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Title:

An Evaluation of the Commune Agro-Forestry Management Board (CAFB), Forest Protection Contracts and Regulations in Xinh Phinh Commune, Tua Chua District

by:

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1 Background

It is widely recognized that secure tenure and clearly defined access of farmers to forest resources are preconditions for protection and sustainable management of forests. Based on this, the SFDP applies in Tua Chua and Yen Chau districts a land and forest allocation methodology which comprises the allocation of existing forests on a contract basis to groups of households. In order to promote forest protection and to define clearly the access to these forests a Commune Agro-Forestry Management Board (CAFB) in Xinh Phinh commune was established in May 1996. According to the general regulations of the CAFB its main functions are to explain, mobilize and disseminate the policy and purposes of agricultural and forestry activities to the communal population, to assist farmers in settling conflicts and to guide farmers in sound forest use for extraction of firewood and timber for house construction (see Annex 1).

Additionally to the *Regulations on Forest Protection, Development and Use in Xinh Phinh Commune*, all villages have set up village forest protection rules with the help of the CAFB and the SFDP.

The SFDP assumes that the allocation of forests to groups of households and clearly defined protection and management regulations are the basis for the development of a Community Forestry Development Plan and for the implementation of community forestry activities within the project.

2 Objectives of the Evaluation

The main objectives of the evaluation are:

- to analyse the function, role and effectiveness of the CAFB;
- to analyse the impact of the forest protection contracts and the forest protection regulations on

- protection and use of forests;
- to review the assumption that the allocation of forests to groups of households and the definition of forest protection and management rules provides the basis for future community forestry activities within the project;
- to come up with recommendations for improvement of forest land allocation, of forest protection regulations and of the effectiveness of the CAFB.

3 Methodology of the Evaluation

The evaluation took place from June 18-22 in Xinh Phinh commune, Tua Chua district. The schedule included the following activities:

1. day: introduction, methodology of the evaluation, meeting with CAFB, preparation of field work.
2. day: field work in Vang Chua village
3. day: field work in De Se Hu village
4. day: meeting with the leader of the forest protection unit of the district, taking part in the weekly meeting of CAFB, interviews with village leaders
5. day: studying existing sources in the project office and discussion of the results of the evaluation.

The evaluation took place at different levels, starting from commune level down to forest protection group, farm household and field level. Group discussions, interviews with key-informants and farm households, field visits together with staff of the CAFB as well as the study of existing sources took up the main part of the work. The topics discussed in semi-structured interviews are listed in Annex 2.

For the field visits two remote villages were selected. The CAFB proposed visits in Vang Chua village, which is one of the best examples in forest protection, and De Se Hu village as a problem area, where the most cases of deforestation occur. Additionally, data gained in Ta Pao village during an recent evaluation of the land allocation methodology are used for this report.

Further informations were collected through an interview with the leader of the forest protection unit of the district.

4 Results

4.1 Commune Agro-Forestry Management Board (CAFB)

4.1.1 Functions and Role of the CAFB

According to the members of the CAFB it has the following functions:

- to explain, mobilize and disseminate the policy and purposes of the agriculture and forestry activities to the communal population;
- to assist farmers in settling conflicts (e.g. to solve land conflicts and violation cases of village and commune regulations);
- to act as a forest protection institution with the main task to check and supervise the enforcement of the commune and village forest protection regulations, particularly to protect the forest from encroachment and fire.
- to guide farmers in getting involved in the project activities;

4.1.2 Structure of the CAFB and Responsibility of Members

The CAFB has 8 members:

Mr. Tung	leader	chairman of Xinh Phinh commune
Mr. Thao	vice leader	communal cadastral agent
Mr. Long	secretary	forest protection agent
Mr. Se (I)	member	leader of the communal armed forces
Mr. Khanh	member	village leader of Ta Pao
Mr. Chinh	member	village leader of De Se Hu
Mr. Su	member	village leader of Thon III
Mr. Se (II)	member	village leader of Ta La Cao

The members have the following responsibilities:

Mr. Tung	leads the CAFB, organise and check the activities, reporting
Mr. Thao	responsible for Se Sang, Phi Sing I, Phi Sing II, Vang Chua; accounting
Mr. Long	coordination with forest protection unit of the district,
Mr. Se (I)	enforcement of the regulations
Mr. Khanh	responsible for Ta Pao, Hang De Se
Mr. Chin	responsible for De Se Hu, Phieng Bang
Mr. Su	responsible for Thon I, Thon II, Thon III
Mr. Se (II)	responsible for Ta La Cao and agricultural activities

4.1.3 Financing of the CAFB

The SFDP pays a monthly salary for the members of the board (Mr. Tung 100,000 VND, Mr. Thao 70,000 VND, members except Mr. Long 50,000 VND), which amounts to 5,040,000 VND/year.

