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Prior examination

COLLISION BETWEEN FORESTRY AND ENVIRONMENTAL LEGISLATIVE RESEARCH - CASE STUDY AND STATEMENTS IN SERBIA

*Radovan Nevenić,¹ Ljubinko Rakonjac¹, Zoran Poduška¹, Renata Gagić¹,
Nenad Petrović,² Denis Čokić³*

Abstract: The productive function of the forests often imposes as dominant, often excluding the possibilities that the other aims of it completely serve to the materialisation of the common good. As the renewable resources, the forests should be exploited in such a way and to a such extent to preserve their biological variety, improve their productivity, ability to regeneration, vitality and their potential to perform the ecological, economic and social functions in the present and future. These and similar requirements are the subject of the laws from the domain of forestry and natural environment. The great number of legal and sub-legal acts in these domains unavoidably lead to the inter-connection, but to collision as well. Collision between the forestry and environmental legislation is often presented in a negative way, and the connection is based on the inter-sector cooperation. Today the national legislations are adapting to the international legislation, and the conventions on the environmental protection are globally ratified and adopting.

The new participants in the processes of the environmental protection join the old ones, forming the front, for sometimes non-critical views on the general market need for the forest products. The increasing number of the promoters of the environmental protection can give the picture that the business is made on the use of the natural resources. Therefore, it is needed to perceive how ecological, social, economic and political problems influence the forest and environment.

The subject of the research within the part of the new project FOPER (Improvement of the capacities of the forestry policy and economics in the region of the Southeastern Europe) called: "Collision and Linkages between Forest and Environmental Legislation

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in Serbia” particularly refers to the relations of the legislations of these two sectors and their practical implementation in Serbia. The study which is underway also refers to the both questions from the different point of view, but influences the social dimension and benefits which are connected to the environment and forestry. The study and research are aimed at the relation of the legislative and issues which refer to the integration of the forestry and environmental legislative in the National Park Fruška Gora. The initial investigative method is based on the questionnaires and interviews conducted in the first phase of the work.

Key words: forestry, natural environment, social local community, conflict, collision

STAVOVI PREMA REGULATIVI ŠUMARSTVA I ŽIVOTNE SREDINE - PRISTUP STUDIJE SLUČAJA U SRBIJI

Izvod: Kolizija između šumarskog i zakonodavstva u oblasti životne sredine generalno se predstavlja negativno, dok je povezanost zasnovana na međusektorskoj saradnji. Nije zanemarljiv ni uticaj lokalnog stanovništva kao vlasnika i korisnika šuma i ne vladinih organizacija. Danas se nacionalna zakonodavstva prilagođavaju međunarodnim, a konvencije o zaštiti životne sredine globalno se ratifikuju i usvajaju. Novi učesnici u procesima zaštite životne sredine priključuju se starim, formirajući front, za ponekad i nekritičke stavove prema opštoj potrebi tržišta za proizvodima od šume. Sve brojniji proklamatori zaštite životne sredine mogu stvoriti sliku da je biznis zasnovan na korišćenju prirodnih resursa. S toga, potrebno je uočiti kako ekološki, socijalni, ekonomski i politički problemi utiču na šumu i životnu sredinu.

Predmet istraživanja u okviru dela novog projekta FOPER (Unapređenje kapaciteta šumarske politike i ekonomike u regionu jugoistočne Evrope) pod nazivom: Suprotnosti i veze između legislative šumarstva i zaštite životne sredine “Collision and Linkages between Forest and Environmental Legislation in Serbia” se baš odnosi na relacije legislative ova dva sektora i njihovu praktičnu implementaciju u Srbiji. Studija koja je u toku izrade i odnosi se na oba pitanja sa različitog stanovišta ali u svakom slučaju ima uticaj na socijalnu dimenziju i koristi koje se odnose na životnu sredinu i šumarstvo. Studija i istraživanje je usmereno na relacije legislative i pitanja koja se odnose na integraciju zakonodavstva šumarstva i životne sredine u nacionalnom parku Fruška Gora.

