



Evaluation of the impact of
forestry policies in some joint
forest management models in
Yen Bai and Ha Giang.
Recommendations of policies
and approaches on community
forestry development

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Preface

Over the past several decades, Vietnam's forest resources have been continuously degraded, both in area and quality. The Government of Vietnam has issued many policies and tried various approaches, but the forest resource degradation has continued. Successful programs have shown that in order to protect the forest there must be appropriate approaches to strengthen the links between different levels of Government (Central, Provincial, district and commune) with socio-economic organisations (state forest enterprise and unions) and with the local communities. This is called social forestry, or the 'community forestry' approach. Thus, since 1998, the Vietnam Sweden Mountain Rural Development Programme (MRDP) has implemented some Joint Forest Management models in Yen Bai and Ha Giang provinces. The trials indicated that, while there are positive impacts from policies, there are also negative ones that hamper community participation in forest management.

This report will analyse and evaluate the impact of forestry policies through several Joint Forest Management models in Yen Bai and Ha Giang provinces. It will identify the achievements and discuss the shortcomings of current policies. Various approaches will be analysed and recommended to improve community participation in forestry management.

The report contents will be as follows:

Section I: General issues

1. Studying purposes
2. Studying methods
3. Community forestry - preconditions for strengthening joint forest management
4. Criteria for considering and evaluating the community forestry models

Section II: Evaluating some community forestry models

1. The community forest management model in Ma La Thang village, Ze Su Phinh commune, Mu Cang Chai district (Yen Bai)
2. The community forest management model in Giang Cai village, Nam Lanh commune, Van Chan district (Yen Bai)
3. The community forest management model in Dong Ke and Deo Thao villages, Tan Nguyen commune, Yen Binh district (Yen Bai)
4. The community forest management model in village 7 and village 8, Tan Dong commune, Tran Yen district (Yen Bai)

5. The community forest management model in Nam Ty village, Nam Ty commune, Hoang Su Phi district (Ha Giang)
6. The community forest management model in Len village, Viet Lam commune, Vi Xuyen district (Ha Giang)
7. Some village-based community forest management models of the out-programme provinces.
8. Evaluating the impacts of the forestry policies through the studied models

Section III: Recommendation of some policies and approaches on community forestry development to strengthen the joint forest management

1. Scrutinising the current land availability and forests managed by the state forest enterprises (SFE's); the land managed inefficiently by the SFE's will be transferred back to local authorities to reallocate to the HH's, individuals and communities for long-term management and utilization.
2. Scrutinising the contracts on forest regeneration and plantation among the state organisations and HH's, individuals and communities. Planning to transfer short-term contracts (1 year; contractees get 50,000 VND/ha/year) to long-term contracts (50 years; the contractees will benefit from forest products) in accordance with Decision No 01/CP of the Government.
3. Closely combining the forest protection with production functions. The contractees are allowed to extract and benefit from the products of protection forests. They must still continue to perform the protection functions of the forests.
4. Policies on benefiting from forest products for the contractees
5. Forest product market development
6. Establishing village funds on forest protection and regeneration
7. Confirming the legal status of communities in regard to forest management and utilization.

Section I: General issues

1. Studying purposes

The surveying, analysing and evaluating of some community forest management models implemented by MRDP in Yen Bai and Ha Giang provinces are to clarify the achievements and shortcomings in the decision-making and implementation of the current forestry policies. Some policies and approaches on community forest management development will be recommended to strengthen the joint forest management.

2. Studying methods

1.1 Resources for collecting information:

- Documents at the Programme Board Office, Provincial project offices and Departments of the Ministry of Agriculture and Rural Development (MARD).
- Interviewing and discussing with the local staff and community farmers.
- Field survey
- Discussing with the other projects that are also carrying out the trial models on community forestry development in the out-programme provinces (such as PROFOR, SMRP, etc.)

2.2 A community forestry analysis framework and positioning tools established by the National Working Group on Community Forestry have been utilised for analysing and evaluating policies.

3. Definitions of community forestry

Depending on different levels of accessibility, the researchers have different definitions on community forestry. All of them have the same meaning: "**Community forestry is firstly to serve the community and involve active participation of farmers in forestry activities**". This is why community forestry is called "by people, for people" by the authors.

At the National workshop on community forest management in June 2000 in Hanoi, the main characteristics of community forestry have been discussed and agreed upon as follows:

- The main purposes of community forestry is for the benefit of people, and first of all for the benefit of the people of the local community. The benefit means that the land availability must be utilised for production and cultivation of other kinds of trees to get

income for buying food. At the same time, forest contractees must benefit from forest products.

- The local farmers participate directly in forestry activities such as land use planning, forest plantation, protection and regeneration. The staff of the forestry section plays a role in guiding and introducing the activities, rather than imposing decisions on people.

The above-mentioned definitions indicate that community forestry management is the type of forestry management based on community benefits. Farmers play a key role.

With the farmers' active participation and associated benefits, the community forestry model is capable of resolving the contradictions among beneficiary groups: the Government and people; people and the community; and among people and other people.

Community forestry is a way of bringing the ownership and responsibility of people into play, with democratic implementation starting at grassroots level. It is an efficient method of joint forest management among Government organisations, local authorities and forest based communities. This is why community forestry models are called Joint Forest Management by MRDP. Therefore, evaluation of the community forestry management model is also the evaluation of the Joint Forest Management model.

4. The criteria for considering and evaluating the community forestry model.

According to the recommendations by the National Working Group on community forestry in the June 2000 Workshop, 5 criteria were agreed upon:

- Land use rights
- Status of forest resources
- Level of impact by the Government
- Community participation in forest management
- Benefits from the forest

4.1 Land use rights for the community

According to the regulations of Vietnamese laws, land belongs collectively to the people and is managed by the Government.

The Government allocates land to organisations, HH's and individuals for long-term use on the basis of untaxed land use allocation and taxed land use allocation. The organisations, HH's and individuals can also rent the Government land.

The forestland (including both forestland and treeless land which is planned for plantation) is also allocated by the Government to the organisations, HH's and individuals for long-term use (50 years). Appropriate terms of allocation will be considered based on the demands of land users.

The objectives of allocated land are:

- The Government can allocate the planned forestland to the Management Board of special use forests to develop special use forest areas including National Parks, Natural Preservation Forest Areas and forest areas with cultural or historical value.
- The Government can allocate the planned forestland to the Management Board of protection forests for development. They can develop the critical and very critical protection forests at a scale of over 5,000 ha for management and protection according to the approved investment projects.
- The forestland planning for designing and developing production forests, less critical protection forests and the critical and very critical protection forests (but scattered and of scale of less than 5,000 ha, which are ineligible for establishing Management Board of Protection forests) will be allocated to the organisations, HH's and individuals. Management and utilization according to the management regulations of each kind of forest will be carried out by these bodies, rather than the Management Board of Protection of Forests.

The organizations, HH's and individuals allocated forestland by the Government will be provided with the Red Book.

The Management Boards of special use forests, protection forests and the SFE's allocated with forestland can reallocate it to organizations, HH's and individuals for management, regeneration and plantation according to the mutual agreement between contractor and contractee.

The duration for contracting the special use forests and protection forests is 50 years. For production forests, it depends on the business cycle of each variety of tree.

The village community has no legal status (because it is not recognised by Civil Law as an organisation) so the Land Laws do not have regulations on allocating or contracting land to the communities. They do make official decisions recognizing the village forests as the ones that will be managed by those villages (those villages will be forest owners). (??)

Despite the local communities not yet having legal status, the community forest model has operated in Vietnam for decades. In many provinces, the authorities have issued decisions on land and forest allocation to the local communities. In Ha Giang province,

130,179 ha of natural forestland have been allocated to 800 villages for management, protection and utilization. In Dak Lak province, 7,000 ha of natural forest have been allocated to 11 communities for management and utilization. The Government does not have to budget for a forest protection allowance.

However, there are 3 levels of land use rights in the communities as follows:

Level A: Long-term land allocation/contract based on the Government regulations, with the Red Book or land allocation decision provided by Government authorized bodies or bilateral long-term contracts. Communities have the power to make decisions on land use rights.

Level B: Short-term land allocation or contract, without the Red Book. No decisions on land allocation are provided by Government authorized bodies, and there are no long-term contracts. Land use rights are limited.

Level C: No land allocation by Government authorized bodies or land contracts by the Government organizations. The land use does not conform to the planning and laws. For example, there is destruction of the forest by slash and burn cultivation.

