INTRODUCTION

In the beginning of 1980's the Government of Vietnam started to allocate land to farmers especially the lowland areas. The land allocation aimed principally to increase production capacity of the existing natural resources. In 1983 the Central Committee of the Communist Party gave instructions how to carry out allocation of forest land. The land allocation policy has since then have many adjustments concerning agricultural and forest lands. Direct consequence of farm land allocation to households has been a significant increase in agricultural production. However, the corresponding allocation of forest land has not created a similar effect. One reason why forest land allocation cannot have similar effects as allocation of farm land is that forest land allocation aims, in addition to increase production capacity, also to protect watershed areas, prevent soil erosion and maintain bio-diversity. Considering the different functions of forest, production and provision of ecological infrastructure, the Vietnamese Government still sees that the best way to achieve different objectives of forestry is to allocate the forest land so that a user of that land feels that she or he is the owner of the land. However, the forest land allocation has faced many difficulties.

The principal objectives of this paper are:

- To clarify the current situation in land allocation in S.R. Vietnam - especially forest land;
- To identify problems and risks, and
- To propose solutions to identified problems and risks.

CURRENT UPLAND LAND USE

The Vietnam's Uplands has been well-known of forest richness and high bio-diversity throughout the country. However, both forest and forest land have been under heavy pressures for recent decades due to increasing population and upland migration. Recently, it has been recognised that there seem have more conflicts in land use in terms of people's groups, socioeconomic levels and between ecological, protective verse productive aspects.

Presently, the total population in the Uplands has been increasing together with the Government rural development programmes. More than fifty four different ethnic groups and the Kinh lowlander occupy the area applying both extensive and intensive farming techniques. Practically, all the population is depending on agriculture and forestry. In many case though agriculture is the basis of the local economy, very low rate of land area is under permanent agriculture. The economic value of the forests for ethnic people and subsistent farmers seems important. Forests provide the most important source of fuel for rural households, construction materials, folder, fruits, medicines and probably many other products that are not yet studied. Traditionally, forests have granted areas for shifting cultivation which has been practised especially by the poorest ethnic groups. The lowlanders also practised this at the beginning of their forming. Gradually, land area has become so scarce that follow periods of extensive shifting cultivation are too short to maintain the production capacity. As a consequence forests have severely degraded.

From the beginning of 1970's to early 1980's the Government has supported different reforestation programmes with little success. In most cases farmers have planted trees in order to receive the subsidies offered by the Government or organisations involved. To plant trees for the sake of benefits involved in forestry has not been the reason to establish plantations. At that time farmer's opinion was that food production with shifting cultivation is the best and most profitable way to use forest land.

It is now widely appreciated that achieving food and income security for forest area populations is essential to alleviate pressures bearing on forest lands and resources. That is why the situation has remarkably changed since the beginning of land allocation in 1982 (Government decision number 184). However, innovative ways of improving the livelihoods of upland populations are urgently required to preclude further destruction of Vietnam's forests and watersheds. Sustainable land use and conservation systems must enhance upland agricultural productivity, rehabilitate damaged forests, and conserve intact watersheds essential for hydrological stability and as habitat for Vietnam's still rich forest bio-diversity.
LAND ALLOCATION POLICIES

During the period from 1982 to 1983 forest land was allocated principally to co-operatives and working groups under the decision number 184. Only some forest land was allocated to households. Forest Guard Station was responsible to proceed the allocation. Households received a "forest book" indicating the entitlement to use the land. Measurements, maps and demarcation of boundaries were never done. In farmers opinion the "forest book" did not give any means to improve management or any other practices concerning the use of the land. In addition, the policies guiding to protect and develop the area were not stated.

According to the forest guards, 10-20% of the households who received forest land succeeded to maintain the forests. In the majority of the cases forests were cleared for shifting cultivation.

The first period of forest land allocation was considered as a failure in 1992, ten years after the decision number 184, forest land allocation was started all over. This time the Province had very particular rules and regulation in measuring, boundary demarcation and documentation. These rules and regulations were defined in detail in the 1993 Land Law, in 1994 Degree number 64 for agriculture land allocation and in 1994 Degree number 02 for forest land allocation. Land was allocated principally to households and the process was supported by several International NGO's like CIDSE, GTZ, CAPE International, etc.

The principle of land allocation is that the Government of Vietnam owns all land in the country. In land allocation a household or other entity only receives right to use the land for certain periods of time. The user with land certificate is entitled to sell the right to use the land and user's children are entitled to inherit the land.

