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Project Country Capacity Strengthening or NFAP

Implementation in Vietnam

GCP/VIE/020/ITA

METHODOLOGY FOR PARTICIPATORY LAND USE PLANNING
AND FOREST LAND ALLOCATION

VU VAN ME and CLAUDE DESLOGES

ABSTRACT

This paper outlines the methodology for Participatory Land Use Planning and Forest Land Allocation presently being developed under MARD-FAO Project GCP/VIE/020/ITA and implemented in four sites: Phong Du Commune, Tien Yen District, Quang Ninh Province, Thuong Lo Commune, Nam Dong District, Thua Thien Hue Province, Ia H'Rung Commune, Ia Grai District, Gia Lai Province, Dong Tam Commune, Dong Phu District, Binh Phuoc Province.

The methodology emphasizes participation of concerned local populations in all phases of the process, land use planning as a pre-requisite for forest land allocation and sustainable use of allocated lands, multidisciplinary working groups and a level of technology that is adapted to currently available resources in the districts.

Implementation of the methodology in the four communes raised a number of issues, particularly, the need to:
1 - review criteria for defining forest lands and different kinds of forests, 2 - clarify objectives and legal framework for FLA, 3 - better define and secure benefits of FLA to local populations, 4 - enhance local communities participation and make better use of local knowledge, 5 - assess and document the social, economic and environmental impacts of FLA and its contribution to sustainable forest development.

1. INTRODUCTION

The development of a Methodology for Participatory Land Use Planning and Forest Land Allocation was part of the activities of Project GCP/VIE/020/ITA "Country Capacity Strengthening for NFAP Implementation in Vietnam". This project was initiated in April 1995, with the aim promoting the sustainable use of forest.

One of the main objectives of the Project is to improve the capacity of local administrations, particularly at the district level, to plan and implement community forestry actions. It is within this context that a decentralized and participatory approach to land use planning (LUP) and forest land allocation (FLA), applicable at the commune and village levels, was developed.
Project activities, including testing of the methodology, are being implemented in four communes:

- Phong Du Commune, Tien Yen District, Quang Ninh Province,
- Thuong Lo Commune, Nam Dong District, Thua Thien Hue Province,
- Ia H‘Rung Commune, Ia Grai District, Gia Lai Province,
- Dong Tam Commune, Dong Phu District, Binh Phuoc Province.

This paper outlines the proposed methodology and presents a brief discussion of issues raised during implementation in the four Project sites. Other papers presented during this Workshop will provide details on how the District Working Groups use the proposed approach, sometimes adapting it to suit local conditions, and the results achieved.

2. FOUNDATIONS FOR THE DEVELOPMENT OF THE METHODOLOGY.

The proposed approach to land use planning and forest land allocation was developed with a view to enhance sustainable management of forest land and improve livelihood of local populations. It emphasizes decentralized planning, and participation of concerned populations in all phases of the process.

It was developed within the framework of current laws and regulations, particularly the Land Law of 1993, Decree No 64/CP on allocation of agricultural land and Decree no 02/CP on allocation of forest land. Also, it followed closely the guiding principles for forest land allocation at the commune level, issued by the former Ministry of Forestry in 1994.

3. OUTLINE OF THE PROPOSED METHODOLOGY.

The process comprised three main components:

- Organization and Management of the Process,
- Land Use Planning,
- Forest Land Allocation.


The activities related to organization and management of the process include:

- identify stakeholders,
- organize working groups, defining roles and responsibilities,
- prepare a detailed workplan,
- train working group members,
- organize monitoring and evaluation.

3.2. Land Use Planning.

Land use planning is carried out at three levels: commune, village and household (plot of allocated land). The following table shows the relationship and some characteristic aspects of the three levels.

<table>
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<tr>
<th>DIFFERENT LEVELS OF LAND USE PLANNING</th>
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<td>COMMUNE LUP</td>
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3.2.1 Commune Land Use Plan.