The 327-program provides 1% of the forest protection subsidies to the board, that is 840,000 VND/year. This money is kept by Mr. Cu (vice chairman of the commune) and it is spent for meetings of the CAFB.

Another sources are the fines which have been collected by the CAFB. 2,729,000 VND were collected in 1996. In the first half of 1997 the board collected 714,000 VND. The money is kept by the CAFB and it is planned to use it as awards for people who discover forest fires. For the time being, the total amount remains in the CAFB.

4.1.4 Meetings and Reports

There are regular meetings every Saturday in which the members of the board and the other village leaders participate. Meetings on district level are held when necessary (e.g. land conflicts or violations between two communes).

Monthly reports are sent to the SFDP office in Tua Chua and to the forest protection unit. In the SFDP office in Tua Chua the following reports are available: 10/96, 11/96, 1+2/97, 3/97, 5/97, 6/97 (see Annex 3). According

to Mr. Doan, the forest protection unit of Tua Chua district did not receive these reports. During the meeting held on 21/6/97 in Xinh Phinh commune it was proposed to deliver at least quarterly reports to the forest protection unit.

4.1.5 Conflicts and violation cases managed by the CAFB

19 violation cases occurred in 1996. In all cases fines were collected, amounting to 2,729,000 VND. 5 violation cases occurred in the first half of 1997. Records about these cases including a commitment of the violator exist for 1997 (see table 1). The fines collected amount to 890,000 VND. The difference to the 714,000 VND mentioned in the reports was given as a sort of daily allowance to the ones who detected and solved the cases.

Table 1: violation cases and fines in 1997

date	fine (VND)	violation	village
16/04/97	40,000	deforestation for cultivation	De Se Hu
16/04/97	150,000	deforestation for cultivation	De Se Hu
16/04/97	200,000	deforestation for cultivation	De Se Hu
16/04/97	300,000	deforestation for cultivation	De Se Hu
06/05/97	200,000	deforestation for cultivation	Phieng Bang

The CAFB leader reported that two major land conflicts occurred between Xinh Phinh commune, Muong Bang commune and Xa Nhe commune respectively. The first conflict has been solved recently, whereas the second still remain and it is sent to the district. Conflicts within villages occurred only a few and are usually solved by the village management boards.

4.1.6 Achievements of the CAFB

Although the CAFB is also engaged in agriculture, its main activities lie in the field of forest protection. The work of the board in connection with the forming of forest protection groups and the setting up of the village forest protection regulations all has raised the awareness of the local people in forest protection. In the whole commune profuse natural regeneration can be seen. Cases of deforestation and forest fires have been reduced significantly from more than 100 cases/year in the years 1991-1994 down to 19 cases in 1996 and 5 cases in the first half of 1997. Another reason for the positive results is the higher food production per unit due to improved agricultural technologies.

The CAFB is also very effective in disseminating the SFDP activities and there seems to be a good cooperation. The weekly meetings with all village leaders are a forum for discussions and exchange of experience between the different villages and provide useful informations to the participants.

4.2 Forest Protection Groups

The existing forest contracted to the protection groups can be divided in three main forest types:

- Secondary forest on slopes between 25°-40° composed of natural forest trees with 30-50 years of age mixed with young pioneer species. This forest type is strongly influenced by free grazing.

- Severely degraded natural forest on steep (> 40°) limestone hills and out rocks.
- Young secondary forest consisting of pioneer tree species, mainly on top of the hills with gentle slopes.

Forest protection groups in Xinh Phinh commune were established in all 12 villages between 1994 and 1997. The groups are more or less self-selected with the help of the project. The whole forest area of the villages is contracted to the groups and all households are included in the groups. In some cases, for example in De Se Hu village, recently settled households were included in the groups by the villagers themselves.

The groups were formed on the basis of members living close together. The size of the groups ranges from 4 to 33 households. Residential proximity was the main criteria for the selection of the forest area contracted to the groups. Therefore, the contracted area differs significantly within in some villages whereas in other villages it is quite equally distributed (see tables 2, 3, 4, 5). Figures for the area per household varies from 4.6 to 10.7 ha in Vang Chua and from 2.7 to 12.0 ha in Phieng Bang. Also the type of forest allocated to the groups can be different within the same village, which is the case in De Se Hu.

There is a close relationship between protection group membership and user group membership. The groups exclude other users from the area contracted to them. But we were repeatedly told, that all villager may use forest products freely in areas of other groups within the same village if they ask for permission and if it is for their own consumption. The groups do also not sell or exchange forest products with each other. The boundaries between the forest protection groups within the same village seems to be very clear, problems still remain with the boundaries between groups of different villages/communes.

A small number of interviews with women gave us the impression that they know which forest protection group their household belongs to and that they collect fuelwood and non-timber forest products mainly in the areas contracted to them.

