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PUBLIC PARTICIPATION IN FOREST-RELEVANT PLANNING PROCESSES IN SAXONY, GERMANY

Non-institutionalized ways to include a broad array of stakeholders in decision making are gaining in importance in the scientific and social discourse in Germany and its sub-national entities (Länder), respectively. Stakeholders in forestry and the forest industries have consistently developed bottom-up processes to identify future guidelines and objectives for the forest sector. Taking a closer look at forest policy in Saxony, several processes are identifiable that follow this pattern, e.g. a medium-term conception for the State Forest Enterprise Sachsenforst and a comprehensive position-paper on forest policy in Saxony drafted by a coalition of several associations. However, as can be illustrated at the example of the new Forest Strategy for Saxony until 2050 and the Federal Forest Strategy for Germany 2020, top-down approaches are still applied in forest policy.

Key words: Forest policy, forest strategy, involvement, stakeholders, coalitions? strategic alliances

Introduction. Complementary to legally anchored forms of public participation (e.g. public elections), non-institutionalized ways to include a broad array of stakeholders and the public in decision making are gaining in importance in the scientific and social discourse in Germany. These demands are often arising from efforts towards cooperative democracy (cf. Böhnke 2012). The ‘new style’ of participation goes beyond representation and aims at directly embedding a broad array of local and regional actors. To a certain extent, these deliberations are also visible in forest policy (cf. Weber und Schnappup 1998; Böhnke 2012). Related to participatory approaches are the concepts of public engagement or volunteering (cf. Rosenauer 2011). However, in this article only participatory approaches in a narrower sense on the political level of the Free State of Saxony are presented that directly (forest-focused) or indirectly (forest-related) affect the situation of forestry, foresters

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and/or forest owners.³ First, the polity background of the Free State of Saxony will be explained. Second, selected stakeholders with a major influence on forest policy are characterized. Third, several initiatives in forest policy featuring participative elements are depicted. At the end of the paper, some conclusions are drawn.

Legal provisions for participation in decision making on forestry in Saxony. Basis for legally defined participation is the Constitution of Saxony. These fundamental rights are substantiated in the respective acts (cf. figure 1). In the case of forestry, these are, above others, the Saxony Forest Act, the Saxony Act for Nature Conservation and the Saxony Hunting Act. During the formulation of laws, three forms of participation are possible: Referendum, advisory boards and a combination of opinions and hearings. Initiated directly from the population, a sequence from *Volksantrag* via *Volksbegehren* to *Volksentscheid* (**referendum**) can lead to new legal provisions. Such initiatives have not been launched in the forest sector up to now. In contrast, consultation of the ministries via **advisory boards** is widely applied. There are three advisory boards acting. According to § 39 of the Saxony Forest Act, the *Landesforstwirtschaftsrat* (Advisory Board for Forestry) (cf. figure 2) has been established to consult the Ministry of Environment and Agriculture in fundamental questions regarding forestry. It consists of up to 20 Members that are appointed for five years and represents forest owners, professional organizations, forest sciences, nature and environmental conservation, spatial planning and the forest industries. A subcommission especially addresses questions of private and corporate forests. *Naturschutzbeiräte* (Advisory Boards for Nature Conservation) and accredited organizations for nature conservation are to be involved if questions of conservation in forest areas are concerned. It should be mentioned here that *Landesforstwirtschaftsrat* and *Landesnatschutzbeirat* have produced a common document on forest conservation in 2006 (*Gemeinsames Positionspapier "Naturschutz und Forstwirtschaft"*). In this document, it is stressed that intergenerational justice constitutes an important element of sustainable forest management. Furthermore, for preventing and solving conflicts around hunting, so-called *Jagdbeiräte* (Advisory Boards for Hunting) have been established on local and Saxonian level, respectively.

Opinions of stakeholders and - if necessary - subsequent hearings in the parliament are the third form of integrating societal opinions in decision-making processes. They are following a standardized procedure. At the example of the Saxony Hunting Law, the emerging of a strategic alliance became obvious. This alliance united the interests of landowners, environmental NGOs, forest professional representations, and ecologically oriented hunters. In addition to this publicly visible alliance, it can be assumed that other coalitions were active ‘behind the

³ For the distinction between forest-focused and forest-related processes see Rayner et al. 2010

scene'. In addition to these forest-focused decision-making processes, interests of stakeholders in forestry are taken into account in forest-related planning processes, e.g. the regional development programme for Saxony (*Landesentwicklungsprogramm*).