4.2 Status of the forest allocated to the community

The land allocated to communities can in fact be bare land or forestland of different statuses. The National Working Group on community forest has made classifications as follows:

Status A: Natural forests of all status. This includes rich/medium volume forest (100 – 180 m³/ha) ready for harvest.

Status B: Young forest, rehabilitated after cultivation and harvest. The regenerated trees are of diameter of between 10 to 30 cm and will be for ready harvest after many years of protection.

Status C: Bare land, with bushy and regenerated trees and small pastures. This land needs to be improved, protected and supplemented with multipurpose trees. It will be ready for harvest after several decades.

So far in Vietnam, the HH's and individuals are often allocated status C land, but they have actual ownership on this land, so they have invested a lot of time and labour in rehabilitation and regeneration. According to Decision No 184/HDBT, thousands of hectares of status C land allocated to HH's in the 1980s have been rehabilitated well, but people are still not allowed to harvest it for use.

The communities and villages are often allocated with forests of status B and C. However, when allocating the forest of status C to communities, support should be provided by the Government or by projects, otherwise it would be difficult to rehabilitate the forest.

4.3 Impacts by the Government

There are 3 levels:

Level A: The Government creates a legal corridor, encourages investment and does not interfere with the communities' decisions.

Level B: The Government creates a legal corridor, with financial support and participation in planning. It decides some criteria and direction for community forest management.

Level C: The Government allocates criteria, plans and budget for implementation. Communities are responsible for implementing these criteria and plans on the basis of their contract, without interference.

4.4 Participation by communities

There are 3 levels:

Level A: Active participation, with a decisive voice on the village's land use planning and issuing regulations on forest management, such as rights and responsibilities of community members and fines for violations.

- The land use planning is implemented practically, while the regulations on forest protection are responsive and obeyed by the communities. Forests are protected well.
- A fund for forest protection and rehabilitation has been established by the community for the purpose of forest management and development.

Level B:

- Land use planning and regulations on forest protection have been formulated.
- Forests of individual households are still under their management and protection. The communities' forests are not protected well by members, they are still destroyed.
- A allowance for forest protection provided by the project or the Government budget is still required. The village fund for forest rehabilitation has not yet been established.

Level C:

- Regulations on forest protection have not been formulated or if formulated, they are too concise or not detailed enough. They are not obeyed by the people.

- The villages' forest protection has not yet been organised. Community forest is illegally encroached upon and harvested. Forests of individual households and organisations are not fully protected.

5. Benefits gained from forests

There are 3 levels:

Level A:

- The community members are allowed to collect by-products (rattan, cat-ear mushroom, medical herbs, etc.)
- Communities are allowed to harvest forest products (including main harvest and intermediate harvest) which fall in line with the regulations formulated for each category of forest.
- Communities are allowed to use forest products for public purposes and they can sell their forest products at a suitable price and in a selected place.
- The income gained from forest products can be used for establishing a fund for forest rehabilitation, after paying taxes and payments to contractors (when communities get contracts on forest protection from other organizations).

Level B:

- Community members are allowed to collect by-products (rattan, cat-ear mushroom, medical herbs, etc.)
- Community's members are allowed to harvest or utilize the intermediate products and harvest the old, diseased and bent trees for building public works, but not for commercial use.
- The community's households are allowed to harvest a certain timber for building or repairing houses, only after permission has been obtained at a village meeting. They can harvest only the timber trees marked and monitored by the village leader.

Level C:

- The community's members are allowed to collect the by-products for use, but not for sale.
- Communities are not allowed to harvest timber from community forests.

The evaluation of community forest models are based on 5 factors and each factor is divided into 3 levels. This will be indicated on circles as follows:

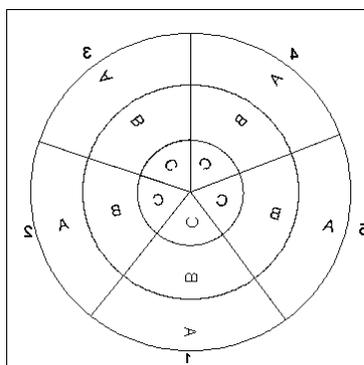


Diagram 1: *Positioning tool* for studying community forest management

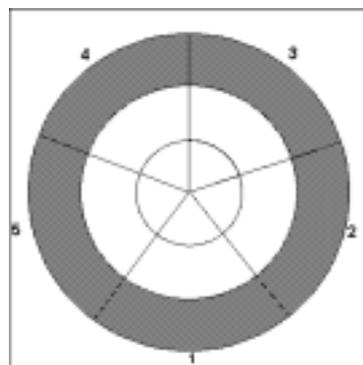


Diagram 2: *Positioning tool* at the sustainable forest management status

in which the numbers represent:

- 1: land use rights by the community
- 2: forest status allocated to the community
- 3: level of impact by the Government
- 4: degree of community participation
- 5: shared benefit from community forest

These diagrams are known as ***positioning tools*** for studying community forests by the National Working Group on community forest.

From the above *Positioning tools*, with criteria set out in level A (see Diagram 2), the forest management models to be considered as the most sustainable.

From now on, the *Positioning tools* will be used for studying some community forest models.

Section II: Evaluation of some models on community forest management

1. The model on Community Joint Forest Management in Ma La Thang village, Ze Xu Phinh commune, Mu Cang Chai district (Yen Bai)¹

Ma La Thang village is located in the North East mountains and extends to the North South, at an altitude of 1,560 m a.s.l. It is 8 km from the main road (No 32). Travelling in and out of the village is on small, steep, potholed paths. All transportation must be on the back or shoulders. There are 37 households (or 167 people) in the village, and 100 per cent of them are H'mong people. The households live on terrain that alternates between terraces and forest. Food production is enough for only 10 months of the year, so the households have to buy food for the remaining 2 months in Nga Ba Kim market, which is 8 km from the village. An alternative is to collect roots in the forest to use instead of rice. 8 out of the 37 households are poor. The opium tree plantation has been stopped for a long time, however, there are still 6 addicted people in the village.

All the village forest and forestlands are in Ze Xu Phinh commune in general and in Ma La Thang village. They belong to the planners of the critical protection forest which have been allocated by the Provincial People' Committee to Pung Luong State Forest Enterprise since it was established in 1996.

- Plantation forest: 156 ha, managed and planted by Pung Luong SFE since 1980. The typical trees planted in this area are *Pinus masoniana*, which provides resin after 15 years of plantation. Each tree provides 3 to 5 kg of resin per year. 57 ha out of 156 ha of plantation forest have provided resin, at 230 kg per year.

The SFE has distributed this forest to 11 households, who work for SFE on the basis of their contracts. For the newly planted area, which has not yet provided resin, the contractees get an allowance of 28,000 VND/ha/year. If the forest provides resin, the contractees are allowed to extract resin to sell to the SFE at the price of 2,000 VND/kg. The SFE will then resell it at the price of 3,000 VND/kg to the processing bases. The price of resin covers the cost of forest protection.

¹ Data on Ma La Thang village collected from field visits and Pung Luong State Forest Enterprise (SFE), Ze Su Phinh commune, Mu Cang Chai district

By this contract arrangement, each contracted household gets an income of 2,620,000 VND/year. In addition, the contractees have income from agricultural production and forest by-products, so their living standards are higher than other households in the village.

- Natural forest: 87.5 ha is poor regenerated forest. This forest includes mostly bushy trees and some regenerated trees. It needs to be planted with supplementary trees and protected well for some decades until it is ready for harvest.

This forest has been contracted by Pung Luong SFE to Ma La Thang village for protection. The allowance is 27,000 VND/ha/year and is taken from 327 and 661 programmes.

Thus, Ma La Thang village has organised village meetings to establish a forest protection group of 4 people and to formulate regulations on community forest management.

The People's Committee of Mu Cang Chai district has approved the regulations. The regulations indicate responsibilities and benefits to community members. The benefit gained by the community is only in by-products such as firewood, H'mong apples, medical herbs and cat-ear mushrooms. The community gains only a small income from these few by-products. 1,500 VND from the allowance of 28,000 VND/ha/year will be extracted by the village for payment to the forest protectors and the remainder will be distributed to community members. This is not considered an allowance for forest protection, but a social subsidy.

