

Thoughts on “Monumental Trees” management

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In our country, especially during the last few years, the negativity which is becoming impossible to overcome on public administration is also present on protecting the natural asset and the environment. It is clear that the problems this negativity can cause, is able to reveal hardship; or furthermore, negativity, which cannot be come across in any other field. In other words and with an optimistic evaluation, the corporal and management organizations and practices which can be said to only solve the daily problems could cause unreparable devastation in the field of “natural protection”. Most of these “monumental trees” which are in a matter of speaking, were left “nonchalant”, might get affected by this situation more. In order to reduce this probability to a minimum, the negativity some of which are listed below, must be overcome and new management approaches must be offered.

* Can be added if needed.

i) In a sovereign approach;

- ✓ On the 7th article of the Natural Asset Protection Law numbered 2863 and issued in 1982, it reads as: *“During all the detections, the historical, artistic, local and other aspects of the natural asset will be regarded.”* But in reality, the trees which are thought to be “monumental” are regarded as one;
- ✓ The trees are elected by saying they have “monumental” value and their age, height, radius variables brought together with a little of its view and historical value carries relatively very little importance.
- ✓ The “*protection area*” approach included in the 8th article of the law numbered 2863 is currently not being put into practice.
- ✓ The ecological, social and cultural environment that the elected trees are in, and especially the historical meaning and importance of them in terms of nature and social settlement is not sufficiently pointed out; the promotions do not include enough of these aspects.
- ✓ The monumental trees are also not presented in the “natural asset” section of the 2013 issued The Management Plan of the Natural Asset, Natural Protected Areas and Areas which are Under Governmental Provision and Savings.

For this reason, the “monumental trees” in our country are in a way regarded as “invaluable values”; can therefore be protected only “as the conditions allow” and randomly.

ii) Definitional Differences:

As is known, the first extensive legal definition for “monumental trees” was stated in the 1982 issued 2863 numbered Protection of the Cultural and Natural Asset Law’s 6th article as;

“Historical caves, rock shelters, characteristic trees, tree groups and etc., samples of immovable natural asset, co...”

And with its 7th article, the law brought the rule that the detections and registrations are to be made by the Ministry of Culture and Tourism. But in 1988, on the 10th decision of the Board of Protection for Cultural and Natural Asset, the below mentioned definition* was made;

“The trees which have gained monumental quality with their natural structure, size and other aspects...”

* As it can be remembered, the mentioned decision had an explanation given below.

It has been decided that,

- a) Local or foreign trees which have connection with historical events,*
- b) Trees which have a plastic look in terms of beauty or trees which gained remarkable shape (fork, candelabra, bent, horizontal, etc.) by diverting from their natural shape,*
- c) Trees that show different natural life styles among their kinds (two or more species living on the same trunk, strange agitations or cohabiting examples, etc.)*
- d) Endemic and rare trees such as yew (Taxus Baccata), endemic varieties of larch, juniper (Archethos drupacea), Phoenician juniper (Juniperus phonicea), Kasnak oak (Quercus vulcanica), boxwood (Buxus sempervirens), birch (Betula alba, Betula medvediewii), Mt. Ida fir (Abies equi-trojani), sweetgum (Liquidambar orientalis), Taurus fir sub species (Abies cilicica subsp. Isaurica), some maple sub species and similar trees,*
- e) Single, groups or strings of trees which complete the urban fabric and affect the urban image, according to the 6th article of the Protection of Cultural and Natural Asset law numbered 2863, are to be registered as “monumental tree in need of protection”, for these trees and the practices in the protected areas, the authorized protection boards are to make decisions,*
- f) Suggesting the General Directorate of Forestry that the natural habitat of sweetgum trees which are becoming extinct should be located and new sweetgum trees ought to be planted regaining these sites, 1*
- g) Related city halls and the Local Forestry Organization are protect the transportation roads, residential areas and monumental trees nearby, new trees are to be planted instead of the old or sick trees in accordance with the technical reports prepared.”*

On the other hand, in the “Monumental trees-inventory, rules for choosing and marking” standard which was prepared by the Turkish Standards Institute’s Forestry and Forest Products Speciality Group, was accepted by the TSI Technical Board on 11th of April, 2006 and was numbered 13137, the following definition was declared;

“A tree belonging to the group of trees which naturally live long enough to build a bridge between the past and the present, and the present and the future which also grew tremendously bigger than the regular size of its kind in terms of age, trunk radius, peak radius and height; or which have a special place in the history, mystical culture or folklore of the area”

With this in mind, as a part of the help education about “Choosing Monumental Trees and Inventory” in Eskişehir on 7th of February, 2013, for “monumental tree”, this definition** was given:

“Trees which reach over the normal size among their kind in terms of age, radius and height, which also have a special place in the history, culture and folklore of the area; naturally having lives long enough to build a bridge between the past and the present, and the present and the future”

In short, in the definitions of “monumental tree” accepted commonly in our country, there are differences that look like detail but may cause varying problems. The definition of “monumental

tree” must be renewed by taking the recent events, approaches into consideration and this definition must be added to the legal regulations.