Land use planning is required in order to ensure the sustainable use of the land. Forest land use planning is the basis on which decisions can be taken for forest land allocation and in order to stabilize and guide protection and production activities.

The Commune LUP is a general land use plan prepared for the whole commune. It is a master plan that provides orientations for the use of the land in the future on the basis of present land use, land capability, government regulations, people’s needs and aspirations.

Land use planning for forest land is not done in isolation. It considers all lands within the commune, including agricultural lands, and all issues related to land and resource use.

The Commune land use plan is a comprehensive and concrete proposal for land use in the commune. It identifies what land should be used for agriculture (various types), for forestry, for conservation, for residential areas and other uses as appropriate.

The Commune land use plan includes a map showing proposed land uses and a brief report describing the different categories and levels of uses along with recommendations for specific land use practices considering constraints.

The Commune land use plan identifies and addresses local population’s needs for forest land, present use of such lands and capacity to manage them. Availability of forest land for allocation is also discussed considering all possible options.

The proposed Commune land use map is prepared at a scale of 1:25,000 for communes larger than 25,000 ha and at a scale of 1:10,000 for smaller communes.

The main steps to prepare the Commune land use plan are:

1. collect secondary, information related to land and resource use;
2. update existing information, refine when necessary and gather missing information using appropriate technical and PRA/RRA approaches and tools;
3. analyze information and identify main issues,
4. identify development goals of the commune and specific objectives for forest land allocation,
5. develop options to address forest land and resource use issues and to meet objectives,
6. assess options and prepare commune land use plan,
7. discuss commune land use plan in commune meetings, finalize and obtain formal approval from authorities at the commune, district and provincial levels.

The type of information required to prepare the Commune land use plan includes:

- socio-economic data, needs, aspirations and know how of commune population;
- topographic map, including administrative boundaries, land tenure, occupation;
- present land use and vegetation cover;
- site conditions and potential/capability.

Land use planning implies developing a common vision of how people who live in the area and depend on forest lands and resources for their livelihood, want to use the land in the future. The suggested approach for the preparation of the proposed land use plan is illustrated in the diagram shown on the following page.

3.2.2. Village Land Use Plan.

The village land use plan provides detailed orientations on land use in a village. It can be prepared for one of more villages or hamlets, for a specific micro-area or for equivalent areas.

Basically, the process for the preparation of the village land use plan is the same as for the preparation of commune land use plans. However, the village land use plan:

- is much more detailed,
- requires a much more direct and intensive participation of concerned populations
- and more intensive and detailed field work.

Maps needed for the formulation of the village land use plan are usually prepared at a scale of 1:5,000.

The village land use plan is normally prepared after the commune land use plan has been approved by competent authorities. However, for practical reasons, many of the steps leading to the formulation of the village land use plan can be carried out in parallel with the activities required for the formulation of the commune land use plan.

3.2.2. Land Use Plan for Individual Parcels of Allocated Land.

A summary land use plan is also prepared for each parcel of forest land that will be allocated. (See step No 8 of the FLA Process). This land use plan will guide the future use of the allocated forest land.

This detailed, micro-planning exercise is normally done directly on the site of the land to be allocated, in co-operation with representatives of the household that will receive the land.

It is prepared at the time when surveying crews from the district/commune cadastral units go to the field to delineate, measure and sketch/map each individual parcel of land to be allocated.
## PROPOSALS FOR LAND USE PLAN

by District Working Group with assistance from resource persons

analyse all the information
identify development goals and specific objectives
develop and rate various options
make recommendations

## VALIDATION OF PROPOSED LAND USE PLAN

in village and commune meetings and also with other concerned stockholders (e.g. Forest Enterprise, National Park, Watershed Management Board)

presentation of the options
presentation of recommendations
discussion of the plan
listen and receive comments

## REVISE PROPOSE LAND USE PLAN

on the basis of the comments received
make final proposal
final maps
3.3. Forest Land Allocation (FLA)

The normal sequence of activities to be carried out in the forest land allocation process is as follows:

