

Sustainable Land Management and Climate-Friendly Agriculture Project (Turkey) –
GCP/TUR/055/GFF

Sustainable Land Management Legislation and
Gap Analysis Report

February 2018

Ismail Belen

Legal Expert

Text Boxes	3
Tables	3
Abbrevitions	4
Introduction.....	5
Executive Summary	6
<i>The Subjects of This Report</i>	9
<i>Institutional Framework and Policy Framework in the Project Text</i>	11
2. Turkish Legislation on SLM / CFA	11
<i>Constitution.....</i>	11
<i>International Conventions Approved by the TGNA</i>	14
United Nations Framework Convention on Climate Change	15
United Nations Convention to Combat Desertification	16
Convention on Biological Diversity.....	18
The European Landscape Convention.....	19
Ramsar Convention	19
<i>Laws.....</i>	20
The Under Ground Water Law	20
National Parks Law	20
The National Mobilization Law for Forestation and Erosion Control.....	21
The Pasture Law	23
Organic Farming Law	26
Soil Conservation and Land Use Law	26
Text Box 8 Article 10 of Soil Conservation and Land Use Law.....	27
Forest Law	28
<i>The Laws about the Duties of Institutions</i>	30
Ministry of Forestry and Water Affairs	31
Ministry of Food, Agriculture and Livestock.....	32
Ministry of Environment and Urbanization.....	32
<i>Legislative Regulations in Progress of Preparations</i>	33
3. Conclusions.....	34
<i>Summary Gap Analysis</i>	35
<i>Proposals</i>	35
<i>Brief Tables</i>	36
<i>International agreements on SLM and CFA</i>	36
<i>National Legislation.....</i>	37
4. Annexes	38

Text Boxes

Text Box 1 Component 3. Enabling legal, policy and institutional environment for sustainable land management	10
Text Box 2 <i>Constitutional Articles on SLM</i>	12
Text Box 3 <i>Ratification of International Treaties According to Turkey's Constitution</i>	14
Text Box 4 LDN TRANSFORMATIVE PROJECT	17
Text Box 5 Relevant Articles of OGM related to open spaces in forests.....	21
Text Box 6 Identification of pastures and arrangement of grazing: different approaches of forest and agricultural organizations.....	24
Text Box 7 Items related to grazing in the forest law	25
Text Box 8 Article 10 of Soil Conservation and Land Use Law.....	27
Text Box 9 Article 15 of Soil Conservation and Land Use Law.....	27
Text Box 10 The objective of the National Basin Management Strategy (NBMS)	29
Text Box 11 Related articles of the Law on Organization and Duties of General Directorate of Forests numbered 3234.....	30
Text Box 12 Duties of the ÇEM and SYGM Related to Basin Management	31
Text Box 13: <i>Tasks of OGM Soil Conservation and Watershed Improvement Department</i>	31
Text Box 14 The Main Units of the MFAL on SLM	32
Text Box 15 General Directorate of Spatial (Landscape) Planning.....	32

Tables

Table 1 <i>Obstacle, Components and Outputs Specified in the Project</i>	8
Table 2 <i>International Agreements Approved by the TGNA in SLM / CFA Matters</i>	15
Table 3 <i>Integrated Watershed Projects Prepared with Internal Resources According to Article 58 of Forest Law</i>	28
Table 4 <i>Ongoing Legislation Studies on Preparations</i>	33
Table 5 <i>Examples of Rural Service Units Established in Metropolitan Municipalities</i>	33

Abbreviations

Abb.	Full Name
TTK	Agricultural Credit Uniuon
BD	Biodiversity
CFA	Climate Friendly Agriculture
CSA	Climate Smart Agriculture
PRODOC	FAO Project Document
FAO	Food and Agriculture Organization of the United Nations
TRGM	General Directorate of Agrarian Reform
TAGEM	General Directorate of Agricultural Research and Policies
ÇEM	General Directorate of Combating Desertification and Erosion
OGM	General Directorate of Forestry
GIS	Geographic Information System
GEF	Global Environment Facility
GoT	Government of Turkey
IUCN	International Union for the Conservation of Nature
KBA	Key Biodiversity Area
LTO	Lead Technical Officer
LTU	Lead Technical Unit
MP	Management Plan
MEU	Ministry of Environment and Urbanization
MFAL	Ministry of Food, Agriculture and Livestock
MFWA	Ministry of Forestry and Water Affairs
NGO	Non Governmental Organization
PSC	Project Steering Committee
PTM	Project Task Manager
PY	Project Year
SC	Stakeholder Committees
SO	Strategic Objectives
SFM	Sustainable Forest Management
SLM	Sustainable Land Management
TOR	Terms of Reference
ELC	The European Landscape Convention
KCB	The Konya Closed Basin
TL	Turkish Lira
UN	United Nations
UNCBD	United Nations Convention on Biological Diversity
UNCCD	United Nations Convention to Combat Desertification
UNFF	United Nations Forum on Forests
UNFCCC	United Nations Framework Convention on Climate Change
USD	United States Dollar
WB	World Bank
WWF	World Wildlife Fund
TGNA	Turkish Grand National Assembly

Introduction

This report, titled "Sustainable Land Management Legislation and Gap Analysis", was prepared for FAOSEC under the project "Sustainable Land Management and Climate Friendly Agriculture (GCP/TUR /055/GFF)". The project objective is to improve sustainability of agriculture and forests land use management through diffusion and adoption of low-carbon technologies with win-win benefits in land degradation, climate change and biodiversity conservation and increase farm profitability and forest productivity. This project is being implemented in the partnership of NGOs, private sector and governmental institutions including Ministry of Forestry and Water Affairs, Ministry of Food, Agriculture and Livestock and FAOSEC.

Sustainable land management related issues are known in Turkey. However, there is still a need to work in an integrated way among ministries, local governments, non-governmental organizations and private sector in order to get effective results. Sustainable land management creates common understanding and requires cooperation between institutions. The lack of legislation regulating the co-operation of ministries and other interested parties emerges as an important gap. Likewise, there are gaps in the secondary legislation needed to transfer international conventions into practice. The suggestions on these topics are listed in the relevant sections of the report.

The following process has been carried out while preparing this report.

- Reading the project text and other related documents,
- The latest developments in the project,
- Examination and reporting of relevant national legislation,
- Examination and reporting of relevant international regulations,
- Preparing a questionnaire for the interviewees,
- Interviews with interested parties,
- Drafting the report,
- Delivering the Turkish version of the draft report to the participants before the workshop,
- Updating the report with the issues raised in the workshop,
- Translating to English and delivering to FAO,
- Preparing the final version in the framework of the proposals from FAO.

In the light of these examinations, the first text prepared as of July 17, 2017 and was sent to the persons in charge with an e-mail, followed by oral interviews with those who were available.

The text, reorganized in the framework of the proposals that came up after the interviews and with the e-mail, was presented in the workshop organized by the Ministry of Forestry and Water Affairs on Thursday, August 24, 2017 and opinions were received.

This report consists of three main parts. The first part is the examination of the project text, the second part contains the findings of the existing Turkish regulations and international developments. It also includes the opinions raised on the Workshop. The third section contains conclusions and recommendations. The report was first prepared in Turkish; interviews were made in Turkish in order to be useful at maximum level. After the meetings with the Turkish side, the report was translated into English and delivered to FAO.

Executive Summary

The objective of this report is to identify and evaluate of the legal gaps and needs related to SLM and CFA in Turkey.

This report is based on the "Project Document" and related matters. However, many legal and institutional arrangements have been made since the beginning of the project preparations in 2011 and after the beginning of 2015. Likewise, there are regulatory proposals submitted by the, Government to the Turkish Grand National Assembly.

The United Nations defines "sustainable land management (SLM)" as *"the use of land resources, including soils, water, animals and plants, for the production of goods to meet changing human needs, while simultaneously ensuring the long-term productive potential of these resources and the maintenance of their environmental functions"*¹.

From this point of view, it can be said that SLM is a "way of life" beyond technical or legal regulations. SLM is a philosophical approach that requires land resources, including land, water, animals and plants, to be evaluated together with all elements that make the ecosystem. Therefore, the "legislative gap analysis" which is included in the scope of this report emphasizes an important need.

First of all, it is necessary to understand the "SLM / CFA" approach and to look at existing applications. The obstacles to the adoption and then dissemination of this approach should be identified. Following this, solutions must be sought. Tradational knowledge, history, inheritance practices, geographical conditions shape the understanding of "land". As an example, in places like Siberia, where the land is large and the population is small, implementations are different than Turkey. As the settlements have recently been opened, arrangements and applications are relatively easy. Contrary, in Anatolia and the Middle East, so called "the old world", land has been used for thousands of years, and "land use rights" were established. Adoption of new arrangements and practices here are rather difficult.

In general, legal structure in Turkey follows this order: The Constitution, the International Covenants approved by the Grand National Assembly of Turkey, the Laws, the Decree of the Laws, Decision of the Council of Ministers, Regulations, Communiqué, Circular Letters and Technical Explanations.

In addition, National Development Plans, Government Programs, Institutional Strategic Plans, Annual Budget Laws are important. On the other hand, the approaches of corporate administrators play a vital role.

"Sustainable Land Management-SLM and Climate-Friendly Agriculture-CFA-Practices" approach has just entered the legislation under this name. For example, "Regulation on the Protection, Use and Planning of Agricultural Land" prepared by the Ministry of Food, Agriculture and Livestock was published in the Official Gazette dated 9 December 2017². "Regular use of land in accordance with environment priority sustainable development principle", "Determination of land characteristics to ensure sustainable use" and "Sustainable land management" are clearly mentioned in this Regulation. SLM / CFA, however, is involved in other legislation such as the Constitution under other names such as Land Ownership , Protection and Development of Forests and approaches.

