Opportunities and Challenges for Communal Forestry in Georgia

On the case of Tusheti Protected Landscape

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Abbreviations and acronyms

APA           -    Agency of Protected Areas
AM             -    Akhmeta Municipality
ENA-FLEG -    Europe and North Asia Forest Law Enforcement and Governance
EC         -    European Commission
ENPI    -    European Neighborhood Policy Instrument
GR         -    Government Resolution
IUCN   -     International Union for Conservation of Nature
LGB      -      Local Self-Governing Bodies
LEPL    -     Legal Entity of Public Law
LCF      -     Locally Controlled Forests
MoEPNR    -    Ministry of Environment and Natural Resources Protection
MED      -      Ministry of Economy and Sustainable Development
NFP    -       National Forest Policy
NFA    -       National Forestry Agency
NWFP       -     Non Wood forest products
SFF    -     State Forest Fund
SFM      -     Sustainable Forest Management
TPL    -     Tusheti Protected Landscape
ToR   -      Terms of Reference
WB    -       World Bank
WWF -      World Wide Fund for Nature
Executive Summary

Forests of Georgia represent a resource of great economic, social, cultural, scientific and recreational value. They play very important role in protection of soil, regulation of water resources and climate.

Today the forest sector is facing numerous problems which need to be solved. On the one hand it is necessary to ensure protection and conservation of unique ecosystem and on the other hand due to poor economic conditions of the country forest resources have to be sustainably utilized.

Main silvicultural activities in the forest sector are practically at a halt. No afforestation/reforestation, no early and mid-term tending, no pest and disease and forest fire control is being implemented. The only activity still existing is timber harvesting which is practiced in the manner far from applicable timber harvesting standards.

Lack of sustainable forest management, including its environmental, social and economic functions management has led to severe forest degradation in Georgia. A major part of the degradation is due to local use of the forests, mainly for fuel wood. Mitigation of this problem, which concerns mostly the poorer rural population, could have fundamental poverty alleviation and environmental benefits.

National Forestry Policy for Georgia recently adopted (2013) by Georgian Parliament includes provisions on importance of the development of communal forestry, which may broaden the livelihood opportunities for rural households through:

- Integrating programmes aimed at creating new job opportunities and reducing rural poverty into relevant national strategies;
- Designing and implementing pilot projects that facilitate commercial exploitation of forests by rural communities to provide employment and income opportunities and contribute to poverty alleviation;
- Increase rural communities’ sense of responsibility for their local forest resources.

In this regard development of Tusheti Protected Landscape (TPL) forest management as a first example of communal forestry in Georgia since independence (1990) is crucial for further replication to other regions.

This report was intended to examine the current status of the issues related to management of TPL forests, provide recommendations for TPL Administration to establish better management mechanisms, as well as to assess existing legal and institutional provisions to start practical steps for transition towards communal forestry.
The assessment of legal and institutional set-up of forest management in Tusheti Protected Landscape

According to current legal and institutional setup Tusheti Protected Landscape Administration is in condition to start practical management of the forests on their territory. In particular:

1. Basic legal documents are in place;
2. TPL Administration is acting and management territory (including forests) are officially allocated;
3. Draft Management Plan for Tusheti Protected Landscape as a basis for further forest management planning is prepared and waiting for approval;
4. Negotiation with Czech Government for the providing further funding of forest inventory and management planning activities is in the stage of finalization.

Study identified important preconditions which need to be fulfilled before TPL Administration starts practical forest management activities:

1. To secure TPL Administration with required number of forestry professionals.
2. To conduct trainings of personnel for creating the basic forestry knowledge capacity.

Training will support creation of basic forestry knowledge capacity within of TPL personnel. In addition the relevant APA staff could be also involved, as most of them currently lack the elementary forestry knowledge. In particular, training participants will become familiarized with:

- Internationally recognized principles of sustainable, multipurpose forest management planning;
- Ecosystem- based forest management;
- Ecological functions and values derived from Georgia’s forests;
- Basics of afforestation/reforestation;
- Guiding principles of forest fire management;
- Principles of calculation of annual harvesting volume;
- Best practice of timber harvesting, and
- Most common pests and diseases, their detection and measures to be taken against pest infestation.

Tusheti Protected Landscape Administration is in the new phase of its work related to start management activities practically. It is much appreciated that international organizations continue their support to fulfill existing gaps in local knowledge and experience.

The recommendations for development of sustainable multipurpose forest management plan for Tusheti PL

Existing legal background for forest inventory and management planning is based on Government Resolution #179 “On the rule of forest inventory, planning and monitoring” and includes elements to
ensure elaboration of multipurpose forest management plan. Resolution provides enough flexibility for forest management body to elaborate and adopt specific Terms of Reference for each planning area, which is an effective tool to bring best European experience into the planning process. In this regard it is very important to guarantee adequate technical assistance for TPL Administration in elaboration of simple and pragmatic Terms of Reference for the forest inventory and management planning.

**The recommendations for transition towards communal forestry in Georgia**

There is a legal system in Georgia which provides an opportunity to start step by step activities for the development of the process towards establishment of national wide communal forestry. The lowest territorial legal level to be in charge for local forest management are Municipalities (formerly called District or Rayon). Basic legal provisions are in place including described procedure of the forest transfer in spite of some collisions which they contain. However, there is visible discretion from both Central and Local side which makes difficult to start practical implementation of communal forest management identified by such factors as:

- No local forests are allocated and demarcated yet;
- No sublegal basis (including detailed description of obligations and responsibilities of future communal forest managers);
- Lack of finances;
- Weak professional experience.

It is evident that without intensive involvement of international donor organizations, at least at the initial stage of Communal Forest Management, municipalities would hardly be able to accept and implement forest management responsibilities.
1. Introduction

The European Neighborhood and Partnership Instrument East Countries Forest Law Enforcement and Governance II Program (the “Program”) is aimed at putting in place improved forest governance arrangements through the effective implementation of the main priorities set out in the St. Petersburg Ministerial Declaration and Indicative Plan of Actions for the Europe and North Asia Forest Law Enforcement and Governance (ENA-FLEG) process.

