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ABBREVIATIONS

CIDA               Canadian International Development Agency
CRES              Centre for Natural Resources and Environmental Studies
DARD             Department of Agriculture and Rural Development (province)
ECO ECO       Institute of Ecological Economy
FIPI                 Forest Inventory and Planning Institute
FPD               Forest Protection Department (province)
FPS                 Forest Protection Station (district)
FPU               Forest Protection Unit (commune)
IEBR                Institute for Ecology and Biological Resources
IUCN               International Union for the Conservation of Nature
MARD             Ministry of Agriculture and Rural Development
NTFP             Non-timber Forest Product
REFAS          Reform of Forestry Administration System (Project)
RRA               Rapid Rural Appraisal
SFE               State Forest Enterprise
EXECUTIVE SUMMARY

Transformation of the governance and management systems of Vietnam’s forest resources will have significant impacts on Non-Timber Forest Products (NTFP). Understanding the tenure systems surrounding NTFPs is an essential component to the conservation of this valuable resource that provides the basis of millions of rural Vietnamese livelihoods. Transformation is occurring by forestland being allocated from national management to household management, all levels of government agencies related to forests and land are being given new roles and responsibilities, and new forestland policies and programs are being implemented. Despite the nationally driven formal land and forest tenure and management adjustments culturally based, informal relationships to the land and trees remain prevalent in rural communities.

This report is intended to provide the IUCN’s Vietnam NTFP Project with an understanding of the land and forest tenure relationships that effect NTFP management in the project pilot sites. The research goal was to examine the impact of formal and informal property rights of forest and land resources in the protected area landscapes Ba Be National Park and Ke Go Nature Reserve in northern Vietnam. Rapid Rural Appraisal (RRA) was the research strategy utilized.

By recognizing and taking into consideration the formal and informal tenure relationships during project planning the NTFP project activities can be more effective, efficient, and may achieve a sustainable impact. Due to recent transformations in forest and land property rights in the two project sites, tenure and benefit relationships over forest resources are still unclear to both local governments and villagers. While new forest and land national programs and policies have the potential for positive change, positive effects are slow to reach rural communities. For this reason the author recommends that the NTFP project and NTFP Research Centre work with district, commune and village leaders; forest Management Boards; and forest protection officers to increase management skills, consensus building capabilities, and awareness of their new jurisdictions. This is particularly needed in the Ba Be District. With these skills, forestland tenure negotiations can be settled and benefits of NTFP planting programs will be more secure. In the Ke Go Nature Reserve buffer zone, forestland tenure is relatively secure and villagers are ready to learn new techniques to ensure they meet the requirements of their green books. Meeting the requirements stated in the green books proves that a household is capable of managing the land, and means they are eligible to secure their family’s rights to that land.

At the local level, in the buffer zones of both the Ke Go Nature Reserve and Ba Be National Park communication and cooperation between essential forestland management agencies are virtually non-existent. The park Management Boards, Forest Protection Departments, and commune leaders need to negotiate their roles and responsibilities to ensure that they are together achieving sustainable management of their NTFP resources.
1. INTRODUCTION

Non-timber forest products (NTFPs) provide the basis of rural livelihoods for millions of people in Vietnam. They are extremely important for providing food, medicines, tools, and other inputs to subsistence oriented households. Many NTFPs are over exploited in Vietnam, which raises a concern for the conservation of biodiversity and the future availability of products.

Promoting the sustainable use of NTFPs relies on the certainty of secure and socially acceptable rights to use these resources and to benefit from resources. Investment in improved management systems must be based on secure tenure arrangements. Domestication and the creation of new NTFP resources and many types of poverty alleviation activities also require secure tenure. The challenge for promoting the sustainable use of NTFPs starts with the government and local resource users reaching agreement on land & NTFP use and benefit rights (Ingles, 1999).

This report provides a foundation for facilitating improvements and alternatives in NTFP management at local, provincial and national levels in Vietnam. The purpose of this report is to inform the project entitled Sustainable Utilization of NTFPs in the buffer zone of Ba Be National Park and Ke Go Nature Reserve[1]. The overall objective of this project is “to conserve bio-diversity and forests through the ecologically sustainable and economically viable use of NTFPs”.

The research goal was to examine the impact of formal and informal property rights of forest and land resources in the protected area landscapes of Ba Be National Park and Ke Go Nature Reserve (see Figure 1). The research objectives were:

- To understand the national, provincial, and local government’s interest and policies related to NTFP tenure;
- To examine and understand local level interests, institutions, and behaviours related to NTFP tenure, and;
- To evaluate and examine NTFP tenure systems and their interaction and impacts on forest conservation and rural development.