Comparing the criteria for creating a positioning tool to study the community forest models in Ma La Thang village, the figure below can be obtained:

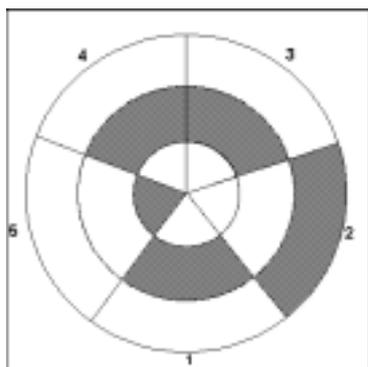


Fig. 3. Positioning tool for analysing *Pinus masoniana* forest management contracted to households

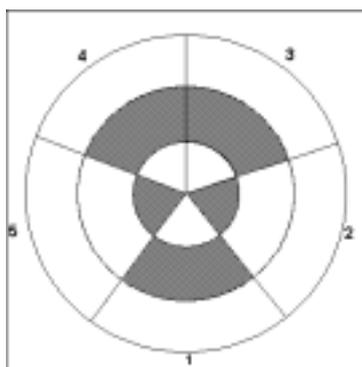


Fig. 4. Positioning tool for analysing the poor regenerated natural forest management contracted to Ma La Thang village

From the 2 figures above, it is possible to say that the forest management model of Ma La Thang village is not a sustainable one.

2. The community forest management model in Giang Cai Nam Lanh Van Chan Yen Bai (*)

Situated west of Van Chan, it is 300 m. a.s.l., at a gradient of 25-30 degrees. The rainy season is from April to October, heavy rain results in serious soil erosion. It consists of 7 villages or 437 HH's; 2,600 people; 1,200 labours of which the Dao people are 90 per cent, and Thai 6 per cent. The remainder are Kinh and Tay.

It is a purely agricultural commune. Rice is grown on terraces and slash and burn methods are practiced. The food income is 399kg/head/year, and food security is ensured. However, 30 per cent of HH's are still suffering from food shortages due to various causes.

Natural land area: 7804 ha

Forested land: 2575 ha

Natural forest: 2412 ha

Plantation forest: 163 ha

The forest of Nam Lanh classified as critical protection forest: 583 ha. Less critical is 1,991 ha which are harvested and used as production forest

Giang Cai is 5 km away from the commune headquarters and 12 km from road No 32 and it has the most forest in the commune.

The trial of JFM planned by MRDP, Van Chan People's Committee issued Decision No.79 - 31/8/1999 to allocate 1091.7 ha of less critical protection forest to Giang Cai, out of which 75.9 ha belongs to Van Chan enterprise, the village manages it by contract with the enterprise.

The village has also sign a contract on protecting and periodically harvesting 34 ha of Cinnamon grown by the former Agriculture Cooperative.

The village has set up an R&R for forest protection. The District PC approved the R&R. The village is divided into 5 groups for P&M. The forest is well protected. It is mainly regenerated natural forests of types: IIA1, IIA2, IIA3. The Enterprise is logging on its site. As stated in the contract, villagers can enjoy the followings benefits:

- Collecting NTFP's such as firewood, leaves, bamboo shoots, mushrooms, and medicinal plants for home use.
- Collecting the pieces of harvested timber left by Enterprise
- The communities get paid 28,000 VND/ha/year from protection of 75.9 ha of forest. In the rest of the forest area communities do not get paid as it belongs to the less critical category so no budget has been allocated by the Government for its protection.

- In addition, communities can benefit from the value of the protection forest - 40 ha of terrace field watered for rice planting in Nam Lanh. This improves food security in the area.

The cinnamon area is now being well protected without Government support; the community enjoys all products of the cinnamon area.

Comparing the positioning tool to study Giang Cai community forestry by the following diagrams:

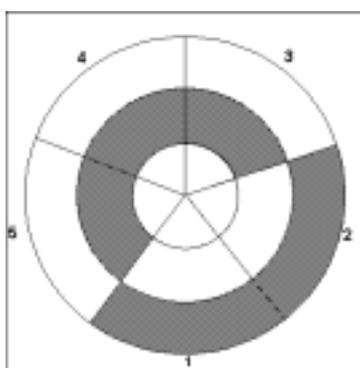
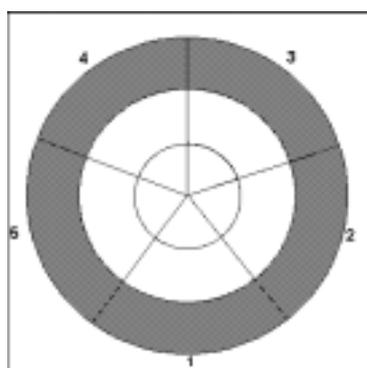


Fig 5: Positioning tool for analysing the cinnamon forest management in Giang Cai

Fig 6: Positioning tool for analysing the natural forest management in Giang Cai

From the 2 figures above, it is possible to say that this is not a sustainable model. Benefit to the local people is still small - only some sub products and funds are gained from contracts with SFE's. Communities are not allowed to harvest the main products. Income from the forest is a small part of the family income structure.

3. Community forest management model in Dong Ke and Deo Thao villages, Tan Nguyen commune, Yen Binh district (Yen Bai province)³

Tan Nguyen is a mountain commune in the Northwest of Yen Binh district, bordered with National Road linking Yen Bai with Lao Cai. The commune includes 3 villages in zone III, 40 km from the district centre.

There are 992 households (476 people), belonging to 6 ethnic minorities, of which 70 per cent are Nung and Dao.

The economy is mainly based on wet rice and tea cultivation, orchards and paper material plantation. Due to the small cultivation

³ The data of Tan Nguyen commune and Deo Thao village reported by commune and village staff

area and poor cultivation knowledge, the average food productivity is 250 kg/person/year and the average income is 1.3 million dong/person/year. 10 per cent of households are poor. Most of them are Dao.

Forestland: 1678 ha, of which:

- Natural forest area: 813 ha (including 500 ha of timber and bamboo forest and 313 ha of pure bamboo forest). Most of the natural forest is poor and regenerated after cultivation. 337 ha of natural forest is very critical protection forest, but is not supported for protection based on Decision 661/1998/QD-TTg.
- Plantation forest area: 507 ha (including 219 ha of styrax, 10 ha of cinnamon, 98 ha of acacia and eucalyptus, 40 ha of mangletia, 50 ha of indigenous trees).
- Bare land and bushy areas: 358 ha

Regarding forest management, the commune has allocated 1232 ha of forestland to households, with Red Book provision by the District PC. The households have planted 507 ha forest of different types of trees as above. The area of regenerated natural forest is protected actively by households. Forests are developing well.

678 ha of natural forest which is protected and far from residential areas is not allocated to households, but allocated by the commune to the 2 villages of Dong Ke and Deo Thao (250 ha - for Dong Ke, 428 ha - for Deo Thao). Official decisions on allocation of community forest of the 2 villages have not yet been made by the District PC. In 1999, with support from the MRDP, village meetings were held to discuss plans on forest protection, designing joint forest management models, formulating regulations on forest protection, development and utilization. These regulations have been approved by the district PC for implementation. Forest protection groups were established in each village and the groups operate effectively. Slash and burn cultivation and illegal harvesting have been stopped.

The village farmers are allowed to collect by-products such as bamboo, mushrooms and firewood for home use from the community forest, but are not allowed to harvest timber. The village regulations do not indicate the community's right to harvest forest products and utilise them for community benefit.

A fund for forest protection and regeneration was established in Deo Thao village to pay for the community forest protection and management activities. This Fund was established with the MRDP supported budget, and 10 per cent of income from selling forest products harvested from community forest. Fines from violations of forest protection regulations also went to the fund.

However, farmers had paid 10 per cent of their income from selling forest products already. Payments to the fund dropped to 5 per cent.

or even nothing. Surprisingly these cases were not settled. This points to the initial stages of ineffectiveness of village regulations.