Allocated forest land can be used by the holder of the land certificate according to regulations. Forest harvesting has to be authorised by forest guards. In the case of e.g. watershed areas or other forest areas that has to be protected farmers can make protection contracts with the State. Then farmers are paid 50,000 dong/ho/year by the Government in the areas which are under the Programme 327.

The Government pays the costs of demarcation of land allocation. The State has right to request persons who have received land to report how the land is utilised. In the case the allocated area is not managed according to the law and regulations the State can cancel the right to use the land.

From area to area throughout the country, there are no limits how large areas a person can receive. However, in the case somebody receives more than 15 ha, a management plan has to be submitted to office responsible for land allocation. In average, household receives total area accordingly to its labour capacity (each member can have 0.2 ha of land).

The procedure of forest land allocation by different administrative levels is following:

- **Village**: Village chief has to call a meeting to disseminate the policies, distribute land application forms to households and distribute land to households.
- **Commune**: The communal leaders have to establish a Communal Land Allocation Committee chaired by the People's Committee. Members of the Committee include forest guard responsible of the commune and officers carrying out the measurements. Commune has to disseminate the policies to farmers, prepare a land use plan for the commune, implement land allocation for the whole commune and solve problems concerning boundaries.
- **District**: The leaders have to establish a District Land Allocation Committee chaired by the chairman or vice-chairman of the People's Committee. The members include representatives from forest guards, forest enterprise, agriculture and rural development station, land administrative station. The Forest Guard Station has right to measure, allocate and monitor. The Forest Guards can also contract other entity to carry out land allocation. The chairman of the District's People's committee sighs the land allocation decision when forest area is less than 100 ha. The District Land Allocation Committee has to prepare a land use plan for the whole district.
- **Province**: The authorities have to define the tasks for forest guard stations to carry out forest land allocation. The Province approves land use plans for each district, it is in charge of costs of land allocation policies. In practice the People's Committee distributes guidelines and instructions to other relevant authorities. The chairman of the People's Committee of Province sighs the land allocation decision when area is from 100 to 1000 ha.
- **Nation**: The Government defines policies and implications for land allocation and also indicators and work plans for provinces.
EXPERIENCES OF LAND ALLOCATION IN VIETNAM

Objectives and Achievements

The objectives of forest land allocation are to protect the existing forests, to develop the forest resources, to use effectively bare land, to create employment and to improve rural economy. The experience of the post forest land allocation process was analysed against this background especially in the Programme's pilot area.

The Government is aiming to facilitate the farmers to participate actively in developing the forests by allocating forest land. Farmers in principle are eager to receive more forest land. Farmers feel that the allocated forest land should be exactly defined, boundaries clarified and finally a red book should be granted.

In many cases, allocated forest land has well developed even the input have been limited due to lack of technical assistance. However, farmers are interested to invest in traditional forestry. They rather concentrate on fruit trees or tree planting in their home gardens. Different methods to use upland areas e.g. agroforestry are not well known. Farmers are complaining lack of appropriate technical assistance.

TECHNICAL PROCEDURES IN FOREST LAND ALLOCATION

To proceed with land allocation good ways to demarcate boundaries and carry out necessary measurements are needed. The present regulations have definitely improved the situation. Farmers have accepted the present system of land allocation. However, farmer's knowledge of land allocation policies is still limited. It appears also that farmers have received unequal areas varying from 0.5 to 10. ha. This phenomenon has created conflicts among farmers.

Boundaries between allocated areas still remain unclear. This could be improved only by better demarcation. Other problem in land allocation procedure is time. The process appears to be very slow. Some households who received land during 1992 to 1993 may receive only recently the red book.

The way land allocation procedure, especially demarcation, is organised well as the lessons from the past have taught. However, technical quality need to be improved. The best way to improve the quality is training especially at village and commune level. Training should be targeted on one hand to technical personnel and on the other hand to village and commune leaders and farmers.

LEGAL PROCEDURES AND POLICY MECHANISMS

In the beginning of forest land allocation in 1982 farmers received a forest book from the forest guards. In later stages in the beginning of 1990's households received first a green book and then a red book issued by the District's People's Committee. The books ensure full legacy and protection of farmer's rights in land use.

Farmers have received information on land law and land allocation policies slowly. It is understandable that farmers do not know very well their responsibilities or rights regarding land use. In some cases farmers still think that they are planting trees for the Government when establishing plantations in allocated forest land. Lack of information is due to poor dissemination in all administrative levels.

Dissemination in mountainous regions is difficult due to poor communication infrastructure. For example in some programmes allocated land can be seen only within some (3-5 km) radius from the District centre.

Working equipment are poor in the District especially at commune ad village levels. For example land use maps are only available at province and district levels.

Dissemination should be carried out in a more efficient way informing about the policies at district, commune and village levels. Also investment to professional equipment should be made by the Government.

