DETERMINATION OF THE KNOWLEDGE LEVELS OF LOCAL PEOPLE REGARDING PROTECTED AREA LEGISLATION: "KURE MOUNTAINS NATIONAL PARK CASE"

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ABSTRACT

Along with irrevocable damages on the areas of national and international value, the concept of "protected area" has been put on the agenda in Turkey as in the world. National Parks constitute one of the mentioned protected areas. Kure Mountains National Park (KMNP) is one of the areas of top priority both in Turkey and in the world in terms of protection. The local people living in or around the national park benefit variously from the natural, cultural and recreational landscape values of the park. However, the way people benefit from the national park is limited by a number of national arrangements such as the Law on Forest and Law on National Parks and by such international arrangements as Convention on Biological Diversity, the Convention on International Trade in Endangered Species of Wild Fauna and Flora, etc. This study aims at determining the knowledge levels of the local people living close to KMNP about the legal legislation applicable in the national park. To this end, a survey was conducted with the local people living in 68 villages in KMNP Buffer Zone. The survey was made with 258 participants over the age of 18 who dwell in villages throughout the whole year. The survey aimed at ascertaining whether the local people abide by the relevant rules and whether they are informed of the legislation. It was found that the local people are not adequately informed of the legislation applicable to the national park and that they do not abide by the relevant rules.

Keywords: *Protected area, legislation, local people, knowledge level, Küre Mountains National Park*

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YEREL HALKIN KORUNAN ALAN MEVZUATINA İLİŞKİN BİLGİ DÜZEYLERİNİN BELİRLENMESİ: "KÜRE DAĞLARI MİLLİ PARKI ÖRNEĞİ"

ÖZET

Doğada ulusal ve uluslararası değere sahip alanlar üzerinde geri dönülmez zararlar oluşmaya başlamasıyla birlikte dünyada ve Türkiye'de "korunan alan" kavramı gündeme gelmiştir. Milli parklarda bu korunan alanlardan birisidir. Küre Dağları Milli Parkı, Türkiye ve dünyada korunma önceliği yüksek alanlardan birisidir. Milli parkın barındırdığı doğal, kültürel ve rekreasyonel değerlerinden, milli parkın yakın çevresinde yaşayan yöre halkı çeşitli şekillerde faydalanmaktadır. Ancak milli parklardan faydalanma Orman Kanunu, Milli Parklar Kanunu gibi ulusal ve Biyolojik Çeşitlilik Sözleşmesi, Nesli Tehlikede Olan Yabani Hayvan ve Bitki Türlerinin Uluslararası Ticaretine İlişkin Sözleşme gibi uluslararası pek çok düzenleme ile sınırlandırılmıştır. Bu çalışmanın amacı Küre Dağları Milli Parkı yakın çevresinde yaşayan ve milli parktan çeşitli şekillerde faydalanan yöre halkının, milli parkta uygulanan yasal mevzuat hakkındaki bilgi düzeylerini belirleyebilmektir. Bu amaçla çalışma kapsamında Küre Dağları Milli Parkı Tampon Bölgesi'nde yer alan 68 köyde yaşayan yöre halkı ile anket çalışması gerçekleştirilmiştir. Anket yıl boyunca köylerde ikamet eden 18 yaşüstü 258 katılımcıya uygulanmıştır. Anket çalışması ile yöre halkının milli parktan ne şekillerde faydalandığı, bu faydalanmanın yasal düzenlemeler çerçevesinde yapılıp yapılmadığı ve alanda uygulanan mevzuat hakkında bilgi sahibi olup olmadıkları belirlenmeye çalışılmıştır. Sonuç olarak Küre Dağları Milli Parkı tampon zonunda yaşayan yerel halkın, milli parkla ilgili uygulanan yasal mevzuat hakkındaki bilgilerinin yeterli düzeyde olmadığı ve uymaları gereken kurallara riayet etmedikleri belirlenmiştir.

Anahtar Kelimeler: *Korunan alan, mevzuat, yerel halk, bilgi düzeyi, Küre Dağları Milli Parkı*

1. INRODUCTION

Protected areas play an important role in the protection of the biological diversity and they are the components of their social and ecological environment[1]. Main objective of the protected areas is to protect and improve the area and ensure its biological diversity[2]. Including the human factor in

[1] Katrina BRANDON, Kent REDFORD, Steven SANDERSON (Eds.), **Parks in Peril: People, Politics, and Protected Areas**, Covelo, CA, Washington, DC, Island Press, 1998, p.415.

[2] Abdulaziz Hamid ABUZINADA, "The Role of Protected Areas in Conserving Biological Diversity in The Kingdom of Saudi Arabia", **Journal of Arid Environments**, No. 54, p.39–45 (http://nwrc.gov.sa/NWRC_ ARB/mzyd_files/1-2003-007.pdf, access: 10/05/2015)

ensuring the protection is of utmost importance, whereas the underlying reason for protection need is human interference. When protection as concept first came out, protected areas were tried to be assigned as the areas where the human acts were limited or prohibited taking into account the damage to the nature caused by the people; however, protection attempts were not successful and caused local people to develop negative reactions[3]. Following the Rio Conference held in 1992, this brought up a process including the participative management approach in protected areas.

Some legal arrangements specific to protected areas have been made with the aim of preventing damages in these areas caused by human acts, ensuring improvement and sustainability of the area. Legal arrangements are not enough to protect the area due to the fact that the texts prepared by the technocrats sometimes lacking legal notion are adopted while drafting the legislation applicable to protected areas, that the target group who are likely to be affected by the rules to be imposed are neglected, that the content of the protection rules are softened due to political reasons, and that legal arrangements are often be subject to actions for nullity and cancelled by the judicial bodies, and thus being amended frequently.

