

ACTIVITY OF LOCAL SELF-GOVERNMENTS FOR NATURE PROTECTION AS AN ELEMENT OF SUSTAINABLE DEVELOPMENT POLICY ON AN EXAMPLE OF SELECTED COMMUNES IN POLAND

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Abstract

The article aims at presenting the issues related to the participation of self – government authorities in activities protecting local natural resources. This type of activity perfectly fits the idea of sustainable development becoming ever more and more popular and being implemented on various management levels also including the local level.

The introduction contains short presentation of the concept of sustainable development considering the role assigned in this context to undertakings intended to protect the environment and nature. Furthermore this paper presents the competences of local self-governments in Poland determined by legal regulations to fulfill their statutory obligation as the nature protection authorities.

Empirical part contains the discussion of the results obtained from research carried out by the author over the last few years in the territory of Lubelskie Voivodship situated in the south – eastern part of Poland. The conclusions have been made particularly on the basis of two questionnaire surveys completed by the commune heads i.e. the persons directing the works of self – governments in the smallest administrative units called communes. The first research was completed in the year 2008 and encompassed 127 respondents (the total number of commune heads acting in our region is equal to 213) and the second was realized in the year 2012 where the sample size was equal to 110 persons. In addition to other issues, the author raised the problem of financing sources for the tasks consolidating the local natural potential and presented a hierarchy of various types of pro-environmental activities depending on how often these activities are taken by the authorities of communes subjected to survey. Another issue is the activity of self – governments in the scope of active conservation protection, mainly in the form of grass-root initiatives towards the creation of the new legally protected objects and areas. Furthermore, the attention has been paid to subject matter preparation of clerical staff required for the issuance of administrative decisions significantly affecting the natural environment condition e.g. giving the permits for felling of trees, permits for implementation of projects issued as a result of assessments of the impact on environment (so called environmental decisions) as well as thorough analysis of natural values and their consideration in development plans and in local area spatial development plans.

The conclusions based on the previous considerations correspond with the author's assumption that generally the local officials demonstrate increasing interest in the protection of local ecosystems. However the scale and manner of their engagement often leaves a lot of room for improvement and may carry certain negative consequences for the directions of social and economic development of individual areas as well as for effectiveness of the local natural resources protection process itself.

Keywords: Sustainable development, local self-government, nature protection, commune.

1 INTRODUCTION

Until recently, the undertakings concerning the protection of natural resources have mainly been the domain of widely understood ecological organizations in significant part consisting of non-governmental entities. This situation changed on the turn of eighties and nineties of 20th century when the need to introduce the new solutions which are more environment and consequently mankind friendly in the framework of sustainable

development concept began being talked about on the international level. these solutions should be applied by various entities on various management levels.

The article presents the activity of local self – government authorities in the field of protection of resources of nature treated as an element contributing to sustainable development of rural areas. Empirical part contains the discussion of the results obtained from research carried out by the author over the last few years in the group of entities managing the smallest administrative units in Poland called communes.

2 SUSTAINABLE DEVELOPMENT AND NATURE PROTECTION

It is assumed that the concept of sustainable development was born on the turn of eighties and nineties of 20th century with the greatest contribution of two events i.e. the report entitled “Our Common Future” prepared by the United Nations commission under the guidance of former prime minister of Norway Ms. Gro Harlem Brundtland and published in the year 1987 as well as the United Nations Conference on Environment and Development (UNCED) arranged in the year 1992 commonly known as the “Earth Summit”. Owing to its popularity, the concept of sustainable development is defined in different ways but the definition originating from the Brundtland report is cited most frequently in this context. This reports defines the sustainable development as „ability to make development sustain-able - to ensure that it meets the needs of the present without compromising the ability of future generations to meet their own needs” (Our Common Future, 1987, p. 8) . In the year 1999, US National Academy of Science classified the nature, life support systems and community as the key areas of sustainable development as well as indicated intermediate categories in the framework of each areas specified above i.e. Earth, environment and cultures (Kates, Parris, Leiserowitz, 2005, p. 11). J. Harris writes, referring to relevant sources, about three aspects of sustainable development i.e. (Harris, 2000, p. 5-6):