Comparing criteria for positioning tools to study the community forest management models in Dong Ke and Deo Thao villages, the following figures were obtained:

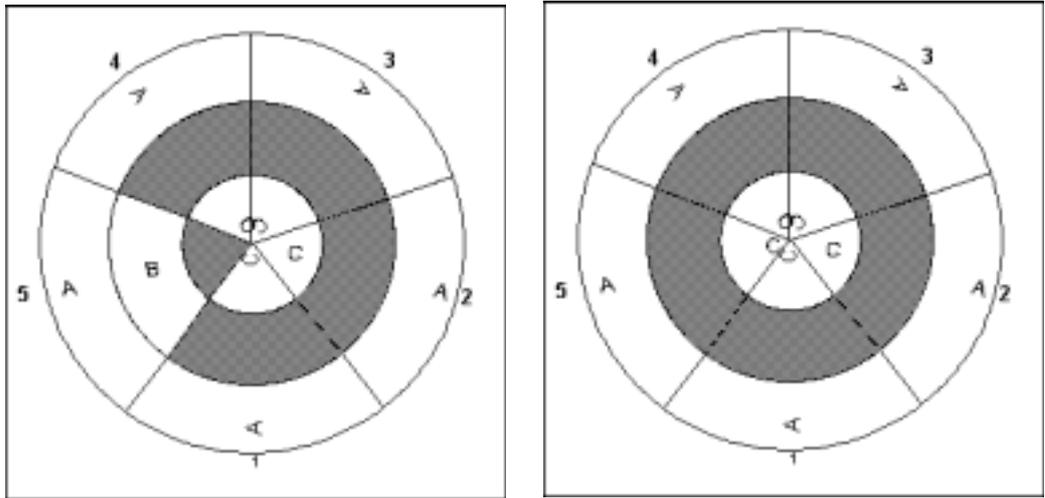


Figure 7: Positioning tool for analysing community forest management in Dong Ke village

Figure 7: Positioning tool for analysing community forest management in Deo Thao village

The above figures indicate that the forest management model in Dong Ke and Deo Thao villages are not sustainable because official decisions on forest and land use rights have not yet been issued by the District People's Committee.

Community benefits from the forest are small. There are no regulations on harvesting or utilizing timber.

Compared with Deo Thao village, the forest management model of Dong Ke village is less sustainable. As the forest of Dong Ke village is poor, farmers currently enjoy no benefits from it. There is no Fund for forest protection and regeneration in the village, so it is lacking resources for forest protection. Therefore, the village proposed that the Government provide them with budget support for forest protection for 5 to 7 years initially, when the forest benefits are not considerable.

4. Forest management models in Village 7 and Village 8, Tan Dong commune, Tran Yen district, Yen Bai province⁴

⁴ The data on village 7 and 8 collected from Tan Dong commune's report and interviewing the village staff and farmers.

Tan Dong is a mountain commune in zone 3 in Tran Yen district. There are 675 households (or 3250 people), including Kinh, Tay and Dao people. There are 8 villages in the commune. Village 7 and 8 are remote and ethnically composed of 100 per cent Dao people.

The economy is based mainly on wet rice cultivation, paper and cinnamon trees. Electricity has reached the commune, but it is only for family use, not for production or processing. Paper, timber and cinnamon are very difficult to sell, and the price is often forced by businessmen. This reduces farmer's incomes; 17 per cent of households are poor.

Natural area: 2551 ha

Forestland: 2298 ha, of which

+ Natural forest: 372 ha, mainly including bamboo forest, no volume and cover 204 ha of very critical protected forest.

+ Plantation forest: 815 ha (including 450 ha of styrax, 150 ha of mangletia and acacia, 251 ha of cinnamon)

+ Bare land and bushy area: 1075 ha

Regarding forest management: Land and forest have been allocated to most of households (in average 2.5 ha/household), and 451 households have been provided with the Red Book. After being allocated land, farmers were very active in planting trees. Technical support and seedlings are provided by commune and village authorities, and farmers have full ownership on their forest. Forest is protected well, and there have been few violations.

The natural forest allocated by the commune to farmers for planning is very critical protection forest. 80 ha is allocated to village 7 and 88 ha is allocated to village 8. Since 1999, with MRDP support, village meetings have been organised in village 7 and village 8 to discuss the community forest protection plans, make surveys and define borders of community forests and the forests of other owners. Therefore, forests are better protected, and slash and burn cultivation and illegal harvesting has been stopped. Currently, farmers have obtained inconsiderable benefits from their forest. Both villages have to use MRDP supported budget to pay the allowance to the Forest Protection group (12,000 VND/person/month). This allowance is too small.

Regulations, however, on community forest protection have not yet indicated all the rights and responsibilities of community members. For example, there are no clear indications on rights and responsibilities of forest product management and utilisation by the Forest Protection group, the Head of the village and the Commune People's Committee. Therefore, farmers of other villages are allowed by the Commune People's Committee to harvest forest products of village 7, without the permission of the Head of village 7. The forest

allocation to village 7 is unsustainable. This is because no official decision about its management has been made by the District People's Committee.

Comparing use of the Positioning tool for studying the community forests of village 7 and village 8, the following figure is obtained:

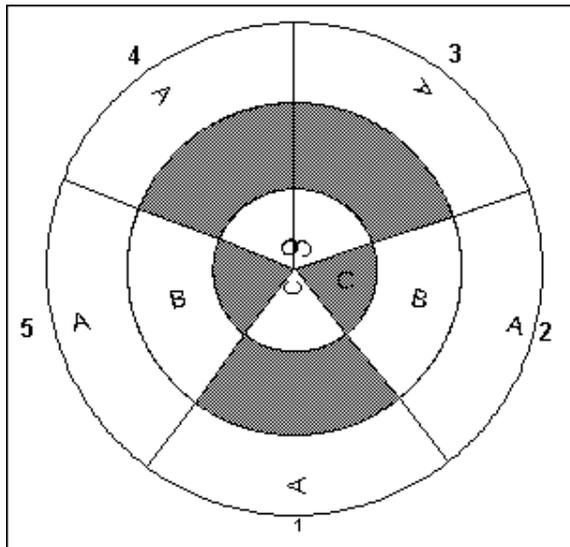


Figure 9: Positioning tool for analysing community forest management of village 7 and village 8, Tan Dong commune, Tran Yen district

5. Community forestry model in Nam Ty village, Hoang Xu Phi, Ha Giang

Nam Ty commune is located 1460 m a.s.l with a total area of 4235 ha. Natural forest is 2300 ha (rehabilitation forest).

- Plantations: 51 ha (cinnamon, pine, *mangletia*, *Truc* bamboo)
- Shan tea: 250 ha

Most of forest in Nam Ty commune belongs to critical protection areas located fragmentally among agriculture land and villages. Therefore, no Forest Management Board has been set up, but management responsibilities have been allocated to communes.

There are 6 villages in Nam Ty commune: Nam Ty, Tan Xa Phin, Nam Pien, Ta Ho Pien, Tan Thuong and Ong Thuong. The population is 383 households (2284 people) of which 1802 people are Dao and 482 H'mong. In Nam Ty commune, food production is mainly on terraces and hills. Slash and burn cultivation has been stopped. Food per capita was 370 kg in 2000. Food security has been improved.

There are 74 hh in Nam Ty village with 428 people. Most of them are Dao. The Red Book on residential land, forestland and garden land has been issued to farmers. Since 1998, 134 ha of natural rehabilitation forest have been allocated to communities by the District People's Committee for protection and management. These forests play a very important role in watershed management and providing drinking water for the whole community.

Forest areas allocated to villages are far from residential areas and belong to type IIB and IIC. They have strong rehabilitation potential, and, if well protected, the volume may reach to 120 m³ /ha in several decades.

Village meetings were held to discuss and draft forest protection regulations. First of all, the forest is allocated to 3 groups of households, members of communities who are allowed to collect by-products such as firewood, leaves, and bamboo sprouts. If the households demand timber for house construction, they have to apply for community approval. The Commune People's Committee can issue harvesting licences, but only for harvesting of trees marked by village heads and forest protection staff.

In addition, the MRDP supports protection contract allowances for 134 ha allocated to the communities with 50, 000 VND/ha /year. This amount of money is to contribute to the village fund for forest protection.

The regulation says when forests are restored to standing form and are ready for large scale harvesting; communities will enjoy the benefits as stated in current law. But there is still no official decision by the Government so farmers do not feel confident of their rights.