FOREST LAND USE
Most of the interviewed households in the Programme's area have carried out some activities related to conservation, protection or tree planting. However, many communes still have a good part of forest land remained unallocated. These areas are utilised in a destructive manner. The situation in unallocated areas have worsened after partial forest land allocation.

There seems that all villages have some forms or plot where they can be seen as specifically appropriate models of sustainable and productive land use.

Farmers normally recognise economic value and potential of forest land. However, local farmers do not have any means to develop their forest land in a sustainable more productive manner.

In several sites, forests have generally degraded severely. However, there appears to be a significant unused potential such as soils in some areas are fertile and many natural forest tree species have enormous regeneration capacity.

Forestry extension plays a key role in facilitating farmers to use the full potential of their forests. Without any external assistance farmers find it very hard to carry on with productive activities in the forest land. In addition to lack of technical knowledge, many farmers lack of capital, food security and labour.

The capital for forestry development should be circulated at village level for example through a village forestry fund which could provide farmers with loans for 3 to 5 years. Dissemination at all levels should be supported by the Government. Mechanisms that would allow information from farmer to farmer should be sought for.

Farmers need clear understandable regulations how to protect and manage their forest land.

ISSUES IN LAND ALLOCATION IN VIETNAM

- Forest land allocation in SR Vietnam has reached to some extent the set objectives during the period from 1992 to 1996. Forests in allocated areas have developed in good direction. Unsustainable forest harvesting and shifting cultivation have reduced remarkably in allocated forest land. However, the fact that only part of the forests have been allocated has increased unsustainable use of unallocated areas and in that way increased forest degradation.
- Total area received by each household which is based on its labour capacity (0.2 ha for each member) raises many concerns in terms of enough land for an very extensive, indigenous land use in the upland, and soil fertility of the allocated land (often, poor soil seems be reserved for poor people while fertile soil for conservation purpose or powerful stakeholders).
- Procedure of forest land allocation is mostly based on official's decision and less on the participatory land use planning even though it is included within the process. As a result, top down approach is still having impact on the process such as species selection, land location, transferred techniques for farmers, etc.
- Economic benefits of allocated forests are still limited due to low level of investments. Land allocation is rather recent phenomena and long gestation in forestry do not allow very fast returns. Households still lack capital and technical knowledge and skills to develop their forest areas.
- Land allocation has been carried out in a very straight forward way. There is still room to improve methods to facilitate farmers to do their own decision making. Current land allocation especially the technical part is too distant from development activities supported by extension agents. Farmers are not informed well enough of land allocation policies and practises.
- There is no concern of variances in applied regulations due to differences in people groups, socioeconomic levels and geographical zones, etc.
- Officers at commune level who have responsibility in technical land allocation have insufficient capacity to carry out their tasks.
- Offices responsible for forest land allocation at district and commune levels do not have proper materials and equipment to fulfil their tasks.

PROPOSED SOLUTIONS

- At commune level all the forest land should be allocated at once in order to eliminate pressure for unsustainable forest use in unallocated areas.
- Characteristics of an extensive farming in the upland should be examined and other informal systems of
land use practices need to be taken into account in order not to apply the outside or lowland knowledge in the upland (for example too much private and independent while less mutual and community-based).

- Communes and villages should prepare land use plans. These plans should indicate all land use, also common areas, areas for grazing and areas for protection. Communes and villages should also define regulations for protection.

- Allocation of forest land has been successful in some areas where the methodology was designed in such a way that the local people were invited to take the initiative in the entire process. In reality participation of local farmers became the driving force in land allocation.

- Farmers should be involved from the beginning in land allocation process. The best situation would be that the farmers would at first step define their own borders and only in the second step the technical officers would check the demarcation and carry out measurements.

- Forest guards and extension agents should strengthen their co-operation. The key question for farmer is what happens after land allocation. Support strategy, technical assistance and credit schemes, should be established as a logical continuation to forest land allocation. Extensionists should support farmers to prepare realistic land use plans which would clearly indicate what can be done with farmers own resources and where external help is needed.

- Officers especially at district and commune level need training in allocation procedures. Efficient training in different forms should be targeted especially to this personnel. The extension agents and provincial level agents should facilitate efficient preferably on-the-job training.

- The provincial authorities should consider the correct relation between land allocation targets and budgeting. The most cost effective ways to proceed with lad allocation should be applied. Offices responsible for lad allocation need materials and equipment in order to fulfil their tasks.

- Once farmers have received forest land they are in charge of sustainable management. The State should ensure such policies that farmers can have the benefits of sustainable management, i.e. products from the forests.

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