U radu će biti prikazan početni postupak istraživanja baziran na upitnicima i intervjuima koji su obavljani u početnoj fazi rada.

Ključne reči: šumarstvo, prirodna sredina, legislativa, socijalna dimenzija, konflikt, suprotnosti

1 INTRODUCTION

The subject of the research is the conflict connected to forest and environment protection legislation and its implementation in practice in Serbia, in form of a procedure conducted within the framework of FOPER project on conflicts. Both of the policies refer to the same topic from different points of view, and as such they influence the social dimension of environment protection and forestry usefulness. In that sense, it is necessary

to find the answer and connection between these legislations, and social dimension as primary.

While conducting researches in forest policy areas a multiple connection between different regulations in forestry and environment areas has been noticed. The existence of a number of laws and by-laws regulating the said sectors has been noted. It was observed that certain attitudes toward sensitive questions like the conflict among forest and environment sectors reveal new cases. In our effort to transparently represent the research process and problem we have not hesitated to conduct research by reviewing the existing bibliography, as well as studying familiar cases in practice. By opening the discussion about conflict problems in forestry we have become the participants in public argument, i.e. the meticulous revision of forest and environment legislation strictly because of the reason that some disagreements are more than apparent to us, as the founders of the study, and even more to colleagues for whom these problems are every day work. We have recognized that the conflict is not the state of the forced consensus rather it is a debate (Hellstrom, 2001).

Research should discover how different pressure groups treat the legislation and its implementation. Identifying the main interests of every pressure group leads to conclusion about the stimulating factors of forest policy. Where are the point references in legislation and what connections have the positive influence on pressure groups? Some researches have been conducted on forest legislation and on environment protection laws, but as separate cases.

The aims of this research are to:

- form a clear picture on conflicts among laws on forestry and environment protection;
- find out which types of conflicts exist in legislation of forestry and environment and who the main participants are;
- review conflicts between forestry and environment protection including legislation, content and implementation, mark the influence of conflicts on forest management and environment protection in the selected case;
- state the reasons for improving the legislation content and application in forestry and environment protection.

The subject of the research will be focused on integration of forest and environment protection legislation in Fruska Gora National Park. The conflicting sides are private forest owners, joined in their association. The conflict is about the welfare of soil/forest and the influence of leading factors on forest and environment protection legislation. National Park Fruska Gora represents the unique example, regarding the dispersed structure of the protected areas, cooperation of 77 private forest owners in Beocin and 17 existing monasteries. The National Park is an important recreational area for citizens of the second largest city in Serbia, Novi Sad. Easy access from Novi Sad direction and good traffic infrastructure in National Park, large pressure of visitors, intensive mushroom and forest fruits collecting cause serious problems to management.

Fruska Gora is a good example for showing the true situation in the forestry legislation area and environment protection, taking into consideration the fact that this is highly protected area, as well as the area with private land and forests (forest owner association), an example providing the opportunity to see how National Park operates today, what are the problems and conflicts, and in the end, which steps are to be taken into direction of adopting conditions for sustaining local forestry.

The short review of protected natural resources in Serbia

The first regulation concerning fauna protection in Serbia was Visocnaja decree from 1840, prohibiting deer and doe hunting, introducing the fence season for rabbits, “wild goats” and “birds good for eating”. The first protected area in Serbia’s territory was Obedska bara placed under protection in 1874. The Assembly of Serbia passed the first Law on forests in 1891.

The significance of common – national interest is pointed out by the report of the Assembly board stating among the rest:” Forests are nowhere and can never be the property of one generation, they are the general treasure, which every generation is obliged to preserve, and thus undamaged, in the state they were inherited, passed on to the generation to come. They can only enjoy the interest, but the main must not be chipped.” The first protected natural resources were declared in Serbia in 1948; those were forest reserves: Ostrozub, Mustafa, and Feljesana Serbia in 1960. As a result of the decades of work on protection and improvement of natural in the Majdanpek area. National Park Furska gora was the first proclaimed national park in heritage 1032 natural resources were protected in Serbia i.e. 6. 5% of Serbia’s territory.