¹ <http://www.fao.org/land-water/land/sustainable-land-management/en/>

² <http://www.resmigazete.gov.tr/eskiler/2017/12/20171209-3.htm>

Given the definition used by the United Nations, it appears that there is a close link between *"sustainable land management / climate friendly agricultural practices and integrated watershed management"*. However, the practices in Turkey have not yet reached the level expected in terms of common and integrated work. Nevertheless, it is evaluated that the General Directorate of Combating Desertification and Erosion plays an important role in the context of the 68th article of the Forest Law and the related articles of the "Decree Law No. 654 on the Organization and Duties of the Ministry of Forestry and Water Affairs".

When the word "SLM" is used, "rural" areas come to mind. On the other hand, the term "erosion or land degradation" is generally associated with forests and other wooded lands, followed by grasslands-pastures and agricultural areas. This is partly true. However, especially in large cities and settlements, "land degradation" is a factor. It should be taken into consideration that the areas where the buildings are built are part of the natural landscape while the urban transformation studies are carried out. Priority should be given to the construction of cities and settlements that are "close to nature, peaceful in nature". The "Forest and Landscape Restoration Mechanism (FLRM)" initiated by FAO can be taken as a good example³.

"SLM / CFA" requires the cooperation of many ministries / institutions and legislation should be regulated in this framework. In addition to general laws in Turkey, Laws about the organization and duties of institutions also have vital preventive measures. In the light of these explanations, the following legislation and other regulations are audited and reported.

Although sustainable land management related issues are known in Turkey, there is still a need for an an harmonous working atmosphere among partners of the sustainable land management. Since SLM requires cooperation between institutions, the lack of legislation regulating the co-operation of ministries and other interested parties emerges as an important gap. Likewise, there are gaps in the secondary legislation needed to transfer international conventions into practice.

=====

³ <http://www.fao.org/in-action/forest-landscape-restoration-mechanism/en/>

1. Review of the Project Text

The following studies were carried out within the framework of this work plan presented to FAO and related notes were taken.

This project is part of FAO's "Dryland Forestry" projects. Konya Closed Basin where the project is applied is one of the most arid regions of Turkey, both in the Mediterranean Region⁴. The project objective is to improve sustainability of agriculture and forests land use management through diffusion and adoption of low-carbon technologies with win-win benefits in land degradation, climate change and biodiversity conservation and increase farm profitability and forest productivity. The project will achieve this objective by addressing three barriers:

Table 1 *Obstacle, Components and Outputs Specified in the Project*

Barrier	Components	Outcomes
Barrier #1: minimal experience among key government and civil society stakeholders in developing and implementing sustainable land management and forest management practices.	Component 1: rehabilitation of degraded forest and rangeland	<p>Outcome 1: Under this component the GEF project will build on the baseline scenario by financing the incremental costs associated with:</p> <ul style="list-style-type: none"> • Increased attention to rehabilitation of degraded land in production landscapes • Production of soil organic maps for pilot sites; • Preparation of integrated SLM and biodiversity conservation land-use plan for the Mt. Karacadağ pilot area; • Certification of forests and rangeland landscapes by internationally recognized environmental standards that incorporate biodiversity considerations; • Establishment of biodiversity monitoring systems and • Quantification of ecosystem services value in areas of KCB.
Barrier #2: farmers under-exposed to innovative low carbon technologies for farming and farm waste management.	Component 2: climate-smart agriculture	<p>Outcome 2: Key activities under this component will include the incremental costs associated with:</p> <p>Development of models for conservation agriculture demonstrations on private farms;</p> <p>Information dissemination on TIGEM's experience in terms of conservation agriculture;</p> <p>Pilot-scale investments in bio-digesters to recuperate methane from agricultural waste and produce electricity;</p> <p>For high-potential opportunities, incentives for the investment</p>

⁴ <http://www.fao.org/dryland-forestry/projects/ongoing-projects/sustainable-land-management-and-climate-friendly-agriculture/en/>

		<p>in the development of the infrastructure to capture methane;</p> <p>Monitoring the adoption of climate-smart agricultural technologies, including monitoring of GHG mitigation and biodiversity impacts;</p> <p>Different management practices such as reduced tillage, mulchin, organica and inorganic fertilizer and suitable irrigation increase soil carbon pool and storage in plant tissue and soil body.</p>
<p>Barrier #3: inadequate enabling environment (legal, regulatory and institutional framework) and capacity for sustainable land management.</p>	<p>Component 3: enhanced enabling environment for sustainable land management</p>	<p>Outcome 3: Under the current baseline there is very little energy being focused upon building a strong constituency for agricultural practices that delivery SLM, climate change, and biodiversity conservation benefits.</p> <p>Without this constituency it is very difficult to generate and/or support the implementation of necessary enabling environment improvements. Using GEF funding, the project will directly address this barrier.</p> <p>The project will set in place in a farmer field school model that is designed specifically to empower farmers and ranchers to become better informed regarding steps they can take to improve production, maintain ecosystem integrity, and reduce the long-term economic risks associated with degradation.</p> <p>This project will be interwoven throughout all project components, using the various investments as way to strengthen the knowledge base of focal resource users and government extension officers.</p> <p>The farmer field school model will provide a conduit for continued delivery of learning between government staff and farmers.</p> <p>This conduit will also provide the impetus, information and support required to generate enabling environment improvements.</p>

The Subjects of This Report

This report focuses more heavily on Component3, Conclusions3 and Outcomes3.

- **Barrier #3:** inadequate enabling environment (legal, regulatory and institutional framework) and capacity for sustainable land management.
- **Component 3:** enhanced enabling environment for sustainable land management
- **Outcome 3: Enhanced enabling environment** for sustainable land management

With the "Output 3.1", it was basically aimed to "establish a program to create an integrated corporate governance capacity for national and local decision makers".

In this context, the following points are summarized in the project text.

Text Box 1 Component 3. Enabling legal, policy and institutional environment for sustainable land management

Component 3. Enabling legal, policy and institutional environment for sustainable land management

The objective of this component is to more fully integrate climate change mitigation, biodiversity conservation and SLM concerns within agricultural management. This will be achieved at multiple levels and through an integrated, evidence-based approach woven through all three-project components.

A strong enabling environment requires awareness and support from both government agencies and stakeholder constituents. In this case, those constituents are represented by KCB agriculturalists.

Policies, regulations, and financial incentives will benefit from government agents on national and KCB levels who are more fully aware of issues of concern and national/international best practices to address these concerns.

National and KCB level decision-making bodies, and particularly staff and agencies associated with the MFAL and MFWA, will benefit from capacity building associated with the generation of demonstrations, lessons learned and other Component 1 and 2 activities.

These capacity building efforts will be coordinated through Component 3 and augmented by formal training programs that focus upon creating regulatory and policy pathways to support agricultural practices that contribute to ecosystem integrity.

Under the current baseline, there is very little energy being focused upon building a strong constituency for agricultural practices that deliver SLM, climate change, and biodiversity conservation benefits.

Without this constituency, it is very difficult to generate and/or support the implementation of necessary enabling environment improvements. Using GEF funding, the project will directly address this barrier.

The project will set in place a farmer field school model that is designed specifically to empower farmers and ranchers to become better informed. The model will build on the evidence base and integrate lessons learned from demonstration activities to improve production, maintain ecosystem integrity and reduce the long-term economic risks associated with degradation.

This model will be interwoven throughout all project components, using the various investments as a way to strengthen the knowledge base of local resource users and government extension officers. The farmer field school model will provide a conduit for continued delivery of learning between government staff and farmers. This conduit will also provide the impetus, information and support required to generate enabling environment improvements.

Institutional Framework and Policy Framework in the Project Text

In the section "C" under project text "1.1. General Context", relevant institutions and legal framework are listed under the heading "Institutional Framework and Policy Framework".

Accordingly, the relevant institutions are:

- Ministry of Forestry and Water Affairs
- General Directorate of Combating Desertification and Erosion
- General Directorate of Nature Conservation and National Parks
- General Directorate of Forestry
- General Directorate of State Hydraulic Works
- General Directorate of Water Management
- Ministry of Food, Agriculture and Livestock
- Konya and Karaman Provincial Directorates

The Laws and other relevant legislation listed in the project text are:

- Forest Law No. 6831
- National Forestation and Erosion Control Mobilization Law No. 4122
- Agricultural Law No. 5488
- Law No. 5403 on Soil Conservation and Land Use
- Pasture Law No. 4342
- Law No. 5262 on Organic Agricultures
- Water Law No. 831
- The Environmental Law No. 2872
- Law No. 167 on Groundwater Waters
- Irrigation Unions Law No. 6172
- Law No. 6094 on Renewable Energy
- Law No. 4915 on Land Fighting
- National Parks Law No. 2873

2. Turkish Legislation on SLM / CFA

In this section, the Constitution, international agreements approved by the TGNA, laws, statutory decrees and government programs are examined.

Constitution

"Sustainable Land Management and Climate Friendly Agriculture Practices" are not included in the Constitution under this name. However, many elements of the Constitution emphasize these two concepts. The related items are listed below. When these are considered as a whole, it seems that there are no Constitutional obstacles to the SLM/CFA regimes. There are even incentives. In other words, the Constitution of the Republic of Turkey has supporting items on "sustainable land management" concept.

The key words for SLM/CFA could be listed below:

- Efficiently operating and developing the soil,
- Fighting with erosion
- Prevention of the destruction of agricultural land and meadows and pastures,
- Supporting those who deal with agriculture and animal husbandry,

- A healthy and balanced environment,
- Planned housing development,
- The statutory status of international conventions approved by the TGNA and published at the Official Gazette in accordance with the procedure,
- Development plans that will enable especially the development of industry and agriculture in a balanced and harmonious manner at the domestic level,
- Protection and development of forests,
- Protection of forest villagers,
- Development of cooperatives "

These issues were clearly included in the Constitution.