Comparing the criteria of the positioning tools on forest community models in Nam Ty with the following diagrams:

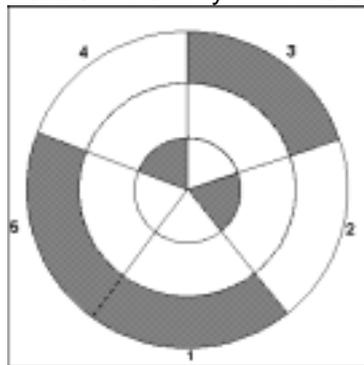


Fig 10: Positioning tool for analysing the forestland management allocated for households

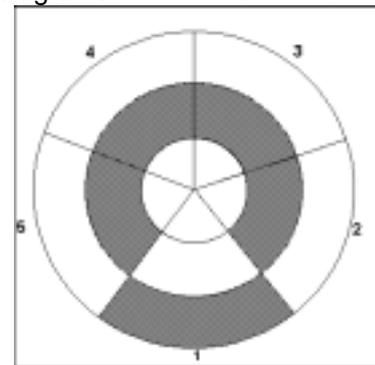


Fig 11: Positioning tool for analysing the natural forest management allocated to the communities

Fig. 8 shows the community forest management model in Nam Ty is still not sustainable as the main benefits from forests at this moment is allowance from MRDP. This will end in 2002, and there will be no more allowances for projects while forest products are not yet available. The Government so far has not issued any regulations to allow community harvesting of timber.

6. The community forest management model in Len village, Viet Lam Commune Vi Xuyen district , Ha Giang ⁶

The total area of Viet Lam commune is 3790 ha of which forestland is 1915 ha. (1108 ha of natural forest and 807 ha of bare land). From 1992, 703 ha of forestland and garden land have been allocated to households for rehabilitation and zoning of forests. Many forest areas have been producing a lot of products for the forest owners. The commune has proposed to the District People's Committee to issue and grant Red Books for farmers with forest garden lands. The poorer secondary forest, which is far from residential areas, will be allocated to the communities for management.

Len village was allocated 159 ha of forestland type II A, IIB, IIC in the soil mountains (forest rehabilitated after slash and burn or clear cut) and 305 ha of forest on rocky mountains without standing volume.

There are 113 hh with 596 persons, dominated by the Tay group. The agricultural land areas average 1350 m² per person. There is good intensive cultivation. Productivity is more than 5 tons/ ha /year, food per capita is 420 kg, food security has improved, there is no more slash and burn, and only 6 hh in the village are poor (with less than 20 kg of food/person/month).

To protect the forest, MRDP has supported an allowance for the village to manage 159 ha with 50 000 VND / ha/year. This does not include the 305 ha on rocky mountain, because there is no danger of forest destruction in this area.

6 forest protection groups have been set up in the village with groups of 5 to 6 people taking turns to patrol the forest. Forest fires and illegal logging have been stopped. The group members get payments from MRDP to support forest protection. Payment level depends on their labour days. Other members of the community are allowed to enjoy the forest sub products. There are still no regulations on forest protection in this village. The protection work is now considered the task of protection groups according to the contract signed with the District Project Management Board.

Comparing the positioning tools for analysing the forest community model in Len village, the following diagrams are obtained:

⁶ The information gained in interviewing commune, village staff and farmers

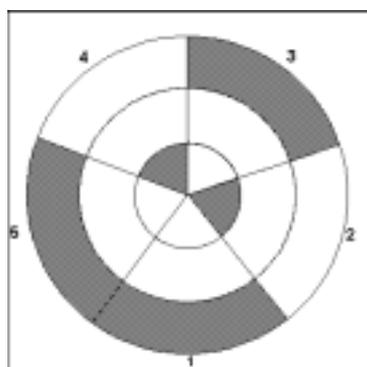


Fig 12: Positioning tool for analysing the forestland management allocated to households in Len village- Xuyen

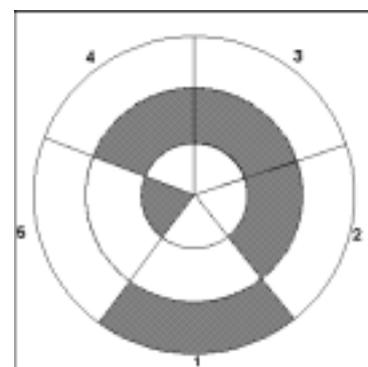


Fig 13: Positioning tool for analysing the natural forest management allocated to the communities

Fig. 10 shows the community forest management model in Len is still not sustainable as the main benefits from the forest at this moment is the MRDP allowance which will be ended in June 2002.

7. Some community forest management models in the out-programme provinces

Together with researching and surveying some community forest management models in MRDP provinces, some models have been also researched in some provinces outside the project area. Below are three models:

7.1 The community forest management model in Tinh Dong and Lung Vai village, Phuc Sen commune, Quang Hoa district, Cao Bang.

Phuc Sen is a mountainous commune with a population of 2,027, of which 99 per cent are of the Nung An ethnic minority. The main production activities of the commune are agriculture, forestry and handicrafts such as bamboo products for export. The annual average income is 10,000,000VND/hh, food security is ensured, and forestland is mainly limestone mountain forest with an area of 1,010ha. Before the appointment of the agricultural cooperative (in 1960), forests mainly belonged to the village communities. When the cooperatives were set up, forests came under the ownership of the cooperatives. Forests were exhaustively harvested for forest products and cassava, and were turned into bare hills.

In the late 1980s, the State issued Decision No. 184 on allocation of forestland to households to make forest gardens. In some areas far from residential areas, the commune assigned villages to manage and protect community forests.

The forestry area of Tin Dong village is 70ha, of which 50ha is forest garden of households and 20ha is village community forest.

The forestry area of Lung village is 210ha of which 90ha are household forest gardens, and 120ha are village community forests.

Village meetings are often organised by farmers to discuss and formulate regulations on forest management and protection. Community forest would be tendered two times a year (every January and July). Each household contributes 2 to 4 working days to tender forests and are given 100 to 150kg of wood.

Forest products gathered from community forests can be used for the following purposes:

- Building public projects (schools, health stations, cultural houses.)
- Building houses for households who are poor and experiencing difficulties.
- Gathering wood to supply households holding funerals or weddings (with an average volume of 150 to 200kg of wood).

Villages do not receive any contracting fees for forest protection from the State's budget (50,000VND/ha) and have not set up a fund for forest protection and rehabilitation. Whenever necessary, people are mobilised to contribute working days.

Forests in Phuc Sen and two villages in Tinh Dong and Lung Vai are well protected, and forest products satisfy urgent needs. Phuc Sen's community forest management model really brings the benefits to community members and receives a lot the support from households.

Compared with the criteria to make the Positioning tool for community forestry research, we have figures 11 and 12 as follows:

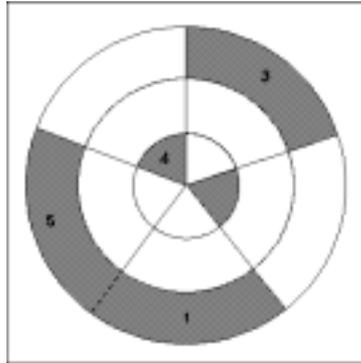


Fig 14: The Positioning tool for analysing forest management model by households in Phuc Sen commune.

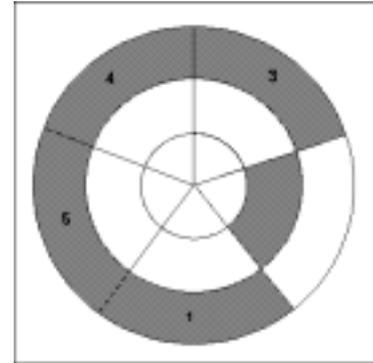


Fig 15: The Positioning tool for analysing community forest management model by Phuc Sen commune.

7.2 The model of community forest management in Doi village, Hien Luong commune, Da Bac district, Hoa Binh province.

Hien Luong commune is located along the bank of Hoa Binh Lake about 30km (by land) and 15km (by water) away from Hoa Binh town, a highland commune of Da Bac district.

The commune has 361 households (or 1630 people). 71 per cent are Muong, the remainder are Dao and Kinh. The main economic activities of the commune are agricultural, forestry and goods production. The annual average income of each household is 5,500,000VND, and the average food yield per family member is 175kg/year. The food yield is insufficient for supplying the urgent need, but, thanks to the convenient transportation and the income from other goods and agricultural products, food purchasing is very easy and food security is ensured.

The total land area in the commune is 3276ha; almost all steep hills located in the critical protection area of Hoa Binh Lake.

The total forestland is 1,789ha of which 1464ha are natural forests and 325ha are plantation forests. Almost all forestland has been allocated to households for stable utilisation since 1994 and Red Books were granted in 1998.