The following resources are under protection:

5 national parks,

13 nature parks,

72 nature reserves,

31 area of historic and cultural significance,

13 areas of remarkable characteristics,

256 nature monuments,

642 nature rarities (215 plant and 427 animal species), while there are 179 plant and animal species, and mushrooms under controlled use and trade.

The legal aspect of Serbian protected natural resources

The states have, in accordance with the United Nation Chart and principles of international law, sovereign rights to exploit their resources according to their ecological policy, and the responsibility to make sure that the activities in their jurisdiction or control do not cause damage to environment of other countries or areas outside the borders of national jurisdiction.

Nature protection is normatively regulated directly, with more laws and by-laws (laws on hunting, fishing, forest, water, etc.) totally more than 130 different law regulations. Among others, there are by-laws: enactments on general reserves, special nature reserves, nature parks, areas of remarkable characteristics, nature monuments, as well as the enactments on establishing fence season for certain species, on prohibition of collecting certain species in some areas of Serbia, etc. Considering that nature and environment protection is an area in which a large number of regulations have not been conformed to the European Union regulations, the process of their harmonizing is under way.

According to the Code of categorizing protected natural resources classified into 3 categories:

I category – natural resources of extreme significance;

II category – natural resources of great significance;

III category – natural resources of significance.

According to the Law on environment protection there are six types of natural resources:

- National Park
- Nature Park
- Area of remarkable characteristics
- Nature reserves (general and special)
- Nature monument
- Nature rarities.

National Parks are placed under the protection of law. Nature reserves, nature rarities, nature resources protected on the basis of international enactments, and the area of remarkable characteristics making an ambient whole with the cultural wealth of some significance are placed under the protection by an enactment of the Government of Republic of Serbia. Other natural resources are placed under the protection either by a decree or a city on which territory the natural resource is located on, or local self-government. State enterprises manage National Parks which characteristics are represented in table number 1. Other natural resources are managed by administrators/owners appointed by an enactment on natural resource protection (individuals, legal persons, non-governmental organizations, and local self – government).

Table 1- National parks in Serbia

Natural resource name	Year of appointing		Category		Area (ha)	Administrator
	First appointment	Revision	IUCN	RS		
NATIONAL PARKS						
Tara	1981	1993	II	I	19,200,00	SE NP Tara
Kopaonik	1981	1993	V	I	11,800,00	SE NP Kopaonik
Šar planina	1986	1993	II	I	39,000,00	SE NP Šar planina
Fruška gora	1960	1993	V	I	25,393,00	SE NP Fruška Gora
Đerdap	1974	1993	IV	I	63,680,45	SE NP Đerdap

The easiest and most rational way of improvement for the said inter sector relationships when collisions occur is the comparative review of legal regulations abided by both activities and applied in terms of which forests in protected natural resources are managed in the end. The most significant laws and regulations applied in environment protection are stated here:

- Law on environment protection. «Official Journal RS», number: 135/04
- Law on environment protection SEIZED TO BE VALID with 135/04 – except regulations determining air protection, natural resource protection and noise protection «Official Journal RS», number: 66/91, 83/92, 53/93, 67/93, 48/94, 53/95, 135/04
- Law on strategic evaluation of influences on environment «Official Journal RS», number: 135/04
- Law on evaluation of influence on environment «Official Journal RS», number: 135/04
- Law on integrated stopping and control of environment pollution «Official Journal RS», number: 135/04