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[3] Teri ALLENDORF, **Local Residents' Perceptions of Protected Areas in Nepal: Beyond Conflicts and Economics**, PhD thesis, The University of Minnesota, St. Paul, 1999, p.47, Viet Nguyen DUNG, Le Nguyen TRINH, Xuan Thuy HOANG, Danh Nguyen TINH, "Community Behaviours Towards Nature Conservation: A Theoretical Analysis for Practical Approaches", **PanNature – People and Nature Conciliation** (http://nature.org.vn/en/wp-content/uploads/docs/Community BehavioursTowardsNatureConservation.pdf, access: 05/05/2015). Marcus Benjamin LANE, "Affirming New Directions in Planning Theory: Co-management of Protected Areas", **Society and Natural Resources**, Vol. 14, p.657, Robert WELADJI, Stein MOE, Pál VEDELD, "Stakeholder Attitudes Wildlife Policy and Bénoué Wildlife Conservation Area, North Cameroon", **Environmental Conservation**, No.30, p.334, Fifanou VODOUHÉ, Ousmane COULIBALY, Anselme ADÉGBIDI, Brice SINSIN, "Community Perception of Biodiversity Conservation Within Protected Areas in Benin", **Forest Policy and Economics**, No:12, p. 505 (http://www.sciencedirect.com/science/article/pii/S1389934110000857, access: 21/05/2014), Gustavo ANDRADE, Jonathan Rhodes, "Protected Areas and Local Communities: An Inevitable Partnership Toward Successful Conservation Strategies?", **Ecology and Society**, Vol.17, No.4, p.14 (http://dx.doi. org/10.5751/ES-05216-170414, access: 16/04/2015), Andrea Blanka SZELL, **Attitudes and Perceptions of Local Residents and Tourists Toward the Protected Area of Retezat National Park, Romania**, Western Michigan University Master's Theses, 2012, p.59, Susan SNYMAN, "Assessment of the main factors impacting community members attitudes towards tourism and protected areas in six southern African countries", **Koedoe**, Vol. 56, No.2, Art. #1139, p.12, (http:// dx.doi.org/10.4102/koedoe. v56i2.1139, access:23/05/2015), Nur BELKAYALI, "Identifying and Assessing Visitor Impacts And Attitudes: A Case Study in the Kure Mountains National Park", **Fresenius Environmental Bulletin**, Vol.24, No.9a, p. 3045, 2015.

In order that the rules for protecting the national parks can serve to the aim of protection through efficient implementation, they should be known and embraced by the persons who are subject to such rules; whereas in Turkey this liability is left to the individuals by adding the rule "not being informed about the law is not an excuse" to the Penal Code which is a general law, and this rule is argued to be in conflict with current state of law principle which prioritises personal security,[4] and the people cannot hide behind the excuse of not being informed or heard of the law[5] and the area is expected to be protected this way. 2015 Regular Progress Report for Turkey issued by the European Commission argues that the legislation applicable to the national parks are inadequate for protecting these areas and Turkey is criticised for this reason[6]. At this point, the question of whether this inadequacy results from the inadequacy of the rules in place or from the fact that they are not known and embraced by the people who are subject to them should be examined. This way, a solution will be proposed for the problem that hinders protection while drafting a new nature conservation law; and therefore such areas will be given a more secure status[7].

With respect to the findings of the 2015 Regular Progress Report for Turkey, issued by the European Commission, which argues that the legislation is inadequate for protection, this study aims at ascertaining how well informed the local people are about the legislation applicable to the protected areas and the practical problems, with a view to find out the underlying factor and/or factors of such findings, to lead the way while new nature conservation law is drafted and to set a sample for the legal arrangements on protection of national parks to be made around the world.

Recognized by WWF as one the prioritized protected areas (hot points) of European Forests on 07 July 2000, and declared as a national park and became the first national park of Turkey in PAN Parks network in 2012, Kure

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4 Bahtiyar AKYILMAZ, **Procedure for Taking Administrative Action in the Light of Administrative Procedure Principles**, Yetkin Press, Ankara, 2000, p.217. (in Turkish).

5 İzzet ÖZGENÇ, **Reasoned Turkish Penal Code**, Seçkin Press, Ankara, 2004. P. 74-75. (in Turkish).

6 EUROPEAN COMMISSION, **Regular Progress Report for Turkey, European Union Enlargement Strategy Commission Working Document**, Brussels, 2015, p.81-82. (http://www.ab.gov.tr/index. php?p=50090, access: 25/06/2016).

7 Yusuf GÜNEŞ, Aynur Aydın COŞKUN, "Turkish Nature and Biodiversity Legislation Within the Context of Eu Bird Directive and Habitat Directive", **Fresenius Environmental Bulletin**, Vol.19, No.5, p.1042-1049.

Mountains National Park is considered as an important park both for Turkey and the world in terms of natural, cultural and recreational landscape values. That is the reason why Kure Mountains National Park was chosen as the sample area in the study. Within the scope of this study, a survey was made in person with the aim of ascertaining how much the local people constantly living in the buffer zone of the national park are informed about the legal legislation applicable to the national parks. In this respect, this is almost the first study and is expected to shed light on the future legal arrangements or amendments.

2. PROHIBITIONS AND PERMITS INCLUDED IN LEGISLATION ON NATIONAL PARKS

"National parks" are the first samples of the land protection among the protection status in the world. Concept of public park which is open to the access by public started to move towards protection of natural resources at the end of 19th century; American approach which considers national parks as protection of wild life[8] paved the way for protection measures in the world. The idea of national park, which prohibits production of forest products, grazing and hunting, and instead bringing good protection, recreational, sportive, educational and scientific use system, come from the intention of the Americans to protect the areas with natural beauty for the sake of the societal happiness in the 19th century[9]. This approach argues that removing settlement from the area taking into account the importance of the nature with no human impact will serve the best to the protection. Different ideas, organisations and movements came up over time with regard to management, legal framework and sustainability of national parks. The movement in England which aims at encouraging new approach for change in national parks and pioneering the laws ensures protection and recreation purposes for national parks while promoting a sustainable development idea which is totally different from American approach in terms of public property and nature protection. Accordingly, the people being a stakeholder of national park areas and sustainable use of natural and cultural heritage in such areas come forward, apart from protecting the