For areas close to residential areas, households have been managing forests well. Forests have been rehabilitated quickly. In some areas far from residential areas, however, forests are illegally destroyed. Reasons for this have been attributed to irregular patrolling of households, and a belief that forests are endowed by the nature so their benefits are for everyone.

In 1998, households voluntarily returned forest areas they could not manage and gave them to the commune. The Commune People's Committee has allocated those areas to villages to manage and protect as community forests.

As usual, the right to utilise the critical protection forest must be assigned to the Protection Forest Management Board, rather than assigned to households. The community's forestland has been allocated to households and they have been granted Red Books.

Doi Village has 86 households with 364 people. 120 are paid workers, and the village enjoys good education standards. There are 158 students in the village from primary to high school level. The agricultural area is 85ha, with no water rice fields. The households mainly grow fruit and secondary crops. The forestland is 217ha of which 151ha are natural forests and 66ha are plantation forests. They are all classified as critical protection forests.

Regarding the village's community forest management, the village has allocated 66ha of plantation forests and 81ha of natural forests to 84 households for protection and tender. Each household manages 1.75ha. Households get contract payments of 50,000 VND/ha for forest management and protection by Hoa Binh protection forest Management Board. This budget is taken from the previous Programme 327 and from 5 million ha of the forest programme.

Households have voluntarily returned 70ha of forests too far from residential areas for management and protection. The community also gets a contract payment of 50,000 VND/ha for forest management by the Protection Forest Management Board.

The village uses this amount to rent members of the veteran's association to patrol forests, and pays them a fee of VND 500,000/year. The remainder is used for setting up a Credit Fund to develop household economies.

Besides the annual contract payments by the Protection Forest Management Board, community members are allowed to collect by-products from their forests. They are not entitled to harvest timber in the assigned forests including wood for daily use.

Researching the model in Doi village, Hien Luong commune, the following characteristics are present:

- The land use rights have been assigned to the community's households.
- The managers of the forests consist of households and communities but they are not entitled to enjoy the benefits of the forests.

- Hoa Binh Protection Forest Management Board is not the protection forest owner as regulated by the law, it is in fact the Management Board of 661 project to Hoa Binh protection forest. Comparing the criteria for making the positioning tool, the following charts are obtained:

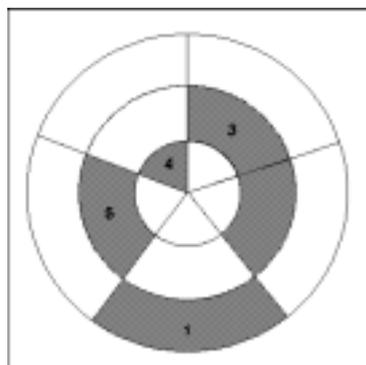


Fig 16: The positioning tool for analysing forest management allocated to households in Doi village, Hien Luong commune

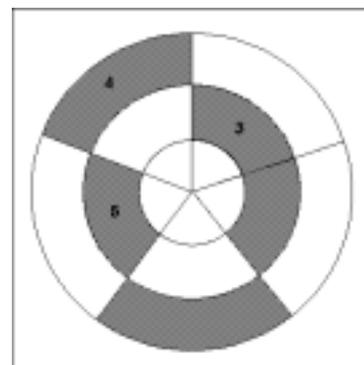


Fig 17: The positioning tool for analysing the community forest management in Doi village, Hien Luong commune.

7.3 The community forest management model in Thuy Yen Thong village, Loc Thuy commune, Phu Loc district, Thua Thien Hue province⁷

Thuy Yen Thuong is a village located next to forestland, about 13 km away from Phu Loc town by highway No.1 in the East-South. The whole village has 1860 family members, including 856 labourers, and they are almost all Kinh people.

The economic focus is on agriculture. There are limitations on land, and each person owns only 590m². The average food consumption is 200kg/person/year. Thuy Yen Thuong village is the poorest one in the district. People in Thuy Yen Thuong have to go to the cities or other provinces to work or harvest forest timber illegally for daily use.

The total natural area is 2508ha among of which 423ha are plantation forests, 120ha is land without forests.

Owners of village forests are classified as follows:

Forests	Area (ha)	Owners		
		State	Co-operative	Household
1. Natural forests	1965	1965	-	-
2. Plantation forests	423	90	48	285
3. Land for planting forest	120	-	118	2
Total	2508	2005	166	287

⁷ Based on report by Mr. Vo Van Du, head of Forest Protection Division of Phu Loc district, Thua Thien Hue

From the above table, it is clear the natural forests in Thuy Yen Thuong are under State management. The State has to pay a contracting fee of VND 50,000/ha/year to households for forest protection, but because forests are far away from residential areas and households can not tender forests regularly, the destruction of forests still happens. People in the village do not pay much attention to the protection of forests and even do not interfere with forest violations because they consider forest protection a duty of forestry staff or contractees.

Thuy Yen Thuong village has proposed to the provincial People's Committee to assign village households to manage, protect and utilise natural forests close to villages. If the forests in this area are well protected, it will prevent the destruction of other forests, because it is the entrance to all the commune's other natural forests.

This natural forest is 404ha, the average volume is 76m³/ha with a total volume of 31,829m³, and the annual average growth is 1.5m³/ha/year. This forest consists of some main types of trees like *Gie* 29 per cent, *tram* 18 per cent, *cho chi* 11 per cent, *lim xet*, *gioi*, *boi boi*, and *vang* 42 per cent. The regeneration density is about 2000 trees/ha. With the above criteria, the protection functions of the forest can be fully maximised.

In December, 2000, the People's Committee of Thua Thien Hue Province issued the Decision on assigning the above forest to villages for long-term management, protection and utilisation. According to this Decision, village households are recognised as the forest owners and must take the responsibility to protect and develop forests. Accordingly, they will enjoy most of the sub products and they are allowed to hunt precious animals not named in the Red Book.

In the first 10 years, when forests are not mature enough for harvesting, villages can selectively harvest dead and old trees. The maximum volume must not exceed 50m³ of timber annually. This could solve the urgent need of communities for timber (for building schools, tables, coffins, and tools.) The remaining timber will be sold to establish a Fund for village forest regeneration.

Village communities discussed plans to develop village regulations on forest protection. They set up a team of 28 people to go on patrols around the forests, and established a Fund for forest protection and regeneration. Each person has to contribute 5 days to protection and tender of forests every year.

Those who can not work will contribute money to the fund for forest protection in accordance with the regulations of the provincial People's Committee.

Although these forest protection plans are still in discussion, it has already received support from households and will surely become an effective model of community forest protection.

Comparing the criteria for making positioning tools, we have an analysing chart for community forest management model in Thuy Yen Thuong as follows:

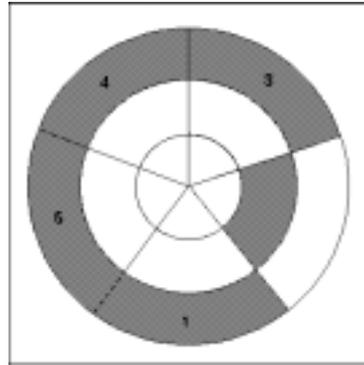


Fig 18: The positioning tool for analysing the community forest management model in Thuy Yen Thuong- Thua Thien Hue

8. General assessment on impacts of policies on research models

Through analysis and assessment of models and compare with criteria of positioning tools, we can conclude the following

8.1 Land use rights

In most of the research models, the District People's Committee issued the decision to allocate land and forest to communities. Except in the Ma La Thang model, communities have not been allocated forest, but contracted by the Pung Luong forest enterprise to protect forest. They receive an annual payment from MRDP, but this will terminate in June, 2000. An urgent issue is where forest stations will get funds for payment of fees: this model is currently unsustainable.

In the Giang Cai model, it is still the Forest Enterprise's responsibility to contract the community (with a fee of 28,000 VND/year) for protection and management.

The district People's Committee of Van Chan has allocated 1,091ha of forest to the community (Decision No.79, August 31, 1999). This was done without consultation with the Provincial People's Committee.

By observing the field, we found that timber harvested by the Forest Enterprise is still scattered. This means that communities have not enjoyed the main benefits from the forests, because all the timber gained from the main harvesting belongs to the Forest Enterprise. Regarding land use rights, the community forest management models in Ha Giang and Yen Bai provinces are still unsustainable.