- Decree on establishing the Project list under the mandatory influence evaluation and the Project list for which evaluation of influences on the environment might be requested «Official Journal RS», number: 84/05
 - Code on request content about the need for influence evaluation and content of requests for determining scope and body of the study on environment influence evaluation «Official Journal RS», number: 69/05
 - Law on national parks «Official Journal RS», number: 39/93, 44/93, 53/93, 67/93, 48/94
 - Law on fish farming «Official Journal RS», number: 35/94, 38/94
 - Law on handling waste matter «Official Journal RS», number: 25/96, 26/96
 - Law on ionized radiation protection «Official Gazette SRJ», number: 46/96, 85/05
 - Decree on systematic testing of radio nuclide content in the environment.
- Regulations from the other areas applied in the area of environment protection:
- Law on forests «Official Journal RS», number: 46/91, 83/92, 54/93, 60/93, 53/93, 67/93, 48/94, 54/96
 - Decree on establishing of forest protection and improvement for 2005 «Official Journal RS», number: 20/05
 - Code on conditions and criteria for allotment and use of resources for forest protection and improvement «Official Journal RS», number: 58/04
- Ratified international contracts of significance for Republic of Serbia
- Law on confirmation of Biologic diversity convention «Official Gazette SRJ — international contracts», number: 11/01
 - Law on confirmation of International convention on trading in endangered species of wild flora and fauna «Official Gazette SRJ — international contracts», number: 11/01
 - Law on confirmation of Basel convention on controlling the cross-border moving of dangerous wastes and their disposal «Official Gazette SRJ- international contracts», number: 2/99
 - Law on confirmation of the United Nation Framing convention on climate change with annexes, «Official Gazette SRJ — international contracts», number: 2/97
 - Montreal protocol on substances damaging the ozone layer »Official Gazette SFRY — international contracts», number: 16/90
»Official Gazette of Serbia and Montenegro — international contracts», number: 24/04
 - Vienna convention on ozone layer protection, with appendices I and II »Official Gazette SFRY — international contracts», number: 1/90
 - International convention on bird protection »Official Gazette SFRY», number: 6/73
 - Convention on swamps of international significance especially as swamp birds habitat - «Official Gazette SFRY — international contracts», number: 9/77
 - European convention on animal protection in international traffic »Official Gazette SRJ — international contracts», number: 1/92
 - Convention on cooperation in protection and sustainable use of the river Danube »Official Gaze SCG- international contracts», number: 4/2003
 - Montreal amendment on Vienna convention on substances damaging the ozone layer
 - »Official Gazette SCG — international contracts», number: 2/2004.

Theory base

Conflicts emerge at numerous levels, such as interhuman, intercultural, situational. The complexity of the factors which are in touch with the policy on the natural resources management, such as different interest groups, scientific and technical uncertainty, variety of the cultural differences, bring to light conflicting and controversial decisions and conflicting situations, which are very often complex (Walker & Daniels, 1997a).

There are numerous interactions between people who are mutually dependent and who perceive that their interests are not identical, or there is a tension between them (Walker & Daniels, 1997a). different definitions, which appeared during the time. Generally, it can be said that the conflicts consist of interests, aims, aspirations, of at least two or more interest sides, communication and interaction, negotiation, coming into agreement and tactical behaviour. Conflicts are communicative

In accord with the all known theories, our definition with two key elements: mutual dependence and perception, is: a conflict is a communicative interaction between the mutually dependent participants/sides with the similar interests, aspirations, strategic behaviour and differences in the perceptions.

The concept of interdependence implies that each interest group has some power, more or less, to influence the joint decision-making. Three types of the “interest groups” /groupings appear in some conflicting situations: primary groups (main participants), secondary groups (indirectly involved) and peripheral groups. The possible roles of groupings can be direct participant in the conflict, mediator in the conflict, or an indirect role (Walker & Daniels, 1997a).

Conflict can consist of the different elements: constitutional (essential), procedural and relational (connective). Constitutional element includes the tangible (visible, which can be defined, measurable) “object” which the group perceives: “what to do, which decision to make, where to go, how to distribute resources or other objects” (Walker & Daniels, 1997b).

