the Transition Period in Albania

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**Abstract:** National Parks of Albania are the most frequented by visitors, because patches of virgin forests, high biodiversity, landscape beauties and nature monuments are present within their areas. During the hard transition period some conflicts of interest have risen on parks and protected areas, which delay their proper management and in a certain degree they affect the flow flux of visitors. The rural appraisal method was mainly used for identification of conflicts. The analyses of factors and causes of these conflicts allow to give some recommendations for their solution, which will influence, in parallel with other measures, on the sustainable management of parks and protected areas, evaluation of their multiple values by the society, and increasing the income of the local communities.

### INTRODUCTION

National parks and protected areas of Albania cover 166,000 hectares, or 5.8% of the country's area. The flow of visitors is increasing continually due to their multiple values like biological diversity, landscape beauty and natural monuments. Many areas are natural or virgin ones. Within them are found specific habitats (at least 30 types and subtypes of habitats, and over 540 communities), 27 species and 150 sub-species of endemic plants for Albania, and over 540 rare species of flora and fauna. (Albania - Convention on biological diversity, 1999).

There are 13 national parks at present, with an area of 53 000 ha (1.84% of the total land area). All parks and protected areas are state owned and managed by the national forest service. Parks are managed mainly for ecosystem protection and recreational purposes, but they have multiple values and functions. Among others, some forest patches considered as sacred forests, where people have always prayed, or gathered in meetings or local holidays have been organized, still continue to be protected and considered such as in the old times. Tomorri Mountain, where thousands of peregrines come here from Albania and other countries as well, since ancient times till today, is considered and continues to be called as a "Sacred Mountain". Also, some other ancient historical places are well known like Butrinti, where, according to the Roman Poet Virgilius, have stayed the hero of Ancient Troy, Enneas. While in Llogara, the place where stayed to rest Julius Caesar during his incursion against Pompeius to the Base Illyria, even today is called "The Caesar's Pass".

By the beginning of 1990' the surface of protected areas was not more than 2% of the total land, and only 6 national parks were declared with a

surface of about 10,000 hectares. But, within their areas there were cases when improper activities have taken place, like: the industrial exploitation of bauxites, stone and gravel mining in Dajti, sand excavation and resin collection from pine trees in Divjaka, collection of medicinal plants, litter collection for fertilizing soils, grazing of military units livestock, besides wood cutting and livestock grazing on peripheral areas of protected areas by surrounding villages.

Some efforts on conservation and protection of parks and protected areas have led to the maintenance of their integrity and wilderness, the previous ones being enlarged and new ones have been declared in recent years.

However, these areas like other natural resources in Albania, after '90 on are suffering the consequences of the hard transition from a centralized and planned economy to the market economy. Besides some damages through cutting trees, livestock grazing, fires and other injuries, some conflicts of interest are present. Such conflicts delay the proper management of the parks and protected areas and in a certain degree they affect the rate of visitors' flow.

This study aims the identification of conflict types and gives some recommendations for their solution, which would have their impact on sustainable management of parks and protected areas, in parallel with other measures, on evaluation of their multiple values by the society, and contribute on increasing incomes for the local communities.

### METHODS

For identification of the main issues and conflicts on parks and protected areas the following methods were used:

Rapid rural appraisal method, personal observations in the place and informal interviews with diverse people on villages close to the parks of Dajti, Llogara, Divjaka Pine and Valbona, as well as in diverse protected areas have taken place, through which the information about the ownership traditions and use in the past and present of these areas that were declared as protected areas (after '60), present conflicts and claims of local communities.

The investigation of the forest service experience on parks and protected areas conservation and management, problems and possible solutions.

Examination of laws, regulations and documents related to parks and protected areas, identification of cases of conflicts because of discord among them or lack of enforcement of laws in power.

## RESULTS

The results of diverse applied methods during the implementation of this study pointed out that parks are the recreational areas the most visited almost during all the year. The public pressure for recreational purposes is increasing especially in some areas of parks with the infrastructure, where there are parking and camping places, hotels and restaurants. Also, it is observed a high seasonal concentration of visitors. However, it is not yet used the entire carrying capacity of parks due to difficult economic situation of the population inherited by the past times, insufficient infrastructure, and minimum funds allocated. The most visited parks are: Dajti, situated 29 kilometers from the Capital City of Tirana, Llogara on Vlora District, Divjaka Pine on Lushnja District, and that of Prespa on Korca District.

The study pointed out that a series of conflicts are taking place within recreational and protected areas, partly inherited from the communist regime and partly generated during the transition period.

Conflicts have been generated between the state and ex-owners regarding ownership questions and financial compensation issues in the course of the ongoing restitution of forests and pastures. Part of the parks and protected areas declared during the communist regime have been in ownership of individuals or traditionally used by villages adjacent to them. They were nationalized without any compensation. While the majority of the surface area has been state owned.

