

Title	Property rights and hunting rights – an uncertain equation in the countries of the ex- Soviet block.
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Although the relationship between property rights and hunting rights differs from that in the EU of 15, for the countries of the ex-Soviet block it is no longer conceivable for hunting rights to be a state monopoly now they are in the European Union. However, some of the countries which have joined the EU must now cope with an ambivalent situation regarding hunting rights as part of the broader process of the return of property rights confiscated by communism. The situation varies from Poland – in which the return of property rights and especially hunting rights has been halted and 83% of woodland is now in the hands of the state – to Lithuania, Slovenia and Estonia, to name but a few examples where the process is almost complete but excludes the return of hunting rights to landowners. Even worse, these rights are still state property, and are leased to private individuals, often former apparatchiki, without the agreement or compensation of the landowners.

As part of its twinning programme between the rural business organizations in the old and new countries of the European Union, the ELO tackled this question within a Franco-Estonian working party in Paris on 21 April. It was also discussed in the European Working Party on Hunting Rights created by the ELO which met in Bucharest on 26 April in partnership with the International Hunting Council, the National Office of Hunting and Wild Fauna (France) and representatives of the landowners of the countries concerned.

Officially, hunting rights have been reinstated for Estonian landowners, but they are subject to particularly strict conditions. Even hunting small game in a personal capacity requires 20 hectares of land; they are not allowed to hunt large game (deer, elk, lynx, bear and wolf).

Hunting is allowed in areas of minimum 5 thousand unbroken hectares. Big game hunting rights, which still belong to the state, are leased out to hunting associations which organize hunts for a fee, without any compensation for the landowners on whose land these hunts take place. Moreover, to hunt on one's own land membership of the local hunting association is compulsory.

To obtain authorization to organize hunts on his own territory, the Estonian private landlord must own 2/3 of a five thousand hectare area. He will not even 'own' this right because it is leased to him by the state. In practice, in a country where the average property covers 10 hectares, the matter does not even arise.

This means the private landowner is stripped of any effective rights to hunt on his own land. The state's confiscation of hunting rights is a left-over from the Soviet past. However, it is necessary for Estonia to move on in order to allow the landowners – who are often farmers and foresters – to free up investment capacity which is so cruelly lacking in the countryside.

Although hunters represent only 1% of the country's total population, they participate actively in maintaining the countryside, which needs to preserve its socio-economic dynamism. Many of them have professions linked to the land, and hunting is a complementary activity and a source of necessary income. Hunting rights must not be considered in isolation but as one of the ways of enhancing the value of the countryside.

The entry of Estonia into the EU will allow it to evolve further towards a liberal economy, especially as withholding hunting rights could be disputed under the European Declaration of Human Rights, in particular article 1 - 'human rights' - and 11 - 'freedom of association'. Likewise, article II-17 of the future European Constitution to which the ELO contributed protects property rights. The adoption of the constitutional text would send a strong message to the authorities in the member states about the importance and level of protection required for the right to own land and accessory rights.