8.2 Status of forests allocated to communities

Most models indicate that land allocated to households is treeless land, and bushy land with few regenerated trees. It will, however, become green and well developed after 1 year, thanks to the new supplementary plantation and regeneration. Land allocated to communities, however, are either forestland or land which can be rehabilitated. Rehabilitated land can then become forest through zoning and regeneration, requiring less investment in protection. So far, there have not been any cases where bare land allocated to communities can be rehabilitated back to forestland, or where mature forests are allocated to communities for harvest.

8.3 Impacts by the Government

Most research models which were given the support and assistance by authorities have the following features:

The Government:

- allocates forest and land to the communities for protection and management.
- Provides financial and technical support, guides techniques for forest protection and tender, and guides the planning and conventions for community forest management.

However, the Government currently interferes too much, so communities do not have rights to make decisions on forest management, protection and utilisation in conformity with their benefits. The communities are actually protecting the Government's forests, rather than the communities' forests.

8.4 The participation of communities

Many communities like Giang Cai, Ma Lu Thang Nam Ty, Village 7 and 8 of Tan Dong commune, and Dong Ke village of Tan Nguyen commune have received the active participation of households. They are involved in discussing plans, building conventions for forest protection and directly participating in the patrolling of forests or restoring and tendering forests. However, the formulation of conventions for forest protection is only done by village and commune staff without the active participation of farmers.

8.5 Rights to enjoy the benefits from forests

In most of the community models, community members only have the right to gather auxiliary forest products like dry wood, bamboo, wood's ears, fruit and oil. In some other places, communities can harvest forest products and timber but not for commercial purposes. Forest products have not become a remarkable source of income for households.

The benefits households can enjoy from the forest are still very small, so it does not attract the attention and participation of community members. There have been no models allowing community members to explore and own forest products from the forests they are managing.

Section III: Proposals of some policies and alternatives to develop community forestry to help strengthen joint-forest management

1. Scrutinising the forest and land bank currently managed by SFE

Land areas that cannot be managed effectively or cannot bring in benefits to meet the business demands by SFE's will be transferred back to local authorities for allocation to individuals, households or village communities for long term and stable use.

The Pung Luong SFE (Mu Canh Chai district, established in 1969) is managing 1997 ha of land and forestland covering 4 communes: Ping Long, Nam Khat, La Pan Tan and Ze Xu Phin. It is categorised by: natural forest: 3736 ha; plantation 6844 ha; and bare land 9117 ha. Since 1993 Pung Luong SFE was assigned to be the 327th Project owner (Now there are 661), managing 58000 ha of restoration and plantation and the forestland of other 10 communes. The total staff number of SFE's is 150, of which 25 of them are indirect staff (6 have a university level education).

The SFE's have to control over 20,000 ha plus other 60,000 ha of 661 programme (total 80000 ha). It is badly understaffed, and management cannot reach every party of the forest enterprise. It is therefore necessary to scrutinise the forestland bank and reorganise the forest enterprise according to Decision 187 by the Government.

The natural forestland belonging to critical areas (but located in different places and interlaced with agricultural and residential land like in Ma La Thang) should then be transferred back to local authorities to allocate to communities and farmers for management and protection.

The Van Chan forest enterprise currently includes 62 staff who are allocated 15,800 ha of forest and forestland for management and protection. This covers the 8 communes west of Van Chan district. During 6 years of implementation of 327 programmes (during 1993-1998) the enterprise could plant only 856.78 ha of forest, and 992 ha of rehabilitation forest, protect 6,344 ha of natural forest, and log 1,000 – 1,500 m³ of timber annually.

Now, with such a small number of staff, the enterprise has to manage 15,800 ha of forest and forestland - too large for the enterprise to manage. Therefore, forestland should be handed over to local authorities for reallocation to communities. By replacing the existing

contract, communities and households will be able to manage, protect and receive benefit from the forest. As the matter of fact, in most provinces SFE's are occupying a lot of the forestland but are not managing or controlling it effectively. Forestland should be reallocated to farmers.

2. Scrutinising the contracts on forest protection and plantation.

Rehabilitation between Government organisations and households/communities. Shifting the contract from a one-year term to a 50 -year term since the Decree 01/CP regulating the contractees can benefit from the forest

At the moment, the Management Board for protection and special use forest and SFE's are managing and controlling over 6 million ha of forestland of which 4 millions are forested. The 327 programme (1993) government budget is allocated to these units for forest protection.

The contract was for 1 year, at 50,000 VND/ ha/ year. Due to the small budget, contractees only protect the forest if they are paid. If the budget dries up, the forest is left alone or destroyed. Sometimes, they themselves illegally harvest forest products in the area, the very same forest they were paid to protect previously. Furthermore, due to the limited forest fund, the households' contracted area is small, and the households' income from forests is insignificant.

In order to contract 2 million ha of forest for protection (the current level of activity), it costs 100 billion VND/year. This is a State burden which is impossible to maintain any longer. Nowhere in the world are farmers hired to protect forests. That's why short-term forest contracts should be turned into long-term, and sustainable, ones.

In order to do this, each SFE and Forest Management Board should scrutinise all the contracts on forest protection and regeneration to households, individuals and communities. The contractors and contractees should agree on their rights and responsibilities, so that the contracts will become long-term (for special use and protection forests the contract term is 50 years; for the production forest, the contract term can be 50 years or depending on the growth cycle of the trees). The contractees are allowed to enjoy benefits from forests.

3. Close combination of the production function with the protection function of forests.

Allowing harvest of forest products in protection forests, with close monitoring and checking, to enable those who are assigned and contracted forests to harvest forest products on the basis of maintaining and maximising the protection function of their contract.

There used to be an extreme idea that it is impossible to harvest forest products in protection forests. This, in fact, is not true because the forest is a living body with a natural cycle of regeneration, development and decline. When the forest develops to a specific level, it will begin to shrink. This is the right time to harvest old and diseased trees to improve forests, both to gather forest products and avoid waste, and to maintain the protection function of forests.

From this point of view, international experts have proposed (and MRDP have tried) some models carrying out the so-called policy: "From protection to protection through production".

On this issue, the Vietnamese Government has issued the following specific policies:

The regulations on management of three kinds of forests issued with the Decision No.08/2001/-TTg dated January 11, 2001 by the Prime Minister regulated as follows:

- For production forest and less critical protection forests, it is possible to harvest forests under the project of forest balance and design as approved, with the main target on forest product supply and supplementary target on protection. Therefore, in the regulations for managing the 3 types of forest, the protection forest is classified into only 2 kinds: very critical and critical, and the less critical is removed.

- For important protection forests, it is possible to harvest dead trees, broken trees and diseased trees, and trees in thick density with the harvesting intensity of a maximum of 20 per cent of volume, as approved by design.

For protection forest of natural bamboo, when the cover reaches 80 per cent, it is allowed to be harvested annually with an intensity of 20 per cent of the volume.

- For the very critical and critical protection forests planted by funds from the State budget, it is permitted to harvest the auxiliary trees and the by-products. When the main trees are mature, periodical harvesting is possible. Intensity must not exceed 10 per cent of forest area..

The Ministry of Agriculture and Rural Development issued the Decision No.02/1999/QD-BNN regulating the regulations on harvesting of timber and forest products in production and protection forests.

This regulation specifically regulated the items of forests that are allowed for harvesting, the harvesting intensity and necessary administrative procedures for harvesting (see the copies of two above Decisions in the attached annex).

4. It should have a policy for people and communities to enjoy the benefits from forests

when they are allocated, contracted with land and forests, or contracted for forest plantation and regeneration.

As we know, community forestry is forestry with the participation of people and focusing on people's benefit. We can not combine forest protection if we cannot enable people to enjoy the benefits of forests.

Regarding this issue, MARD has researched and compiled "*Decisions of the Prime Minister on rights and responsibilities of households, individuals and village communities when they are allocated and contracted with forest and forestland*".

The draft of this Decision was submitted to the Government and will be issued shortly. The decision consists of regulations on rights and obligations of households, individuals and communities when they are allocated and contracted with production forests, very critical and critical protection forests. The allocation and contract of forests have been classified according to the various status of the forests.

We hereby take an example of one household and individual when they are contracted for forest rehabilitation in the very critical and critical watershed area. They will be able to enjoy the following rights:

- Fees for forest protection in accordance with the current regulations.

- Collecting the by-products, flower, fruits, and oil during forest protection and regeneration in accordance with the regulations of the forest Management Board.

