workshop proceedings

Community forest management policies and solutions in Ha Giang province

(Conducted in Ha Giang town on 9 May 2001)
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Workshop brief description

Ha Giang is the first mountainous province in the North, bordering with China. It covers over 788,437 ha of natural land and 574,925 ha of forestland of which 328,916 ha is natural forest, 4,913 ha is plantation forest and 341,096 ha is bare land for forestry purpose.

Under the annual plan, MRDP has been supporting groups of farmers in 40 villages of the province to implement forest protection and development activities. Since 1998, MRDP has also directly supervised the establishment of the community forest management model in Nam Ty commune, Hoang Xu Phi district (Ha Giang province).

So far, despite the short pilot period, useful experiences and lessons can be drawn through the community forest management model in Nam Ty commune and other models in Yen Bai for wider application. The objective of this workshop is to analyse and evaluate the current status of forest management in Ha Giang's hamlets. This is being supported by MRDP to help find solutions for community forest management for all the hamlets in the province.

Participants of the workshop included 40 members from project management boards at provincial, district, commune and hamlet levels and some of the Program's staff and advisers from the Hanoi office.

The workshop was held as follows:

1. Dr. Nguyen Duy Chuyen – Vice Director of the forestry project management board and Managing director of the Program. Dr. Chuyen made the opening speech. He presented the role of forest in environmental and forest protection in Vietnam in recent years. He also defined the objectives and content of the workshop.

2. Mr. Nguyen van Ton – Vice director of DARD, welcomed the workshop participants and presented the Ha Giang forest management situation. (attached document)

3. Mr. Hoang Dinh Tram – Vice chairman of PPC and member of the MRDP management board presented the forest development and protection of Ha Giang. He said the forest cover in the whole province increased from 26% to 36% in 1993 and 2000 respectively. Forest protection has increased relatively, and forests have provided an increasingly large volume of products to meet economic and social development requirements.

- Such achievements have been achieved thanks to the fact that since 1993 Ha Giang has intensively carried out land and forest allocation for farmer households. This is firstly done by land allocation and Green Book (so lam ba) issuance and followed by re-measuring and Red Book provision.

- Presently, Red Books have been issued to 50% of forestland areas and 90% of agriculture land and residential land. The land and forest owned by specific individuals is better managed, protected and utilized.
Along with allocating forest and land for the community, the Ha Giang forest protection and development program has been supported by hundreds of billion of dong. This comes from the Government’s programs (such as 327, 661, 135 and DCDC), those funded by International organizations and foreign donors (such as MRDP and HPM).

Farmers’ education levels and cultivation skills are greatly improved. In agricultural production the combined farming of corn and rice and advanced cultivation technologies have been well received by farming communities. Their implementation has helped reduce food shortages, and limited pressure on forests. Thousands of households have shifted from self-sufficiency to farm-model production.

In the coming years, Ha Giang’s policy is to take forest protection and natural restoration oriented regeneration as the key elements to maintaining and restoring protection and special use forest. It also has a policy to encourage people on low lands to plan forests for paper material, and those in rocky mountainous areas to plan forest for firewood and community construction works.

Since 2001 and beyond, the forest cover in five districts is still low. This is even with the rate of payment at 100,000d/ha/yr for contracted forest protection, double the payment of other districts.

In order to increase State management responsibility on forests for communal authorities, provincial authorities allocate each commune a specialized forestry staff with an allowance of 200,000d/month from the provincial budget.

4. Mr. Bjorn Hansson – Chief adviser reporting the survey and study results of the forest investigation and project implementation in MRDP’s five project sites showed that:

- From 1986 to 1990, the forest cover steadily declined because of illegal harvest, slashing and burning and fire.

- From 1990 to 1999, the forest cover steadily increased because of forest plantation and restoration.

During the past 10 years, the strong forest growth has helped cover a large area of bare hill. The forest is, however, composed of exogenous, fast growing trees. It is necessary to encourage natural forest regeneration and restoration and planting of indigenous and local trees. This will replace the lost natural forest and maintain the biodiversity of the natural forest.