This Program specifically covers seven countries of the ENA Region, including six members of the European Neighborhood Policy Instrument (ENPI) – Armenia, Azerbaijan, Belarus, Georgia, Moldova, Ukraine, and the Russian Federation. The Program supports selected pilot activities to be implemented with the active involvement of governments, civil society and the private sector. Most activities will be at a country level, complemented by strategically targeted sub-regional and regional actions. The Program is supported by the European Commission and other donors contributing to a special multi-donor trust fund administered by the World Bank (WB). Implementation of the Program is led by the World Bank, working in partnership with the International Union for Conservation of Nature and Natural Resources (IUCN) and the World Wide Fund for Nature (WWF) (all three collectively referred to as the “Implementing Organizations” or “IO’s”) and in close coordination with governmental and nongovernmental stakeholders of the participating countries.

Protected areas of Georgia currently occupy 520,811.14 hectares, which is about 7.47% of the country’s territory. Approximately 75% of protected areas are covered by forests. Georgian Protected Areas are currently facing number of challenges related to the forests. The following issues were identified and are planned to be addressed within the ENPI FLEG program in Georgia:

- Supporting forest management at the local level through the assessment of methods to develop sustainable multi-purpose forest management plans for selected locally managed forests (Tusheti Protected Landscape - TPL);
- Assessment of the conditions in Protected Area forests in Georgia and evaluation of the course of actions and measures for its improvement (to be carried out in selected Protected Areas of Georgia);

One of the directions of work within the program is to address the issue of locally controlled forests (LCF) in Georgia. Though Georgian forests generally are managed by the LEPL National Forestry Agency, there are cases where local forests are transferred to local municipalities for management purposes. The Tusheti Protected Landscape is a case of locally-managed forest in Georgia. The area has a status of a Protected Landscape and it has important socio-ecological meaning for local population. Due to this fact in 2003 the area was handed over to Akhmeta municipality for management. Ten percent of the Tusheti PL is covered by forests. Currently the municipality does not have the capacity to carry out proper forest management in those forests. Due to the status of Protected Landscape, those forests are also beyond the scope of responsibility of the National Forestry Agency. Therefore there is an urgent need to get involved in this process and to provide
support to local administration. In addition to supporting Tusheti PL this activity will have a high value for transition towards community forestry (LCF) in the country. It should be emphasized that the Ministry of Environment and Natural Resources Protection declared a step-by-step decentralization of forest management and transition towards communal forestry in Georgia.

Increasingly, the Protected Areas in Georgia are facing the lack of forest management. The location and categories of such areas are very different. The main challenges in this regard is related to the assessment of forest conditions in Protected Areas and development of recommendations according to IUCN regulations and standards for specific category Protected Areas.

The National Forestry Consultant was responsible for making an assessment of sustainable multi-purpose forest management in the Tusheti PL as well as for preparing baseline information on possibilities of replication of such practice in other regions of the country. This report is prepared according to the identified outputs for the consultant which are listed below:

- The assessment of legal and institutional set-up of forest management in Tusheti PL;
- The recommendations for development of sustainable multipurpose forest management plan for Tusheti PL;
- The recommendations for transition towards communal forestry in Georgia.
2. The Assessment of Legal and Institutional Set-up of Forest Management in Tusheti PL

2.1 Legal background

There are following legal documents which provide basis for the establishment and practical management of the Tusheti PL, in particular issues related to management of forest ecosystems inside of PL territory:

1. Law on the System of Protected Areas, 1996.
5. Resolution of the Government of Georgia on the Approval of the Rule of the forest inventory, planning and monitoring, #179, 2013.

Law on the System of Protected Areas

It is an umbrella law in the field of development of protected areas system for Georgia. According to the article 8 of the law establishment of Protected Landscape aims to protect existing natural and cultural landscapes through conservation of living environment and enhancement of recreational, touristic and traditional economic or agricultural activities. Planning of protected areas in Georgia is considered as part of Country Development Strategy (article 13) and closely links to different sectoral plans or programmes including those in forest sector.

Article 18, p.4, sub.p. n) and o) of the Law related to management of protected areas provides provisions, which require close cooperation with Non–governmental organizations and general public. According to paragraph 5 of the same article Administration (management body) of each protected area is allowed to establish scientific consulting board which along with direct scientific issues may ensure direct participation of local governing bodies, local NGO’s and different groups of local population.

Law on Establishment and Management of Tusheti, Batsara-Babaneuli, Lagodekhi and Vashlovani Protected Areas

Article 4 of the Law provides main goals and objectives. Issues related to forests are described in paragraph 1, subparagraph d) as: “To ensure protection, restoration and reasonable use of land, water, wildlife, plant (including forest) and other natural resources allocated for Tusheti, Batsara-Babaneuli, Lagodekhi and Vashlovani Protected Areas territories”.

www.enpi-fleg.org
Article 28, paragraph 3 identifies activities allowed at the territory of PL, of which traditional economic activities are listed (subparagraph e).

Article 46, p.2 identifies local governing body (Akhmeta Municipality) as a management body for the Tusheti PL.

Forest code of Georgia

This is an umbrella law in forest sector, though since 2004 its basic provisions were affected many times due to changes and amendments caused by adoption of new laws and governmental decrees. By official adoption of “National Forest Policy Concept” (Georgia Parliament, 2014) elaboration of new forest law is identified as one of the priority.

Article 16 on management of State Forest Fund provides provision which considers Local Governing Bodies as managers of local importance forests of the State Forest Fund.