- Collecting the dead, broken and fallen trees in accordance with the designs of the Forest Management Board. The Provincial People's Committee will approve and grant licenses for harvesting. When forest products are for utilisation, there are no natural resources taxes.

- Enjoying harvesting of bamboo with a the maximum intensity of 20 per cent over the total bamboo forest with the cover of 80 per cent in accordance with the guidance and supervision of Forest Management Board. In regard to the value of forest products after tax, the household will enjoy 87 per cent, the contractor enjoys 10 per cent and contributes 3 per cent to the Commune budget.

- Harvesting the timber by selectively cutting the maximum volume (not over 20 per cent) when the protection forests are too thick for harvest. This is done in accordance with the designs of Forest Management Board and approval by the Department of Agriculture and Rural Development. The contractee must have submitted to the Provincial People's Committee for approval and issuance of a harvest license.

The value of harvested timber after paying tax will be distributed as follows:

Forest status when contracted for protection and tendering	Rate of distribution (%)		
	Contractees	Contractors	Paying to Commune budget
Status A: exhausted regenerated forests with creepers and bushy trees and some trees of a diameter of over 30cm but bad quality of timber	87	10	3
Status B: rehabilitated forests with the trees of a diameter of less than 20cm	82	15	3
Status C: the harvested forests but were rehabilitated with the regenerated timber trees of a diameter of from 20cm to 30cm.	72	25	3
Status D: - Forests which were selected for some precious and good timber but the volume is still medium and rich (> 100m ³) - Mature secondary forests or primary forests which have not been harvested or utilised	Enjoying annually 2% for protection but maximum not over 40%	The remaining is paid to the contractors	

From the second period of harvest, the value of the forest product after paying tax will be distributed according to the rate as follows: the contracted household 87 per cent. The contractor 10 per cent, commune budget 3 per cent.

5. Local market development of forestry products

Since farmers are allowed to collect NTP and timber when the forest reaches the criteria for logging it is important to maximise the commercial value of these products. The income of the farmers will be in cash for purchasing food and other services.

The survey in Ze Xu Phin, Mu Cang Chai district, Yen Bai shows that income for a farmer's working day is very low. For example, one collection of 20 kg of H'mong apples in 1 day, and carried the next day to Ba Kim junction to sell to middlemen at 700 VND/ kg results in a total income of 14,000 VND for 2 days work.

On average, the income from 1 working day is 7,000 VND. This is far too low for farmers' labour. The main reason is farmers here do not have access to market information. The road is also bad. The same situation occurs in many other areas.

Programme 135 of the Government will invest in infrastructure (mainly road systems) for 1715 poor communes. A commune block will be built. In each block there will be a rural market where farmers can buy and sell products. However, the issue of transporting goods to the market has not been addressed. In order to develop the local market, some suggestions are:

5.1. The extension system should be strengthened not only for technology transfer but also for delivering market information to farmers, so that farmers know which kinds of agro-forestry items are commercially viable and what their prices are. This will avoid the problem of unsold products.

5.2. Medium and small-scale processing bases should be developed in unplanted areas to purchase agro-forestry products from the farmers (like the Shan tea processing mill in Thong Nguyen-Hoang Su Phi- Ha Giang).

5.3. The wholesale tax should be free for private business people who buy agricultural and forestry products in remote areas.

6. Establishing a fund for village forest protection and rehabilitation

According to Decision No.661, the State budget only invests in projects to pay the salary for forest protection in the first five years (from 1999 to 2004). From 2005, this amount will not be paid, and the contractors will get profit directly from forests. The growth cycle of forests, however, is very long, and the communities do not always get enough profit from the forests every year to cover their activity expenses. At the same time the level of participation of each member in the community is not the same. The more they work, the more money they can get. This is why it is very necessary to set up village funds for forest protection, and for community development.

6.1. The fund will be raised from the following sources:

- From selling forest products harvested from villages' forests
- Fees paid by members after harvesting timber in community's forests to build houses and household appliances.
- Communes' budget (if any)
- Aid from domestic and foreign individuals and organisations.
- Fines from violations of the villages' regulations on forest protection.

6.2. The fund for forest protection and rehabilitation will pay for the following items:

- Salary for those who protect forests
- Expenses for preventing and fighting forest fires and preventing insects
- Expenses for planting and taking care of forests

6.3. Management of village forest protection and rehabilitation

Setting up funds for forest protection and rehabilitation will be on a voluntary basis. Each village will elect a fund-managing board including three members led by the village leader, one accountant and one cashier. The office term of the Board will be the same as the village leader.

Expenses and expenditures will have to be made clear and promptly noted. The financial balance report must be made in public, before the expiry of the office's term, the financial details must be transferred to the successor with the witness of the commune's legislation agencies.

The village's fund for forest protection and rehabilitation must be placed under the management and supervision of the village's fund manager.

7. Confirmation of the legal status of the village's communities, to enable them to manage and utilise the forest legally..

In the process of Vietnam's social development, village communities have a very important role. Apart from the general traditional characteristics of Vietnam's ethnic groups, each village has its own distinct traditions and cultural practices creating a strong community.

In term of forest protection and management, the participatory nature of management has been part of the approach since program interception. In mountainous areas, almost all villages have forests with regulations for forest protection and utilisation.

When Vietnam was carrying out central planning, only two models of production tool ownership were accepted: State ownership and co-operative ownership. Almost all village forest areas changed into co-operative forests. The co-operative's management during that period did not appropriately define the relations among the State, co-operatives and labourers. This meant farmers were not interested in forest management and protection. Forests assigned to co-operatives were harvested, and forestland was used to grow cereal for some years. The forests were devastated, and the soil rendered no longer fertile. Rehabilitation is very difficult. Luckily, in some areas, the model of traditional community forest management still exists, so forests are well managed, and the benefits to community members are maintained.

In the new period, the law accepts these villages' forests.

Article 9, Decree No.17/HDBT dated January 17, 1992 by Ministerial Council (the Prime Minister) on the implementation of laws on forest protection and development regulated that: "*Organisations, individuals who were allocated forests and land for forest planting and the villages where forests still exist are recognised to be legal forest owners on the managing areas*".

Article 3, from the same Decree also indicates that: "*villages' forests belong to the villages' communities...*". On March 30, 1999 MARD issued Circular No.56/1999/QD-BNN-KL guiding the development of regulations on forest protection and development in villages' communities.

However, the present law only accepts the models of current community forest management.

In acts on land and forest allocation, there are no contents regulating allocation of land to communities. Communities are apparently not an established organisation that operated under strict regulations. They are not a legal entity, and cannot implement responsibilities on civil relations. Community forestry is a tendency of a system of advanced forest management.

In reality, many communes have been allocating land and contracting forest to village communities to manage, protect and utilise. In Ha Giang province, over 130,000 ha of forests and forestland have been allocated to over 800 organisations and individual units for protection and management, but most of them are villages. In other mountainous provinces, forests are also allocated to villages' communities although they do not support this and can not participate in the program. Therefore, MARD has to revise the content of its statement "*communities are also one of the objectives to be allocated forestland and forests*" in the amendment of the law on forest protection and development to submit to the National Assembly in 2001.

On the basis of approval by the National Assembly, it is essential to issue Decrees on Vietnamese community forest management by the Government.

When waiting for such Decrees, the Provincial People's Committees should issue policies to enable the District People's Committees to allocate land and forests (including natural forests) to village communities for management

It is said the Red Book should be granted to communities as it is granted to households. For households, the Red Book is very important, because it is impossible for anyone to legally transfer or mortgage land and forest without it. For communities the Red Book is the same as a decision on land and forest allocation by an authorised body. Therefore, a decision on forest and land allocation to village

communities by District People's Committee is sufficient, and it is not necessary to have a land use rights certificate.

Conclusion

From the real situation of some models of community forest management, we have found out some disadvantages as follows:

The community does not have legal status for their role in forest protection and management, and have no legal rights to use the land and forest for long-term purposes. They do not enjoy the benefits of the forests, so it limits their interest and participation levels. If these issues are addressed, however, communities have the potential to most successfully manage and protect the forest.

In order to strengthen the links in forest protection, this report has proposed seven measures to develop community forestry. Those measures have organic relations; one measure can be the premise to implement another measure.

There are some regulations to solving some matters (like measures No.1, 2, 3, 5, 6); some measures have been developed as policies to submit to the Government by MARD.

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