Mr. Bjorn recommended that:
The forest management, protection and plantation should be closely linked with forest resources. Community management should be positively reinforced by allowing the forest owners to enjoy the forest benefits under the sustainable forest management regulations.

It is necessary to strengthen the role of the local community in forest management and protection by enabling local farmers to play an increasing role with greater responsibilities in forest management and protection.

5. Mr. Vu Huu Tuynh – a short-term consultant on forestry policy presented policies and solutions oriented towards community forest management (document attached)

6. Representatives from hamlets and communes reported their localities’ forest protection situation (document attached) including:

6.1 Report on forest management and plantation in the two communes Nam Ty and Nam Dich in Hoang Xu Phi district presented by Mr. Do Tan Son – Director of the district agricultural and rural development division and vice director of the district project management board.

6.2 Report on forest management of Bac Quang district under MRDP presented by Ms. Hoang Thi Chung, Vice director of the district agricultural and rural development division and vice director of the district project management board.

6.3 Report on community forest management of Suoi Dong hamlet, Vi Xuyen district presented by Mr. Giang Mi Pao, head of the hamlet project management board.

6.4 Report on community forest management of Nam Ty hamlet, Nam Ty commune, Hoang Xu Phi district presented by Mr. Phan Ta Khe, Head of the hamlet project management board.

6.5 Report on the forest management by residential group 23 and group 24 of Viet Lam town, Vi Xuyen district presented by Mr. Le Thanh Xuan, Head of the hamlet project management board.

6.6 Report on the forest management of Thanh Son hamlet, Viet Quang town, Bac Quang district, presented by Mr. Ly Kin Va - Head of the hamlet project management board.

7. Group discussion: the participants were divided into two groups discussing the three following issues:

7.1 Land and forest allocation was discussed by answering questions such as:
Which types of forest and land should be allocated to households? Which should be left for the State Forestry Farm (SFF) for management? Which should be allocated to hamlets and villages? Who is the contractor and what should the mechanism be like? Who should the land use certificates be issued to? Should the hamlet/village community be issued certificates?
7.2 Activities for communities participating in forest management and protection were discussed. How to attract local farmers to participate in the forest management scheme; how to prepare and implement the hamlet or village regulations on forest management, forest protection; and how to maintain the regeneration fund.

7.3 Benefits enjoyed by the community were discussed through the items on the rights of households and communities to cultivate agro-forestry land on forestland; the right to harvest neutral sub-products; the right to harvest wood for house construction and furniture; the right to harvest when the forest is mature and allowed to be harvested.

The group’s members enthusiastically discussed the ownership for the forest plantation areas financed by MRDP to plant forest on allocated land and Red Book issuance for households.

8. Each group’s representatives presented their discussion results and continued discussions at the meeting hall. The results are summarised in “The report on integrated discussion results at the workshop” (attached).

Workshop organizers
Speech by Mr. Nguyen van Ton - Vice director of Ha Giang DARD

Forest is a very important natural resource, a special asset directly affecting human life. Before the 1980’s, forest resources were steadily declining at an alarming rate due to objective and subjective reasons affecting human lives. These include natural disasters, flooding, slash and burn cultivation, hurricanes and typhoons. These caused deaths, loss and damage. This situation was global. Emergency measures were required to restore forest resources, ensure ecological balance and environmental hygiene which are the objectives that every country in the world determined to act on. Vietnam has actively implemented the law on Forest protection and development, especially since 1990. Many Government and foreign funded projects (327, 661, DCDC, IFAD, SIDA...) have facilitated effective forest protection and management. The Government also has a policy to integrate different projects. The Vietnam-Sweden MRDP has been carried out in two phases in Ha Giang province and achieved comprehensively good results in social and economic terms, especially forest resource protection and development, for the project site’s local people.

