

Law for Social-Ecological Resilience

**17-19 November 2010
Stockholm**

Minna Pappila

Ll.Lic

Faculty of Law, University of Turku &
University of Eastern Finland

Resilience & Finnish forest law – a topical issue?

- Growing demand for a new Forest Act
- Public discussion: more alternatives for forest owners
- What about resilience?
 - Climate change
 - Forest biodiversity loss
 - Structural changes
 - Forest industry moving to South
 - Wood as a source of energy
- Aim is to consider what needs & challenges resilience poses to Finnish forest legislation?

Some key words of resilience

Adaptive capacity in ecological systems is related to genetic **diversity**, biological **diversity**, and the **heterogeneity** of landscape mosaics.

(<http://www.resalliance.org/565.php>)

1. **Flexibility** in social systems and institutions to deal with changes.
2. **Openness** of institutions so as to provide for broad participation, not least in local decision-making and administration.
3. Effectiveness of **multilevel governance**.
4. Social structures that promote **learning** and **adaptability** without limiting the options for future development. (Ebbesson 2010)

What do ecologists suggest for forestry?

- Complexity (e.g. Puettmann et al. 2008)
 - Accepting unpredictability, seeing forest ecosystem as a whole (not only trees), increasing heterogeneity
- Disturbance dynamics (e.g. Kuuluvainen et al. 2004)
 - Different management regimes
 - Landscape level planning
- Adaptive forest management
 - Flexible, reflexive planning, continuous rethinking

→ An ideal?

- Landscape level socio-ecological forest management planning
 - Multiple forest management methods: clear cuts, selective loggings etc.
 - No fixed paradigms, continuous adaptation
 - Participatory planning
- ⇒ Law would only create the framework

FINNISH FORESTRY TODAY

- Even-structured forest management based on clear cuts
- Forests productive, homogenous and fragmented
- Effective forest management organizations
- Forest owners values are diverse
- A step towards more ecological forestry in late 1990s
 - key habitats (law), residual trees, narrow water protection zones (soft law)

Institutions of forestry vs. resilience

- **Biodiversity**

- Biodiversity loss continues, (paid) voluntary and temporary small-scale protection

- **Flexibility** in social systems and institutions to deal with changes

- The basis of the forest management paradigm has not changed for decades
- Research was very one-sided for decades

- **Openness** / broad participation

- There is almost no participation, no easily accessible information

- Effectiveness of **multilevel governance**

- Existing effective state/regional/local level governance

- Social structures that promote **learning** and **adaptability**

- The basis of management has not changed for decades
- Regional Forestry Centres and Forest Management Associations have a de facto monopoly over forest management planning; hard to introduce new ideas
- Well-educated forest professionals, very uniform practices: law, certification, recommendations – strong networks inside the forest sector (Primmer 2006)

Why is it so difficult?

History matters

- Alternative logging methods were “demonised” (1900=>) → negative attitudes, lacking research & institutional support
- Strong property rights & fragmented ownership → landscape-level planning difficult

Money talks

- Strong property rights → who should pay for economic loss?
- More expensive planning

Persistent attitudes

- Forestry not considered an environmental issue, but a closed economy-oriented system:
 - forest authorities – forest owners – forest industry
 - participation and environmental authorities excluded

Step by step resilience

- The current forest management paradigm & forest legislation does not make it possible to take resilience into account properly
- Allowing uneven-structured forest management could be the first step (more complexity)
 - Could perhaps help to break the existing paradigm → slowly moving towards adaptability and landscape level planning?
 - Due to owners' rights, more difficult to introduce local forest management planning + participation

Thank you!