After the democratic changes by '90s and adoption of laws based on market oriented economy, only ex-owners have the right for compensation in kind or in value, while villages have no such right. According to the 1992 legislation, protected forestlands were not to be used for compensation to the ex-owners (except for construction purposes), but were to remain state-owned. In the meantime, activities of construction

and services within parks and protected areas have been privatized.

There is no accurate evidence on the surface areas restituted to the ex-owners or for their compensation. The biggest surface restituted (before declaring the Prespa Park) is 100 hectares of forest (the maximum surface of forest area that can be restituted). In fact, ex-owners claim for the restitution of all their properties.

Conflicts have been generated between the objectives of private forest use situated within the parks and protected areas and the inefficiency of the state for compensating the economic loss of owners. Even those private forest owners, who are small in number, not yet have management plans for the objectives of forest management to be in conformity with objectives of the protected areas. On the other hand, no legal provisions exist to enforce or the state to compensate the owner for the economic loss which might have as a consequence of such a use.

Serious conflicts are between recreational, protection objectives and the objectives of other users for diverse purposes. The use of agriculture, forest and pastureland by villagers situated within the protected areas is done without any plan or goal related to protection objectives of the last ones. For example, there is a village within the Thethi Park and farmers are dealing with agriculture and livestock management using their own land and park's resources on defined plots, collect medicinal plants and a little tourism, but without having any harmonized planning. The same is the situation at the Prespa Park, which is a cross border park with Greece and Macedonia. A part of the park's forest area of some thousands of hectares is transferred from the state to the community and given in communal use to villages, but not full measures have been undertaken yet for harmonization of this use with the park's objectives.

Many villages around the protected areas continue to cut trees for fuel wood and graze the livestock on margins of these areas.

Some conflicts occur because of non-conformity between forest law and other laws, i.e. the law on tourism – according to this law, the committee for the tourism development approves the construction of touristic villages and other constructions even within parks and protected areas without the consent of forest service; the law on city planning – the council of city planning approves constructions without the presence of forest service representatives; on the other hand, there are cases where the land is illegally occupied for construction on the most visited places of the parks; the law on mines – the approval of opening new mines including stone-quarries even close to parks occurs without the consent of forest service and without considering great damages caused to the park and the environment in general (noise caused by explosion of mines for stone excavation, as well as dust; the wildlife is perturbed, the landscape is

deteriorated, the visitors are restrained for certain periods).

(Akte ligjore mjedisore ne Shqiperi/ Environmental related laws in Albania, REC, 2000)

The owners of private hotels, restaurants and bars constructed within the parks, in the near past have paid only the fiscal obligations, while nothing for the parks, because of no legal provisions for this purpose were in place. Later, they have begun to pay to the park administration the leasing rate of the land where the building was constructed.

The law allows the government bodies to lease plots from the parks and protected areas, but it is not yet applied.

Some issues related to conflicts of interest will be illustrated through aspects evident on Dajti National Park, situated adjacent to Tirana, the Capital City of Albania.

Against the park objectives, before '90 there were opened some galleries for bauxite extraction. Partly situated within the park, a stone-quarry has been functioning where the stones were excavated and lime was produced. The military unit has managed sheep and horses, which grazed within the park. The villages around the park have cut trees for construction and fuel wood and have grazed the livestock on peripheral areas. Nevertheless, the number of visitors has reached to about 50,000 persons per year.

During the transition period in this park occurred the destruction of some state owned buildings caused by irresponsible people, as well as illegal wood cutting and grazing in some areas. In addition, two big fires broke out burning all the wood in tens of hectares. The number of visitors decreased dramatically.

However, the park has important recreational and scientific values. The forest service has already put order and is strengthening the measures for the protection and management of this park. In general, the illegal cutting has been stopped. There are constructed some private hotels and restaurants. There are a number of government residences and the number of visitors is increasing day by day. Based on the survey done, it results that about 80% of the visitors to the Dajti Park are inhabitants of Tirana, whereas about 20% from the other cities of the country. In the Year 2000 was applied for the first time the entrance fee to the park for the visitors and vehicles. The sports associations, which conduct their activities in this park, pay the camping fee. However, during the Year 2000 was collected only US\$2.100 from the fees.

There is still a number of pending issues and identified conflicts that require solution for the Dajti Park.

Conflicts between the ex-owners and the government bodies; 10 individuals claim to have properties in the meadows of the Dajti Park and only one claims to forest land.

Conflicts between the recreational objectives and the interests of other users: in the stone mine of

Qafe Priske which is in the edges of the current boundary, but within the proposed extended park boundaries, there is an intensive stone excavation activity that is disturbing the fauna and the visitors and is damaging the environment. Recently, an agreement was made between the General Directorate of Forests and Pastures and the General Directorate of Mines to shut down the quarry within one and a half year and rehabilitation of the affected area.

Some buildings within the park territory continue to remain ruined and have not been privatized yet. In the military unit territory, which is a very pretty area, the visitors are not allowed to pass.

A management plan for the Dajti Park was drafted in 1997 as a model, but it needs to be revised in order to take in better consideration the interests of visitors and of local population.