- economic aspect in the framework of which it is important to ensure the continuity of the production of goods and services maintaining internal and external debt servicing capability and avoiding inequalities between the economy sectors,
- environmental aspect in the framework of which it is important to provide a solid base in the scope of natural resources, avoiding the exhaustion of non – renewable resources or the preservation of biodiversity;
- social aspect, emphasizing, among the other things, the access to services in the scope of health protection and education as well as equality and participation.

The preservation of nature constituting the lead theme of the present paper perfectly fits the concept of sustainable development in all aspects mentioned above.

In terms of economy, protective activities are often an indispensable condition for the exploitation of natural resources treated as the components of so called natural capital not created by human hands but made available to mankind. Within this capital, it is possible to indicate the environment elements constituting potential production factors which are renewable (e.g. wood) using solar energy as well as non- renewable types. Mineral raw materials hidden in the depths of the ground are a good example of non- renewable resources. The natural capital itself cab be put beside human capital and production capital which refers to traditional structure of production factors (Costanza, 1992, p. 38) . The importance of the preservation of biodiversity is reflected by the number of international agreements signed during the period of last decades. They are of key importance for sustaining the existence of valuable ecosystems in order to make it possible – in accordance with the basic idea of sustainable development – for the present and future generations to enjoy their presence and positive influence on human life. Among the most important acts are (Dalal-Clayton, Bass, 2002, p. 13):

- Convention on Biological Diversity (CBD), Nairobi, 22 May 1992,
- Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES), Washington, 3 March 1973,
- Convention on the Conservation of Migratory Species of Wild Animals (CMS), Bonn, 23 June 1979,
- Convention on Wetlands of International Importance especially as Waterfowl Habitat (Ramsar Convention), Ramsar, 2 February 1971

Also Agenda 21 constituting the principal programming document contains a separate chapter dedicated to the protection of biodiversity emphasizing among others the need of coordination in the scope strategies and programs on international and regional level (United Nations, 1992).

3 COMMUNE SELF-GOVERNMENT AS THE BODY RESPONSIBLE FOR THE NATURE PROTECTION IN POLAND – LEGAL GROUND

The self – government authority in Poland is exercised on three levels: regional level (Voivodship), poviast and commune level. Each level is characterized by different structure and competences and the whole system is not organized in hierarchical way i.e. the competences are not infringed mutually. The function of executive body in case of commune depending on its type (urban commune, urban – rural commune, rural commune) is exercised by the president, mayor and commune head. Pursuant to Polish laws the persons performing these functions are the bodies responsible for the nature protection and have been provided with appropriate competencies. These issues have been governed in several legal acts, particularly the following three acts: the Local Government Law of 8th March 1990 (Journal of Laws of 2001, No 142 Item 1591), the Environment Protection Act of 16th April 2004 (Journal of Laws of 2004, No 92, Item 880) and the Act of 3rd October 2008 on Access to Information on the Environment and Its Protection, Participation of Society in the Environment Protection and on Environmental Impact Assessments (Journal of Laws of 2008 No 199 Item 1227). Pursuant to Article 7 of the first of a/m acts, the scope of tasks to be performed by commune authorities encompasses the issues associated with the environment and nature protection and water management. The act of the year 2004 contains the key provisions in terms of nature protection concerning the creation of its new forms as well as giving the permits for felling of trees and hedges. Ten forms of the nature protection have been specified in aforesaid document while in five cases (i.e. in case of the following forms: protected landscape area, nature monument, documentation site, ecological site; nature and landscape complex) the powers to create the new forms are granted (except of other entities) also to local self – governments (i.e. to the councils of communes). In the scope of green areas removal, the act not only authorizes the commune offices to give the permits or not but additionally creates an interesting option for the decision making body to make its decision permitting the felling of trees or hedges dependent on their replanting or substituting by other ones (art. 83). The issuance of the decisions on environmental constraints for the implementation of projects is an extremely important competence in the context of care of local natural resources as governed in the issued in 2008.