[8] Lary DILSAVER, **America's National Park System: The Critical Documents,** Rowman and Littlefield Publisher, 1994. (https://www.nps.gov/parkhistory/online_books/anps/anps_intro.htm, access: 23/05/2015)

[9] Henry RAUP, "National Parks: The American Experience by Alfred RUNTE, University of Nebraska Pres, Lincoln and London, 1979, p. 240", **Natural Resources Journal**, Vol.20, p.425. (http://lawschool.unm.edu/nrj/volumes/20/2/21_raup_national.pdf, access: 13/04/2015).

areas with natural beauties[10]. Today it can be argued that the latter prevails. However, it is hard to predict the long-term effects of such utilization of the area on its protection. Therefore, it remains to be seen which will serve better to the protection of the area: reducing the utilization of the area as is the case in America, or including the people in the process as is the case in Europe. Especially in developing countries where the legal rules are not equally applied to everyone, misuse of national parks by allocating them to private use may prevent protection and sustainability. Therefore, as stated by Belkayalı et al.[11], it is important, in terms of ensuring sustainability, to determine the resource values which will be affected by the permits to be granted in protected areas, and to grant permit for use considering the sensitivity of the resource value and to monitor it.

In Turkey, legal sanctions applicable to the protected areas and criminal acts committed are divided into two: penalties and administrative sanctions. The penalties imposed by the courts are divided into two: penalties restricting freedom and administrative fines. Administrative sanction is a sanction which is determined within the scope of an administrative police act not originating from a "crime", applied against an "offence", "fault" and "rule infringement" in the matters subject to administrative inspection and sanction, and imposed by the administration with Administrative Law specific procedures[12].

National parks are among the public properties[13]. In the event of any crime listed in Law on Forests (No 6831), Law on Land Hunting (No 4915), Fisheries Law (No 1380) is committed in national parks, the penalties are imposed with an increase of one fold and the offensive tools used for committing the crime are seized. The persons are not obliged to report the crimes. However, if anyone detecting a sign of a fire in the forest does not

[10] Bob O'BRIAN, **Our National Parks and the Search for Sustainability**, University of Texas Pres, Austin, 1999, p.3

[11] Nur BELKAYALI, Murat ATAN, Hatice İlkden TAZEBAY, Nevin AKPINAR, "Determination of Economic Value of Goreme Historical National Park via Contingent Valuation Method", **Scientific Research And Essays**, Vol.5, No.9, 2010, p. 939.

[12] Aydın GÜLAN, "Judicial Review Against Administrative Fines after Enactment of Misdemeanour Law", **Mess Sicil**, Vol.1, 2006, p. 159. (in Turkish), İl. Han ÖZAY, **Administrative Sanctions, A theoretical Essay**, İstanbul University Publications, İstanbul, 1985, p. 21,23,35. (in Turkish), Ali ULUSOY, **Administrative Sanctions**, 12 Levha Publications, İstanbul, 2012, p.8-20. (in Turkish).

[13] Aydın GÜLAN, **Legal Regime that the Methods of Utilization of Public Property Depend**, Alfa Publication, İstanbul, 1999, p.42. (in Turkish).

inform the officials who are responsible for preventing the fire, they can be imprisoned. The village dwellers have to participate in extinguishing the forest fire.

Such acts as cutting the trees, collecting and taking any forest vegetation, plants or forest seeds, hunting, mining, grazing, staying the night and lighting fire are prohibited, for they may damage any national park. According to the Law on Forests, the punishment is aggravated in the event of cutting a sapling, cutting a tree which is used as timber, cutting a tree with machines, taking, processing and selling illegal forest products for trade purposes, setting fire on purpose or for terrorist purposes.

A number of activities are allowed, and touristic premises can be built in national parks in Turkey after relevant permit is taken. License or privilege for exploration and operation of mine and oil may be granted, and production, hunting and grazing can be permitted. Granting such permits is criticized, for they also damage the sustainability of national parks.

3. MATERIALS AND METHODS

Total protected land in Turkey is 5 million 647 thousand 568 hectares. The ratio of such area to the surface area of the country is 7,24%. There are 40 national parks in Turkey[14]. Kure Mountains National Park was chosen as the study area. Kure Mountains National Park is one of the important protected areas in the world in terms of natural, cultural and recreational landscape values. In 1998, Kure Mountains National Park was recognized by WWF as one the prioritised protected areas (hot points) of European Forests On 07 July 2000, it was declared national park and taken under protection, and it became the first national park of Turkey in PAN Parks network in 2012[15].

Kure Mountains National Park is located in West Blacksea Region of Turkey at the border of Kastamonu and Bartın Provinces and in West Blacksea carstic zone which is the second important carstic zone in Turkey following Taurus Mountains[16]. Surface area of the Kure Mountains National Park is

[14] GENERAL DIRECTORATE OF NATURE PROTECTION AND NATIONAL PARKS, **Protected Area System**. (http://www.milliparklar.gov.tr/korunanalanlar/korunan alan1. htm, access: 15/09/2015.) (in Turkish).

[15] KURE MOUNTAINS NATIONAL PARK, **Received Pan Parks Certificate**. (http://www. kdmp.gov.tr/haber _detay_en.asp?haid=163, access: 15/09/2014). (in Turkish).

[16] Mehmet Ufuk ÖZBEK, **Kurtgirmez Mountain and Çatak Canyon (Kure Mountains-Kastamonu) flora**, Gazi University Institute of Science, Master's Thesis, Ankara, 2004, p.6. (in Turkish).

37.753 hectares, while surrounding buffer zone is 134.366 hectares[17] (Figure 1).