Box 1: Characterization of selected stakeholders in the field of forest policy

Saxonian Forestry Association (*Sächsischer Forstverein e.V.*). Established in Marienberg in 1847, the Saxonian Forestry Foundation is one of the oldest saxonian associations at all. After dissolution by the Soviet Military Administration in 1945 and being prohibited for 45 years, it was re-established in 1991. Today, its main activities concern further education in forestry and initiatives in the field of forest policy. (www.forstverein.de/landesforstvereine/sachsen/).

Saxonian Forest Ownership Association (*Sächsischer Waldbesitzerverband e.V.*). The Saxonian Forest Ownership Association represents the interests of about 70.000 communal and private forest owners in Saxony. The organization is lobbying for the inviolability of ownership and freedom of forest management. It supports its members with technical and legal advice and publishes an own magazine. (cf. www.waldbesitzerverband.de).

Association of German Foresters, regional association of Saxony (*BDF Sachsen e.V.*). The *Bund Deutscher Forstleute, Landesverband Sachsen e.V.* is representing the interests of employees, workers, civil servants and pensioners working in all types of forest ownership in Saxony. It also represents foresters in education and is integrated into the German Association of Public Servants. Besides, it constitutes the German membership organization of the Union of European Foresters. (cf. <http://www.forstverein.de/landesforstvereine/sachsen/>).

Association for the protection of forests in Germany, regional association of Saxony (*Schutzgemeinschaft Deutscher Wald, Landesverband Sachsen e.V.*). The Association is active in environmental education by informing people about the meaning of the forest and the threats they are facing. It supports scientific research for the protection of forests. As an acknowledged association for nature conservation, it is involved in forest relevant planning processes. Due to the fact that Saxony has a lower cover of forests than the average in Germany, the SDW is especially lobbying for the enlargement of the forest area. (Basic information: <http://www.sdw.de/ueberuns/sdw-in-den-laendern/>).

In addition to the above mentioned associations, a lot of further organizations are representing the specialized interests of forestry, nature conservation and hunting.

Examples for participatory elements in forest related decision making.

(1) Coalition for the Future of the Saxonian Forest (*Bündnis für die Zukunft des Sächsischen Waldes*).

It was in summer 2006 when this coalition was established as a reaction to the planned reform of forestry organizational structures in Saxony. The coalition consisted of representatives of several forestry associations (forest professional organizations and trade unions, forest owners, forest entrepreneurs, forest industries) and environmental NGOs. It claimed to represent 100.000 people dependent on forests and forestry and lobbied for a sustainable forestry being exemplary with regard to ecological, economic and social aspects as well as a highly productive and efficient structure of forest administration (figure 3).

Integrating interests of the forest owners, professionals, forest industries and environmental NGOs, the *Bündnis* constituted a kind of strategic alliance. The participants were united by the opposition towards plans of the State Government to devolve tasks of the forest authority in private and communal forests as well as forest extension to the counties and urban municipalities. Especially the two participating large saw mill enterprises were afraid not to be provided with the necessary supply of wood in case of the intended changes. Furthermore, most actors were of the opinion that only an integrative forest administration could come up to the expectations of the manifold demands towards forests in a neutral and balanced way. Hence, the coalition aimed at preventing the separation of responsibilities for private and communal forests from the tasks of the state forestry enterprise. An analysis and evaluation of this coalition was provided in a master thesis by Fűrll, 2009.

(2) Platform Forest and Wood (*Sächsische Plattform Forst und Holz*).

Efforts to improve interest representation of a broad array of actors in forest-focused and forest-related fields in a bottom-up procedure are dating back to 2006 where a so-called innovation workshop took place in Rabenau, a small city in the surroundings of Dresden. For this workshop, the motto ‘multi-functional forestry’ in Saxony was chosen. After some years of discontinuation, in 2009 efforts were renewed to bring the actors together in a forum of the most important actors of forestry, the forest industries and nature conservation. A main feature of this platform is that it brings together state institutions and private actors. For creating a kind of ‘commitment’, the meetings were hosted by the Technische Universität Dresden (2 times), the Saxonian Forest Owners Association, the Saxonian Forestry Association, and a large enterprise of the forest industries, respectively. An important objective of the platform included a harmonized approach for public relations. It was in this field where breakthrough was achieved in 2011 when the platform organized an excursion for members of the Saxonian parliament. During this excursion, actual issues like enlargement of the forest areas, cooperatives of forest owners, land consolidation of forest land, and the role of local forest industries were discussed (cf. Fürst 2011).