The Act contains the provisions stating that in case of undertakings for which the self – government authorities are the decision making body (pursuant to art. 75), at the beginning said authorities shall state the mandatory environmental impact reporting or may establish the scope of environmental impact report to be prepared by applicant (art. 63) or may depart from some requirements concerning this report (art. 68). However it should be emphasized that before decision making, a self-government may find that contemplated project could have a potentially significant impact on the Natura 2000 protection site and therefore may issue its decision on the requirement to submit the documents to any other body (art. 96).

Except of administrative activities which are compulsory because they have to be undertaken from time to time, it is possible to indicate rather wide spectrum of activities which are not required under applicable regulations but which could for sure potentially contribute to the improvement of local fauna and flora condition and to their protection opportunities. We are talking here for example about systematic wildlife inventories or about direct organizational and financial engagement in projects strengthening the protection of natural values within a given area.

4 RESEARCH RESULTS

The research has been carried out by the author over the last few years in the territory of Lubelskie Voivodship situated in the south – eastern part of Poland in order to determine how the local self – governments are using their competencies and other additional opportunities in the scope of nature protection. This region is characterized by the presence of many areas and objects of high natural value, some of which are also under legal protection. There are among others two national parks as well as several tens of nature reserves and the areas protected under Natura 2000 European programme. The results of two questionnaire surveys which have been carried out among the heads of communes in the interval of five years (the year 2008 and 2012). The first research encompassed 127 respondents from the total officials' number which is equal to 213 and the answers have been obtained from 110 respondents in the year 2012. The questions in the both questionnaires were slightly different but the topics addressed therein were almost identical. Therefore it was possible to integrate information obtained from the both surveys.

In the opinion of author, the consideration of the areas subjected to various protective restraints in the local area development plans, was a matter which merits investigation. Owing to the lack of a clear indication of the areas with limited possibilities of use may impede investment activity and on the other hand (in case of lack of care of and lack of sensitivity to the environment needs) may create dangers for the nature itself.

Majority of commune heads completing the questionnaire in 2008 (96 respondents - 78%) declared that these areas are clearly indicated in the planning documents but other answers could raise some doubts in this subject. First of all, significant part of respondents stated that they could not prepare the document named: the study of conditions and directions of spatial development of commune constituting the basic and mandatory planning document before the year 2000, although the communes are required to prepare such document under separate act on spatial development from the year 1994 (this task has been completed by every fifth self – government only). Furthermore it has been found on the basis of indications that almost all these studies were based on obsolete and previously applicable plans and in 47 cases (37% of total sample size) and were not dissimilar to them. Limited knowledge of officials in the scope of the area of land and the surface area of protected zones is another problem which may have unfavourable impact on the quality of local area development plans. In the year 2012, the persons directing the operations of commune offices were asked whether there were any areas owned by the commune within the boundaries of their units and whether they were in possession of the register of nature sites owners. In the first case, a positive answer was given by 34 commune heads and only 15 in the second case. The ignorance in the scope of existing potential associated with the protection of natural assets creates danger for unique natural values. This situation may be compensated by execution of a reliable wildlife inventory. The results obtained in the year 2008 as well as five years later indicate that more than one third of commune self – governments still are in possession of such type of documentation and additionally from the questionnaire survey carried out in 2012 it appears that even if the inventory was carried out before, it was often not repeated thereafter. Therefore it difficult to create of positive image of continuous monitoring of natural environment condition (as many as 44 commune heads – just under half of all the respondents – stated that such task has been completed in the territory of commune for the last time more than 10 years ago.