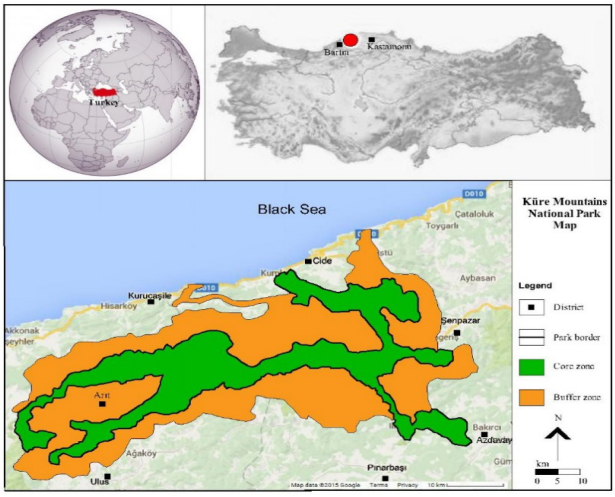


Figure 1 Map showing the location of Kure Mountains National Park

Kure Mountains National Park has virgin humid, carstic natural old forests, rich herbaceous and woody plants which are rare in the world. The national park which is certified as an important plant side is very rich in zoological and avifauna (bird species). The site represents the best remaining example of the deciduous and coniferous forests of the North Anatolia sub-ecoregion as well as of the highly endangered karst mountains of the Black Sea humid forest ecotype. The number of the plant taxa documented in Kure Mountains National Park is 930. A number of these species) are endemic and 59 of the endemic species are in the red list. High altitude karst plateaus with limited human effect are home to a healthy and intact forest ecosystem. The forest animals can live in the old and dry trees, and the rich plant groups are proper for their feeding. KMNP's biological importance is bound to the fact that it offers different habitats for many animals. 48 out of 160 mammal species that live in Turkey can be found in KMNP[18].

[17] ANONYMOUS, **Kure Mountains National Park Long-Term Development Plan Planning Report**, Ministry of Forestry and Water Affairs, General Directorate of Nature Conservation and National Parks, Ankara, 2012, p.1. (in Turkish).

[18] KURE MOUNTAINS NATIONAL PARK, **Animals**, (http://www.kdmp.gov.tr/alt_detay_3-en.asp?id=10 &alt_id=19&id_son=28, access: 15/05/2014.). (in Turkish).

At the same time, national park is one of the richest places of Turkey in terms of canyons and caves[19]. Apart from its natural values, national park is an attraction place for tourists with some village houses maintaining their characteristic architecture, traditional women dresses which are still used in daily life and crafts[20].

There is no settlement in Kure Mountains National Park absolute protection zone, and there are 68 villages, 31 of which are in Bartın and 37 of which are in Kastamonu as affiliated to 6 districts. According to 2012 population data, 59.656 people live in such settlement places[21].

The local people living in the Kure Mountains National Park buffer zone constitute the main material of the study. In order to find out how well informed the local people are about the legislation applicable to protected areas, the reports prepared by and studies conducted by individuals and institutions with regard to Kure Mountains National Park, the photographs taken in the research area, observations and examinations made in the area as well as the survey conducted with the local people.

Method of the research is composed of observation, examination, data collection (through survey) and evaluation. The data were collected through the field studies conducted in most of the said 68 villages located in Kure Mountains National Park buffer zone and the survey conducted with the participation of the local people. Having carried out some observations in the area and conducting preliminary interviews, the survey forms consisting of 29 question items which aim at measuring the knowledge levels of the local people regarding the legislation on national parks were applied to the local people through face-to-face interviews, and the data were collected accordingly. Survey was made with the 258 participants over the age of 18 who permanently dwell in villages both in winter and in summer. Number of surveys was determined at 95% reliability level and according to 0.10 margin

[19] ANONYMOUS, p. 2.

[20] KURE MOUNTAINS NATIONAL PARK: **Kure Mountains National Park History and Culture**. (http://www.kdmp.gov.tr/alt_detay_2-en.asp?id=10&alt_id=18, access: 15/05/2014) (in Turkish), Nur BELKAYALI, Merve Damla KESIMOĞLU, "The Stakeholders' Point of View About the Impact of Recreational and Tourism Activities on Natural Protected Area: A Case Study From Kure Mountains National Park, Turkey", **Biotechnology & Biotechnological Equipment**, Vol.29, No.6, p.1093, DOI: 10.1080/13102818.2015.1072054, 2015.

[21] ANONYMOUS: **Turkish Address Based Population Registration System datas** (www.tuik.gov.tr, access: 21/01/2015) (in Turkish).

of error by taking the population of the villages located in buffer zone (59.656 persons (according to 2012 data)) as basis[22]. The survey form is essentially composed of some questions on the profile of the subjects, conceptual approaches, trends related to the use of park, demands and thoughts about the management of the park, prohibited acts in the area, acts requiring imprisonment, acts requiring administrative fine, what should be done in the event of a crime, and how the rules applicable to national park area will affect the living conditions of local people. Survey results were evaluated in SPSS setting. Cronbach's Alpha test was applied for validity and reliability of the answers given for survey questions. Kaiser Meyer Olkin (KMO) value and Barlett's Test of Sphericity values were determined with the aim of finding that the data come from multivariate distribution and adequate relation exists among the variables.

4. RESEARCH FINDINGS

Reliability analysis was conducted for the questions in survey form prepared within the scope of the study, and Cronbach's Alpha was found (α)= 0.770. According to such results, the validity and reliability test applied to the questions used in data collection tool was proved to be valid[23] (Table 1).

In addition, as clear in Table 1, KMO value of the trial form is 0,732. Examining the results of Barlett's test of sphericity, it is clear that chi-square ($X^2_{(1176)}$=4201,757; p⟨,01) value is significant. In this context, the results reveal that the data come from multivariate distribution and adequate relation exists among the variables[24].