Constitutional conflicts in the integration of the forestry and environmental protection legislation are essential in the laws (For example: Legal theories). Process/ procedural conflicts are related to the implementation of the laws (For example: Theories on participation). Relational conflicts are essentially connected to the relation between those responsible for forestry and environmental protection, or between the authorities and population.

Recognizing the main conflicts between the forestry legislation and environmental protection in the state, with their subject matter, participants and intensity, defining their understanding, the conflict management can be understood in the triangle of the three interconnected dimensions – content, procedure and relations – and it can be reflected in numerous topics connected with the views of the interest groups and their opinion on the influence on the development of policy, in the aim of giving interest communities an important voice in the process.

The strategies of the conflict managements must take into account the specific circumstances in which the conflict appear. However, the complex conflicting situations cannot be solved ever, but they can be well “channelled”, so that they would not become devastating. Therefore, the term management is the broader concept which includes, but does not require the solution. It is the way of the improvement of the situation (Walker & Daniels, 1997a).

The role of the conflict in identification of participation and definition of problems: for now it lacks in the discussion, by which the importance and contribution of the social conflicts in the political discussion are recognized. Usually, the conflict is seen as the destructive force which should be reduced or eliminated. The conflict should be “managed”. Nevertheless, the participants cannot be defined without the conflict. They define themselves in the relation with the others and “others” are recognized by the recognition of the differences. Therefore, the recognition of the differences lead to setting limits between “oneself” and “others” (Shannon, 2003).

People react to conflicts in different ways and choose various strategies: adapting, cooperation, avoidance and competition. Competition and cooperation are opposite strategies and conflicting situations are significantly differently motivated (Walker & Daniels, 1997a).

2 METHODOLOGICAL APPROACH TO RESEARCH

Data of the total study consist of the opinion of the representatives of the relevant interest groups, derived from the constructed questionnaire. At least, the following group will be used for the interview: employed in the Ministry of Agriculture, Forestry and Water Management, Ministry of the Environmental Protection, public enterprises, national parks and associations of the private forest owners.

The aim of the project is to collect the opinion of the interest groups on the legislation in the forestry and environmental protection.

The following should be included in the data collecting:

- forest resources – finding where the use of the forest resources is at conflict with the environmental protection
- forest regulation and regulation on the environmental protection where the conflicts and overlapping emerge
- reports, interviews, articles, laws
- Public enterprises, “Vojvodinašume” and “Srbijašume”, National parks
- Interest groups important for data collection in NP Fruška Gora are:
 - “Association of the Private Forest Owners”, which has the forests within the boundaries in NP
 - Ministries of Forestry, Agriculture and Water Management and Environmental Protection.

The questionnaires will be used in order to collect pieces of information from the interest groups to describe, compare or explain their knowledge, feelings, values and behaviour with regard to the conflicts in general. The survey shall be quantitative and qualitative. The questionnaires and interviews will be conducted in the conversation with the subject, face to face, which was done in the first phase of the research by conducting interviews, checking validation of the questionnaire, so-called “pre-testing”. Subjects and interviews will be used for the check at the national level, questionnaire for the regional research will also be conducted.

By means of the questionnaire the basic data on the professional groups of the employees would be collected, on their views and opinion on the conflicts, opinion and beliefs on the way the aforesaid conflicts influence their work, or on the implementation of the short-term and long-term plans, etc. The subjects should discover the reasons/

find justification for the possible complement and incorporation of legislation where the conflict emerges.

In this study some data collected in the field, mainly through interviews, can be useful, since they can give a better insight into the social component of this problem, which, together with the legal (forestry and environmental protection) frame which can improve the relations between the different public sectors, between the state and private sectors, can give a chance to the local population as well during the decision-making.

The data obtained by the method of the questionnaires is necessary to show by tables, graphs, and do the statistical analysis. In this way the results, instruments for making concrete conclusions, are obtained.