The implementation of sustainable development principles is impossible without undertaking pro-ecological activities but adequate funds are required for this purpose. In recent years, the self-governments have been given new opportunities in the scope of raising external funds for such projects, particularly the money from the European Union structural funds or EU LIFE+ programme as well as from the domestic target funds, for example the National Fund for Environmental Protection and Water Management (NFOSiGW) or the Voivodship Funds for Environmental Protection and Water Management (WFOSiGW). It should be mentioned that the funds which have been made available in the financing period 2007-2013 were extremely high because nature protection and formation of pro-ecological attitudes have been established as one of priorities (Priority V) in the largest EU programme in Poland called "Infrastructure and Environment". From research executed in the year 2008, it appeared that about 75% of communes incurred expenditures directly or indirectly associated with nature protection but EU support was obtained by only every fifth of them. Situation was better in case of domestic funds as declared by more than two thirds of entities financing pro-ecological projects (69 of 96). The interest in EU projects apparently increased in the next years and was accompanied by increased effectiveness in application activities because from among 110 entities covered by research in the year 2012, as many as 60 (i.e. 54,5%) indicated operational programmes as one of financing sources in nature protection area (Fig. 1). It should be added that although commune budgets are still the principal financing source for the tasks in the scope of nature protection, but most frequently it ends up with the provision of funds in the framework of their expenditures. The solutions associated with incomes are applied very sporadically i.e. tax exemptions and reliefs system with clear pro-ecological orientation which practically does not exist as confirmed in the both surveys.

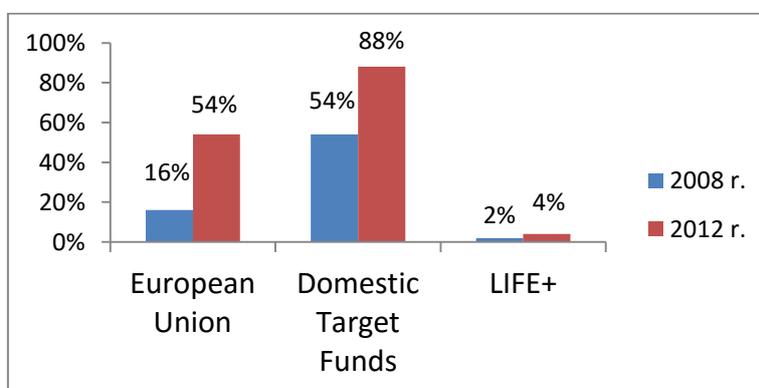


Fig. 1. Percentage of communes participating in survey and using selected external financing sources in the scope of nature protection.

Source: Own elaboration

As far as direct activity in the scope of environment protection is concerned, it should be mentioned that widely understood ecological education, particularly the events and competitions contributing to knowledge expansion in the scope of environment in primary and secondary schools, are always most frequently type of activity selected by commune offices bringing their financial and organizational contribution. However it is possible to observe insignificantly increased interest of self – governments in indirect form of education, for example setting out the educational – recreation paths in legally protected sites and out of their area. The local authorities rather willingly engage themselves also in trees and hedges planting campaigns and it is practically the end of the list of undertakings which can be classified as the activities closely associated with care of natural potential. However as the years go by, the general attitude of communes managing entities towards so called conservation protection of nature is not changed.

With very few exceptions, the officials do not see any field for actions for themselves in this area and are at least sceptical about potential cooperation in this scope with specialized services (Fig. 2). It should be mentioned that the need to stimulate the inhabitants behaviours in order to increase respect for natural assets is not noticed at all. In one of questions included in questionnaire completed in the year 2012, the respondents were requested to indicate additional actions they intend to take facing the functioning of Natura 2000 sites and the necessity to implement the plans of their protection. The option saying about the introduction of new solutions encouraging the private owners (most often farmers) for enforcing these plans was selected by every tenth person only and none of 110 respondents saw the need to monitor the adherence of proper behaviours in protected areas in the framework of European network. It is dangerous trend if we consider the fact that no effective instruments of central control in this scope have been developed in Poland (and not only in Poland) up to the present time.