Resolution of the Government of Georgia on the Approval of the Rule on Forest Use, #242, 2010

This is the basic document which currently is in use by National Forestry Agency (NFA). The Resolution identifies:

- Forest use types;
- List of services provided by NFA;
- The amount of the service fee;
- Rules of allocation of felling area, their marking and timber harvesting;
- Rules of issue of timber harvesting and other forest resources certificate;
- Amount of service fee for the allocation of 1 m3 of firewood to local population at the territories of protected areas by Agency of Protected Areas.

Resolution of the Government of Georgia on the Approval of the Rule of the forest inventory, planning and monitoring, #179, 2013

It is the main document which to be used for the management planning and monitoring of State forest Fund of Georgia and will cover forest of local importance managed by Local Governing Bodies, therefore, to undertake forest inventory and management planning and further implementation of forest management at the Tusheti PL territory to be based on the requirements of this resolution.

Resolution is divided by three main parts: (i) forest inventory; (ii) forest planning (forest management plan and forest use plan), and (iii) forest monitoring.

Article 11 and article 14 of the resolution allows management body of particular forest territory (e.g. Tusheti PL Administration) to elaborate special Terms of Reference for the forest inventory and Management Plan according to objectives and functions identified for the study area.
Article 15 of the resolution establishes procedure of approval of the MP. It considers participation of all stakeholders in the review process and approval of final document based on their comments and suggestions.

Management plan for the Tusheti Protected Landscape

Management plan for Tusheti PL is prepared with financial support of Czech Republic by Nature Conservation Agency of the Czech Republic and Krkonose Mts National Park Administration. Current status of the document is “Ready for approval”.

According to MP there are following basic activities, which are identified for the protection, conservation and sustainable use of forest ecosystems inside of territory of Tusheti PL:

- Elaboration of a forest management plan;
- Progress in forest management and forest protection against fire and bark beetle infestation;
- Elaboration and implementation of rules for timber and firewood use;
- Functional register of logging for local purposes is (or to be?) developed.

First step towards achievement of identified goals and objectives is to conduct forest inventory and elaboration of forest management plan.

2.2 Institutional set-up

Tusheti Protected Landscape Administration was officially established and funded by Akhmeta Municipality in 2011 and consists of five staff member.

The problems with finalization of official transfer of the forest to be managed by TPL caused the difficulties with staffing: the administration was not able to hire the necessary staff personnel.

This process was finished in September 2014. Therefore TPL proposes to increase number of personnel from year 2015 up to 13. Proposed staffing is as follows:

1. Director;
2. Financial manager;
3. Office manager;
4. Tourism, recreation and marketing specialist;
5. Natural resources management specialist;
6. Agriculture development specialist;
7. Infrastructure and urban development specialist;
8. Ecological education and public relation specialist;
9. Cultural heritage management specialist;

2.3 Conclusion

According to current legal and institutional setup Tusheti Protected Landscape Administration is in condition to start practical management of the forests on their territory. In particular:

1. Basic legal documents are in place;
2. TPL Administration is acting and management territory (including forests) is officially allocated;
3. Draft Management Plan for Tusheti Protected Landscape as a basis for further forest management planning is prepared and is ready for approval;
4. Negotiation with Czech Government for the providing further funding of forest inventory and management planning activities is in the stage of finalization.
3. The Recommendations for Development of Sustainable Multipurpose Forest Management Plan for Tusheti PL

Sustainable, multipurpose forest management plan, based on the best European experience is an important precondition to ensure long-term successful implementation of Tusheti Protected Landscape idea. Forest management planning is step by step process, which requires qualified team of professionals and considerable financial and technical resources allocated. On November 19 one day training on the sustainable forest management planning was conducted in TPL Administration office at Akhmeta Municipality. The representatives of legal and economic divisions of Akhmeta municipality, the administration of Tusheti Protected Areas, and the administration of TPL attended the training.

The training participants received information related to the first steps towards practical implementation of forest management and explained on the main goals and objectives of sustainable forest management planning. Further the training participants were provided with the detailed guideline on Multipurpose Forest Management Planning in Georgia language, prepared by consultant (see Annex). Outline of the guideline is provided in box 1.

**BOX. 1 The Outline of the Guideline for Multipurpose Forest Management Planning**

1. **Background**
   1.1 Description of the Planning Process
   1.1.1 Objective
   1.1.2 Multipurpose Forest Management Planning
   1.1.3 Planning Support Information
   1.1.4 Forest Resource Inventory
   1.1.5 Preparation of Forest Management Plans

2. **Location and area of Management unit (MU)**
   2.1 Name and Location
   2.2 Land Ownership/Management Status, Proposed Changes, Conflicts
   2.3 Identification of MU Work Zone

3. **Socio–Economic Conditions**
   3.1 Demography and Socio–economic Situation of Population
   3.2 Land Use Distribution and User Rights
   3.3 Region/District Socio–economic Situation and Development Plans
   3.4 Demand and Supply of Forest Products and Services
   3.5 Transportation (Road Network)
   3.6 Forest Taxes
   3.7 Role of Forestry in the Economy of the Region/District
   3.8 Conclusions
## Environmental conditions