There have been requests from private companies for hotel, restaurant and bar construction. There has been a request from a private agency to take by rent the park management, but there has been no support from the government bodies.

There exists an idea for the establishment of the "Friends of Dajti" Association, which would manage the park and its revenues generated, and pay all the required financial obligations.

But by law, the associations are not entitled to conduct this activity. Another idea is to create a special government administration unit with self-financing and financial obligations towards the government, whereas the General Directorate of Forests and Pastures to play only the role of the supervisor. In the meantime, is being established the center of information, education of the visitors and museum. (See: Plan for conservation and management of Dajti National park-Albania, 1997)

Based on the evaluation of this study were become evident the main causes of conflicts of interest in parks and other protected areas as it follows:

(i) It is not legally resolved yet the problem of property restitution and compensation to the ex-owners who claim ownership over certain areas in the protected areas.

(ii) There is no complete legislation on parks and protected areas, or some laws fall in contradiction with the law on forests, the application of legal clauses leaves much to desire favored also by the existing corruption.

(iii) The community and local government, the groups of users and NGO-s, have been almost not included in the planning and management of protected areas. From the surrounding villages, only a number of workers is engaged the forest cleaning and improvement, waste disposal and services for protection from fire. The local population put on sale for the visitors within the park their agricultural, livestock and fruit production. They

collect forest fruit, mushrooms and medicinal plants with no charge applied on them. And that is all.

(iv) A critical issue is the little work done for the education of public, mixed this with the difficult economical conditions. (See: Muharremaj, V., 1998: Strategies for developing and supporting nature conservation management in Albania).

(v) Massive migration of the population from the mountainous areas and their settlement in the low areas, especially close to the protected coast areas and lagoons in a chaotic way and with no planning, has created social problems and different conflicts. Among others, in this areas there is illegal wood cutting, reduction of flora and fauna, environment pollution, the coastal forest belt is very much damaged especially in Velipoja, Kuna, Tale, Patok, Gryka e Erzenit, etc. Also, the conditions of this belt have been deteriorated more from coastal erosion. In some areas the sea has entered 300-400 meters in land and 1/3 of the bunkers constructed years ago are now subsided in water. The underground water level is lowered and there is increased salinisation of soils and water. The water wells opened years ago used to get water from 10 m depth, whereas now not. On the Kune coastal area, numerous trees of diverse species are becoming dead.

However, there exist the possibilities and potentials for the resolution of the conflicts generated. The government institutions and less the Non-governmental Organizations, have been committed for the resolution of some conflicts in general for the ownership on land, including the those conflicts in the protected areas. The policies and law making to favor nature protection and the technical and financial support of some international institutions, in particular for the protected areas, are a basis for further changes and progress.

## CONCLUSIONS AND OUTLOOK

Some difficulties are faced for the protection and management of natural resources, including parks and protected areas, during the transition period in Albania. However, some efforts are in place for the improvement of the situation and gradually the experience is gaining. The interest of government bodies and non-governmental organizations is increasing for the care towards protected areas. It is proposed the declaration of new protected areas and their extension to occupy 14% of the land surface.

A great contribution is giving the Forestry Project funded by World Bank through the technical assistance of FAO for restructuring of the protected areas, the improvement of their infrastructure and management plan preparation in many of the protected areas.

The establishment of the Ministry of Environment by the midst of 2001 will contribute to

the improvement of legal framework, the control of a better management of protected areas.

Through the analyses accomplished as above, for the solution of conflicts of interest identified in parks and protected areas the following recommendations would be useful:

The improvement of legal provisions regarding the private properties, parks and protected areas and in harmonization with other laws would be necessary, and their enforcement as well. The Constitution of 1998 requires for legal improvements on property issues. It is foreseen for the Parliament to make some improvements on the law on restitution and compensation of properties to ex-owners.

Specialists are discussing on the preparation of a special law on national parks, involving environmental agencies and NGOs, users' groups and local communities.

The institutional and infrastructure improvement will be a priority for recreational and protected areas and consequently the law enforcement would be more effective.

The proper identification of conflicts for each specific park and their appropriate alternative resolutions are necessary, creating and enabling environment where stakeholders, policy makers and local communities can negotiate as equal partners and reach equitable solutions.

The planning and management has to move from an exclusive reliance on the protected areas professional to a partnership approach to protected areas (Parks for life, 1998).

Conservation agencies should recognize the rights of communities to benefit directly and equitably from the conservation and ecologically sustainable use of natural resources contained in their areas.

Local communities and interested stakeholders and groups should be solicited for active participation on the management plan preparation and implementation.

A permanent campaign for public awareness, including publications, especially for the communities situated close to parks and protected areas, for interested user groups and young people will be launched, taking into consideration the local traditions. The public should be informed on the benefits and importance of recreational and protected areas (See: The strategy for the development of the forestry and pasture sector in Albania).

Resolving disputes appropriately through a consensus building process and in line with defined objectives of multiple values will facilitate the sustainable management of parks and protected areas in Albania.

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