(3) Position paper about forest policy (*Forstpolitisches Positionspapier des Sächsischen Forstvereins e.V.*)

In Saxony, a program for forest policy has been published in 1998 by the Ministry of Environment and Agriculture (Eller 1998). This strategy was following the typical top-down approach in forest policy. In addition, there have been major changes in forest organization in Saxony since that time. For that reason, the Saxonian Forestry Association decided to develop a position paper about forest policy (*Forstpolitisches Positionspapier des Sächsischen Forstvereins e.V.*) in a bottom-up process. For designing the strategic vision and concrete objectives, the working team on forest policy involved stakeholders from several organizations of the forest sector, including state and communal foresters, private forest owner representatives, landowner representatives, professional organizations, forest entrepreneurs and students. One of the most important challenges was to formulate ownership-specific objectives for state forests, communal forests and private forests, respectively. The paper was adopted by the association in 2010 and communicated to representatives of the political system. Some major ideas of this paper, especially the overall concept, found entry into the discussions on the above mentioned Platform Forest and Wood.⁴

(4) Conception for the State Forest Enterprise “Sachsenforst 2015/2020” (*Entwicklungskonzeption Sachsenforst 2015/2020*)

The conception for the development of the State Forest Enterprise was initiated in 2009 as an internal effort for co-designing the entrepreneurial, scientific and structural future of the enterprise in advance of the planned external evaluation. All staff members were asked to contribute and to take part in the process of developing aims and strategies. As a reason it was argued that this is necessary to secure the sustainability of the enterprise and to secure jobs. The steering committee consisted of 12 Members and met five times. Besides representatives of the State Forest Enterprise, the Ministry for Environment and Agriculture; Ministry for Finance, and an external advisor of TU Dresden took part. Above others, the conception addressed the following topics: Scenario for the future (2015/2020); critique of processes and tasks; SWOT-Analysis, system of targets; formulation of strategies and measures (including implementation with regard to financing and staff). Emphasis was laid on a differentiated system of aims, consisting of overall targets, superior objectives, sub-ordinate targets, strategies, measures). Detailed proposals were elaborated by seven project working groups, headed by selected district leaders of the enterprise: (1) production of wood and other products; (2) nature conservation and landscape management; (3) communication, recreation and

⁴ Other *Länder* in Germany provide more intensive participatory approaches. For instance, the Forstverein Mecklenburg-Vorpommern was acknowledged as the first “anerkannte Forstvereinigung” according to the forest law of the country of 2011 (§9, par. 4). This enables a stronger participation of the Forstverein in forest political and forest technical decisions of the country, e.g. participation in forest framework programs (Anonymus 2012, p. 54.)

environmental education; (4) private and communal forests; (5) forest authority and other governmental tasks; (6) monitoring and practically oriented research; (7) staff, organization, IT. Employees of the enterprise were informed regularly about the process and the expected results. At the end of the project in 2009, under the final headline “Sachsenforst 2020”, the framework conditions and guidelines for the forthcoming years have been fixed (personal observation of the first author; Staatsbetrieb Sachsenforst 2012: 5).

Three out of four of the above-mentioned processes have been finalized, at least partially, while the *Platform Forest and Wood* is in an inactive phase at the moment. A preliminary evaluation of processes and results (for the distinction see Rauschmayer et al. 2009) makes clear that the participatory elements were very helpful to mutually understand the interests and positions of the involved stakeholders. Moreover, during many of these meetings an open and personal negotiation atmosphere reduced conflictive tensions. The results of the finalized processes are (i) modified forest administration structures in Saxony (as a result of the activities of the Coalition for the Future of the Saxonian Forests), (ii) a comprehensive position-paper on forest policy in Saxony developed in a bottom-up process, and (iii) a medium-term conception for the State Forest Enterprise depicting ways how to fulfill the increasing societal demands in spite of further reduction of the personnel.

It should be mentioned here that further participatory processes have been conducted *within* several forest organizations in Saxony. The main purpose of these activities was to learn more about the interests and demands of their members. For example, the Saxonian Forestry Association, supported by external moderation, developed a position paper for private forest ownership in Saxony (cf. Anonymus 2009).