Table 1 Validity/Reliability Analysis for Scale Items in the Survey

Number of Surveys	Number of Items	Cronbach's Alpha (α)	Kaiser-Meyer-Olkin KMO	Bartlett's Test of Sphericity		
				Approx. Chi-Square	df	Sig.
258	49	.770	.757	4201.757	1176	.000

Data on Demographic and Socio-economic Structure of the Participants

[22] Yahşi YAZICIOĞLU, Samiye ERDOĞAN, **SPSS Applied Research Methods**, Detay Publications, Ankara, 2004, p.74. (in Turkish).

[23] Kazım ÖZDAMAR, **Package Statistical Data Analysis and Programs II**, Kaan Press, Eskişehir, Turkey, 2002, p.673. (in Turkish).

[24] Darren GEORGE, Paul MALLERY, **SPSS for Windows Step by Step: A Simple Guide and Reference 11.0 Update**, Pearson Education, 4th ed., USA, 2003 (http://wps.ablongman.com/wps/media/objects/385/394732/ george4answers.pdf, access: 12/06/2015).

As a result of the survey, it has been determined that 26,1% of the participants is women (n=71) while 73,9% is men (n=187). 63,5% of the participants are 55-65 years old, 17,4% has no education degree at all, 63,9% has primary school degree. Majority of the participants (%48,8, n=126) are retired. 77,9% of the participants has been living in the vicinity of the national park for over 16 years.

Knowledge level of the local people regarding the applicable legislation

In order to find out whether the local people are informed about the acts prohibited by the legislation applicable to national parks, the local people were first asked to tell the reason why they go to the area. However, while asking this question, some acts which the local people violate the most but see innocent and not as a crime are included among the options. This way, it was aimed to determine whether they used the area in compliance with laws or not. The data obtained revealed that the local people went to the Kure Mountains National Park mostly for picnic (%43), for collecting some plants (%52) and for strolling around (%63). In addition, it was also found out that they went to the national park for grazing their animals (%26), collecting oaks, lime flowers, cones and seed etc. (%13), obtaining firewood (%19) and hunting (%7) (Table 2).

Table 2 The reasons why the local people go to the national park

Variable	Yes		No	
	Frequency	Percent	Frequency	Percent
Picnic	112	43.41	146	56.59
Grazing animals	68	26.36	190	73.64
Work	17	6.59	241	93.41
Collecting oak, lime flower, cone, seed, etc.	34	13.18	224	86.82
Collecting plants (mushroom, blackberry, etc.)	136	52.71	122	47.29
Strolling around	165	63.95	93	36.05
Obtaining firewood	51	19.77	207	80.23
Hunting	20	7.75	238	92.25

Examining the acts which the local people living in the vicinity of Kure Mountains National Park mostly commit, it was found that they obtained firewood (%62,79) and hunt (%53,10), according to their statements. Ratio of cutting tree is 48,84%. Although it was stated that extracting pebble, stone chips etc (%81,40), setting fire (52,71), performing agricultural activities in national park (70,16) and firing stubble and similar vegetation in the villages bordering the national park (%74,81) were not common, there were some

people stating that the above acts are performed (Table 3).

Table 3 Acts committed by the local people in Kure Mountains National Park

Variable	Yes		No	
	Frequency	Percent	Frequency	Percent
Obtaining firewood	162	62.79	96	37.21
Hunting	137	53.1	121	46.9
Collecting plant (mushroom etc.)	113	43.8	145	56.2
Cutting trees	126	48.84	132	51.16
Extracting pebble, stone chips etc.	48	18.6	210	81.4
Setting fire	122	47.29	136	52.71
Performing agricultural activities in national park	77	29.84	181	70.16
Firing stubble and similar vegetation in the villages bordering the national park	65	25.19	193	74.81

When it was asked how the local people could contribute to application of the rules that should be abided by in the national park, 90,70% of the local people stated that they would report the offenders to the competent authorities, 71,71% of them stated that they would report the illegal acts which require administrative fine. 74,42% of the local people stated that they would not contribute to informing those who are not aware of the rules (Table 4).

Table 4 Contribution by local people to application of the rules on protection of national park

Variable	Yes		No	
	Frequency	Percent	Frequency	Percent
I will report the offenders to the competent authorities	234	90.7	24	9.3
I will report the illegal acts (which require administrative fine)	185	71.71	73	28.29
I will inform those who are not aware of the rules on protection of national park	66	25.58	192	74.42
I will not make any contribution	10	3.88	248	96.12

When the local people were asked to reflect on how the rules applicable to the national park affected their living conditions, 60,47% of the participants

stated that had hard time collecting dry wood, cones etc., 59,30% stated that they could not obtain timber from the forest for repairing their houses, 56,59% stated that they could not perform forestry activities. Thus, according to the survey results, 82,56% of the participants stated that the rules applicable to the national park had an impact on the living conditions of the local people. In addition, although performing some acts in national parks are forbidden by law, local people stated that the rules applicable to the national park did not prevent them from gazing their animals at any place they want (%75,58), from collecting forest by-products (%83,33) and from beekeeping (%86,82) (Table 5). Besides, apart from the options stated in the survey, the local people expressed that they were uncomfortable with the wild animals which are attributable to the rules applicable to the national park and that they had less business opportunities since the lands within the national park borders were converted to forest land and thus, they could not perform agricultural activities.

Table 5 The effects of the rules applicable to the national park on the living conditions of the local people

Variable	Yes		No	
	Frequency	Percent	Frequency	Percent
I cannot collect dry wood, cones from forest	156	60.47	102	39.53
I cannot obtain timber from the forest for repairing my house (personal need)	153	59.3	105	40.7
I cannot graze my animals at any place I want	63	24.42	195	75.58
I cannot perform forestry activities	146	56.59	112	43.41
I cannot collect forest by-products (chestnut, mushroom, lime flower etc.)	43	16.67	215	83.33
I cannot keep bees	34	13.18	224	86.82
No impact	45	17.44	213	82.56

As a response to the question of ownership of the national park, 84% of the survey participants stated that it belonged to the state. Besides, there were some people who expressed that the national park was a private property (%1,5), some people expressed that it was their village's property (%6,5), and some people stated that they had no idea (%7,75) (Table 6).