Section 2 of this report defines the research framework and methods. Section 3 describes the national government’s interests and policies related to NTFP tenure. Section 4 examines local level interests, institutions, and behaviours related to NTFP tenure. Section 5 evaluates and examines the NTFP tenure systems identified and discusses their impact on forest conservation and rural development.
Table 1. Information Needs Framework
<table>
<thead>
<tr>
<th>Research Objective</th>
<th>Information Needs Framework</th>
<th>Output</th>
</tr>
</thead>
</table>
| **1. To understand the**<br>government’s interest and policies related to NTFP tenure. | a) Types and nature of tenure recognized by the state.  
 b) How are land, resources and resource use allocated, proven, regulated, transferred, inherited, and tested.  
 c) Analysis of Vietnamese government structure and allocation of responsibilities for NTFP promotion/regulation.  
 d) Capacity and willingness to enforce and promote NTFP regulation.  
 e) Government staff’s awareness of government’s NTFP policy and position.  
 f) Interpretation and implementation of policy.  
 g) Historical contexts and time influences.  
 h) Identification of overlapping and inconsistent interests. | 1. Lists of laws and policies.  
 2. List of government agencies and responsibilities.  
 3. Literature review.  
 4. Stratified data (land, NTFP’s, laws, class, region, gender, time, ethnicity, age)  
 5. Background report of government influences on tenure. |
| **2. To examine and understand local level interests, institutions and behaviours related to NTFP tenure.** | i) What NTFP’s collected by whom, from where, and why?  
 j) Types and nature of tenure recognized by i) local government local people and ii) local people.  
 k) How is land, resource and resource use tenure informally and formally allocated, proven, regulated, transferred, inherited, and tested.  
 l) Who decides on informal and formal NTFP regulation and how do they decide.  
 m) Capacity and willingness to enforce and promote local NTFP regulation.  
 n) Awareness of NTFP regulation and government policy and process.  
 o) Awareness of informal process.  
 p) Interpretation, implementation and consistency between products, user groups and areas.  
 q) Time and seasonal influences.  
 r) Identify the informal use and implementation of the formal laws. | 1. Village Profile.  
 2. Forest Profile.  
 3. Summary report of local level NTFP tenure practices.  
 4. List of interest/ groups/ livelihoods based on NTFP dependency.  
 5. Lists of important NTFP’s. |
| **3. To evaluate and examine NTFP tenure systems and their interaction and impacts on forest conservation and rural development.** | s) Interactions between the formal and local/informal practices.  
 t) Impact of formal and informal tenure systems on the resources.  
 u) What are the benefits and disadvantages of the systems? (In the general context and case study context) | 6. Impact assessment of national and local approach.  
 7. Set of recommendations related to NTFP project objectives.  
 8. Strengths, Weaknesses, Opportunities, Limitations (SWOL). |
Figure 1. Map of Northern Vietnam and the Research Sites
2. RESEARCH METHODS

2.1 Introduction

Based on the above stated objectives a research framework was designed to meet the information needs. Table 1 identifies the relationship between the research objective, information needs, and output. This table was developed on the basis of extensive discussions with the project partners and on a review of relevant literature.

Rapid Rural Appraisal (RRA) was the research method used in the field. The specific RRA tools used are described and analysed in the following paragraphs.

Regular feed back meetings were organised throughout the research project with project staff to discuss methods and the information, which was generated.

2.2 Rapid Rural Appraisal

RRA involves tapping local knowledge and gaining information and insight from local people (and other stakeholders) using a range of interactive tools and methods. RRA emphasizes the importance of learning rapidly and directly from local people (Jackson and Ingles 1998).

To meet the information needs of objective one, document reviews and semi-structured interviews were the primary research methods. Semi-structured interviews were held with government officials (see appendix) and key informants. To understand the national government’s interests and policies related to NTFP tenure many government officials from the Ministry of Agriculture and Rural Development were interviewed (see Appendix 3). At the outset of conducting field research in Ba Be and Ke Go it was always necessary to first meet with local government officials before venturing into RRA with villagers. This provided an opportunity for the research team to interview and gain the perspective of many different district and commune officials.

During the semi-structured interviews participatory mapping and organizational flow charts proved to be useful RRA tools.

During the field visits to Ba Be and Ke Go the RRA tools used included informal interviews with households and key informants, forest walks, mapping exercises, ranking exercises, and seasonal calendars (See Table 2). The objectives of the RRA field trips were to:

1. Obtain a village profile, etc.
2. Obtain a summary report of local level NTFP practices,
3. Identify interest groups and livelihoods based on NTFP dependency,
4. Identify NTFPs utilized by the village,
5. Identify the land and forest tenure systems utilized, and
6. Identify processes, issues and conflicts related to forest and land tenure.

Research sites were selected carefully to ensure that information gathered would be valuable for planning NTFP project activities. When selecting NTFP tenure research sites in the buffer zones of Ba Be National Park and Ke Go Nature Reserve the following criteria were taken into consideration:

- Sites that are relevant to the NTFP project.
- Sites that are not RRA fatigued, and are willing to cooperate.
- Sites that represent a common village in northern/northern-central Vietnam.
- Sites that are NTFP collectors and users.
- Sites that are safe and secure allowing for free movement.
- Sites that are located in protected area landscapes.