1. Hold a training session on participatory forest land allocation,
2. Prepare an operational plan for carrying out forest land allocation,
3. Organize commune and village meetings,
4. Assist households in completing application forms for forest land,
5. Prepare forest land allocation scheme,
6. Present forest land allocation scheme in village meetings,
7. Delineate and measure allocated parcels in the field,
8. Prepare land use plan for allocated parcels,
9. Prepare cadastral map,
10. Prepare cadastral register,
11. Obtain official approvals for the forest land allocation scheme,
12. Issue Land Tenure Certificates

3.4. Briefing Notes

In order to assist in the practical implementation of the steps briefly described, a series of Briefing Notes, or field guides, have been prepared. They are listed below:

1. People Participation in the LUP - FLA Process
2. The Legal and Administrative Framework
3. Preparation of Simple Topographic maps and Base Maps
4. Clarification of Administrative Boundaries
5. Clarification of land Tenure and Occupation
6. Checklist of Biophysical Information Required for Land Use Planning
7. Present Land Use and Vegetation Cover Map
8. The Preparation of the Site Map and Assessment of Land Capability
9. The Preparation of the Commune/Village Land Use Plan
10. The Preparation of the Land Use Plan for the Allocated Parcel of Forest Land
11. The Land Use Planning Report

4. ISSUES RAISED DURING IMPLEMENTATION

4.1. Policy Level
4.1.1. Legal Aspects

Forest Land Allocation is governed by numerous legal documents, policies, laws, decrees, regulations, decisions and technical guidelines. They are often ambiguous and show gaps and overlaps, which leaves the door open for a wide range of interpretations. These policies and legal instruments are poorly known and understood at the field level.

There is a need to clarify and harmonize policies and legal instruments and to widely diffuse them, including training of field staff and extension.

4.1.2. Land and Forest Classifications

There is some confusion generated by the lack of complementary and rigid application of classification systems used by different government agencies to describe land use and forests.

Criteria used to classify land in general, and forest land in particular, need to be reviewed, revised and adjusted to the current forest situation in Vietnam; particularly, criteria used to separate forest land and agricultural lands, and also, criteria used to distinguish different kinds of forests: special use forests, protection forests and production forests.

This is particularly urgent, considering that most land available for forest land allocation lies in the lower slopes of mountainous areas, technically considered as forest lands and yet, used by farmers for food production.

4.1.3. Clarify Objectives

The State objectives to allocate forest land and the farmer's objectives to receive allocated land often are unclear when they do not diverge considerably. Often, these divergent objectives are not acknowledged and openly discussed during the LUP - FLA process. This leads to confusion in implementation particularly with regards to local populations; expectations to gain benefits from the use of the allocated land as opposed to government officials' objectives for protection/conservation.

There is a need to clarify and harmonize objectives, and to clearly understand what are the possible land use options and benefits to be derived from each objective.

4.1.4. Security of Tenure and Benefits

One of the basis for allocating forest land to households is that sustainable forest use will be achieved if each area of land has an "owner", someone (household or group) who has long term security of tenure over the land and thus feels responsible for and committed to its sustainable use.

The lack of clear, written and well understood rules applied uniformly and systematically, and widely diffused, concerning issuance of the Land Tenure Certificate, management of the allocated land and sharing of the benefits to be derived from its use is not conducive to sustainable forest management and success of the land allocation process.

4.1.5. Impacts

What are the real impacts of forest land allocation, in the people that are most directly concerned, on forest management and on sustainable development, in general? Although there are hopes that impacts will be positive and speculations that there might be negative impacts in some cases, there are, so far, few serious and well documented studies assessing impacts of FLA. Caution must be exercised that FLA does not have negative social, economic and environmental impacts. There are some signs that they could have negative impacts, particularly on marginalised groups (ethnic minorities, women, among others) who through the process, may loose access to resources that were available to them before land allocation (common pool resources among others).