Every protection group has a official leader who keeps the contract. The leaders have not changed since the establishment of the groups. There seems to be no different duties and responsibilities for the group members with exemption of Ta Pao village where we were told that the group assigns 2 forest guards which are changed monthly.

There is no management or silvicultural treatment in the contracted areas. Several reasons for that were mentioned by the farmers: lack of knowledge, sufficient resources, lack of organisational skills, no labor capacity.

The money from the 327-program is paid on a hectare-basis which is significantly smaller than the allocated area (see tables 2, 3, 4, 5). In all villages this money is equally distributed to all households regardless of the area and the state of the forest they protect.

The forest area contracted to the groups is in most cases larger than the existing forest area according to the land allocation data (see tables 2, 3, 4, 5). It is unclear if this differences are due to unexact measurement or due to allocation of patches of bare land located in the existing forest area.

Table 2: Forest Protection Groups in Vang Chua village

Vang Chua village					
Group No.	No. of households		contracted area [ha]		area per household [ha]
1	19		156.9		8.3
2	8		53.1		6.6
3	7		32.0		4.6
4	4		42.9		10.7
total	38		284.9		

payment of 327-program is based on: 130.2 ha = 6,500,000 VND/year

existing forest area according to land allocation data: 225.6 ha

Table 3: Forest Protection Groups in De Se Hu village

De Se Hu village						
Group No.	No. of households		contracted area [ha]		area per household [ha]	
1	33		126.7		3.8	
2	29		102.9		3.5	
3	23		88.1		3.8	
total	85		317.7			

payment of 327-program is based on: 137.5 ha = 6,875,000 VND/year

existing forest area according to land allocation data: 238.7 ha

forest protection groups were formed in 1994 with 80 households, 5 new households are included in the groups by the village themselves

Table 4: Forest Protection Groups in Ta Pao village

Ta Pao village						
Group No.	No. of households		contracted area [ha]		area per household [ha]	
1	8		31.3		3.9	
2	10		60.0		6.0	
3	10		53.6		5.4	
4	7		64.5		9.2	
total	35		209.4			

payment of 327-program is based on: 146 ha = 7,300,000 VND/year

existing forest area according to land allocation data: 209.4 ha

Table 5: Forest Protection Groups in Phieng Bang village

Phieng Bang village						
Group No.	No. of households		contracted area [ha]		area per household [ha]	
1	12		136.5		11.4	
2	12		143.7		12.0	
3	33		90.3		2.7	
4	9		104.5		11.6	

total	56	475.0	
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payment of 327-program is based on: 340 ha = 17,700,000 VND/year

existing forest area according to land allocation data: 447.4 ha

4.3 Forest Protection Regulations

All villages in Xinh Phinh commune have village forest protection regulations or in the case of Vang Chua regulations for forest and crop protection. The regulations follow the guidelines of the Vietnamese government, regulations issued by the province/district and are in line with the regulations issued by the commune. The regulations are more or less lists of prohibited activities and punishments applied to forest violation and do not take the farmers needs and interests into account. Therefore, they are not suitable to achieve a community based forest management. Two examples of village regulations are listed in Annex 4.

There are no regulations apart from the official ones, neither on village level nor on group protection level. Traditionally, there is a common understanding among the H'mong that the forest is a resource of free access to everyone. There seems to be a shift to the development of user groups which share access rights. Since the boundaries of the villages and of the protection groups are made clear, the groups start to exclude other users from the areas contracted to them. This process is supported by the fact that the groups, which often represent hamlets of the village, traditionally have been using the areas of residential proximity which are now contracted to them. Within the villages there is a mutual understanding that members of one group may use freely forest products in areas of other groups, if they ask for permission and if it is for their own consumption. It shows on one hand that traditional opinions still prevail and on the other hand that forest resources are of little value to the farmers because in their own assessment forest resources are still sufficient and have no or little market value.

The development of user groups with defined access rights will be a long-term process. It will be encouraged by factors like population growth connected with higher demands and development of markets for forest products connected with the possibility of income generating from forest products.

4.4 Meeting with the Head of the Forest Protection Unit of the District

Mr. Doan reported that the district pays much attention to forest protection in Xinh Phinh commune because it is an important watershed area in Tua Chua district. The district supports and highly appreciates the work of CAFB. The achievements in forest protection are obvious and are closely related to the work of the board.

Mr. Doan was complaining that the money from the 327-program is equally distributed to the households even if they are involved in deforestation. He was also arguing about irregularities connected with the collection of fines and distribution of awards.

Concerning the staff of the CAFB, Mr. Tung, the leader of the board is appreciated because of his organisational skills. But the forest protection unit would like to see more than one forest protection officer in the board.

The support of the board with 1% of the money from the 327-program is in the responsibility of the province, namely Mr. Nen (Forest Protection Department) and Mr. Hai (Watershed Department).