Article 123 of the Constitution states that the Administration is "a whole together with its establishment and duties". According to this article, all Ministries / institutions should act "integrated and coordinated". In practice, however, each Ministries / institutions may tend to act mainly within its own legislation and habits. It is evaluated that encouraging and even compelling regulations for cooperation and coordination Ministries working in watershed bases in Turkey; Ministry of Forestry and Water Affairs, Ministry of Food, Agriculture and Livestock, Ministry of Environment and Urbanization. There are differences between the "definitions and standards of watersheds" of these three ministries and even between basin definitions and standards of the same ministry units will be beneficial.

Together with "SLM/CFA", forests and forests dependent people are among the issues referred in the Constitutions.

The Constitution consists of a total of 177 articles. Four of them (44,46,169,170) are related to forestry in some way. Two articles directly related to Land use the rest is directly related to forestry. In addition, the Constitution is structured in 6 chapters and Section" IV. Forests and the Inhabitants of Forest Villages ".

This is very important in terms of showing the place of forestry in the Republic of Turkey legislation.

Articles 44, 46, 169 and 170 of the present Constitution, together with their titles, are given below⁵.

Text Box 2 Constitutional Articles on SLM

Article 44 Land Ownership

Article 44: The State shall take the necessary measures to maintain and develop efficient land cultivation, to prevent its loss through erosion, and to provide and to farmers with insufficient land of their own, or no land.

For this purpose, the law may define the size of appropriate land units, according to different agricultural regions and types of farming. Providing of land to farmers with no or insufficient land shall not lead to a fall in production, or to the depletion of forests and other land and underground resources.

ARTICLE 46 Expropriation

⁵ <http://www.carfu.org/?p=1393>

Article 46: The State and public corporations shall be entitled, where public interest requires it, to expropriate privately owned real estate... Compensation shall be paid in cash and in advance.

However, the procedure to be applied in paying compensation for land expropriated in order to carry out land reform, major energy and irrigation projects, and housing and resettlement schemes and afforestation, and to protect the coasts and to build tourist facilities shall be regulated by law.

Article 169 Protection and Development of Forests

Article 169: The State shall enact the necessary legislation and take the necessary measures for the protection of forests and the extension of their areas.

Forest areas destroyed by fire shall be reforested; other agricultural and stock – breeding activities shall not be allowed in such areas.

All forests shall be under the care and supervision of the State. The ownership of State forests shall not be transferred to others.

State forests shall be managed and exploited by the State in accordance with the law. Ownership of these forests cannot be acquired through prescription, nor shall servitude other than that in the public interest be imposed in respect of such forests. Acts and actions which might damage forests shall not be permitted. No political propaganda which might lead to the destruction of forests shall be made; no amnesties or pardons to be specifically granted for offenses against forests shall be legislated. Offenses committed with the intention of burning or destroying forests or reducing forest areas shall not be included within the scope of amnesties or pardons on other occasions.

The restraining of forest boundaries shall be prohibited, except in respect of areas whose preservation as forests is considered technically and scientifically useless but whose conversion into agricultural land has been found definitely advantageous, and in respect of fields, vineyards, orchards, olive groves or similar areas which technically and scientifically ceased to be forest before 31 December 1981 and whose use for agricultural or stock- breeding purposes has been found advantageous, and in respect of built – up areas in the vicinity of cities, towns or villages.

ARTICLE 170 -Protection of the Inhabitants of Forest Villages

Article 170: Measures shall be introduced by law to secure co-operation between the State and the inhabitants of villages located in or near forests in the supervision and exploitation of forests for the purpose of ensuring their conservation and improving the living conditions of their inhabitants; the law shall also regulate the development of areas which Technically and scientifically ceased to be forests before 31 December 1981, the identification of areas whose preservation as forest is considered technically and scientifically useless, their exclusion from forest boundaries, their improvement by the State for the purpose of settling all or some of the inhabitants of forest villages in them, and Their allocation to these villages.

The State shall take measures to facilitate the acquisition, by these inhabitants, of farming equipment and other inputs. The land owned by villagers resettled outside a forest shall immediately be reforested as a state forest.

In Turkey, forest villagers constitute a significant proportion of the country's poor and are viewed as an important resource for managing forests. Similarly, forests provide the villagers with an important source of direct employment, and the supply of subsistence goods and services. Over the past 35

years, migration to urban areas has reduced the population of forest villages from 18 to 7 million—a level that forest authorities consider critically low to adequately manage upland ecosystems sustainably.

In addition, many of the migrants were of working age, leaving the work of properly managing the forests and pastures to the remaining population that now consists of the old and/or very young. However, the declining rural populations and the changing demographics of the villages frequently lead to issues such as the overgrazing of livestock near settlements; increased use of fire for managing pastures, with increased risks of uncontrolled burning; ecological changes in the habitat area that may threaten endangered species; and a decline in important forest maintenance activities, such as tree thinning.

International Conventions Approved by the TGNA

Article 90 of the Constitution of the Republic of Turkey refers to international agreements. Within the framework of this article, it can be said that the approved international conventions are ranked above national laws in hierarchical structure.

Text Box 3 Ratification of International Treaties According to Turkey’s Constitution

D. Ratification of International Treaties

ARTICLE 90 - The ratification of treaties concluded with foreign states and international organizations on behalf of the Republic of Turkey, shall be subject to adoption by the Grand National Assembly of Turkey by a law approving the ratification.

Agreements regulating economic, commercial and technical relations, and covering a period of no more than one year, may be put into effect through promulgation, provided they do not entail any financial commitment by the State, and provided they do not infringe upon the status of individuals or upon the property rights of Turkish citizens abroad. In such cases, these agreements must be brought to the knowledge of the Grand National Assembly of Turkey within two months of their promulgation.

Agreements in connection with the implementation of an international treaty, and economic, commercial, technical, or administrative agreements which are concluded depending on an authorization given by law shall not require approval by the Grand National Assembly of Turkey. However, agreements concluded under the provision of this paragraph and affecting the economic or commercial relations and Private rights of individuals shall not be put into effect unless promulgated.

Agreements resulting in amendments to Turkish laws shall be subject to the provisions of the first paragraph. **International agreements duly put into effect carry the force of law.** No appeal to the Constitutional Court can be made with regard to these agreements, on the ground that they are unconstitutional.

On the other hand, administrators and courts need to be encouraged to adopt and implement these international conventions as national legislation, the national law of the Country.

For example, although many laws have referred to the fight against desertification, Turkey does not have an exclusive law in this respect. Considering Article 90 of the Constitution, it is evaluated that "the United Nations to Combat Desertification (UNCCD)⁶" can be accepted as "the Law to Combat Desertification of Turkey", the applications can be made accordingly and the courts can decide accordingly.

Table 2 International Agreements Approved by the TGNA in SLM / CFA Matters

No	Name of International Agreement	Law Approved by the Grand National Assembly of Turkey
1	United Nations Framework Convention on Climate Change	Law No. 4990 was published in the Official Gazette dated October 21, 2003.
2	United Nations Convention to Combat Desertification	The Law No. 4340 was published in the Official Gazette dated 14 February 1998.
3	Convention on Biological Diversity	Law No. 4177 has been published in the Official Gazette dated 03.09.1996.
4	The European Landscape Convention	Law No. 4881 was published in the Official Gazette dated 17.06.2003.
5	Ramsar Convention	Law No. 3958 was published in the Official Gazette dated 17.05.1994.

United Nations Framework Convention on Climate Change

Forests will play a key role in meeting climate targets under the UNFCCC. According to Article 4 of the Paris Agreement, each Party shall prepare, communicate and maintain successive Nationally Determined Contributions (NDCs) that it intends to achieve. The NDC defines the targets in emission reductions and the steps to adapt to climate change impacts that a country will need or provide to address climate change. Intended NDCs (INDCs) have been published by countries in the leap up to the UNFCCC COP 21 in Paris and have become the first NDC of the countries when they ratified the Paris Agreement, unless they decided to submit a new NDC at that time. Even if reduction targets in NDCs have been designed in a variety of ways that complicates the assessment and comparison of NDC ambitions, forests often play a significant role in the NDCs.

Among the mechanisms that have been developed within the UNFCCC, it is worth mentioning the REDD+ ("Reducing Emissions from Deforestation and forest Degradation, and the role of conservation, sustainable management of forests and enhancement of forest carbon stocks") mechanism that has been acknowledged in the Article 5 of the Paris Agreement among the others. REDD+ has been developed prior to the Paris Agreement to give incentive to Non-Annex I countries to carry out mitigation actions in the forestry sector. However, Turkey is not an eligible country for REDD+.

Besides forests, all related ecosystems including agricultural and rangeland ecosystems are equally important in terms of CC. Agricultural practices play an important role in CC adaptations. The Republic of Turkey is implementing several projects to support climate-friendly agricultural activities. An example is the "Environmentally Based Agricultural Land Protection Project (ÇATAK)" implemented by the Ministry of Food, Agriculture and Livestock. ÇATAK scheme aims to protect the

⁶ <http://www2.unccd.int/convention/about-convention>

quality of soil and water, to provide sustainability of natural resources, to prevent erosion and to reduce adverse effects of agricultural practices on environment. Within the scope of ÇATAK⁷, the following categories are subject to various payments for 3 years as per the implementation area. The incentives⁸ are as follows;

- 1st category: 30 TL/da for agricultural practices with minimum soil tillage,
- 2nd category: 60 TL/da for agricultural practices aiming at conserving soil and water structure and preventing erosion,
- 3rd category: 135 TL/da for environment friendly agricultural techniques and cultural implementations.