### 4.1 Climate

### 4.2 Topography and Soils

### 4.3 Hydrography and Hydrological Conditions

### 4.4 Landscapes, Vegetation types, Fauna

### 4.5 Biodiversity Hot Spots

### 4.6 Cultural Values

### 4.7 Conclusions

## Current State of Forest Resources Based on Forest Inventory

### 5.1 Forest Categories

### 5.2 Basic Data on Forest Fund and Forest Resources

### 5.3 Non-wood Forest Products

### 5.4 Types of Forest Growth Conditions/Landscapes and Types of Forests

### 5.5 Conclusions for Management Plan

## Past use of Forest Resources

### 6.1 Provisions of the Previous Plan

### 6.2 Changes in Forest Fund after the Previous Revision

### 6.3 Forestry Activities

#### 6.3.1 Final Fellings

#### 6.3.2 Thinnings

#### 6.3.3 Forest Protection

#### 6.3.4 Reforestation/Afforestation

#### 6.3.5 Non-wood Forest Uses

### 6.4 Conclusions

## Vision and Strategies for the Planning

### 7.1 Sustainable Forest Management Principles

### 7.2 Vision and Key Strategies

## Management Planning

### 8.1 Objective

### 8.2 Functional Division of MU Forests

### 8.3 Forest Protection

#### 8.3.1 Planning for Forest Protection with Biological and Chemical Means

#### 8.3.2 Plan for Forest Protection Against Over-grazing

#### 8.3.3 Fire Protection Plan

#### 8.3.4 Plan for Improvement of Sanitary Condition

#### 8.3.5 Plan for Forest Protection Against Unlawful Use and Poaching

#### 8.3.6 Plan for Preventive Measures Against Natural Disasters

#### 8.3.7 Plan for Other Emergency Measures

### 8.4 Forest Production

#### 8.4.1 Final Felling

#### 8.4.2 Use of Non-wood Forest Resources
It is not obligatory that for Tusheti forest management planning all the planning components mentioned in provided outline to be studied and used. For each particular forest area goals and objectives, and therefore components for planning should be identified separately. In more detail the issue is described in section 5.3-Forest management planning.
4. The Recommendations for Transition towards Communal Forestry in Georgia

4.1 Background

Local management of former kolkhoz and sovkhoz forest land situated around rural habitations could have a fundamental role in ultimately providing fuel and livelihood to these people. They could at the same time contribute to restoring and protecting these now severely degraded forest lands. However, to provide for more secure benefits and therefore public interest in local management, it is also warranted to allow these people to benefit from management of other forests under the State Forest Fund in their neighborhood.

In Soviet period about 540 thousand hectares of forests, mainly directly adjacent to populated areas were managed by collective farms (so called kolkhoz and sovkhoz forests). After brake down of soviet system, these entities could not resist against new economic, social and market conditions and gradually dissolved which left their forests totally out of management for the period until they were returned for management to Forestry Authority. Due to difficult economic and social conditions these forests appeared under the high pressure from local population for getting firewood and other products to satisfy their subsistence demand as well as by many groups organized for illegal timber harvesting for commercial purposes. Today former Kolkhoz and Sovkhoz forests are most devastated forest areas in Georgia.

4.2 Rights and responsibilities of local self-governing bodies (LGB) in forest sector

Rights and responsibilities of LGBs in forest sector were subject of several changes during the entire period since independence (1990).

Legal background for the management of local importance forests (this is the term used in Georgia for local/community forests) were regulated by organic law on Local Self-governance and Government which was enacted in 1995 and revised and changed in 2005 and 2014. Each version of those Laws identifies local forests as subject of local management and establishes an exclusive right for local governing bodies to make a decision on the management of the Local Forest Fund/Forests of Local Importance.

There are also two Governmental Resolutions in place to be used as practical tool for the identification and transfer of local forests under the management of Local Municipalities:

Governmental Resolution #105 of May 23, 2007 On the rules of identification of forests of local...
importance, and Governmental Resolution #240 of August 13, 2010 on the rules of identification of borders of the State Forest Fund.

**Governmental Resolution # 105 On the rules of identification of forests of local importance**

Art. 3 “Forest of Local Importance” provides definition: “Forests of Local Importance are the Forests that are transmitted to the local self-governing bodies”.

Art. 4 states that former Kolkhoz and Sovkhoz forests shall be included in the “forest fund of local importance” and also “land located close (or next) to former Kolkhoz and Sovkhoz forests”. The work shall be coordinated by Ministry of Environment and Natural Resources Protection MEPNR and the Ministry of Economic Development (MED) (Art. 5.1).

Art. 6.2 describes work, that has to be carried out in order to select forests of local importance (excerpt): (a) review and discuss information on forest resources (species distribution, age classes, total stock volume, etc.); (b) review of geo-informational planning and cartographical material, (c) request additional information from neighboring local self-governing bodies, (d) review maps and documentation on delimited boundaries.

Art. 7 describes details of the delivery of the forests of local importance. Accordingly, the forest transfer has to be based on a “Delivery-Acceptance Act” signed by MENRP, MED and the local self-governing body concerned.

Art. 7.2 says that orientation and length of boundaries, together with other data, have to be included in the “Delivery-Acceptance Act”.

**Comment:**

GR 105 is not precise enough to serve as a clear regulation for the selection of forests to be transferred to local self-governing bodies. It is again left to a subjective interpretation of the meaning of ‘land located close to or next to’.

The last cited regulation (Art. 7.2) may be a big, if not even an insurmountable obstacle on the way to completing the administrative and legal act of transferring ‘forests of local importance’ to the local self-governing bodies, because there are no official documents showing the boundaries between former State and former Kolkhoz forests. Even the outer boundaries between neighboring Municipalities are not officially mapped and registered.

It also should be noted that Resolution was not adjusted to recent changes in Georgian legislation, in particular State Commission of Land use and Protection, mentioned in article 5.2 do not exists anymore and functions of that Commission are delivered to Ministry of Economic Development and LEPL National Agency of Public Registry. Title of the Ministry of Environmental Protection and Natural Resources also to be changed as it is currently defined “Ministry of Environment and Natural Resources Protection”.

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**EUROPEAN NEIGHBORHOOD AND PARTNERSHIP INSTRUMENT EAST COUNTRIES FOREST LAW ENFORCEMENT AND GOVERNANCE II PROGRAM**

The Program is funded by the European Union and implemented by the World Bank in partnership with WWF and IUCN.
Governmental Resolution # 240 On the rules of identification of borders of State Forest Fund

This legal document is established for the purpose to regulate legal issues related with identification/correction of borders of State Forest Fund (SFF) except of boundaries of the Protected Areas.

According to article 1 Issue for consideration related to SFF borders might be initiated by any legal or physical body including LGBs.

Ministry of Economy and Sustainable Development is responsible state authority (article 2.3) which implements changes of SFF borders through the LEPL National Agency of Public Registry.