The most important approaches to environmental management are: sustainable management, development and protection of forests, preservation of biodiversity, acknowledgement of the rights of the traditional owners and respecting of the national legislation and signed by the international conventions, including the principle of precaution.

According to the report (Tomíć, 2004) on the application of the forestry legislation the fact that the application of the regulation poses a problem for about 2/3 of the employed is clearly visible. The employed subjects of the public institutions, public enterprises, owners of the private forests, as well as experts from the forestry sector and the domain of environment consider that the forestry legislation is not adapted to the needs of the forestry within the new industrial system. The same number of the subjects are of the opinion that the forestry legislation promotes and supports the sustainable forest management in the appropriate way. More than 70% of the subjects emphasize that there are difficulties regarding harmonizing the legal regulation of the aforesaid laws (environmental protection) with the forestry legislation, or think that the harmonisation is not good enough.

3 RESULTS

The first part of the future results is formation and determination of the questionnaire, which is a very complex activity requiring time and several versions which are examined in a great detail and brought into accord with the basic concept of the research, metodological approach and national peculiarities and assumptions.

This questionnaire is the type of the interview which is done with the representatives of several institutions. We should have the same attitude towards all potential subjects and put the same questions to them. It does not mean that the subjects should not say more than it is required from them in the questionnaire, and would be important for the research.

The research deals with discrepancy/ conflict which in the great number of cases is at the first sight hidden from the public discussion, for different reasons. Our aim is to realize whether the implementation of the current legislation cause conflict from the point of view of the subjects. This research will give us the clearer picture of the problems and conflicts in the professional environment. After the arrangement of the results, they will be published in the scientific magazine, also as the relevant scientific conclusion which will help the policy makers as the directive during the making of the future decisions.

The basic questionnaire is shown in the further text:

Date of the Interview (dd.mm.year): _____

The Number of the Interview: _____

The Time of the Start (hh:mm) _____ and end (hh:mm) _____

N°_ Name and Surname _____

Name and Surname of the Subject _____

Date of the Organization : _____

Place of the Interview: _____

Position : _____

Date of the Data Inclusion (dd.mm.year): _____

Main Questions	Auxiliary questions
1. Do you encounter the disagreements between the different interest groups in your everyday work?	<p>a Who/ What are the main causes of the conflicts?</p> <p>1 Different aims of the management 2 Knowledge and skills 3 Content of the law 4 Human and technical capacities 5 Ownership and user rights 6 Values 7 Tradition 8 Overuse of land 9 System and aims of management 10 Domestic population and their attitude</p>
Describe them by topics, history, intensity and participants:	<p>b Who is most involved in the disagreements?</p> <p>1 Responsible ministries /Authorities /Administration 2 Forestry enterprises 3 Private wood-processors 4 NVO 5 Managers of the protected areas 6 Local administration 7 Local population 8 Private forest owners 9 Different interest associations (hunters...)</p>
2 Does the implementation of the current legislation cause conflicts? If it is correct, please, state which the regulation is in question and describe the conflicts by topics, history, intensity?	<p>c For the better understanding of the conflict, I need:</p> <p>1 Education and Training 2 Greater funds 3 Better technology 4 More comprehensible /Contemporary laws 5 Better communication with the local population 6 Better communication with the employees in the Public enterprise/ National park 7 More intensive cooperation with the forestry inspection/ inspection of the protection 8 Other</p>