Very recently, with support of European Commission (5 October 2017) a project entitled as “Technical Assistance for Developed Analytical Basis for Land Use Land Use Change and Forestry (LULUCF) Sector” has initiated. The overall objective of the project is to reduce anthropogenic GHG emissions to contribute to the global efforts to mitigate climate change in line with the scientific evidence. More specifically, the project will contribute to a developed analytical basis for the LULUCF sector. In this respect, the contractor will provide services regarding the determination of required information about land areas to estimate carbon stocks and emissions and removals of greenhouse gases associated with LULUCF activities and establishment of a Kyoto Protocol level reporting system.⁹

United Nations Convention to Combat Desertification

Established in 1994, the United Nations to Combat Desertification (UNCCD) is the sole legally binding international agreement linking environment and development to sustainable land management. The Convention addresses specifically the arid, semi-arid and dry sub-humid areas, known as the drylands, where some of the most vulnerable ecosystems and people can be found. The UNCCD is particularly committed to a bottom-up approach, encouraging the participation of local people in combating desertification and land degradation. This is the fact that, land degradation is mainly happening on agricultural land.

Forests are among the six thematic priorities of UNCCD because of their critical role in the eradication of poverty in the drylands and in the protection from desertification and drought. The UNCCD is promoting both the prevention of land and forest degradation through sustainable land and forest management practices and the restoration of already degraded land and forests. Since the adoption of the 10-year Strategy at the UNCCD COP 8 in 2007, Parties to the UNCCD have been reporting on the implementation of the Convention at various levels. National Action Programmes (NAPs) to combat desertification are the key instruments to implement the UNCCD.

In addition to NAPs, the implementation of the UNCCD relies on Regional Action Programmes (RAPs) and Sub-Regional Action Programmes (SRAPs) to harmonize complement and increase the efficiency

⁷ The Scheme is implemented in 27 provinces namely Adana, Adiyaman, Aksaray, Amasya, Ankara, Aydin, Bilecik, Burdur, Çanakkale, Çorum, Denizli, Diyarbakir, Edirne, Isparta, İzmir, Kahramanmaraş, Karaman, Kayseri, Kirşehir, Konya, Manisa, Mersin, Nevşehir, Niğde, Samsun, Sivas and Tokat.

⁸ The notification prepared by the Ministry of Food, Agriculture and Livestock has been published in the Official Gazette dated 31 March 2016. <http://www.resmigazete.gov.tr/eskiler/2016/03/20160331-7.htm>

⁹ <http://www.csb.gov.tr/projeler/iklim/index.php?Sayfa=haberdetay&Id=220366>

of NAPs. Regions refer to the Annexes of the Convention, with Mediterranean countries being across four regions: Annex I-Africa, Annex II-Asia, Annex IV-Northern Mediterranean, and Annex V-Central and Eastern Europe. A Maghreb SRAP has been elaborated by the Union du Maghreb Arabe (UMA). The Coordination Office of the Northern Mediterranean Countries have been established in Istanbul with the agreement by the Ministry of Forests and Water Affairs of Turkey and the UNCCD Secretariat in the year of 2016.

The UNCCD has also established an institution called the Global Mechanism that implements the Land Degradation Neutrality Target Setting Programme (LDN TSP). LDN is a voluntary target that responds to the challenge: How do we sustainably intensify the production of food, fuel and fiber to meet future demand without the further degradation of our finite land resource base? The LDN TSP supports interested countries in their LDN target setting process, including the definition of national baselines, targets and associated measures to achieve LDN by 2030. As of September 2017, 110 countries have committed to set LDN targets, including Turkey.

Text Box 4 LDN TRANSFORMATIVE PROJECT

LDN TRANSFORMATIVE PROJECT

“Contributing to LDN Target Setting by Demonstrating the LDN Approach in Upper Sakarya Basin for Scaling up at National Level”

This project based on the SDG, UNCCD COP Decision and LDN target

- United Nations Sustainable Development Goals; Target 15.3: “By 2030, combat desertification, restore degraded land and soil, including land affected by desertification, drought and floods, and strive to achieve a land degradation-neutral world”
- UNCCD COP 12, Decision COP12/Decision 2 and Decision 3: “Formulation, revision and implementation of action programmes in view of the 2030 Agenda for Sustainable Development” “Integration of the Sustainable Development Goals and targets into the implementation of the United Nations Convention to Combat Desertification”
- LDN Target Setting Programme / National LDN study

Project Cost:

- Co-funding: 13,600,000\$
- GEF Project Funding: 2,388,584 \$ / Implementing agency : FAO

The Project will set out to develop a model for LDN target setting, planning and implementation in the upper Sakarya basin for upscaling at national level in line with SDG target 15.3 and COP 12 decision on the LDN concept.

1) Contribution to achieving LDN

- It shall serve as a bridge that will put LDN targets into actions.
- As all the drivers of land degradation are existing in the project basin, it will serve as a laboratory for LDN studies.
- It leads to develop a model for LDN target setting, planning and implementation in the upper Sakarya basin for upscaling at national level.
- It aims to improve land cover, enhance soil organic carbon and enhance land productivity thanks to SLM and SFM activities in forests, rangelands and croplands in Sakarya basin,
- It would help to fill the gaps on developing methods and tools for LDN implementation, monitoring and evaluation

It will establish tools and mechanism to collect and systematic information on Land Degradation and will assist in developing and improving LDN monitoring and reporting model.

Convention on Biological Diversity

The Earth's biological resources are vital to humanity's economic and social development. As a result, there is a growing recognition that biological diversity is a global asset of tremendous value to present and future generations. The Convention on Biological Diversity was inspired by the world community's growing commitment to sustainable development. It represents a dramatic step forward in the conservation of biological diversity, the sustainable use of its components, and the fair and equitable sharing of benefits arising from the use of genetic resources. Biological diversity is a source of plant and animal nutrients. In the world more than 90% of the animal proteins needed by human beings come from domestic species (cattle, pig, sheep, goat, buffalo, chicken, duck, goose and turkey) and approximately 15 plant species feed 90% of the world population. Fruits of these species, tuber roots, nuts, seeds, roots and bushes, vegetable nutrients constitute 78% of all nutrients. For example, wheat, rice and maize make up 60% of world grain production (Anonymous, 2007¹⁰).

Agricultural biological diversity has a vital role in food, fuel and feed production. It also plays a part in ensuring the continuity of other ecosystems and in the livelihood of rural people. It also provides ecosystem services for human life such as protection of soil and water, protection of soil fertility, and pollen.

As a party to the Convention on Biological Diversity Turkey has made important arrangements in this regard. Biodiversity issues in the environment and agriculture sectors were included in the development plans prepared after 1992.

The best guide for the implementation of the Convention on Biological Diversity is the National Biological Diversity Strategy and Action Plan (NBSAP), which was prepared in 2001 under the coordination of the Ministry of Environment. NBSAP was updated in 2007 with the support of NBSAP UNEP / GEF grant¹¹.

Among the seven programmes of the CBD, the Forest Biodiversity programme that is centered on three key elements: i) reducing the threats to forest biological diversity, ii) the creation of an institutional and socio-economic environment that will facilitate the conservation and sustainable use of forest biological diversity, and iii) the assessment and monitoring of forest biodiversity.

The main instruments for implementing the CBD at the national level are the National Biodiversity Strategies and Action Plans (NBSAPs). Parties of the CBD are required to prepare a national biodiversity strategy (or equivalent instrument) and to ensure that this strategy is mainstreamed into the planning and activities of all those sectors whose activities can have an impact (positive and negative) on biodiversity.

The CBD implements the Forest Ecosystem Restoration Initiative (FERI) which supports country Parties as they develop and operationalize national targets and plans for ecosystem conservation and restoration within the framework of the Strategic Plan for Biodiversity 2011-2020 and its Aichi Biodiversity Targets.

¹⁰ <http://www.milliparklar.gov.tr/biosempozyum/c.htm>

¹¹ <https://www.cbd.int/doc/world/tr/tr-nbsap-v2-en.pdf>

The Strategic Plan for Biodiversity 2011-2020 and the Aichi Targets adopted at CBD COP 10 in 2010 in Nagoya defined targets on biodiversity that concur with the SDGs and are highly relevant for Mediterranean forests (CBD Secretariat 2017). Forests and degraded lands are explicitly addressed in three Aichi Targets:

- Target 5: By 2020, the rate of loss of all natural habitats, including forests, is at least halved and where feasible brought close to zero, and degradation and fragmentation is significantly reduced.
- Target 7: By 2020 areas under agriculture, aquaculture and forestry are managed sustainably, ensuring conservation of biodiversity.
- Target 15: By 2020, ecosystem resilience and the contribution of biodiversity to carbon stocks has been enhanced, through conservation and restoration, including restoration of at least 15 per cent o

The European Landscape Convention

Adopted in Strasbourg by the Committee of Ministers of the Council of Europe on 19 July 2000, the European Landscape Convention¹ was opened for signature by the Organization's member states in Florence on 20 October of that year.

As the first international treaty devoted exclusively to all aspects of landscape, it addresses the Council of Europe's key challenges in the areas of human rights, democracy and the rule of law. The Council of Europe member states signatory to the Convention has declared themselves "concerned to achieve sustainable development based on a balanced and harmonious relationship between social needs, economic activity and the environment".

The Convention is therefore the first international treaty devoted to sustainable development, with the cultural dimension a particularly relevant factor. Although each citizen must, of course, contribute to preserving the quality of the landscape, it is the authorities that are responsible for establishing the general framework that enables that quality to be assured. The Convention accordingly lays down the general legal principles that must guide the adoption of national landscape policies and the establishment of international co-operation in this area. To date, 38 Council of Europe member states have ratified the Convention: Andorra, Armenia, Azerbaijan, Belgium, Bosnia and Herzegovina, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Finland, France, Georgia, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Moldova, Montenegro, Netherlands, Norway, Poland, Portugal, Romania, San Marino, Serbia, Slovakia, Slovenia, Spain, Sweden, Switzerland, "The former Yugoslav Republic of Macedonia", Turkey, Ukraine and the United Kingdom.

Ramsar Convention

The Convention on Wetlands, called the Ramsar Convention, is the intergovernmental treaty that provides the framework for the conservation and wise use of wetlands and their resources.

The Convention was adopted in the Iranian city of Ramsar in 1971 and came into force in 1975. Since then, almost 90% of UN member states, from all the world's geographic regions, have acceded to become "Contracting Parties".