Article 4. 21 identifies the role of the MENRP in the procedure as a main state entity with whom issue to be agreed prior submission of application.

Comment:

According to this regulation initial work of the determination of forests to be transferred to local self-governing bodies, has to be carried out by the local self-governing bodies themselves.

GR No. 240 proposes that the local self-governing bodies should start the initiatives to define and map the ‘forests of local importance’ to be transferred whereas GR No. 105 gives the impression that main part of the work related to forest selection, delineation and mapping will be done by the central authorities (MEPNR).

Still there is a need to adjust regulation to current legal terminology, in particular change of title of the MENRP which is in regulation left as the Ministry of Energy and Natural Resources.

4.3 Necessary conditions for successful implementation of communal forestry

Four conditions have been identified which are necessary for the successful implementation of communal forestry:

1. The forest area of the communal forest and its boundaries must be clearly defined, demarcated and agreed upon.
2. The rights and obligations of the legal communal body (e.g. Municipality) concerning forest management must be clearly defined.
3. The legal communal body should declare its commitment to accept rights and obligations resulting from communal forest ownership.
4. The legal communal body must be capable to exercise communal forestry management including finance.
4.3.1 The forest area of communal forest and its boundaries must be clearly defined, demarcated and agreed upon

According to the „Code on Local Self-Governance“ (2014) ‘forests of local importance’ are to be transferred over to Municipalities. It is commonly understood that the former Kolkhoz forests are to form the main part of those ‘forests of local importance’ to be transferred over to Municipalities. In addition, the State also should consider transfer of some State forests, probably to balance out State and Municipality owned forest areas.

By issuing the Governmental Resolution No. 96 “On extracting of particular areas from the State Forest Fund and enclosing particular areas to the State Forest Fund” in May 2007, which was after substituted by GR #240 “On the rules of identification of the borders of State Forest Fund" the Municipalities have been put in the position of the active party, being responsible for the application of forests which they would like to get. Delineation of ‘forests of local importance’ and their mapping are important parts of the application procedure which the Municipality could hardly fulfil without external assistance.

4.3.2 The rights and obligations of the municipality must be clearly defined

According to the „Code on Local Self-Governance“, Municipalities are to get property rights on those ‘forests of local importance’ transferred over to them. Property usually includes all forms of user rights.

One of the most important conditions for the introduction and long term implementation of sustainable forest management is the autonomy over financial issues, i.e. the right to determine and collect forest fees and to use the revenues as deemed necessary by the local self-governing body.

Other important conditions concern the unrestricted management of communal forests within the limits set by approved forest management plans as well as the use and commercialization of forest products including NWFP.

In general, relevant legal regulations provide the unrestricted use of local self-governing body's property by the local self-governing body concerned, however with some general restrictions. Thus, the legal situation of Municipality rights and obligations is not absolutely clear but the risk of negative impacts on communal forest management seems to be rather low.

4.3.3 Acceptance of ‘Forests of Local Importance’ by local municipalities

Local Municipalities are obviously not clear whether to accept ‘forests of local importance’ and start necessary procedures toward getting new responsibilities. There is a clear need of assistance from central government and different donor organizations in this regard.
4.3.4 Municipalities must be capable to exercise communal forestry management including finance

Presently, Municipalities as local self-governing bodies have not yet the required capacities to protect and sustainably manage extended Municipal forest areas according to international standards. To date, they have no budget for forestry issues. At Municipality level, there are no technically qualified staff who could read, understand and implement forest management plans and maps. There is no forest administration structure. Particular rules and regulations for forest management of Municipal forests do not yet exist. Without intensive assistance and support, at least at the initial stage of Communal Forest Management, Municipalities would hardly be able to implement SFM. All Municipalities will need quite intensive professional support.

The “Code on Local Self-Governance” states in general that the bodies of the state authority shall provide the necessary legal, organizational, material and financial conditions for the development of self-governance and assist the Georgian citizens in exercising their right of self-governance. Nowhere is it mentioned that the State authorities shall assist and support the Municipalities in forest management.

However, the capacity and technical know-how of the responsible state authority, namely the National Forestry Agency, has been considerably affected by the forestry reform, particularly professional staff has been considerably reduced, technical and financial capacity is limited, therefore, the National Forestry Agency would not be in the position to provide qualified technical assistance and significant financial support.

4.4 Impact of changes in legislation on the development of communal forestry

With the enactment of the “Organic Law on Local Self-Government” in 2005, self-governing status has been taken away from the communities which used to be the as lowest legal level of local self-government (village level). The lowest territorial legal level of local self-governing body is now the Municipality (formerly called District or Rayon). The same situation is left after adoption of “Code on Local Self-Governance” in 2014.

By consequence, the ‘forests of local importance’ cannot be transferred to the communities but have to be transferred to the Municipality. The Municipality will be the owner or proprietor of the Municipal forests.
4.5 Proposed implementation strategy towards communal forestry

The detailed sustainable forest management concept can only be developed if details about the present state of the forests are known. Sustainable forest management on Municipality level can only be initiated if the forest is transferred and suitable forest management structures are developed and established. Therefore, below is proposed a step by step implementation strategy both for central and local government:

**Before the transfer of ‘forests of local importance’ to Municipality:**

1st stage: Acquisition of basic quantitative and qualitative information about the forests of the selected Municipality such as forest condition maps and forest resources information (density, volume, tree species distribution, production, regeneration, etc.).

2nd stage: Support selected Municipality to develop application documents to get the ‘forests of local importance’ from State. Also development of a draft Agreement to be concluded between the State and selected Municipality concerning rights and obligations related to management of transferred forestsiv.

3rd stage: Develop forest management plans on community or forest range level for all forests inside the proposed territory.

4th stage: Support MENRP and NFA to sustainably manage the forests under the aegis of the donor organizations. Representatives of the local self-governing body including local communities and villages have to be closely involved. The support provided by the donor organizations shall mainly concern training of NFA staff and possibly future responsible personnel from Municipality, improvement of the management and information system, and sustainable forest management according to forest management plans.