Table 6 Ownership of Kure Mountains

Variable	Frequency	Percent
Private property	4	1.55
State-owned property	217	84.11
Owned by the village	17	6.59
I do not know	20	7.75

When the local people's views were asked about the difference between living close to the national park and living in another place in terms of the laws, 33,72% of them stated that they lived in a healthier environment thanks to legal arrangements, 32,17% of them stated that they lived under higher legal oppression because of the legal arrangements, 31,78% stated that they faced some restrictions in the areas they used for husbandry and agriculture purposes. The ratio of the participants thinking that living close to the national park was not different from living any other place is 47,29% (Table 7). In addition to the differences included in the survey questions, the survey participants stated that they suffered from losing the ownership of the land they had been using for almost 100 years since it was included in the national park area as a result of cadastre work, that they could no longer have a picnic in the places they used to go since they were included in the national park area, that their animals and they were negatively affected by protection of wild animals.

Table 7 Legal differences of living close to national park

Variable	Yes		No	
	Frequency	Percent	Frequency	Percent
Government gives us some money from the fund for development	8	3.1	250	96.9
Government provides us with employment opportunity for our development	7	2.71	251	97.29
I live in a healthier environment thanks to legal arrangements for protecting the area	87	33.72	171	66.28
We are under higher legal oppression because of the legal arrangements	83	32.17	175	67.83
I face some restrictions in the areas I use for husbandry and agriculture purposes	82	31.78	176	68.22
No difference	122	47.29	136	52.71

When the participants were asked whether building touristic premises

in Kure Mountains National Park was allowed or not by legal legislation, 55, 81% of them stated that it was allowed. As for establishing hydroelectric power plant, 54, 65% of the participants stated that it was not allowed, while 57, 75% stated that operating a mine was not allowed (Table 8).

Table 8 Knowledge levels of the local people regarding the construction of premises in terms of legislation

Variable	Yes		No		No idea	
	Frequency	Percent	Frequency	Percent	Frequency	Percent
Building touristic premises	144	55.81	79	30.62	35	13.57
Establishing hydroelectric power plant	82	31.78	141	54.65	36	13.95
Operating mines by extracting sand, pebbles	81	31.4	149	57.75	28	10.85

When the participants were asked some questions to assess their knowledge about hunting in national park area, 68, 6% of them stated that hunting was strictly prohibited. With regard to grazing animals, 55, 43% of the participants stated that grazing any animal was allowed. According to 64, 34% of the participants, collecting any plant species was allowed. Regarding any interference related to the trees, 98,06% of the participants expressed that cutting a tree was a crime, 91,47% of them expressed that damaging a tree was a crime, 86,82% of them expressed that extracting barks of the pine tree, pedavras, shingles was a crime, 87,98% of them expressed that making coal from trees was a crime, 68,99% of them stated that cutting decumbent and wind-thrown trees, and 77,13% of them expressed that extracting from trees barks, firewood, tar or mastic was a crime while 74,42% of them expressed that collecting oaks, lime flowers and thuja cones was a crime (Table 9).

Table 9 Knowledge levels of the local people regarding the applicable

legislation

Variable		Yes		No	
		Frequency	Percent	Frequency	Percent
About hunting in KMNP	Hunting is allowed	19	7.36	239	92.64
	Hunting is allowed on the lands assigned by the administration	43	16.67	215	83.33
	Hunting specified animals is allowed	29	11.24	229	88.76
	Hunting without damaging natural balance is allowed	17	6.59	241	93.41
	Hunting is strictly prohibited	177	68.6	81	31.4
About grazing in KMNP	Grazing any animal is allowed	143	55.43	115	44.57
	Grazing is allowed on the lands assigned by the administration	43	16.67	215	83.33
	Gazing animals is allowed in the arid summer time	9	3.49	249	96.51
	Grazing animals is strictly prohibited	68	26.36	190	73.64
	Grazing animals except for goats is allowed	11	4.26	245	95.74
About collecting plants in KMNP	Collecting any plant is allowed	166	64.34	92	35.66
	Collecting plants on some areas is allowed	18	6.98	240	93.02
	Collecting specified plants is allowed	29	11.24	229	88.76
	Collecting plants without damaging natural balance is allowed	27	10.47	231	89.53
	Collecting plants is strictly prohibited	38	14.73	220	85.27

About interference in trees in KMNP	Cutting trees is strictly prohibited	253	98.06	5	1.94
	Damaging tree, cutting and pulling off its crown and branches is prohibited	236	91.47	22	8.53
	Extracting barks of the pine tree, pedavras, shingles is prohibited	224	86.82	34	13.18
	Collecting oaks, lime flowers and thuja cones is prohibited	66	25.58	192	74.42
	Making coal from trees is prohibited	227	87.98	31	12.02
	Cutting or taking decumbent and wind-thrown trees is prohibited	178	68.99	80	31.01
	Extracting from trees barks, firewood, tar or mastic is prohibited	199	77.13	59	22.87
About agricultural activities in KMNP	Agricultural activity is allowed	30	11.63	213	88.37

Analysing how well informed the participants are about performing agricultural activities in Kure Mountains National Park, 88,37% of them stated that agricultural activity was not allowed in national park (Table 9).

Assessing how well informed the participants are about the reasons for aggravating the penalties related to tree-cutting in Kure Mountains National Park, 82,95% of them stated that the penalty would be aggravated in case of a sapling as a subject of the crime, 74,81% of them stated that the penalty would be aggravated in case of cutting a tree which could be used in construction, 66,67% of them stated that the penalty would be aggravated in case of cutting a tree with motor-operated tools, 58,91% of them stated that the penalty would be aggravated in case of taking, processing and selling forest products for commercial purposes, 89,53% of them stated that the penalty would be aggravated in case of setting a forest on fire deliberately. It was found that cutting a tree which could be used as firewood (63,95%) and cutting a tree on a land where there was a forest fire before (74,03%) were not considered as acts that would aggravate the penalty (Table 10).