5. Discussion and Recommendations

Function, role and effectiveness of the CAFB

If one takes the weak infrastructure and communication in Xinh Phinh commune as well as the poor facilities of the CAFB into account, the general impression is that the CAFB is working very well. Obviously, there are

great achievements in the field of forest protection which to a certain extent are due to the work of the board. The CAFB plays a major role in raising the awareness of the local people concerning forest protection and functions as a quite effective forest protection institution on commune and village level. It is also effective in disseminating SFDP activities, because weekly meetings with all village leaders are a forum for discussion and exchanging experience.

According to the general regulations one of the function of the CAFB is to guide farmers in sound forest use, particularly fuelwood and timber extraction for house construction in the right place and to issue permits for it. Although the farmers are obliged to apply for such permits no applications have been submitted to the board so far. Even it would be the case the board would not have the capacity and the technical knowledge to encourage a sound forest use by the farmers.

The members of the board requested to have training in agricultural extension to be able to give technical advice to the farmers. But from our point of view it is doubtful if the board with its limited members and capacities can act as a sort of extension unit. A more promising approach would be a closer cooperation between the board and the extension unit in Tua Chua.

Another issue are the regulations on fines and awards to the ones who detect and solve the violation cases. Although it is stipulated in the general regulations that 50% of the fine should be given to the ones who detect and solve the cases, in practices there seems to be no clear regulations which may lead to embezzlement of groups of persons. In connection with this, the CAFB has no proper accounting system and the money from the 327-program is kept by a person outside the board. It is recommended to clarify the award system, to train the accountant and ensure that all the funds are managed by the CAFB. The project should support the use of the funds for improvement of the working facilities of the board and for communal purposes.

The monthly reports to the SFDP office in Tua Chua needs to be improved in structure and content to enable the project to use the reports as an primary source of information about ongoing activities and problems in the commune. At least quarterly reports should be submitted to the forest protection unit of the district.

The impact of the forest protection contracts and the forest protection regulations on protection and use of forests

During the allocation of forest land, the existing forest has been contracted to groups of households in all 12 villages of Xinh Phinh commune. The forming of the groups with a group leader, the definition of the boundaries, the amounts of protection money from the 327-program and the definition of rules and regulation have created a sense of responsibility which translates in better forest protection. It is advantageous that the groups are formed on the basis of members living close together and generally seem to be self-selected for three reasons: (i) because there is a close relationship between protection group membership and user group membership and the groups exclude other users from the area contracted to them, (ii) the groups have traditionally been using areas of residential proximity, therefore, the original user group is not being disposed, and (iii) self-selected groups are more likely to cooperate than groups established by outside agencies.

Because the existing forest area is in most cases not equally distributed within the same village it is conceivable that problems arise if the forest protection contracts lead on day to more permanent rights. Viable management of forests as a common property of a user group requires the recognition of the use rights by neighbouring people outside the user group, but for the time being we were repeatedly told, that all villagers may use forest products freely in areas of other groups within the same village if they ask for permission and if it is for their own consumption. It will be difficult to change this practice without compensation of those households which were disadvantaged during forest land allocation. For forest land allocation it is recommended to allocate existing forest land as equally as possible to the protection groups according to the number of households or to compensate the disadvantaged groups with forest land without forest cover for common use.

Another issue is that the village forest protection regulations in their present form are not suitable to achieve a community based forest management. It is recommended to improve the village regulations in a participatory way and set up specific regulations on the level of the forest protection groups according to their specific needs and conditions of the areas contracted to them.

The money from the 327-program should be used as an incentive for the groups in forest protection and sound forest management. For this matter, the help of the project is necessary to create such an incentive system. Nevertheless, we got the impression that if the subsidy from the 327-program will not continue in the

future, the forest protection groups will sustain.

Do the allocation of forests to groups of households and the definition of forest protection and management rules provide the basis for future community forestry activities within the project?

This question can be answered in the affirmative in case of Xinh Phinh commune. However it should not be assumed that this always is the case, particularly with other ethnic groups than H'mong. After the improvement of the village forest protection regulations to *forest protection and management regulations* a promising starting point for community forestry management will be given. From our point of view the forest protection groups are the most appropriate units for interventions in community forestry management.

Options for community forestry management range from silvicultural treatment, regulations on grazing, income generation through non-timber forest products, training of forest protection group leaders etc. Activities should be implemented on a trial basis in villages or with groups which express need and interest and have enough labor capacity.

6. Appendices

Annex 1: General Regulations of the CAFB

Annex 2: Topics discussed during the evaluation

Annex 3: Reports of CAFB to SFDP Regional Office Tua Chua

Annex 4: Village forest protection regulations of De Se Hu and Vang Chua villages

Annex 5: List of participants of the meetings with CAFB on 18/6/97 and 21/6/97

Annex 6: Participants of the evaluation