It is urgent to incorporate impact assessment in the methodologies and to make it detailed enough so that it can be meaningful, timely enough so that corrective actions can be taken and simple enough so that it will be implemented.
4.2. Operational Level

4.2.1. Institutional Aspects.

The Project design called for implementation of activities in four communes belonging to four different provinces. LUP - FLA should cover much bigger areas at one time, within a district (all communes of a district for example) or provinces. Relevant provincial authorities should have leadership for the process, which should be implemented in close cooperation and full participation of district and commune personnel, and local populations.

There is a need for increased horizontal and vertical collaboration between all branches and levels of the Government.

4.2.2. Participation

The issues of sustainable forest management are closely linked to those of local populations who use forest land and resources for their daily survival. Sustainable forest management will not be achieved without the involvement, cooperation and participation of local communities.

Although there is a lot of talk about participation and a lot of efforts have been dedicated in developing participatory tools, there is still along way to go to fully integrate local populations, particularly marginalised groups, in LUP and FLA. Some issues that need to be addressed are:

- what structure, mechanisms, tools will facilitate participation of local populations in the decision making process regarding sustainable use of forest land and in implementing them?
- people in any given commune, village or hamlet do not constitute and homogeneous group. Knowing that marginalised groups are those most dependent on forest resources and that they have less access to decision-making fora concerning the use of forest areas, how can the process ensure that they are heard and that their concerns age taken into consideration?
- how can gender issues be better addressed, considering that women, as a group are the most important user of forest resources in the daily life stand to gain (or to often loose) more in any decision concerning land allocation and yet are almost always absent when such decisions are taken?

4.2.3. Local knowledge

Secondary information used to prepare land use plan and forest land allocation is based at the commune level, is often general, outdated and unreliable. On the other hand, local populations and also, local level field technicians often have a very detailed and precise knowledge of the area in which they lice and work.

There is a need to collect and classify local knowledge and information, through the use of PRA approaches, among others, and to make better use of such knowledge to update and refine information from secondary sources.

4.2.4. Level of Technology

In the project areas, the choice was made to use a level of technology compatible with current practices in the districts. The decision was thus taken not to use such tools as aerial photographies, satellite imagery, or more "high tech" tools such as GIS and GPS.

Working at a larger scale and at a different level, provincial level for example, it would be worth assessing the value of introducing such technologies, in terms of gained accuracy and savings of both time and costs. But here also, caution must be exercised. Sophisticated technologies do not increase quality of information. They can facilitate their collection, analysis and presentation but if the data collected in the field is inaccurate, results will also be inaccurate however shining their presentation. As the saying goes "garbage in, garbage out".

4.2.5. Sustainable Use of Allocated Land

In the project areas, land use plans for allocated parcels are very simple plans that place most of the emphasis on forest production or protection. Although this may be acceptable from the forester's point of view, it may not sufficiently take into account present use of the land and needs and aspirations of local populations to be sustainable in the long term. Moreover, it some areas, there is some concern that reforestation may have cut access of forest land and resources to marginalised groups, further marginalising them and increasing food
insecurity.

There is an urgent need to revise the concept of land use plans prepared for each allocated plot and criteria used for their preparation in order to broaden their scope, making room, among other things, for agroforestry practices.

5. CONCLUSION

The methodology for Participatory Land Use Planning and Forest Land Allocation, developed under Project GCP/VIE/020/ITA, emphasizes participation of local populations in all phases of the process, land use planning as a pre-requisite for forest land allocation and sustainable use of allocated lands, multidisciplinary working groups and a level of technology adapted to currently available resources. It was developed within the framework of the Land Law of 1993, Decree No 03/CP on allocation of forest land and The Guiding Principles for Forest Land Allocation at the Commune Level, issued by the former Ministry of Forestry in 1994.

The proposed methodology is not a recipe book that should be followed blindly. On the contrary, it provides a general framework and guidelines that need to be adapted to specific situations. The methodology is still being refined and it is by no means suggested that it is perfect nor that it could or should be applied in all situations. It does, however, provide a solid basis for forest land allocation on the basis of sound land use planning involving local populations and the sustainable development and use of the allocated lands.