<p>3 Describe the role of the participant in the conflict. Why do they behave?</p>	<p>d What can be useful for the improvement and solving of the conflicts?</p> <ol style="list-style-type: none"> 1 Communication / help pf faculties or investigative institutes 2 Propaganda (pieces of information, advertisement); 3 Media 4 Funds 5 Public relations of my enterprise (PR) 6 Improvement of the laws 7 Better technology and mechanisation 8 Harmonisation between the offer /demand and /strategy 9 The Government to hear my voice 10 Other
<p>4 Describe the conflict management, what was the previous situation in comparison with the current situation?</p>	<p>e Which processes are the ways for conflict management?</p> <ol style="list-style-type: none"> 1 Certification 2 Participation of the public in the formulation of the regulation 3 Improvement of the national norms and regulations 4 The creation of staff 5 Training for improvement of the knowledges and skills 6 Formation of the joint bodies between the Government and Public enterprises and private forest owners 7 Horizontal communication between the Ministries 8 Introduction of faculties and scientific institutions 9 Well-developed training of the forestry sector in the domain of the environmental protection 10 Better understanding of the persons responsible for protection of the forestry issues 11 Other, if there is something, please, state

In pre-testing, the subjects mainly showed a good will to cooperate, and if we have a right approach towards everyone as an individual, it is possible to obtain useful information about the aforesaid problems and conflicts. Despite the initial disagreement and aversion to this way and approach to scientific-investigative work, usually caused by inaction, which, we have to admit, is new in this country, well-trained and skillful pollsters are able to discover conflicts. However, not completely. Also, depending on the level of the subject's view of the situation it is possible to determine the conflicts which, of course, we are all aware of. The conflicts are omnipresent, they existed in the past, they exist now, and they will emerge in the future. The scientists have the task to determine and define the conflicts, as well as to find ways to manage them (conflict management), which, as the theory says, includes the solution of this phenomenon, but does not require it.

4 CONCLUSION

It is evident that there is a great number of laws and sub-legal act which are related with the same area. By interpreting and judging them as such, each of the sectors can in theory justify its activity. In practice, it causes misunderstanding, disagreements and even the open conflict between the forestry and environmental protection legislation, since they are simply used double and impartially as the legal remedy. The views of the people which are in touch with these laws also confirm the theory.

The management and solution of the collision between the forestry sector and legislation which is related to the protected natural resources to a great extent depends upon the inter-sector cooperation, investment in the sectors, as well as monitoring and appraisal of the sectors. The international and regional cooperation becomes a key to the improvement of the legislation and contributes to the investment in the sectors, which is reflected in the connecting of the legal regulations.

We believe that the synergy between the scientific approach and practical experience can better clarify the possible conflicts between the forestry and environmental protection legislation, as well as their future solution.

LITERATURE

- Hellstrom, E. (2001): Conflict Cultures – Qualitative Comparative Analysis of Environmental Conflicts in Forestry. Silva Fenica. Monographs 2. p.12.
- Tomčić, N. (2005): Institutional development and construction of the capacities for national forest program of Serbia: Third Report of the Ministry of Agriculture, Forestry and Water Management, Forest Directorate. (*Original- Institucionalni razvoj i izgradnja kapaciteta za nacionalni šumarski program Srbije: Treći izveštaj Ministarstvo poljoprivrede, šumarstva i vodoprivrede uprava za šume*)
- Walker, G.B., Daniels, S.E. (1997a): Foundations of Natural Resource Conflict: Conflict Theory and Public Policy. Oregon State University. USA. p.p. 13-25.
- Walker, G.B., Daniels, S.E. (1997b): Foundations of Natural Resource Conflict: Conflict Theory and Public Policy. Oregon State University. P. 17: In Hocker, J.L. and Wilmot W.W. 1995. International conflict, 4th ed. Dubuque, IA: Brown and Benchmark.
- Shannon, M. (2003): Cross-Sectoral Policy Impacts Between Forestry and other sectors. Chapter 5. Mechanisms for coordination. FAO Forestry Paper 142.