(5) Forest Strategy for Saxony 2050 (*Waldstrategie 2050 für den Freistaat Sachsen*).

In addition to the strategy for the State Forest Enterprise, the Saxonian cabinet adopted a strategy for all forests in the Free State of Saxony in November 2013. It is based on a draft dated 5 March 2013 that was communicated to the members of the Advisory Board for Forestry (*Landesforstwirtschaftsrat*) and further associations dealing with forest-focused and forest-related issues. It was also published on the website of the Ministry of Environment and Agriculture to encourage participation by the public. The main intention of the government was to develop actualized principles for the development of the forests as a natural as well as an economic space. It should especially address challenges resulting from climate change and increasing claims of society for the provision of manifold goods and services from the forests. Eleven fields of action were identified (forest area,

ownership, structure, continuity of forest functions, potentials for use of wood, nature conservation, recreation, forest work, income, innovation, environmental education). For each of these fields, expectations are analyzed, targets until 2050 are formulated and the respective measures to achieve them are explained. Special emphasis is laid on afforestation by increasing the forested area from 28,4% to 30% of the land area until 2050 (SMUL 2013a). Feedback on this document was given by 37 associations, institutions and citizens (SMUL 2013b). During this process, especially the prolongation of the afforestation target until 2050 was criticized as a drawback, taking into account previous planning documents with more ambitious planning horizons. The final strategy was made available for the public in November 2013 (SMUL 2013c), see figure 4.

Conclusions. After German reunification, in Saxony and other *Länder* in the former German Democratic Republic real democratic structures had to be reintroduced. Being banned for nearly 40 years, associations representing the interests of diverse actors in the field of forestry (forest ownership, forest professionals etc.) had to be reestablished. In Saxonian laws, elements of representative participation have been provided for many decision making processes. Advisory boards and the obtaining of opinions of affected stakeholders in preparation of legislation are prevalent instruments to improve forest-relevant policies and to prevent political conflicts.

In spite of the general euphoric discussion on the necessity and the advantages of participation in German political and scientific discourse today, many official processes in forest policy in Saxony are still taking place without ‘stronger’ forms of participation (e.g. co-decision). In a similar vein, Saxony did not follow the approach of other *Länder* (e.g. Bavaria, Baden-Württemberg) to develop a sub-national equivalent to a National Forest Program. Several reasons might explain that observation. Forest policy seems not be regarded as a conflictive issue in Saxony and people do not distrust state agencies as much as they do in other policy sectors. Apart from the re-organization of state responsibilities in the field of forestry, conflicts between forest owners and different stakeholders in of recreation, nature conservation and hunting interests were solved on the local level (Weber et al. 2007). In general, external as well as internal pressure for change has been missing. Even critique from environmental organizations towards forest management and forest managers seems to be more moderate than in other German regions.

Taking Arnstein’s ladder of participation (Arnstein 1969) as a frame of reference, participation on the lower stages (steps Information – consultation – placation) is very well developed. According to OECD (2001), the steps information, consultation and – at least partly – active participation are covered. Citizens in Saxony are able to follow most of the activities of State agencies in forestry by using

publications of the Ministry of Environment and Agriculture, of the State Forest Enterprise and other official sources in written form as well as on the respective websites. The State Forest Enterprise invites to a *Sachsenforst Day* once a year and annual reports about the enterprise and data on the state of the forests are accessible for anybody. In addition to that, information is available from several stakeholders covering a broad array of interests.

As can be illustrated at the example of the draft of the new Forest Strategy for Saxony, elaborated by State Ministry of Environment and Agriculture (and as well on the Federal level at the example of the Waldstrategie 2020), top-down approaches are still applied in forest policy (cf. BMELV 2011). On the other hand, stakeholders in forestry and the forest industries have consistently developed bottom-up processes to identify future guidelines and objectives for the forest sector. It will be a promising field of research to observe how these different streams are coalescing in the future.