**After the transfer of ‘forests of local importance’ to Municipality:**

5th stage: Development and discussion of alternative solutions for the establishment of one or several forest management “structures” or “entities” including forest organization, administration and execution.

6th stage: Support of selected Municipality to establish the concluded forest management structures and entities

7th stage: Revision and adaptation of forest management plans, elaboration of operational plans for each forestry activities.

8th stage: Support of forest management entities of the proposed region to sustainably manage the
forests. This support shall concern all administrative and forest professional fields related to forest management. Initial main part of the support will be training of personnel, establishment of operational forest management structures and implementation of forest management plans.

4.6 Conclusion

Existing legal background provides an opportunity to start step by step development of communal forestry in Georgia. Basic legal provisions are in place including described procedure of the transfer process in spite of some collisions which they contain. Transfer of forests to Akhmeta Municipality for the management through Tusheti Protected Landscape Administration is a first obvious example towards implementation of communal forestry in Georgia. However, there is visible discretion from both Central and Local side to start practical implementation of forest management at local level identified by such factors as:

- No local forests are allocated and demarcated yet;
- No sublegal basis (including detailed description of obligations and responsibilities);
- Lack of finances;
- Weak professional capacity.

It is evident that without intensive assistance and support of donor organizations, at least at the initial stage of Communal Forest Management, Municipalities would hardly be able to accept and implement forest management responsibilities.
5. Indispensable Preconditions to Ensure Successful Forest Management by Tusheti PL

Since Tusheti Protected Landscape forests are transferred to Akhmeta Municipality and TPL Administration is established as an official entity responsible for forest management, there are number of critical issues, which are the prerequisites for the successful management of forests. These issues are:

1. To secure TPL Administration with required number of forestry professionals.
2. Preliminary arrangements for immediate activities.
3. Start forest management planning.
4. Training of personnel to create basic forestry knowledge capacity.

5.1 To secure Tusheti PL administration with required number of forestry professionals

Section 2.2 of the report did provide an explanation of current staffing of the TPL Administration and their proposal for new staff composition for 2015 submitted to Akhmeta Municipality for consideration and approval. According to the new proposal suggested staffing for TPL Administration is following:

1. Director;
2. Financial manager;
3. Office manager;
4. Tourism, recreation and marketing specialist;
5. Natural resources management specialist;
6. Agriculture development specialist;
7. Infrastructure and urban development specialist;
8. Ecological education and public relation specialist;
9. Cultural heritage management specialist;

TPL Administration proposes, that Natural Resources Management Specialist to be responsible for forest management as well. This kind of approach is practiced in the Agency for Protected Areas.
Experience shows that it is hardly possible to find an expert with broad management profile covering all kind of natural resources (forest, water, mineral resources, wildlife), thus it seems reasonable that one “Forestry expert” as separate staff member to be included in TPL Administration staff list. This expert should take a leadership in issues related to forest management like preparation of annual operational plans according to activities identified by management plan, periodically visual assessment of forest conditions, manage forest tending and thinning and wood supply, act as a liaison between TPL Administration and local population, and coordinate all other forestry activities.

5.2 Preliminary arrangements for immediate activities

As soon as Tusheti Mountains will be open for access in early June of next year TPL Administration will face a problem of timber supply for local needs, mainly for fuel wood. To be adequately prepared and in order to avoid conflict situations with local population and corresponding risk of illegal activities there is a need to conduct necessary preparatory step at this early stage, such as:

To review and adjust existing timber harvesting legal system to local conditions

Basic legal document which regulates timber harvesting issues in Georgia including Protected Areas territories is Resolution of the Government of Georgia “On the Approval of the Rule on Forest Use”, #242, 2010. Article 8 of the Resolution provides detailed description of the procedure required to ensure timber harvesting in official manner. The basic steps are: (i) allocation of felling areas in designated forest stands according to identified by Resolution #242 standard; (ii) upload of documentation on felling areas to the electronic data base for wood resources management; (iii) provide felling area for timber harvesting to particular user (in the case of fuel wood for local person who did pay resource fee about 3 GEL per one cubic meter in designated bank).

After timber harvest is completed by local user representative of TPL Administration (probably forest ranger) should undertake following steps, which are identified by Government Resolution #46 “On the rules of timber movement on the territory of Georgia and round wood processing technical Regulation”: (iv) Issue of Certificate of Origin after completion of timber harvesting by local user and ensure its upload into electronic data base for wood resources management within 6 days; (v) mark log proposed for industrial use with special marking chips (article 10.2 of the Resolution).

Based on above mentioned legal requirements TPL Administration should implement the following immediate steps:

1. To obtain official document “Certificate of Origin”. According to Resolution #242 printing of document to be organized by TPL Administration in agreement with National Forestry Agency (NFA). Funds for printing to be allocated by Akhmeta Municipality.
2. To obtain from NFA required number of special log marking chips (one chip price is 0, 5 GEL).
3. To prepare working group responsible for allocation of felling areas. Cost for allocation of
felling areas is based on approximately 3 GEL per one cubic meter of wood.

4. To identify minimum volume of wood (fuel wood and industrial timber) for local needs. According to past experience some about 1500-2000 m³ of timber is a necessary amount to satisfy local demand. TPL should obtain updated information from reliable sources in Akhmeta Municipality on necessary amount of fuel wood and industrial timber. These figures will serve for final budget calculation for the implementation of established procedure for timber harvesting.

5. To prepare legal changes corresponding local conditions. In particular, implementation of provision of Resolution #46 regarding of obligation to upload information about issued Certificates of Origin within 6 days (144 hours) seems impossible taking in account that some TPL forests are located far from internet coverage areas. Suggestion is to establish reasonable time limit for Tusheti.