COLLISION BETWEEN FORESTRY AND ENVIRONMENTAL LEGISLATIVE RESEARCH - CASE STUDY AND STATEMENTS IN SERBIA

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Summary

The productive function of the forests often imposes as dominant, often excluding the possibilities that the other aims of it completely serve to the materialisation of the common good. As the renewable resources, the forests should be exploited in such a way and to a such extent to preserve their biological variety, improve their productivity, ability to regeneration, vitality and their potential to perform the ecological, economic and social functions in the present and future. These and similar requirements are the subject of the laws from the domain of forestry and natural environment. The great number of legal and sub-legal acts in these domains unavoidably lead to the inter-connection, but to collision as well. Collision between the forestry and environmental legislation is often presented in a negative way, and the connection is based on the inter-sector cooperation. Today the national legislations are adapting to the international legislation, and the conventions on the environmental protection are globally ratified and adopting. The new participants in the

processes of the environmental protection join the old ones, forming the front, for sometimes non-critical views on the general market need for the forest products. The increasing number of the promoters of the environmental protection can give the picture that the business is made on the use of the natural resources. Therefore, it is needed to perceive how ecological, social, economic and political problems influence the forest and environment.

The subject of the research within the part of the new project FOPER (Improvement of the capacities of the forestry policy and economics in the region of the Southeastern Europe) called: "Collision and Linkages between Forest and Environmental Legislation in Serbia" particularly refers to the relations of the legislations of these two sectors and their practical implementation in Serbia. The study which is underway also refers to the both questions from the different point of view, but influences the social dimension and benefits which are connected to the environment and forestry. The study and research are aimed at the relation of the legislative and issues which refer to the integration of the forestry and environmental legislative in the National Park Fruška Gora.

STAVOVI PREMA REGULATIVI ŠUMARSTVA I ŽIVOTNE SREDINE - PRISTUP STUDIJE SLUČAJA U SRBIJI

Re z i m e

Proizvodna funkcija šuma nameće se kao dominantna, isključujući često mogućnosti da njene ostale namene služe u potpunosti ostvarenju opšte društvenog dobra. Kao obnovljivi resurs šume bi trebalo eksploatirati na takav način i u takvom obimu da se održava njihova biološka raznovrsnost, unapređuje proizvodnost, sposobnost obnavljanja, vitalnost i njihov potencijal da u sadašnjosti i budućnosti ispunjavaju ekološke, ekonomske i društvene funkcije. Ovakvi, a i slični zahtevi predmet su zakona iz oblasti šumarstva i životne sredine. Postojanje velikog broja zakonskih i podzakonskih akata u ovim oblastima neminovno dovodi do međusobne povezanosti ali i kolizije. Kolizija između šumarskog i zakonodavstva u oblasti životne sredine često se predstavlja negativno, a povezanost je zasnovana na međusektorskoj saradnji. Danas se nacionalna zakonodavstva prilagođavaju međunarodnim, a konvencije o zaštiti životne sredine globalno se ratifikuju i usvajaju. Novi učesnici u procesima zaštite životne sredine priključuju se starim, formirajući front, za ponekad i nekritičke stavove prema opštoj potrebi tržišta za proizvodima od šume. Sve brojniji proklamatori zaštite životne sredine mogu stvoriti sliku da je biznis zasnovan na korišćenju prirodnih resursa. S toga, potrebno je uočiti kako ekološki, socijalni, ekonomski i politički problemi utiču na šumu i životnu sredinu.

Predmet istraživanja u okviru dela novog projekta FOPER (Unapređenje kapaciteta šumarske politike i ekonomike u regionu jugoistočne Evrope) pod nazivom: Suprotnosti i veze između legislative šumarstva i zaštite životne sredine "Collision and Linkages between Forest and Environmental Legislation in Serbia" se baš odnosi na relacije legislative ova dva sektora i njihovu praktičnu implementaciju u Srbiji. Studija koja je u toku izrade i odnosi se na oba pitanja sa različitog stanovišta ali u svakom slučaju ima uticaj na socijalnu dimenziju i koristi koje se odnose na životnu sredinu i šumarstvo. Studija i istraživanje je usmereno na relacije legislative i pitanja koja se odnose na integraciju zakonodavstva šumarstva i životne sredine u nacionalnom parku Fruška Gora.

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