Laws

There are many legal regulations regarding the subject. A number of particularly important laws have also been examined in detail.

The Under Ground Water Law

The Law, which was enacted in 1960, is in force with the latest amendments made in 2013.

Article 1 of the Law is as follows. *“Article 1 - Ground waters are in the waters of public waters and are under the sovereignty of the State. Any investigation, use, preservation and registration of these waters are subject to the provisions of this law.”*

Article 20 of the law is like this. *“Article 20 - A regulation jointly issued by the Ministries of Public Works, Agriculture, Industry, and Housing shall be prepared for the matters related to the application of this law”*

According to the Law and Regulation, the only authority in the underground waters is the General Directorate of State Hydraulic Works. Especially in closed basins such as "KCB-The Konya Closed Basin", the role of groundwater in sustainable land management and climate friendly agricultural practices is vital. On the other side there is also a basin of ground waters like surface waters. In this context, "Groundwater Management Areas" should be established in cooperation with other related institutions and partners. Management should also be "integrated".

When it is considered that water management is an integral part of agriculture, it is considered that there is a need for more effective coordination between MFWA and MFAL.

River Basin Management Plans are being prepared to determine the sustainability of the quantity and quality of water required for agriculture and special measures are taken at the basin. In addition, "Sectoral Water Allocation Plans" are prepared according to the needs of the sectors and the situation of the resources. A Regulation has been issued for the prevention of water losses caused by agriculture.

The work carried out under the EU Underground Water Directive and the Water Framework Directive is coordinated by the General Directorate of Water Management, which is one of the the central unit of the Ministry of Forestry and Water Affairs.

In addition, the adaptation process is carried out under the coordination of the General Directorate of Water Management within the scope of impact of climate change on water resources¹². On the other hand, a study is being carried out by the Ministry of Forestry and Water Affairs since 2012 to amend the Law on Underground Waters and the Law on Waters.

National Parks Law

The Law on National Parks issued in 1983 is in effect with the changes made in 2011. The purpose of this law is as follows.

Article 1 - The objective of this Law is to regulate the principles of preserving, developing and managing national parks, natural parks, natural monuments and natural protection areas which have

¹² <http://iklim.ormansu.gov.tr/>

national and international values in our country, without disturbing their characteristics and characteristics.

The protected areas in Turkey are under the authority and responsibility of different ministries. National parks, nature parks, nature monuments and conservation areas, wildlife development areas, wetlands are under the responsibility of the General Directorate of Nature Conservation and National Parks. The Ministry of Environment and Urbanization is responsible for the management of "Special Environmental Protection Region" and Natural Sites; the Ministry of Culture and Tourism is responsible for "archeological and historical sites". The General Directorate of Forestry is responsible for "Conservation Forests". Conservation Forests are declared by the decision of the Council of Ministers within the framework of the Forest Law No. 6831. City forests and recreation areas are also managed by the General Directorate of Forestry. When all this is taken into account, the difficulty of the subject is better understood.

In general, the level of social welfare is increasing, people feel the need for "recreation" more, ecosystem services and needs come to the forefront. On the other hand, the "Law on Conservation of the Natural and Biological Diversity" prepared by the Ministry of Forestry and Water Affairs was presented by the Government to the Presidency of the Grand National Assembly of Turkey on 15.05.2017.

The National Mobilization Law for Forestation and Erosion Control

The Law, which was issued in 1995, is in force with the recent amendment made in 2004. The second article of the law is as follows.

Article 2 - Within the boundaries of the forest; free permits can be granted to public institutions and organizations and legal persons in order to carry out afforestation and erosion control studies according to the principles and priorities determined by the Ministry of Forestry in the open spaces that have been formed for various reasons except for fire.

Importance of conserve open spaces in forests, which naturally form today or adapt to the landscape after long periods of time for biodiversity, water harvesting, recreation, food safety, grazing, etc., is widely accepted. The conservation of natural and later spaces that do not exceed a certain size in this frame (eg 3 hectares) will be extremely accurate.

The communiqué entitled "Procedures and Principles for the Establishment of Ecosystem-Based Functional Forest Management Plans" published in 2014 by the General Directorate of Forestry regulated this issue. Article 12 of this communiqué contains the following particulars.

Text Box 5 Relevant Articles of OGM related to open spaces in forests

The following areas may be designated to be protected as appropriate, without any intervention.

- The forest areas where crown canopy are less than 10% and the soils inside forests without tree,
- Areas where wood production is not possible for various reasons,
- Areas where afforestation is not possible due to being located at the upper forest boundary.

These areas are shown in the "Protected Areas Tables" (Table No .: 22 / A)

Areas up to three hectares of natural forests can not be subject to afforestation except for industrial afforestation.

These areas are crucial for the protection of biodiversity and the grazing of wild animals. These areas serve as shelters for people and other living things during forest fires. In order to protect and

maintain such areas, necessary explanations are given to forest management plans. These are shown in the "Protected Areas Tables" (Table No: 22 / A). When working in these areas, the existing native species are utilized. In addition, the obligation to protect rare species is specified in the plan.

121

ORMAN FONKSİYONLARI, İŞLETME AMAÇLARI VE KORUMA HEDEFLERİ TABLOSU Ek 1

Ana Orman Fonksiyonu	Genel Orman Fonksiyonları	İşletme Amaçları	Kodu
I- EKONOMİK	I- Orman Ürünleri Üretimi (Ü)	Odlun Üretimi	
		En Yüksek Miktarla Endüstriyel Odlun Üretimi (Endüstriyel Ağaçlandıma)	1109 + Ağaç Türü Kodu
		Kaliteli ve Özellikle Odlun Üretimi	1110 + Ağaç Türü Kodu
		En Yüksek Miktarla Yapıcağı Odlun Üretimi	1111 + Ağaç Türü Kodu
		Yapıcağı Odlun Üretimi	1112 + Ağaç Türü Kodu
		Odlun Kömürü Üretimi	1113 + Ağaç Türü Kodu
		Enerji Ormanı	1114 + Ağaç Türü Kodu
		Odlun Dışı Orman Ürünleri Üretimi	
		Bazıralı Alanlar ve Bal Üretim Ormanları	1115 + Ağaç Türü Kodu
		Bitkisel Ürünler	1116 + Ağaç Türü Kodu
		Hayvansal Ürünler	1117 + Ağaç Türü Kodu
		Su ve Mineral Ürünler	1118 + Ağaç Türü Kodu
		Çiğdem Alanları	1119 + Ağaç Türü Kodu

On the other side, there are very successful "rehabilitation" studies carried out in degraded forest areas, especially in the Taurus Mountains.

With the method of "cedar seeds planting with carpels" highly successful forests have been established by avoiding applications such as tillage with machine sometimes disrupting the structure of soil.



Picture 1 Cedar Seeds Planting with carpels

Recently, the Ministry of Forestry and Water Affairs has concentrated on afforestation in areas such as highway walks, cemeteries, schools and gardens, which is regarded as a positive development.

The effects of afforestation on water harvest, soil and biodiversity should be re-evaluated. An "environmental impact assessment" report may be required for any afforestation and rehabilitation work to be carried out on a large scale (eg 3 hectares), especially after fire work.

The Pasture Law

The Pasture Law sets forth basic procedures and rules for defining and allocation of pasture areas to various villages and municipalities. MFAL is authorized to determine the boundaries of pastures and their allocation to relevant entities. The procedure for this application is clearly defined in the Law.

The Law, which was enacted in 1998, is currently in force with the amendments made in 2017.

The purpose of the law is as follows.

Article 1 - Purpose of this Law; the determination of pasture, grassland and meadows which have been previously allocated with various laws or have been used since the age of the deceased and their allocation in the name of village or municipality legal entities shall be made appropriately in accordance with the rules to be determined and their efficiency shall be increased and maintained , to ensure that their use is continuously monitored, protected and, where necessary, the purpose of use changed.

Pasture Law is of vital importance for "Sustainable Land Management and Climate-Friendly Agriculture Practices".

In Article 6 of the Law, the establishment and function of the commission to decide whether an area is pasture has been determined.

The Article 6 consists the followings: Determination of whether an area is pasture is carried out by the Ministry of Agriculture and Rural Affairs. In the same way, the allocation process is carried out by this ministry. For this purpose, a commission composed of eight members is established under the chairmanship of a deputy governor. In addition, a forest engineer from the relevant forest organization is assigned as a member in these commissions in the work related to the pastures located within the forest, the forest edge and the forest upper border.

Article 28 of the law specifies "to take advantage of forest areas". The relevant Article is as follows.

The forest villagers are used the pastures in the forest areas in the framework of this Law and the Forest Law No. 6831. The Ministry of Forestry continues to carry out the duties given by law on the protection, maintenance and rehabilitation of pastures which are in forests and forest edges.

Although the Ministry of Food, Agriculture and Livestock has been designated as the main ministry by the Pasture Law, it is evaluated that the Ministry of Forestry and Water Affairs and the units of this Ministry, General Directorate of Forests and General Directorate of Nature Conservation and National Parks have important responsibilities when considering the facts of the country.

This issue has already been clearly shown in the Law on the Forests No 6831 and in the Law on the Organization and Duties of the General Directorate of Forestry.

Text Box 6 Identification of pastures and arrangement of grazing: different approaches of forest and agricultural organizations

The identification and use of "pastures" in Turkey has often led to different approaches and sometimes disagreements between the forest organization and the agricultural organization.

The relevant forest legislation has a philosophy that negates the "grazing in the forests". Article 19 of the Forest Law begins with the statement "it is forbidden the introduction of all kinds of animals into forests". This is the pattern of entry, although there are various regulations in the continuation of the article. Although it has begun to change in recent times, the fact that forests are basically a philosophy against grazing does not coincide with real life.

In Turkey, forests are used as one of the largest and most efficient grazing area. In fact, this is true for many parts of the world, but especially for the Mediterranean region.