Table 10 Reasons for aggravating the penalty related to tree cutting

Variable	Yes		No	
	Frequency	Percent	Frequency	Percent
Sapling as subject matter of the crime	214	82.95	44	17.05
Cutting a tree which can be used as firewood	93	36.05	165	63.95
Cutting a tree which can be used in construction	193	74.81	65	25.19
Cutting a tree with electrical tools	172	66.67	86	33.33
Cutting a tree on a land where there was a forest fire before	67	25.97	191	74.03
Taking illegal forest products for commercial purposes, making objects from and selling them	152	58.91	106	41.09
Setting a forest on fire deliberately	231	89.53	27	10.47

Analysing how well informed the participants are about the criminal acts in Kure Mountains National Park, 51,16% of them stated that staying the night was not allowed, 87,21% of them stated that establishing a building/premises except for those authorised was not allowed, 87,21% of them stated that lighting a fire at any place other than the fireplace was not allowed, 72,09% of them stated that building a shelter, fence for animals was not allowed, 87,60% of them stated that clear-cutting was not allowed, 77,52% of them stated that hunting in rivers by using dynamite etc. was not allowed, 60,47% of them stated that burning vegetation in the villages neighboring the national park was not allowed, 73,64% of them stated that not responding to a fire in the national park was not allowed, and 80,62% of them stated that throwing cigarettes etc. which might cause fire in the forest was not allowed. It was found that 79,07% of them stated that grazing animals in the national park was not a crime (Table 11).

Table 11 Criminal acts in national park

Variable	Yes		No	
	Frequency	Percent	Frequency	Percent
Staying the night in national park	132	51.16	126	48.84
Establishing a building and/or premises in the national park except for those included in approved plans	225	87.21	33	12.79
Lighting a fire at any place other than the allowed places assigned as fireplaces	225	87.21	33	12.79
Building a shelter and/or fence for animals	186	72.09	72	27.91
Clear-cutting	226	87.6	32	12.4
Grazing animals	54	20.93	204	79.07
Hunting in rivers in national park by throwing dynamite or leaving poison	200	77.52	58	22.48
Burning stubble or similar vegetation in the villages adjacent to the national park	156	60.47	102	39.53
Not responding to any fire in the national park	190	73.64	68	26.36
Throwing cigarettes etc. which may cause fire in the forest	208	80.62	50	19.38

When the participants were asked if the penalties applicable to the national park area were different from those applicable to any other area, 44,96% of them stated that there were differences. 67,83% of the participants expressed that the penalties imposed had an impact on reducing the crimes committed, 72,87% of the participants stated that the penalties imposed contributed to protection of the area. When the participants were asked if the judicial punishments, prison sentences, administrative fines and fines aiming at protection of national park had a deterrent effect, 76,74% of them stated that they had such an effect (Table 12).

Table 12 Knowledge levels of the local people regarding the legal sanctions applicable to national park

Variable	Exist		Do not exist		No idea	
	Frequency	Percent	Frequency	Percent	Frequency	Percent
Difference between penalties applicable to the national park area and those applicable to any other area	116	44.96	97	37.6	45	17.44
Penalties' impact on reducing committing crime	175	67.83	57	22.09	26	10.08
Contribution of the penalties imposed to protection of the area	188	72.87	46	17.83	24	9.3
Deterrent effect of judicial punishments, prison sentences, administrative fines and fines aiming at protection of national park	198	76.74	30	11.63	30	11.63

5. DISCUSSION AND EVALUATION

This study was conducted on Kure Mountains National Park with a view to find out how satisfactory were the rules set with the aim of protection, improvement and ensuring sustainability of the protected areas and in this context ascertaining how well informed the local people living around the national park are about the mentioned rules. Study results are expected to shed light on understanding the attitude of the local people towards the legislation on protected areas, and future amendments to the legislation.

Assessing the results of the study;

- The local people are sensitive to the violators of laws, they stated that they would report
- the offenders to the authorities, but would not make any contribution to informing those who are not familiar with the rules. It is considered that, particularly in small settlement areas, the people prefer not to warn the others since warning a violator of law causes more severe legal problems among the individuals.

It was found out that declaring the area a national park affected the living conditions of the local people. The participants stated that there were differences between living close to the national park and living in any other area in terms of legal arrangements and limitations, and that their living conditions were negatively affected. The local people think that the managers of the protected area confiscate their resource values. However, the people asserting that their private properties were confiscated did not timely raised an objection to any finding in cadastre work which were to the detriment of them, nor did they take any legal action. Nevertheless, there are also some decisions where European Court of Human Rights ruled in favour of the people taking legal action against such findings and Turkey were convicted to pay for the damages[25]. When making any arrangement with regard to the protected areas, the opportunities for the local people to benefit as much as possible from the area should be researched, and it should be ensured that the local people are informed about the applicable rules and act as voluntary inspectors during implementation. This is the only way to ensure sustainable protection of the area[26].

- The local people who were not informed of the prohibited acts stated that their living conditions were not affected from the area being declared a national park. This result indicates that the people who were not informed of the prohibitions continued committing prohibited actions. Even though not being informed of the laws is not accepted as an excuse, it is believed that the local people need to be informed about the laws for the sake of protecting the area.

[25] Yavuz GÜLOĞLU, Legal Status of Private Forests in Turkish Public Law, PhD thesis, Gazi University Institute of Social Sciences, Ankara, 2010,p.156-159. (in Turkish).

[26] BELKAYALI, p. 3053.