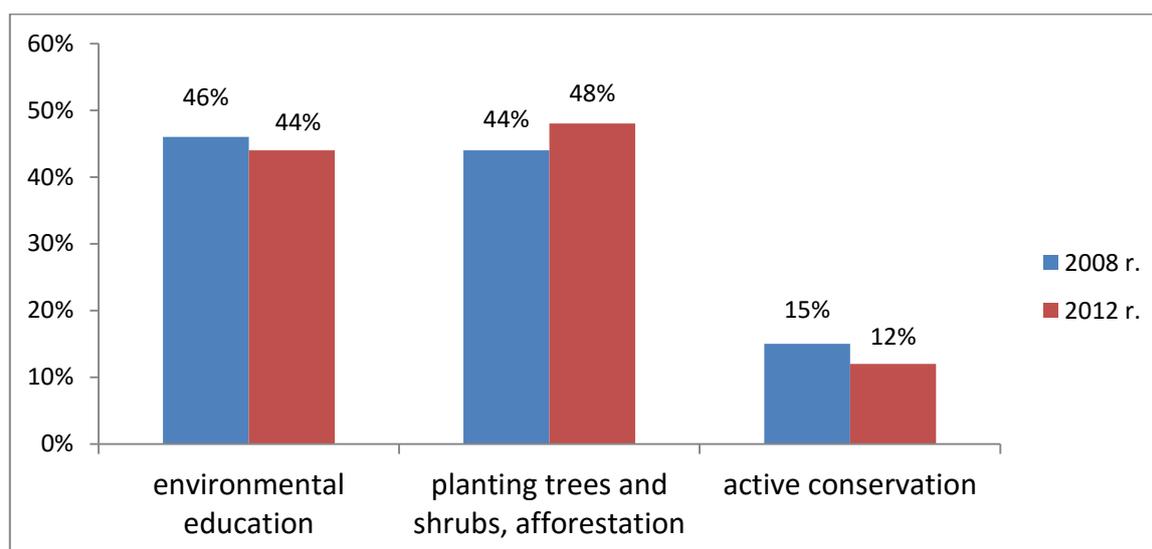


Fig. 2. Percentage of communes participating in survey and conducting selected types of activities in the scope of nature protection.

Source: Own elaboration

Aforementioned reluctant attitude to nature protection in the strict sense but also partially to protect objects and areas themselves is reflected among others in low activity for the creation of these protected objects and areas. Only every seventh respondent participating in the survey in 2008 (19 of 127) was capable to clearly determine which objects have been established under the decision of the local self-government and 11 commune heads in this group indicated ecological sites and nine of them indicated nature monuments. Simultaneously in 15 cases the respondents declared that the creation of new forms of nature protection is planned in the near future. As far as an analysis after several years is concerned, from the answers given by the respondents it appears that in course of the last 10 years, the nature monuments were created under the decision of the commune council in 19 cases and the new ecological sites occurred in six communes only. Other forms were selected more rarely. However no activities have been undertaken by the majority of communes in this scope at all (Fig. 3). In other place of questionnaire, the respondents have been given the opportunity to express their opinion on potential increase of surface area being protected. Positive attitude towards such opportunity was expressed by every third respondent only (34 of 110).