According to a presentation on FAO's website, the Mediterranean forests are used;

- 22% fodder,
- 21% recreation,
- 21% non-wood forest products,
- 20% water supply and water purification,
- 9% wood production.



We do not have clear information but it is accepted that these rates are valid for Turkey.

Here, it can be said that the issue of forests and grazing should be discussed philosophically, and a new arrangement should be made in an integrated manner.

On the other side there are gaps and conflicts between the Ministry of Forestry and Water Affairs and the Ministry of Food, Agriculture and Livestock on "pastures" in Turkey. Although, a great importance is given to reforestation efforts and receiving great support from the public, the Ministry of Forestry and Water Affairs should also consider carrying out the afforestation activities on "degraded pasture areas" in order to maintain their sustainability. On the other hand, according to the official statistics of the Ministry of Food, Agriculture and Livestock, pasture lands, which were around 22 million hectares in the 1970s, fell to around 10 million hectares in 2014¹³.

¹³ <http://www.tarim.gov.tr/Konular/Bitkisel-Uretim/Cayir-Mera-ve-Yem-Bitkileri>

Text Box 7 Items related to grazing in the forest law

Article 19 -It is forbidden to introduce any animals in forests. However, in accordance with the requirements of the public sector, in forest areas determined by the forest administrations; animal grazing may be permitted within the framework of the procedures and principles established in the forest administration. The regulations regarding the determination of the areas and animal species to be allowed for animal grazing and the determination of the grazing time and duration and the announcement of the grazing period are regulated by legislations. The animals can not be grazed in forests burned, forests designated for regeneration or afforested.

Article 20 - Those who wish to enter or leave the pastures with or/without animals or animals, they are obliged to follow roads indicated by the forest administration and take measures to prevent the forests.

Article 21 - Grazing animals in pastures inside the public forests, is subject to the permission of the forestry authorities, according to the plans to be drawn up. The plans are prepared and approved by forests management directories prior to the pasturing time.

Article 22 - The Ministry Forests and Water Affairs shall take the necessary measures in order to regulate and rehabilitate grasslands

Items 19, 20, 21 and 22 of the Forest Code did not find the exact answer in practice. On the other hand, it is thought that some of these regulations are not an arrangement according to the wishes of the society and scientific facts.

Planned and controlled pasturing is often considered beneficial to the forest, as well as food safety, fire and insects, vital to fighting forest pests. It has been argued that the planned breeding is an obstacle to the spread of invasive species and supports biological diversity. For example, in Erdemli District of Mersin province and Karaman's Ayranci village "pastures", the decrease in camel grazing has resulted in the increase of large-scale barnacles in "pastures" and as a result the pastureland has been disappearing.

On the other hand, there is a close relationship with grazing, pasture and plateau in Turkey. Like pastures, an important part of the plateaus are located in forests or in areas close to forests. Plateaus in or near the forest are under the authority and responsibility of the Ministry of Forestry and Water Affairs such as pastures.

An important part of the plateaus (mountain pasture used in summer) are used by people who bring their animals for grazing. Sometimes permanent, sometimes temporary houses are built there. However, according to legal terminology, many places expressed as "plateau" have become permanent settlements over time. Some "highlands" live in summer and winter, animal husbandry activities are not done, some settlements have a population of 10,000 people. According to the Forest Law, it was forbidden to build in or on the sides of forests, so these settlements were illegal and destroyed. However, a change was made in Article 17 of the Forest Code in 2012 and a residence permit was issued for residences built before 2011. According to the Constitution, there is no possibility to narrow of forest areas. Other solutions have been sought for these areas. The buildings have been taken over to the property of the General Directorate of Forestry and then started to be rented to their users.

The regulation on this law was published in the Official Gazette dated March 7, 2013 and entered into force.

Activities are carried out within the scope of this Regulation and contribute to social peace, citizen-state relations, real life and real problems. When Mersin is examined, it is stated that as of July 2017, 28 Plateaus have been determined within the scope of this Regulation, 4 of these have been approved by the Council of Ministers and published in the Official Gazette and 24 of them are currently waiting in the Council of Ministers.

Organic Farming Law

The Law, which was issued in 2004, is currently in effect with various amendments made in 2012.

The purpose of the Act is to "specify the procedures and principles regarding the necessary measures to ensure the production of organic products and inputs to provide reliable, quality products to consumers".

"Organic agriculture" means the production of organic products or inputs using soil, water, plants, animals and natural resources. Other processes such as harvesting, cutting, processing, sorting, packaging, labeling, preservation, storage, transportation, marketing, import and export, and access to the consumer are integral parts of "organic farming".

As in the whole world, "non-wood forest products" constitute an important part of organic farming in our country and in KCB.

Article 7 of the Organic Farming Law is as follows: *The procedures and principles regarding organic farming activities are determined by the regulation to be issued by the MFAL. The procedures and principles regarding the collection of the products in the forests are determined by the regulation to be taken by the Ministry by taking the opinion of the Ministry of Forestry and Water Affairs*

Within the framework of the project, "Forest certification " is targeted. It is considered important to comply with this "Organic Farming Law". Under this Project, Ereğli Forest Sub-district Directorate will be certified by Forest Stewardship Council (FSC) using SLIMF Eligibility Criteria¹⁴ for Small or Low Intensity Managed Forest in order to demonstrate the environmental benefits of biodiversity mainstreaming into forest and rangeland management and restoration practices. Moreover, a product FSC standard for honey will be developed under the project.

However, under the title of "Collection and Evaluation of Medicinal Aromatic and Food Materials Obtained from the Forests," a new directive is required in coordination with the Ministry of Forestry and Water Affairs in cooperation with the Ministry of Health and the Ministry of Food, Agriculture and Livestock.

Soil Conservation and Land Use Law

The Law, which was enacted in 2005, is in effect by the latest amendments made in 2014. The purpose and scope of the law is as follows.

In this Law, it is considered as a new stage that the concepts such as "conformity to environmental priority sustainable development principle, social, economic and environmental dimensions are evaluated with participatory methods."

Purpose of this Law is the classification of agricultural land, the determination of agricultural land sizes and the prevention of their fragmentation, and the principles and procedures to ensure the

¹⁴ <https://ic.fsc.org/file-download.slimf-eligibility-criteria-addendum.17.htm>

planned use of agricultural land and adequate agricultural land in accordance with the environment priority sustainable development principles.

There is a very close link between the "land use plans" defined by this law and the "sustainable land management / climate friendly practices". Article 10, which carries the heading of "making land use plans" of the Law, includes the following matters.

Text Box 8 Article 10 of Soil Conservation and Land Use Law

Article 10 -"Land use plans" specify the appropriate land use patterns that form the basis for national and regional planning and other physical planning data.

These plans are prepared by considering the quality of the land, the ability of the land and other land characteristics in the direction of environmental priority sustainable development principle based on water potential, soil databases and maps.

Land use plans are prepared by the Ministry of Food, Agriculture and Livestock. These plans include local, regional and national scale agricultural land, pastureland, forest land, areas designated by special laws, settlement areas, infrastructure for social and economic purposes and other forms of land use.

The Ministry may transfer the preparation of land use plans to the governorships as required.

Agricultural lands may not be used except for the purposes stated in the land use plans, except for the exceptions stated in these Law. The procedures and principles regarding the preparation of the land use plan shall be determined by the regulation to be prepared by the Ministry.

The 15th article, titled "Identification and protection of erosion sensitive areas", is as follows.

Text Box 9 Article 15 of Soil Conservation and Land Use Law

Identification and protection of erosion sensitive areas

Article 15 - With the proposal of the Ministry and the decision of the Council of Ministers, "erosion sensitive areas" shall be determined. In order to identify and protect "erosion sensitive land", the use plans and infrastructure projects of these lands are carried out by the relevant public institutions on the basin basis.

Ministry of Food, Agriculture and Livestock shall take necessary measures in cooperation with relevant public institutions and non-governmental organizations, in areas exposed to desertification where soil degradation is observed for various reasons, including climate change and human activities, in arid, semi-arid and low-rain areas.

The procedures and principles regarding the determination and preservation of erosion sensitive areas are determined by the regulation to be prepared by the Ministry.

This law is seen as one of the legal regulations that support "Sustainable Land Management and Climate-Friendly Agriculture Practices". However, it is estimated that there may be conflicts with the Ministry of Environment and Urbanization on "land use plans" and with the Ministry of Forestry and Water Affairs on "combating erosion and desertification".

"Desertification, fighting with erosion" studies in forests and other areas in Turkey are carried out by the Ministry of Forestry and Water Affairs. Similarly, the Ministry of Food, Agriculture and Livestock

has been tasked with "fighting against desertification and erosion". However, the main responsible is the Ministry of Forestry and Water Affairs.

Forest Law

The law, which was issued in 1956, is in effect with the latest changes made in 2016.

As the law refers to many issues, there are difficulties in evaluating the whole of the law in detail. The articles of the Forest Law on grazing and plateaus have been examined in detail before.

At this section, an integrated assessment will be made on "integrated watershed projects" that have vital importance for "Sustainable Land Management and Climate-Friendly Agriculture Practices" and "support" given to rural sector.

"Sustainable Land Management and Climate Friendly Agriculture Practices Project (GCP/TUR/055/GFF)" funded by GEF and implemented by the Ministry of Forestry and Water Affairs, Ministry of Food, Agriculture and Livestock and FAO is basically an "integrated watershed management" project. Co-operation of relevant institutions and stakeholders is foreseen.

Article 58 of the Forest Code states that "... the preservation and development of ecosystems and the improvement of the living conditions of people living in the basin ... are implemented in integrated projects." This amendment in 2003 began to become active after the establishment of the General Directorate for Combating Desertification and Erosion in 2011.

Some of the projects prepared in this framework are shown below.