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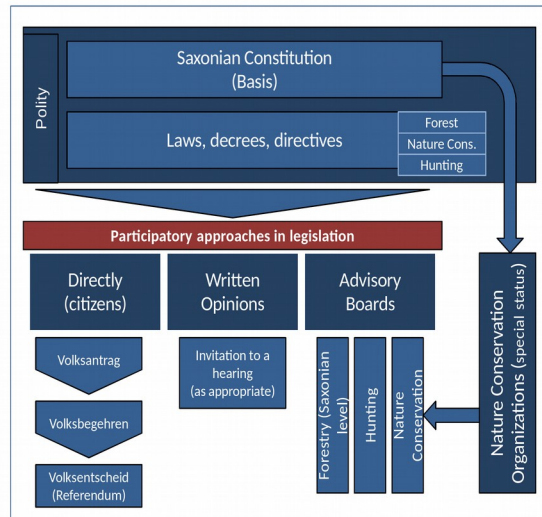


Fig. 1: Legally defined participatory approaches

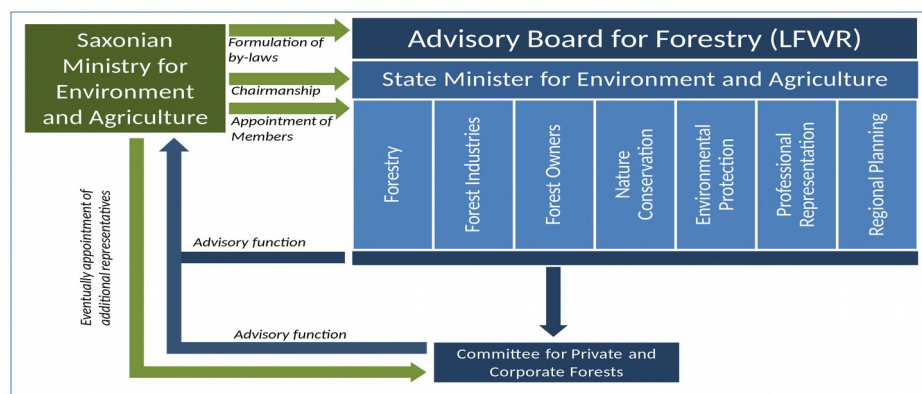


Fig. 2: The Saxonian Advisory Board for Forestry (*Landesforstwirtschaftsrat*)



Fig. 3: Coalition for the Future of Saxonian forests. An initiative of associations, trade unions and the forest industries around forests and wood.



Fig.4: Forest Strategy for Saxony 2050 (*Waldstrategie 2050 für den Freistaat Sachsen*). Source: <https://publikationen.sachsen.de/bdb/artikel/11309>

УЧАСТЬ ГРОМАДСЬКОСТІ В ПРОЦЕСАХ ЛІСОВОГО ПЛАНУВАННЯ В САКСОНІЇ, НІМЕЧЧИНА

Доповнюючи юридично закріплені в суспільстві форми участі громадськості в управлінні державою (наприклад, вибори), неінституціоналізовані способи включають широкий спектр зацікавлених сторін і громадських організацій в процес прийняття суспільно важливих рішень, зокрема, пов'язаних з лісовим господарством. Вони набувають все більшої значимості у науковому та соціальному дискурсі в Німеччині та її субнаціональних суб'єктах (землях). Ця тенденція знаходиться в руслі руху суспільства до кооперативної демократії (Böhnke, 2012). В певній мірі обговорення цих питань має місце також і в лісовій політиці (Weber und Schnappur, 1998; Böhnke, 2012).

В цій статті представлені в більш вузькому сенсі на політичному рівні землі Саксонія підходи, які безпосередньо або опосередковано впливають на ситуацію в лісовому господарстві, на лісівників та / або лісовласників.

Підставою участі громадськості в управлінні державою є Конституція Саксонії, а в питаннях, пов'язаних з лісовим господарством, це – Саксонський Лісовий Акт, Саксонський Акт охорони природи та Саксонський Мисливський Акт.

Правовими актами передбачено три форми участі громадськості у прийнятті рішень з питань лісового господарства: референдуми, консультативні ради і проведення слухань. Однак референдуми, які можуть привести до нових правових положень, до тепер не проводилися. Навпаки, широко застосовується консультації міністерств через консультативні ради. Діють наступні консультативні ради: Консультативна Рада з питань лісового господарства, Консультативна Рада з питань охорони природи та Консультативна Рада з питань полювання. Слухання в парламенті для врахування інтегрованих суспільних думок проводяться за необхідністю.