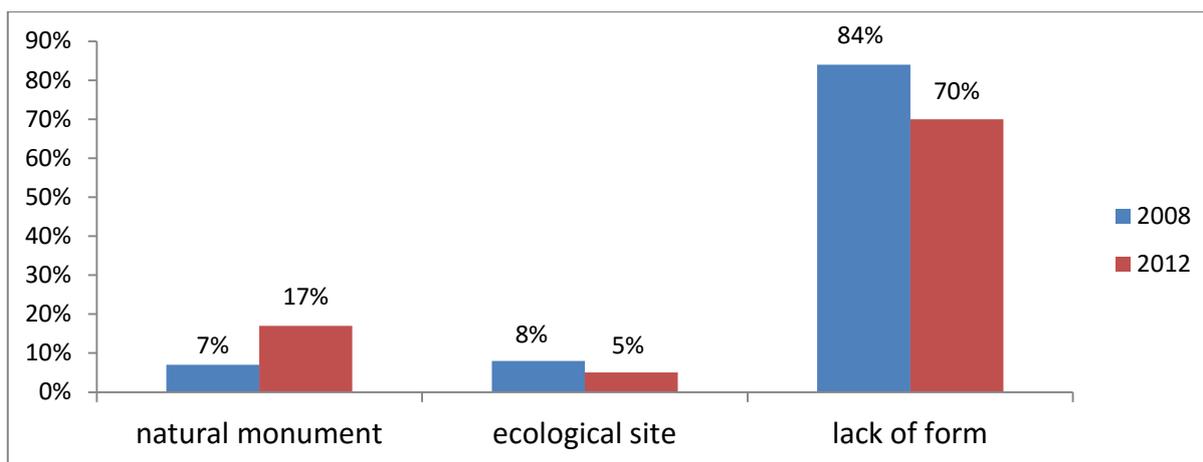


Fig. 3. Percentage of communes participating in survey where selected forms of nature protection have been created by the authorities and where no activities have been undertaken at all.

Source: Own elaboration

Proper education of civil servants promotes the undertaking of initiatives for the benefit of natural environment as well as making of everyday administrative decisions which are correct from the environment protection point of view. This scope encompasses not only basic knowledge or the knowledge of determined procedures but also the ecological awareness and associated specific sensitivity created under their influence. Many authors in Poland emphasize the general lack of civil servants with education in the scope of environment protection in rural areas and most often the matters associated more closely with that scope are entrusted in the offices to single individuals. In such circumstances, the improving of qualifications through participation in various subject – related trainings becomes very important. On the basis of questionnaire survey carried out in the year 2012, it may be found that the majority of commune heads (75%) delegated their employees to trainings improving their knowledge of environment management but the topics more closely related to protective tasks e.g. compensation and environmental inventory were unpopular because a/m options were marked in questionnaire only by 10 and 7 persons correspondingly. This situation may lead to the occurrence of abnormalities or may result in omissions harmful for ambient area at the assessments of impact of contemplated projects on environment (especially as 69 respondents i.e. 63% of survey participants in the year 2012 found that the complex procedure associated with the obtainment of permits for undertakings is the principal problem resulting from the presence of protected areas in specified territory) as well as in rashly made decisions permitting the removal of trees and hedges (more than 60% of commune heads in the same survey found that the number of such permits systematically increases already today).

5 SUMMARY

In order to ensure sustainable development of an area, the actions shall be undertaken in various spheres of human life and activity. The protection of local natural resources is a prerequisite for being able to improve widely understood inhabitants life quality and to protect the interests of next generations who also want to enjoy and make reasonable use of all opportunities given by our surrounding world. Many organizations must participate in the implementation of specified tasks, particularly the self-governments managing the smallest administrative entities owing to their legal and economical capabilities.

On the basis of research carried out by the author, the selected results of which have been discussed above, it is possible to positively verify the hypothesis saying that the local self – government authorities in Poland, despite undoubtedly increasing interest and engagement in the scope of nature protection, shall show more invention in planning and in second place in the execution of actions intended to maintain and protect natural assets. It is stated that some shortcomings occur and may have potential negative influence on the ecosystems conditions as well as on opportunities of social and economic development in rural areas. Their scope encompasses but is not limited to the following: using obsolete spatial development plans, lack of reliable identification of natural values, low level of activity associated with EU funds raising for actions protecting and strengthening natural potential as well as gaps in professional background of civil servants who will make administrative decisions essential for environment in the nearest time. Another problem which has been highlighted is the negative attitude still represented by a part of self – government members towards environmental protection philosophy itself which is perceived as a barrier impeding investment

processes.

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