Table 3 *Integrated Watershed Projects Prepared with Internal Resources According to Article 58 of Forest Law*

- | |
|--|
| <ol style="list-style-type: none">1. Sanliurfa; Tektik Mountains Gökdere Integrated Flood Control Project (2014-16)2. Konya-Hadim and Tashkent; Upper Göksu Basin Gökdere Integrated Micro Watershed Rehabilitation Project / EMHRP (2014-17)3. Konya; Upper Göksu Basin, Sazak-Avşar EMHRP (2015-19)4. Karaman Ayranci; Started-Kocadere EMHRP (2015-19)5. Afyonkarahisar-Şuhut; Akarçay Basin, Huseyinli-Belenyurdu EMHRP (2014-18)6. Konya-steppe; Yukarı Göksu Basin, Bağbaşı Dam EMHRP (2015-19)7. Denizli-Çameli; West Mediterranean Basin, Karanfilli Stream EMHRP (2016-21)8. Manisa-Selendi; Gediz Basin, Selendi Stream EMHRP (2017-22) |
|--|

In addition to this Article, the "TURKEY National Basin Management Strategy" prepared by taking the opinions of all related institutions and organizations under the coordination of the Ministry of Forestry and Water Affairs was published in the Official Gazette dated July 4, 2014 and entered into force. The following topics are included in the foreword section of the NMS¹⁵.

Text Box 10 The objective of the National Basin Management Strategy (NBMS)

The objective of the National Basin Management Strategy (NBMS) is to provide guidance to medium and long-term decisions and investment programs on the conservation, development and sustainable use of water basins and their natural resources in our country and to provide guidance to our society on ecological, economic, social and cultural benefits and services has shown a common way of working to ensure that relevant needs and expectations are met adequately and sustainably.

The (NBMS) will be an important component of a strong integrated natural resource management policy framework and strategy that prioritises national needs, is consistent with EU environmental and water management standards, and supports Turkey's sustainable life priority development agenda.

The strategy is designed to help government determine prioritized investments and institutional arrangements, maximize the social, economic and environmental benefits of public investments, reduce investment costs and improve program planning, implementation and monitoring functions, which will contribute to the realization of regulations, economic incentives and participatory measures that will create capacity among key stakeholders will be an opportunity for the evaluation and development of the roles and responsibilities of the different institutions in order to activate them.

The main priority of the NGOs is; to prevent the natural resources and environmental degradation processes that have been going on for years in our country's catchment basins and to protect and improve the productivity and quality of the ground, underground and surface water resources, to protect the fauna and flora and to improve the conditions in the basin and to prevent the watershed services provided to users in the lower basins from harming the ecosystem integrity of the basin and to contribute to raising the welfare of low-income rural populations living in the basin.

One of 25 river basins determined by NBMS is "Konya Closed Basin".

Articles 58 of the Forest Code and the "National Basin Management Strategy Document" have encouraged different ministries to work in common. In addition, the Law No. 5216 of the Metropolitan Municipality Law, which was enacted in 2004 with the latest changes made in 2016, brings authorities and responsibilities to the municipalities in this respect.

As of July 2017, there are 30 Metropolitan Municipalities in Turkey. According to recent studies, 21 provinces are expected to be Metropolitan Municipality in a shorter time. In this case, it is predicted that almost two thirds of the 81 provinces will be Metropolitan.

¹⁵ http://www.gonder.org.tr/wp-content/uploads/2015/01/The-World-Bank-Sector_Note-on-Watershed-Management.pdf

It may be mentioned that there is a need for a "Watershed/Basin Management Framework Law" in which the authorities and responsibilities of institutions and organizations are clearly defined in all the concepts such as "agricultural basins, river basins, water basins, forest basins..."

Another important issue here is the support given by various Ministries, in particular "agricultural subsidies" coordinated by the Ministry of Food, Agriculture and Livestock.

In addition, it is foreseen that the sector will be supported within the framework of related articles of the Law on Organization and Duties of General Directorate of Forests numbered 3234.

Text Box 11 Related articles of the Law on Organization and Duties of General Directorate of Forests numbered 3234

- k) To carry out the works which aim at encouraging the use of goods and products provided from forests; to work in a close cooperation with private sector, civil society and universities which produce, manage, market, import and export any types of forest products; to carry out consultation at home and abroad; to implement projects and to carry out awareness-raising activities related to forests and forestry;
- i) To support the villagers living in or around the state forests with various sources, to develop forest-public relations and to take all kinds of precautions in this regard.

As a result, the support provided to the forest villagers, livestock breeding and agriculture sector by different institutions should be "integrated". Sometimes there are conflicts as well as differences between these supports. In general, the Ministries are not aware of each other's activities.

Turkish Civil Code

The Turkish Civil Code, which was issued in 2001, is currently in force with various amendments made in 2014. Articles 495-574 of the Act specify "inheritance law".

Traditionally in Turkey, agricultural land is divided equally among the heirs, and as a result, "sustainable management" of land that does not have sufficient business size becomes impossible.

In this frame, "Regulation on Protection, Usage and Land Consolidation of Agricultural Land" published in Official Gazette dated 24.07.2009 and numbered 27298 has made important arrangements.

The Laws about the Duties of Institutions

In practice, laws on the organization of Ministries / Institutions also play an important role. In 2011, the job descriptions of the Ministries of Forestry and Water Affairs, Food and Agriculture, Livestock and Environment and Urbanization and their affiliated organizations, which have been working on "Sustainable Land Management and Climate Friendly Agriculture Practices", have been redefined.

Ministry of Forestry and Water Affairs

The "decree-law" issued in 2011 is in effect with various changes. With this decree-law, the organization and duties of the Ministry including the General Directorate of Forestry have been redefined.

With the Decree Law No. 645, the Ministry's main service units, ÇEM and SYGM, are liable for the following operations regarding watershed management.

Text Box 12 Duties of the ÇEM and SYGM Related to Basin Management

General Directorate of Combating Desertification and Erosion:

- For the purpose of protecting the soil and natural resources; to make plans, projects and implement integrated basin rehabilitation plans and projects to control desertification and erosion, control of avalanches, landslides and floods, to provide support on the basis of the project, to determine the policies and strategies related to these activities, Cooperation and coordination between organizations.
- Planning at national and regional levels to develop water basins, setting policies and strategies.

General Directorate of Water Management

- Identify policies for the conservation, improvement and use of water resources.
- To ensure coordination of water management at national and international level.
- Prepare river basin management plans on a basin basis to ensure the protection and development of ecological and chemical quality of the aquatic environment, taking into account the conservation-use balance, including the coastal waters of the water resources, and carry out legislative studies on integrated river basin management.
- To determine, evaluate, update and follow the measures related to the prevention of pollution on the basis of basin together with related institutions and organizations.
- To set targets, principles and recipient environmental standards together with relevant institutions and organizations for monitoring the quality and quantity of surface and ground waters, to monitor or trace the water quality.
- Coordinate the necessary allocation of water resources on a sectoral basis in accordance with river basin management plans.
- • To work on the effects of climate change on water resources.

On the other side, the General Directorate of Forestry is also responsible for business and operations related to "watershed management". In this regard, "Soil Conservation and Watershed Improvement Department" is serving as the focus unit.

Text Box 13: *Tasks of OGM Soil Conservation and Watershed Improvement Department*

- To carry out the operations required by the Integrated Basin Improvement Master Plan, which is prepared in cooperation with relevant units and in the framework of participant approach in order to obtain high quality and maximum amount of water in water basins, to prevent erosion, to control floods, avalanches and floods, to protect soil, ,
- To implement integrated watershed improvement projects and to monitor and evaluate investments in the plan, to report project information to related units and to make them when necessary,
- Conducting the fight against desertification,
- In areas exposed to erosion in forest areas or forest regime; to control the seller and floods, to conduct erosion control studies in the catchment basins of rivers, streams and rivers in order to

prevent landslides and avalanches,

- To carry out or carry out breeding activities in the forest, forest edge and forest upper limit,
- To combat erosion and to undertake necessary work for the protection of land in mountainous areas, the development of water resources, the establishment and development of forest ecosystem,
- Implementing green belt projects to restore the degraded natural balance,
- To encourage and support erosion control activities of real and legal persons and public institutions and organizations,

Ministry of Food, Agriculture and Livestock

Actually, this Ministry is the main and top institute for sustainable land management and climate friendly agricultural activities. It has several agencies operating but two of them have special interest on the issue.

Text Box 14 The Main Units of the MFAL on SLM

General Directorate of Plant Production:

- To provide, protect and take necessary measures for breeding and conservation of meadows, pastures, and grasslands.
- Conducting services related to the operation and operation of agricultural basins.

General Directorate of Agricultural Reform

- To carry out the necessary procedures for the implementation of agricultural and rural development support and to ensure compliance between payments.
- Carry out services related to global climate change, agricultural environment, drought, desertification, other agricultural disasters and agricultural insurance, and provide assistance in the framework of the principles laid down in the specific legislation specific to farmers suffering from natural disasters.
- To carry out the duties given by Law No. 5403 on Soil Protection and Land Use.

Ministry of Environment and Urbanization

The Ministry of Environment and Urbanization, which could be considered as a newly established Ministry with the comparison of MFWA and MFAL, also some responsibility on SLM. The General Directorate of Spatial (Landscape) Planning of this Ministry has special duties and land use.

Text Box 15 General Directorate of Spatial (Landscape) Planning

General Directorate of Spatial (Landscape) Planning

- Identify and implement basic principles, strategies and standards for land use in urban and rural areas.
- To determine the principles and procedures for the implementation of environmental planning and zoning plans of all types and measures including the basin and regional environmental plans, to make, implement and approve environmental planning plans on the basis of basin or region, and to implement and supervise these plans.
- To ensure that the sectoral plans are prepared in accordance with the spatial strategy plans at the basin or regional level and the environmental plan.

Legislative Regulations in Progress of Preparations

The list of legislative regulations prepared by the Ministry of Forestry and Water Affairs and the Ministry of Food, Agriculture and Livestock which are two key stakeholders on "Sustainable Land Management and Climate Friendly Agriculture Practices" is presented in the table.