Зацікавлені сторони в лісовому господарстві та лісовій промисловості послідовно розробили **знизу вгору** процеси для встановлення майбутніх керівних принципів і цілей лісового сектора. Найбільш впливовими громадськими організаціями в області лісового господарства в Саксонії є: Саксонська лісова асоціація, Саксонська асоціація лісовласників, регіональна Асоціація німецьких лісівників, регіональна Асоціація захисту лісів Німеччини, стратегічна Коаліція за майбутнє Саксонського лісу, до якої входять представники лісових професій та лісових профспілок, лісовласники, лісові підприємці, неурядові екологічні організації та багато інших.

За участю цих громадських організацій було розроблено середньострокову концепцію для державних лісів «*Саксонський ліс*» як всеосяжний основоположний документ з лісової політики в Саксонії. Однак, як можна проілюструвати на прикладі нової «*Лісової стратегії Саксонії 2050*» і «*Федеральної лісової стратегії Німеччини 2020*», підходи *зверху вниз* продовжують застосовуватися в лісовій політиці.

Громадські організації єдині в опозиції до планів уряду щодо передачі лісових повноважень в приватні і общинні ліси, а також передачі лісів до органів місцевого самоуправління.

Ключові слова: лісова політика, лісова стратегія, участь, зацікавлені сторони, коаліції, стратегічні асоціації

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УЧАСТИЕ ОБЩЕСТВЕННОСТИ В ПРОЦЕССАХ ЛЕСНОГО ПЛАНИРОВАНИЯ В САКСОНИИ, ГЕРМАНИЯ

Дополняя юридически закрепленные в обществе формы участия общественности в управлении государством (например, выборы), неинституционализированные способы включают широкий спектр заинтересованных сторон и общественных организаций в процесс принятия общественно важных решений, в частности, связанных с лесным хозяйством, и приобретают все большую значимость в научном и социальном дискурсе в Германии и ее субнациональных субъектах (землях). Эта тенденция находится в русле движения общества к кооперативной демократии (Böhnke, 2012). В определенной мере обсуждение этих вопросов имеет место также в лесной политике (Weber und Schnappur, 1998; Böhnke, 2012).

В этой статье представлены в более узком смысле на политическом уровне земли Саксония подходы, которые непосредственно или опосредованно влияют на ситуацию в лесном хозяйстве, на лесоводов и / или лесовладельцев.

Основанием участия общественности в управлении государством является Конституция Саксонии, а в вопросах связанных с лесным хозяйством, это также Саксонский Лесной Акт, Саксонский Акт охраны природы и Саксонский Охотничий Акт.

Правовыми актами предусмотрено три формы участия общественности в принятии решений по вопросам лесного хозяйства: референдумы, консультативные советы и проведение слушаний. Однако референдумы, которые могут привести к новым правовым положениям, до сих пор не проводились. Наоборот, широко применяются консультации министерств через

консультативные советы. Действуют следующие консультативные советы: Консультативный Совет по вопросам лесного хозяйства, Консультативный Совет по вопросам охраны природы и Консультативный Совет по вопросам охоты. Слушания в парламенте для учета интегрированных общественных мнений проводятся при необходимости.

Заинтересованные стороны в лесном хозяйстве и лесной промышленности последовательно разработали **снизу вверх** процессы для установления будущих руководящих принципов и целей лесного сектора. Наиболее влиятельными общественными организациями (заинтересованными сторонами) в области лесного хозяйства в Саксонии есть: Саксонская лесная ассоциация, Саксонская ассоциация лесовладельцев, региональная Ассоциация немецких лесоводов, региональная Ассоциация защиты лесов Германии, стратегическая Коалиция за будущее Саксонского леса, в которую входят представители лесных профессий и лесных профсоюзов, лесовладельцы, лесные предприниматели, неправительственные экологические организации и многие другие.

С участием этих общественных организаций было разработано среднесрочную концепцию для государственных лесов **«Саксонский лес»** как всеобъемлющий основополагающий документ по лесной политике в Саксонии. Однако, как можно проиллюстрировать на примере новой **«Лесной стратегии Саксонии 2050»** и **«Федеральной лесной стратегии Германии 2020»**, подходы **сверху вниз** продолжают применяться в лесной политике.

Общественные организации едины в оппозиции к планам правительства по передаче лесных полномочий в частные и общинные леса, а также передачи лесов в органы местного самоуправления.

Ключевые слова: лесная политика, лесная стратегия, участие, заинтересованные стороны, коалиции, стратегические ассоциации