5.3 Forest management planning

Development of forest management plan for TPL forests to be supported (financially and technically) by Czech Government. According to APA information negotiations in this regard are on the final stage. It would be much appreciated that with their involvement Czech experts will be able to bring in Georgian practice best European approach for forest management planning. Nevertheless, elaborated forest management plan for final official approval should be in line with existing legal framework, which is Government Resolution #179 “On the Approval of the Rule of the forest inventory, planning and monitoring”. In this regard, bringing of new ideas, modern inventory techniques and other approaches are possible through elaboration of particular Terms of Reference for management planning, as it is allowed by Government Resolution #179.

According to GR #179 entire process of forest management planning consists of: (i) forest inventory and (ii) Forest management Plan.

Basic requirements to be followed during forest inventory are given in article 6 of the resolution. Box 2 provides list of this requirements:

**Box 2. Article 6 – Forest inventory work**

1. Forest inventory work includes preparatory, field and work on the spot, from which:
   a) Preparatory work includes information collection about the study object;
   b) Field work includes activities to be made on the study area;
   c) Chamber work means analyzing and processing of data gained through preparatory and field works by special computer program and based on this elaborate forest management and forest utilization plans.
2. Technical base for forest inventory is orthophotos (aerial photos), topographical maps, forest stand plans, existing inventory data (including data from passed reserve period), digital model of study area relief height, information from LEPL – Public Register National Agency about
boundaries, specified boundaries through field work, measured locally identified boundaries according to ownership documentation.

3. If necessary, boundaries near urban and areas given to reform are measured by using high accuracy technologies.

4. During forest inventory next activities should be made:

Inventory of natural resources of forests, analysis of quality of condition indicators of existing forests and timber resources, elaboration of silvicultural events about utilization of forest’s natural resources (except fossil), maintenance, protection, renewing and improvement;

   a) Specification of boundaries (contour) of the study area, work out compartment network, elaboration of recommendations concerning division into forestry services, guarding and compartments;
   b) Creation of geo-informational data base for study object, thematic maps, preparation of measurement drawings and other cartographical materials;
   c) Identification of open and covered lands on the sturdy area, also preparation of recommendations on
   d) division of open areas into corresponding categories and on changes in the existing categories;
   e) Division of compartments into valuation area according to taxation indicators, specification of these indicators, identification of degraded, eroded, burned, blocked up, pest and deceased lands and districts with insufficient regeneration and farther planning of activities for restoration firefighting, pest and decease fighting and etc.;
   f) Identification of amount of forest and timber resources (incl. Production timber)
   g) Collection of information about products of woody species in forests, secondary materials of trees and non-timber forests resources; identification of possible areas for their production and harvesting (incl. Identification of seed, medical, honey and fruit giving districts);
   h) Identification of possible areas for health restoring, recreational, eco-touristic, sport and lands for other cultural-restoring purposes;
   i) Identification of lands for implementation of other forest utilization methods;
   j) Gaining other data which describes forest conditions;
   k) Identification of stands with "Red List", endangered, rare, relict, endemic, limitedly distributed species and untouched stands;
   l) Creation of geo-informational data base and preparation of thematic maps by a technical order;
   m) Appraisal of activities planned during last inventory (if such exists) and activities implemented in the reserve period;
   n) Making other tasks or collecting, preparation and processing of other data considered by technical task;
   o) Identification of untouched stands and stands with maximal taxation index value.
Article 11 of the resolution provides an opportunity to adjust inventory to particular forest conditions through elaboration of specific Terms of Reference. See article 11 in Box 3 below:

**Box 3. Article 11 – Basics of forest inventory**

1. Forest inventory is implemented in accordance with this resolution and requirements considered by Terms of Reference.
2. Elaboration of Terms of Reference and its approval by individual administrative-legal act is conducted by management body.
3. Tasks to be performed during forest inventory should be represented in Terms of Reference according to objectives and functions of the study area.
4. Scheme of forest inventory steps and its tasks are determined by Terms of Reference. Besides, it is possible that technical task does not require completion of tasks stated in Article 6.
5. Period of field work during inventory is time, when biological assessment of forest plants is possible.

Information to be covered by forest management plan is identified by article 14 of the resolution #179. In the same article (pp.1.g) and 5) there are provisions which allow elaboration of Terms of Reference in conjunction to local circumstances. Box 4 shows article 14 of the resolution:

**Box 4. Article 14 – Information to be reflected in the forest management plan**

1. Following information is represented in forest management plan:
   a) Short description of natural conditions and forest plant zoning inside administrative-territorial borders of municipality, also historical-geographical characteristics, relief and geological construction, oro-graphical barriers, corridors of different purposes, relief types, climate, vegetation cover, dominant woody species, soils, waters, bogs, “Red List” of endangered animals’ and plants’ diffusion area’s conditions and conditions of districts with specific functions, changes and dynamics implemented before forest management elaboration in comparison with previous inventory data (if such exists);
   b) Location and boundaries of the object, forest fund characteristics and general indicators, division of areas into forest covered, open lands and areas with specific function, distribution of dominating woody species on the study areas according to territories, stock, age, density, site quality class, height above sea level, slope expositions, inclination group areas and etc.;
   c) Representation of information concerning long-term use types applied to an area, cultural-historical and religious (cult) places, forestry services, compartments and valuation area in geo-database and on cartographical materials;
   d) List of forest use types to be implemented with indication of areas and volume, including areas for hunting farms, resorts, recreation, eco-tourism, sport and other health resort purposes, products of woody species and secondary timber materials, possible areas for non-timber forest product production and information about quantitative evaluation of possible harvest on forestry service, compartments and valuation area levels;
e) List of events and areas which are submitted or/and have to be submitted to protection, maintenance and protection activities; sanitary conditions of forests, level of damages caused by pests and diseases, and list of recommended activities for diseases preventions and liquidation; list of areas submitted to restorations-reforestation with recommendations concerning species to be planted, plantation methods and farther nursing methods; division of an area according to forest fire threat level with indication of forestry services, guarding places and compartments, recommended events for firefighting and fire infrastructure establishment and placement;
f) Methods for maximal preservation of biodiversity, water resources, soils, unique and vulnerable ecosystems and landscapes; maximal protection mechanism for animals and plants protected by “Red List”; information about demand of firewood and other forest resources from local population and also about existing silvicultural roads and ones to be installed;
g) Also other data considered in Terms of Reference.