Table 4 Ongoing Legislation Studies on Preparations

No	Related Institution	Legislation Name
1	Ministry of Forestry and Water Affairs	Water Law
2	Ministry of Forestry and Water Affairs	The Law Concerning the Protection of the Natural and Biological Diversity
3	Ministry of Forestry and Water Affairs	Draft Law on the Organization and Duties of the General Directorate of State Hydraulic Works and the Amendment of Some Laws
4	Ministry of Food, Agriculture and Livestock	Law on the Protection of Farmer's Goods

Legislations about Local Governments

The Law No. 5216 of the Metropolitan Municipality Law, which was enacted in 2004 with the latest changes made in 2016, brings authorities and responsibilities to the municipalities on "sustainable land management".

By October 2017 there are 30 Metropolitan Municipalities in Turkey. According to recent studies, 21 provinces are expected to be Metropolitan Municipality in a shorter time.

According to the relevant legislation, the metropolitan municipalities are to "ensure the protection of the environment, the agricultural lands and the water basins in accordance with the principle of sustainable development; to do afforestation".

New units have started to be established due to the inclusion of the metropolitan borders into the rural areas. Examples of these are the units in the table.

Table 5 Examples of Rural Service Units Established in Metropolitan Municipalities

No	Name of the Metropolitan Municipality	Units Responsible for Rural Areas
1	Ankara	Department of Rural Services and Geothermal Resources
2	İstanbul	Department of Food, Agriculture and Animal Husbandry
3	Erzurum	Rural Service Department
4	Konya	Rural Services and Coordination Department
5	İzmir	Directorate of Agricultural Services

=====

3. Conclusions

In this report, Turkey's legislation has been examined in detail on "Sustainable Land Management / Climate-Friendly Agriculture Practices". The gaps in legislation and practices have been assessed. International arrangements and developments have been observed. Considering these desktop examinations, interviews with the persons concerned and the issues raised in the workshop, the following conclusions have been reached.

- a) The concept of "Sustainable Land Management / Climate-Friendly Agriculture Practices" has just entered the legislation under this name. However, neither the Constitution nor other legislation have an approach / law substance that prevents it.
- b) According to the "Constitution of the Republic of Turkey", "... International agreements duly put into effect carry the force of law. No appeal to the Constitutional Court can be made with regard to these agreements, on the ground that they are unconstitutional...". In this respect, international conventions, in particular the RIO Conventions, which Turkey is a party to, have many advantages. However, despite the clear provision of the Constitution, it has come to the conclusion that the provisions contained in these international agreements are not fully reflected in national legislation and practice.
- c) The "Sustainable Development Goals" adopted in 2015, the " The first UN Strategic Plan (2017-2030) for Forests" and the " Six Global Forest Goals " adopted in 2017 set new targets for SLM /CFA practises. Turkey participated in these activities, contributed and accepted them. However, harmonization of these objectives and strategies with national legislation is not fast enough and effective. It can also be seen that they are often regarded as "well-written, literary works that set good targets". **At the moment the Turkish Grand National Assembly is working on legislative arrangements in line with the "Presidential Government System". Similarly, a project titled "Harmonization of international developments with Turkish national legislation" can be initiated. It is evaluated that such a project can be initiated within the framework of Turkey-FAO cooperation.**
- d) Government programs, personal preferences of ministers and experience may be a key factor in the implementation and operation of legislation. There are many legislation in different issues, and institutions can set priority order according to the tendencies of ministers / general managers. In addition, each Ministry may tend to work independently from the others. Here, public opinion, non-governmental organizations, universities, written and visual media, social media play an important role.
- e) There is a close link between sustainable land management, climate friendly agricultural practices and integrated watershed management. Many participants considered these three topics under the same heading. In these three areas, "inter-institutional coordination, cooperation and joint work" has vital importance. However, there is not enough legislation to compel the ministries to cooperate. An important amendment was made in Article 58 of the Forest Law in 2003. With this amendment, the provision of "integrated basin projects will be implemented in the coordination of the Ministry of Forestry and Water Affairs". This change encouraged the preparation and implementation of many projects. However, the lack of "implementing regulations" is seen as a major shortcoming. **An "Integrated Watershed Project Preparation and Implementation Regulation" may be prepared with a new study likely to be supported by FAO.**

Summary Gap Analysis

- There are no deficiencies in the constitutional level. The current situation is sufficient.
- Including the Rio Conventions, Turkey has adopted all of the relevant international conventions. International contracts approved in accordance with the procedure are prescribed by law.
- Current Laws should be aligned with international agreements. However, no special laws have been enacted to enforce these international conventions. One good example could be this; Turkey is a party to UNCCD and yet Turkey has a "Law on Combating Desertification" . On the other hand, there is no specific law on biodiversity in the same way.
- "Sustainable land management and climate-friendly agricultural practices" require different Ministries and institutions to work together and in cooperation. Despite the relevant provisions of the Constitution and other relevant legislation, this cooperation is largely lacking because of cultural reasons.
- Article 58 of the Forest Code states that "... the preservation and development of ecosystems and the improvement of the living conditions of people living in the basin ... are implemented in integrated projects."However, in order to put this article into practice, a secondary legislation needs to be issued, in other words, regulation is needed.
- The laws governing the functions of ministries or agencies generally include matters concerning their units. Likewise, the strategic plans of institutions do not address much of the issues of cooperation with other institutions / ministries.
- Generally, institutions implement their activities on project basis. Projects are usually carried out by the Departments. Often there are problems of coordination and cooperation even between the Departments within the same General Directorate.

Proposals

- The matters contained in international conventions accepted by the TGNA should be considered as a part of the domestic law. For example, legislation such as the Law on the Protection of Biological Diversity, the Law on Combating Desertification and the Law on Combating Climate Change should be prepared.
- Cooperation and coordination between ministries and institutions should be strengthened, and legislation should be enacted for this. In addition, for capacity development and changing the way of understanding, relevant parties should be given education seriously.
- The main role in sustainable land management is farmers. For this reason, serious training and capacity building activities should be carried out from one side. At the same time, economic support should also be increased. Agricultural support will play an important role.
- In the short term, a regulation may be issued for Article 58 of the Forest Code. The name of this regulation could be "Regulation on Preparation and Implementation of Integrated Watershed Management Projects". With this regulation, a general framework for the work can be set and carried out by the Ministry of Forests and Water Affairs, the Ministry of Food, Agriculture and Livestock and the Ministry of Environment and Urbanization. The Ministry of Development could play an important role in coordinating this regulation.

Brief Tables

International agreements on SLM and CFA

Agreement	Relationship with SLM and CFA	Existing Situation in Turkey	Related Authorities	Gaps	Needs
United Nations Framework Convention on Climate Change	It sets out the basic principles of combating climate change.	Turkey is party to the Convention and the Kyoto Protocol. Turkey also signed the Paris Treaty ¹⁶ .	Ministry of Environment and Urbanization Ministry of Forestry and Water Affairs Ministry of Food, Agriculture and Livestock Ministry of Development	Legislation update Coordination Between Institutions	The Environmental Law No. 2872 of 1983 and the related secondary legislation, should be renewed with the line the Convention and 2030 Sustainable Development Goals.
United Nations Convention to Combat Desertification	It sets the basic principles for sustainable land management and equilibration of land degradation.	Turkey is party to the Convention. "National Strategy to Combat Desertification" prepared for the years 2015-2023, entered into force in 2015 with the decision of "High Planning Council".	Ministry of Forestry and Water Affairs. Ministry of Food, Agriculture and Livestock	The concept of "desertification" is generally perceived only as "erosion".	A framework law with the name of "Combating Desertification" or "Sustainable Land Management" should be issued in cooperation with relevant laws and institutions, especially the Agriculture Law and the Forests Law.
Convention on Biological Diversity	It sets the basic principles for the conservation and development of biodiversity.	Turkey is party to the Convention but not a party of Nagoya Protocol.	Ministry of Forestry and Water Affairs. Ministry of Food, Agriculture and Livestock	The concept of "biological diversity" is not clearly understood .	The issues involved in the convention need to be addressed in national legislation. In addition, the "National Biological Diversity Strategy and Action Plan (NBSAP)" prepared in 2007 should be renewed considering "Aichi Biodiversity Targets".

¹⁶ <http://www.mfa.gov.tr/paris-anlasmasi.tr.mfa>

National Legislation

Legislation	Relationship with SLM and CFA	Existing Situation in Turkey	Related Authorities	Gaps	Needs
The Under Ground Water Law	"Groundwater" has vital importance for sustainable land management and agricultural activities.	According to the Law and Regulation, the only authority in the underground waters are the General Directorate of State Hydraulic Works.	Ministry of Forests and Water Affaires	Considered as an integral part of agriculture, there is a need for more effective coordination between MFWA and MFAL on water management.	There is a need to regulate the legislation so that will make the coordination and cooperation between the Ministry of Forestry and Water Affairs and the Ministry of Food, Agriculture and Livestock compulsory.
The Pasture Law	The Pasture Law sets forth basic procedures and rules for defining and allocation of pasture areas to various villages and municipalities.	Despite existing legislation in Turkey pastures are not being adequately protected.	Ministry of Forestry and Water Affaires. Ministry of Food, Agriculture and Livestock	In 1970, "pastures", was covering 22 million hectares of land, by 2014 this was fallen to 10 million hectares pproximately	There is a need to raise awareness of the public and the authorities in this regard.
Forest Law	It regulates the administration of the forests and other w	Forest legislation and forestry practices in Turkey is quite enough. The forests are well preserved.	Ministry of Forestry and Water Affaires.	There are problems with integrated forest management. Participation of other ministries and people is not enough. Forest products and services are not adequately assessed.	"Implementation regulations" for "integrated projects" specified in article 58 of the Forest Code should be issued.

4. Annexes

Annex 1: 1-Other International Initiatives

Annex-2: Workshop

Annex-3: Interview