The project implementation for 20 years shows that:

In order to protect forest, it requires proper policies and solutions and also a strengthening of cooperation between authorities at different levels. These include Central, hamlet and village, social and mass organizations, and especially residential communities’ levels.

The Vietnam-Sweden MRDP after 10 years of implementation, intensifying since 1998, has carried out the model of community forest management in Yen Bai and Ha Giang. There are many ideas and impacts positively arising for forest resource protection and development. There are also issues requiring further study, evaluation and supplementation. This will ensure the model will become a policy that attracts community participation for better forest resource protection and development.

In Phase two (since 1996), Ha Giang MRDP supported forest resource protection and development in 40 villages in four participating districts and achieved:

- A new forest plantation area (of 797.8 ha)
- A forest regeneration area for protection (of 14427.4 ha)

The model’s organization, implementation, establishment and farmers’ creativeness have enriched the method. It has also hopefully enhanced the policy on forest resource protection and development (using the fund for forest protection as hamlet/village forest protection fund).

- Establish a hamlet/village forest police unit
- Prepare forest protection regulations

To establish the sustainability of the hamlet/village forest resource protection and development, it is necessary to:
- Identify the most decisive factor as land–forest allocation for farmers. This will aid management and identify the forest’s real owners.

- Establish the policy identifying which forest benefits the farmers can enjoy.

However, the Ha Giang MRDP’s management in forest resource protection and development reveals some problems. Attracting farmers to the program and creating a motivated community were one issue. Allowing community opinion on the mechanisms and policies of the program is one way to encourage further community participation and acceptance. Local farmers at this workshop will present these issues.

Our goal is to strengthen the forest resource management, protection and development to ensure that farmer’s conditions are favourable enough to ensure sustainable forest development.

MRDP’s management board has given favourable conditions for Ha Giang to host this important workshop. Hopefully, this workshop will achieve many solutions and the formulation of policies to attract people inside and outside the project sites to actively participate in forest resource management. The program is supported by local and foreign funds to serve the five million hectare forest plantation program that the Vietnam National Assembly has implemented.
After listening to general and representative reports, workshop participants were split into two groups to discuss the following issues:

- Land tenure, forest allocation and contract for households and communities
- Community activities in forest management and protection
- Benefits that the communities can enjoy from land and forest allocation and contract.

For each topic, they discuss: their current situation and recommendations. Group discussions were followed by a general discussion in the meeting hall.

Results on each topic were as follows:

1. Land tenure, forest allocation and contract for households and communities

1.1 Current situation:

- In 1999, Ha Giang PPC made decision on 1338/QD-UB on continuing land and forest allocation, which stipulates the forest land area allocated to each household to plant forest gardens, up to a maximum of five ha. Up to now in Ha Giang, 181,857 ha of forest and forestland in the area near residential areas were for 67,704 households (average of 2.68 ha/household) Only 23,890 have been issued with Red Books, amounting to an area of 64,035 ha, accounting for 31.2% of allocated forestland.

- The remaining forests have only been allocated by the forest police under the general administrative structure and issued with temporary Green Books. They are waiting for Red Books.

- Local farmers have the same rights as owners for their allocated land so they are happy to plant new forests or apply civil culture and an agro-forestry integrated combination for artificial natural forest regeneration and forest enrichment.

- A number of households have managed to provide their families with firewood. Many of them have earned considerable income from selling forest products and agro-forestry products from their forest gardens.

- For forest and forest land far from residential areas (which can’t be allocated to households, about 130,000ha), the provincial authority authorized the management and protection mandates for mass organizations (Farmer’s union, Youth’s union, Veteran’s union...) or hamlets/villages but none of them has been officially allocated forest land or forest by any authorized Government bodies. Therefore, those organizations and villages are still insecure and not totally involved in forest protection.
- In Ha Giang there are 54,700 ha of special use forest authorized by the SFF for management and protection. 148,000 ha of protection forest in the watersheds of the Lo, Gam and Chay rivers have been only established as a protected area (but not by the forest management board in line with Decision No. 08.) It is still under local authority management.