2. Logging timber amount of main utilization is determined by the cutting area (annex 2).

3. Integral part of a forest management plan is age class and projected event register, taxation description, geo-informational database and corresponding cartographical material, which is composed in UAM (WGS-84) metric coordination system (with corresponding thematic maps).

4. Specific information considered in the first paragraph of the given article for the completion of forest management plan might not be required by the Terms of Reference.

5. Elaboration of Terms of Reference for forest management plan and affirmation of individual administrative-legal act is made by corresponding management body. Besides, it is possible to affirm Terms of Reference jointly for both – forest inventory and forest management plan elaboration.

Therefore, elaboration of simple and clear Terms of Reference adequately outlining existing legal requirements along with best achievements in the field of forest inventory and management planning is one of the top priority for TPL Administration.

5.4 Training of personnel to create basic forestry knowledge capacity

Capacity building and training is one of the major field which TPL Administration staff needs to be supported.

Training will support creation of basic forestry knowledge capacity within of TPL personnel with possible involvement of relevant APA staff, most of which currently lack of elementary forestry
knowledge. In particular they will be familiarized with:

- Internationally recognized principles of sustainable, multipurpose forest management planning
- Ecosystem-based forest management
- Ecological functions and values derived from Georgia’s forests
- Basics of afforestation/reforestation
- Guiding principles of forest fire management
- Principles of calculation of annual harvesting volume
- Best practice for timber harvesting
- Most common pests and diseases, their detection and measures to be taken against pest infestation.

Training materials may serve as an instrument to undertake assigned tasks correctly. The essentials of the training courses are set out below. At the initial stage following main topics to be focused:

- Forest management planning
- Forest harvesting
- Forest protection from pests and diseases.

Training course 1 – Forest management planning

Course is aiming to provide participants general understanding on forestry as well as describe in more detail following items:

1. Forest Management Plan as an obligatory basis for the forestry on a defined territory
2. Planning hierarchy (national plans, regional plans, forest management plans, operational plans)
3. Planning of forestry activities (afforestation/reforestation, forest nursery management, forest fire management)
4. Other forest functions/values (watershed management, erosion control, biodiversity conservation, NWFP, etc.).

Training course 2 – Forest harvesting

Since harvesting of timber resources will be an important activity organized by TPL Administration it is very important to provide training participants understanding how it should be designed and performed in a sustainable manner. Course to be based on following topics:

1. Harvest planning (identification of annual harvesting volume)
2. Forest road engineering
3. Cutting
4. Logging and transportation
5. Assessment of results of harvesting.

Training course 3 – Forest protection from pests and diseases

Tusheti forests currently are under threat due to high level of infestation. TPL Administration personnel needs to be well educated in this field. Course is aiming to provide basic knowledge in following issues:

1. Importance of forest protection
2. Main pest insects and diseases in Tusheti region and their description
3. Detection of pest insects and diseases
4. Measures to be taken against pest infestation.

5.5 Conclusion

Study identified number of activities as an important preconditions to start practical forest management by TPL Administration. Some of them might be solved internally by Akhmeta Municipality, some require cooperation with central government and some hardly to be performed without outside support. These issues are listed in table 1:

Table 1. List of an important preliminary activities

<table>
<thead>
<tr>
<th>#</th>
<th>Activity</th>
<th>Options for the solution</th>
<th>Deadline</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Recruit qualified forestry expert</td>
<td>AM/TPL Administration</td>
<td>May.2015</td>
</tr>
<tr>
<td>2</td>
<td>Printing of “Certificate of Origin”</td>
<td>AM/TPL Administration/NFA</td>
<td>May.2015</td>
</tr>
<tr>
<td>3</td>
<td>Purchase of log marking chips</td>
<td>AM/TPL Administration/NFA</td>
<td>May.2015</td>
</tr>
<tr>
<td>4</td>
<td>Preparation of WG for allocation felling areas</td>
<td>AM/TPL Administration/NFA</td>
<td>May.2015</td>
</tr>
<tr>
<td>5</td>
<td>Identification of local demand on wood</td>
<td>AM/TPL Administration</td>
<td>May.2015</td>
</tr>
<tr>
<td>6</td>
<td>Preparation of amendments to GR #179</td>
<td>AM/TPL Administration/NFA/APA</td>
<td>May.2015</td>
</tr>
<tr>
<td>7</td>
<td>Elaboration of ToR for forest inventory and management planning</td>
<td>AM/TPL Administration/NFA/APA/ Outside support</td>
<td>May.2015</td>
</tr>
<tr>
<td>8</td>
<td>Finalization of Training program</td>
<td>Outside support</td>
<td>July.2015</td>
</tr>
<tr>
<td>9</td>
<td>Training of TPL Administration and APA personnel</td>
<td>Outside support</td>
<td>August.2015</td>
</tr>
</tbody>
</table>
Annex 1.

The Guideline for Multipurpose Forest Management Planning

A Georgian language document is attached to this report.

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1. Merab Machavariani, Standards and practice of forest management in Georgia. 2010, IUCN, ENPI FLEG
2. Organic Law (Body law) is third in legal hierarchy after Constitution and International Treaties
3. Last version of the law is named as “Code of local self-governance”.
4. In case of Tusheti protected Landscape forests this issue is regulated by the law on Establishment and Management of Tusheti, Batsara-Babaneuli, Lagodekhi and Vashlovani Protected Areas, 2003
5. Management body for Tusheti forests is Akhmeta Municipality through TPL Administration.
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