- It has been found out that the local people are accurately informed about the ownership of the national park. However, there are some people thinking that the national park belongs to their village.
- According to National Parks Law, constructing touristic buildings and premises in national parks by the investors or the entrepreneurs is allowed on condition that the required legal permissions are taken[27]. It was seen that the participants were adequately informed of this issue.
- The local people have a positive attitude towards establishing touristic premises in the national park. However, due to the negative perception of the public opinion with regard to establishing hydroelectric power plant, the local people think that such investments should not be allowed. Nevertheless, these activities are allowed in National Parks Law provided that the necessary permits are taken[28].
- According to National Parks Law, mine and oil exploration and operation license or privilege can be granted[29]. However, the participants have different views on this issue; most of them stated that operating a mine was not allowed.
- Participants stated that hunting was not allowed. However, hunting is one of the acts they commit in the national park. Then it was found out that the local people commit prohibited acts on purpose. Nevertheless, since its administrative fine is very high, almost everybody knows that bear hunting is not allowed and the bears can easily stroll in the villages day and night, even the people afraid of strolling around in their own village especially at night due to the bears and the ban on hunting.
- Although the acts such as collecting plants, grazing animals are prohibited, the local people commit these acts without any hesitation as the sanction imposed for such acts is a low administrative fine; they even think that these acts do not constitute a crime. The local people

[27] ANONYMOUS, **National Parks Law**, Law no: 2873, Date of Adoption: 09/08/1983, Official Gazette publication date: 11/8/1983, No : 18132, Relevant Code of Laws : Array : 5, Vol. 22, p. 508 (http://www.mevzuat.gov.tr/MevzuatMetin/ 1.5.2873.pdf, access: 25/01/2014). (in Turkish).

[28] ANONYMOUS, 1983, p. 508.

[29] ANONYMOUS, 1983, p. 508.

who believe that grazing animal and collecting plants are allowed can therefore commit such crimes in the area without any hesitation. However, according to National Parks Law, production, hunting and grazing are allowed only in assigned places and times[30]. The survey indicated that the participants were not aware of this, and they were misinformed about hunting, grazing animals and collecting plants.

- The local people know that cutting trees in national park is a crime, but the majority of them think that collecting cones, which requires administrative fine as a sanction, is not a crime, and they stated that they committed such acts without any hesitation.
- 88,37% of the local people know that no agricultural activity is allowed in the national park. Nevertheless, 29,84% of the participants stated that they committed agricultural activities in the national park. Then 38,96% of those performing agricultural activities are not aware of the fact that it is a crime, while 61,04% of them is aware of it.
- The local people know that starting a fire in the national park on purpose is one of the acts with most severe penalties and is an aggravating factor of a crime.
- The local people know that unauthorized use of national park by the people other than those living in the neighborhood is prohibited, which coincides with such attitude of the local people who said that they would report the offenders to the authorities in the event of use of the national park by the foreigners.
- When the participants were asked whether the rules applicable to the national park are different from those applicable to other places, they stated that there were some differences, and that the penalties imposed had an impact on reducing the committing of crime and contributed to protection of the area
- The participants stated that the penalties such as imprisonment, judicial fines and administrative fines imposed with the aim of protecting national park had a deterrent effect on committing crime.

[30] ANONYMOUS, 1983, p. 508.

6. CONCLUSION AND SUGGESTIONS

The results of the study have revealed that the local people living around Kure Mountains National Park are not adequately informed of the applicable legislation. Being misinformed indicated that they are not adequately informed of their responsibilities and that they also could not benefit from the implementations in favor of them under the applicable legislation. It has been seen that especially the acts for which relevant legislation requires low administrative fine, i.e. prohibited acts with light sanctions, are considered by the local people as if they were not crimes; they believe that they have a right to perform such activities and they do not respect these act prohibited by law and the relevant rules. The acts prohibited by law which require administrative fine, i.e. collecting cones, plants and grazing animals in particular are committed by the local people without any hesitation. This points out that even though some acts are prohibited in the legislation, it is not the case in practice. Thus, the sanctions imposed against such acts should be aggravated. Mining should not be allowed in national parks, unless highly required, and such arrangement in the law which allows mining should be amended. In addition, in order to prevent the acts which are prohibited by law, the incentives should be increased to prevent the illegal gains obtained from such acts, and to ensure that they are gained legally. The rules adopted with the aim of protecting the national parks should not include extreme punishments, as is the case for bear-hunting, nor should they require light punishments, i.e. there should be a balance between the crime and the punishment. As for protecting the national parks, prohibiting an act in a legal arrangement is important, yet a prohibition making an impression in people's conscience and being embraced by the local people is more important. Legal rules are set by the competent authorities duly declaring their intention, and the text adopted this way comes into force formalistically, which is called constitutional enforcement. However, actual enforcement is in place only when the legal norms, which lay down the rules for something to be done or not, are abided by those subject to law at all times in line with its content. Therefore, results of this study has indicated that setting the rules unilaterally without taking into account the needs of the local people, the local people not being informed of the rules and the rules not embraced by the local people mean that prohibited acts continue to be committed. Thus, protection cannot be achieved, and resource values get damaged and disappear.

The decisions made with the aim of implementing the protection concept affect both the area and those using it. Especially the local people

living close to the protected area are affected more. Since the decisions made affect the living conditions of the local people negatively, the local people have a negative attitude towards the management of the protected area. The local people having a negative attitude towards the management of protected area do not contribute to the protection of the area. Indeed, the decisions made regarding the protected area and the law enforcement officers trying to ensure their enforcement will not succeed in protecting the area alone. The local people' contribution to and participation in protecting the area is important as they know the area very well and live there. At this point, a resource management approach should be adopted where the local people and protected area's needs are considered and management decisions are made with the aim of preventing crimes by law after ascertaining perceptions and expectations of the local people.

The perception of the local people of "national park" usually cannot go beyond "the place where more severe penalties are imposed". This results in penalizing the local people living in the neighborhood, which causes some problems that make management and sustainability of the National Park harder. Effective implementation of the legal arrangements on protection depends on the local people being well informed of and embracing the mentioned laws, that is, the legal legislation.

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