- The forest area in the project site “Supporting ethnic minorities” (HPM), is protected by contracted households and local communities at the rate of 50,000d/ha/yr. Districts with difficulties are paid 100,000d/ha/yr. Money comes from the HPM fund by Forest Police for 20 year terms. These levels of payment and contract terms will ensure the forest will be well restored and protected and local people’s living standards will be improved.

- The forest area outside the HPM project is supported with a protection contract with households and communities. They are remunerated with 50,000d/ha/yr by the 661 and MRDP Funds. However, due to unstable State and MRDP fund allocation, local authorities were hesitant to sign a long term forest protection contracts with farmers. If there is funding for this year, forest protection contracts are signed but if there is no fund for next year, no contracts are signed and forest has no owners.

1.2 Recommendation of land and forest allocation

- The Provincial Department of Land Allocation (PDLA) should cooperate with the Department of forest police to speed up the procedure of land use certificate issuance. Households allocated with land are waiting so they can utilize their rights as land owners as stipulated by the law. This work should be completed by 2002.

- According to the forest management regulations issued as an attachment of Decision No. 08-2001/QD-TTG (Decision 08 in brief), protection forest is divided into critical and very critical types.

- Less critical protection forest is regarded as production forest. The main objective is the production of forest products and protection is only a sub-objective.

- Ha Giang’s Decision No. 2430 stipulated the classification of protection forest which is in line with Decision 08. However, the watershed protection forest areas which have the following characteristics should not have their own management boards who will later sign protection contract with households.

  - located in critical and very critical areas

  - cover under 5000ha; or

  - serve as protection forest for only one village/hamlet or one commune (partial protection)

Land allocation and land use certificates should be issued to households for management and protection under the regulations applied for protection forests. Those areas unable to be allocated to households should be authorized to communities for management and protection.
In Ha Giang, land and forest allocation has been done with hundreds of collective units (in fact with hamlet/village or mass organization of communes). But none of them has been allocated land and forest by Government bodies on paper. It has been requested that the district PC’s who have forest need to re-survey which communities and units have been allocated land and forest. The district PC can then issue land and forest allocation certificates for the best ones so that they can enjoy full eligibility as the official forest managers and protectors.

2. Community activities in forest management and protection

2.1 Current situation

Since 1998, with MRDP assistance, Nam Ty village has established a model of community forest management. In order to attract local farmers to be actively involved in forest management and protection, Nam Ty has carried out the following activities:

- Conduct public meetings to get agreement on the idea of community forest model establishment, and the village’s forest management plan.
- Conduct participatory surveys to evaluate the status of forest and land area in the village, and to identify the forest and forest land border of the village. Clear boundaries will help avoid managing other village’s forests.
- Establish groups for forest protection. Allocate forest management groups and protection households. (Only those being capable to work, adjacent to the forest and enthusiastic will be admitted to be forest protection group members.)
- Develop regulations on village forest management and protection. After holding village meetings, the draft of regulations will be modified and then commented on by the Commune people’s committee through discussions for finalization before being submitted to the district people’s committee for approval on paper.

The regulations define the responsibilities and the rights of community participants, protection groups, village staff, neighbouring villagers, and authorized officers who deal with actions against the regulations.

- Nam Ty has established a village forest protection and regeneration fund. It has been developed with the MRDP support fund for forest protection and management, and interest from the village’s revolving credit fund. Initial contributions are also coming from income from sale of community forest products. This fund is used for forest protection, restoration and tending activities in order to facilitate natural forest regeneration. It is officially managed, in a democratic manner with careful monitoring.

With regard to attracting farmers to participate in community forest management, only Nam Ty village has achieved such results. In other villages, village forest management is mainly implemented by staff.

2.2 Recommendations
In order to help villages move towards community forest management, DARD should review the forest management model in Nam Ty. This will aid the drafting of guidance materials and training courses for commune and village staff to increase awareness of community forestry. Staff will then hopefully mobilize local farmers to participate in community forest management and protection as in Nam Ty.