** In TS, for “monumental trees” there was also a diversion as dimensional monumental tree, historical monumental tree, mystical monumental tree, folkloric monumental tree, future monumental tree and monumental tree worth protection.

iii) Management problems

As it can be remembered, in 2011 the ministries of environment, forestry and prosperity formed up new ministries with enactments of laws executed in one or two months, as it were an erasing board; the new ministries and their work areas were changed again. During this process, Directorate of Nature Conservation and National Parks which was established under the Ministry of Environment and Forestry in 2003, was first associated with the Ministry of Environment, Forestry and Town Planning by the 636 numbered statutory decision. Its work was distributed among the Ministry of Forestry and Water Affairs and the Directorate of Nature Conservation and National Parks of the Ministry of Town Planning. The reasons for this distribution are unknown. In the following organization of ministries;

i) Among the works of the Directorate of Nature Conservation was (Article 13/A);

a) *Declaring the standards of **regulation, approval and announcement** about places with conservation status such as national parks, nature parks, **natural monumentals**, nature conservation areas, wetland areas, etc. and regulating the boundaries of these areas.*

b) ...

c) *Declaring the decisions about the usage and the town planning of places with conservation status such as national parks, nature parks, **natural monumentals**, nature conservation areas, natural protected areas, natural wetland areas, special environment conservation areas etc. and planning, getting planned or changing the environmental plan, governing and applying of the zoning plans.*

Among the works of Natural Asset Branch Offices of the Directorate of Natural Asset Protection was;

*“d. Managing all the work on the **regulation** of monumental trees, tree groups and caves, and the protected areas associated with these,*

e. Doing or getting done the inventory work of monumental trees, tree groups and caves,

*f. In areas which have potential in terms of national and international legislation, performing or allowing **studies and researches** on monumental trees, tree groups and caves.*

ii) And for the Directorate of Nature Conservation and National Parks;

*“a. **Locating** national parks, nature parks, **nature monumentals**, nature conservation areas and wetland areas; protecting, improving, presentation, operating and having operated the ones regulated by the Ministry of City and Town Planning.*

...

*ğ) Making the **regulations and announcements** of the protection areas such as nature parks, **nature monumentals**, nature conservation areas and the wetland areas included in forestry and areas under the forest regime.*

tasks were given.

But there are no organizations about “monumental trees” directly or indirectly among the tasks of this directorate or the branches associated with it. “Monumental trees” might be evaluated within the “nature monumentals”. But that kind of an evaluation will not do anything other than making the functional battle already existing becoming sharper with time between the two general managements. For this reason, in reality, the purpose of existence for the Directorate of Nature Conservation must be analyzed closely; in other words, all its authority must be transferred to the Directorate of Nature Conservation and National Parks and be shut down. Thus, this amusing dual structure which is also reflected on terms such as “nature” and “habit”.

As it is seen, the works which must be determined, planned and practiced by, in a matter of speaking, “one hand” have been distributed among the two ministries “randomly”, in the most optimistic thinking. If we are to put this optimistic point of view on one side, the future of the “protected areas” is left to the “mercy” of the Ministry one of whose tasks is “urbanization”. This structure and work distribution is definitely not reasonable in terms of protecting the natural hunt and environment; it leads to conflicts which are difficult or impossible to overcome, to contradictory decisions and practices and to wasting of resources which are already limited. Therefore, all the works (identification, regulation, announcement, protection, research, etc.) regarding the natural asset that will be under “protection” for any reason (or that will be given the “protection status” in a more common saying) must be handled by the same institute (ministry, directorate, institution, etc.) no matter what its qualification is.

On the other hand, it is also known that management of these “protected areas” and protection of the natural asset and environment in our country is left to ministries, institutes under them and associated departments which do not allow almost any democratic participation at all. This type of structuring causes the people living there to be alienated from the natural asset and environment which gained “protection status”. This situation is a vital negativity in terms of protecting the “monumental trees” whose number can reach to thousands if a realistic inventory is made. For this reason, the “monumental trees”;

- ✓ Must have a definition under “*Definitions*” segment of the 2nd article of the National Parks Law, numbered 2873;
- ✓ Must be researched, identified, regulated, announced, introduced and taken care of (and other technical works must be done, planned and practiced) only by the Directorate of Nature Conservation and National Parks;
- ✓ The studies regarding their protection must be given to local managements (city halls, village and neighbourhood autarchies and the costs must be left to the Directorate of Nature Conservation and National Parks, being updated every year, taken the adequate pay; for this goal, the “monumental trees” must be counted as one of the natural asset “*under government provision and savings*” in the 715th article of the 4721st law which was renewed in 2001;
- ✓ The TS 13137 numbered “*Monumental trees-Inventory, rules for choosing and marking*” standard must be re-organized;
- ✓ Protection works and maintenance must be available also for the local people or institutes who are willing and equipped enough; certain inspiring programs (education, media, honouring, etc.) must be prepared for this purpose.

* **“Article 715.-** Areas unclaimed and publicly owned places are under the government’s provision and savings. Unless the contrary is proved, publicly owned areas not suitable for agriculture such as water and rocks, hills, mountains and icecaps and sources from these are not possessed by anybody and cannot be the subject of private property.

The identification, maintenance, protection, operation and usage of the unclaimed areas and publicly owned places are included in special statutory provision.”