3. Benefits from land allocation and forest allocation and contract for households and communities

3.1 Current situation

Under Ha Giang Decision 2430-1999/QD-UB and other regulations, forest owners (organizations, households and villages) benefit as follows.

They are financially supported and technically guided under the normal procedure by the Government, and paid either 50,000 or 100,000 đ/ha/yr. A forest plantation contract will be paid 2.5 million đ/ha/yr. with technical assistance for forest plantations on allocated land with the Red Book.

They also enjoy the followings:
- Households allowed to harvest wood and forest products from their forest gardens for family use and for contributing to rural infrastructure are exempted from all tax. This right is automatic and informing the Commune PC is enough (request for permission is not required).
- Natural and plantation forest for protection purposes can be harvested, dead and fallen trees collected, and sub-forest products can be harvested (including fruits, oil, resin, rattan, mushroom, herbal plants). If it is bamboo protection forest, 20% of its standing volume is permitted to be harvested annually.
- If the plantation is production forest, its owner can harvest the forest when it is mature, on the condition that new plantation plans are simultaneously planted. Only one quarter of the upper hill area and watershed forest can be logged and thinned to a maximum of less than on third of its standing volume.

Regarding the license issuance procedure:

All types of forest must be approved for harvest of forest wood and products through proposals. Requests must be certified by the local forest police and then submitted to the Communal People’s Committee (CCP) for appraisal and comment. It is then submitted to District People’s Committee (DCP). Harvest of bamboo and rattan forest requires documented approval from the DPC. This will be sent to the District ARD division for licence issuance. Harvest of wood forests requires approval by the DPC on paper which will then be sent the Provincial People’s Committee (PPC) for further comment and then to DARD for licence issuance.

When forest owners have harvesting licences, s/he must inform the Forest Police Sub-Department, who will send authorized staff. The staff will monitor the entire harvest period, stamp the forest police seal on logs and issue licences for transportation of log and forest products to markets.
Through discussions, all participants agreed licence issuance procedure was far too bureaucratic. They said it was unfairly biased against farmers, who understandably did not want to invest labour and resource in the forest business. This is the reason why upland farmers haven't engaged in the forest programs because it just isn't profitable enough.

3.2 Recommendations

The workshop participants realize that Decision 2430-1999/QD-UB by Ha Giang issuing regulations (on managing wood and forest product processing, transporting and trading within Ha Giang province) were issued in 1999 while the regulations on the management of three forest types was issued as an attachment of Decision 08-2001/QD-TTG by the Government in 1/2001.

This explains the inconsistencies. In the former, the rights of forest owners are limited and conditions are strict. The latter contradicts this. It is recommended that Ha Giang DARD advise the PPC to modify Decision 2430 in accordance with Decision 08 under the followings provisions:

- Protection forests (critical and very critical) must be contracted to households. If the area is not so large, it can be allocated directly to households. If it is not, it should be authorized to hamlets/villages for management and protection with Government support.
- Allowing owners of protection forests to harvest wood and forest products as stipulated in Decision 08. This includes the right to harvest old trees and broken trees; (but not over 20% of the stock if forest density is too thick and the leaf shadow is over 0.6m). If protection forest is pure bamboo and the leaf shadow is 0.8m, up to 30% of the stock is allowed to be harvested.
- Allowing owners of protection forests to harvest under the forest treatment program and approved design for harvest. This is not restricted as in decision 2430.
- Allowing owners of protection forest to decide what to do with harvested products. They can use or sell them.

To harvest forest (both natural and plantation), households and communities just need to submit a letter to the Commune PC for appraisal and to the District PC for documented permission. This system would avoid the problematic multiple levels as stipulated in Decision 2430. The harvest of forest gardens, in particular, does not need permission. It is only required to inform local forest police units for certification of legal forest harvest and to enable easy transportation and marketing of products.

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