The RRA team for the Ba Be field trip consisted of a team leader, forester, and translator. The RRA team for the Ke Go field trip consisted of a team leader, natural resource law researcher, and translator. The team leader was responsible for designing the research, communicating with the NTFP project staff about project information needs, supervising and participating in RRA activities, data analysis and report preparation. The forester and law researcher were responsible for participating in the development of RRA strategies, arranging interviews and group meetings, conducting RRA activities, and reporting results to the team leader. The translator was responsible for assisting in the development of RRA activities and translation.

To prepare for the field trip RRA team members worked together to identify useful tools that would assist in meeting the information needs of the research objectives. Before arriving at the research site the team was prepared with a RRA research strategy. During the first day on site the team planned a daily schedule with district and commune leaders. The field trips were conducted between January 1999 and March 1999.

Table 2. Field Research Rapid Rural Appraisal Strategy

<table>
<thead>
<tr>
<th>Goals</th>
<th>RRA Activities and Tools</th>
<th>Output</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Building Rapport</td>
<td>• Introduction to the project, research team, and NTFP research&lt;br&gt; • Expressed thanks for cooperation&lt;br&gt; • The team worked with district and commune leaders to determine a daily schedule that would fit with the village routine&lt;br&gt; • Exchanged definitions of NTFP and tenure, and&lt;br&gt; • Explained that the team would like to present the results of the research and the end of the field trip.</td>
<td>An atmosphere of trust and understanding between villagers and the research team.</td>
</tr>
<tr>
<td>2. District, Commune, and Village Profile</td>
<td>• Review of district, commune, and village people’s committee records&lt;br&gt; • Semi-structured interviews with government agents and community leaders&lt;br&gt; • Observation&lt;br&gt; • Organizational flow-chart, and&lt;br&gt; • Identification of key informants.</td>
<td>An understanding of the village landscape, history, well being, economy, population, culture, organization, and history of land allocation programs.</td>
</tr>
<tr>
<td>3. Meeting the information needs of objective 2.</td>
<td>• Forest walks, discussion, and observation&lt;br&gt; • Semi-structured interviews&lt;br&gt; • Transect and participatory mapping&lt;br&gt; • Seasonal calendars&lt;br&gt; • Photography, and&lt;br&gt; • Group discussion</td>
<td>Information regarding local level interests and behaviours related to NTFP, forest, and land tenure, policy, use, and management.</td>
</tr>
<tr>
<td>4. Presentation Back to the Village</td>
<td>• Compiling and summarizing information gathered with the research team&lt;br&gt; • Present the information to villagers, and district, commune, and</td>
<td>Verifying information gathered and maintaining rapport.</td>
</tr>
</tbody>
</table>
2.3 Evaluation of the RRA Research Methods in the Vietnamese Context

The largest impediment to the research was that villagers and officials were reluctant to discuss with outsiders the full extent of their use and dependency on NTFP’s. This had to do with several reasons: some information was sensitive (about illegal activities) or valuable (about trade and markets), people were unfamiliar and somewhat uncomfortable with foreigners, they were unfamiliar with the research objectives (although they were informed about them), etc. Thus, strategic use of RRA was necessary to glean information from a hopefully unsuspecting interviewee.

On the first day of each site visit a thorough introduction of the research objectives and activities at the district and commune people’s committees was essential. The introductory visit to Ba Be, discussing with the officials our village RRA plans for the second trip, created an extremely welcoming environment in the villages in Ba Be. The lack of an introductory visit in Ke Go District did cause suspicion and misunderstanding the first day in Cam Hung commune. District and commune officials in both areas requested a detailed daily schedule of activities which was worked out with the officials.

One concern with the requirement to select and introduce the team in advance to a research location, and to supply a detailed schedule is the tendency for district and commune officials to prepare villagers to respond in certain ways potentially leading to distorted research results. In this situation triangulation of responses between members of the research team became extremely valuable and necessary.

In fact, it was the Vietnamese research assistants that were able to gather the most sensitive information from villagers. In some locations in Vietnam expatriate researchers tend to be followed and watched closely by district or commune officials and much of their time is spent building rapport with officials. In the meantime at least 1 or 2 Vietnamese researchers can be free to travel from household to household conducting semi-structured interviews and organizing informal gatherings for RRA activities. When government officials were present villagers were reluctant to respond freely to questions asked.

Obtaining information for the district, commune, and village profile was an ideal way to build rapport and alleviate suspicion with government officials. In most cases the district, commune, and village leaders came to our meetings prepared with statistics about population, land, economics and livelihoods. Often the village profiling steps led naturally into other research activities like forest walks.

As was intended, forest walks created a comfortable atmosphere in which participants were able to discuss their opinions and concerns more openly. Forest walks also shed light on the complex tenure arrangements between agriculture, forest, SFE, and park land that varied greatly with each village. Forest walks were used to verify and clarify information obtained during mapping sessions and household interview sessions.

Village mapping and seasonal calendars were extremely effective and revealing, especially with women’s groups. At both research sites it was nearly impossible to get women to speak and participate in meetings where more than one man was present. Thus, the team decided it would be most efficient to have separate group meetings (for mapping and seasonal calendars) with men and women. One caution with seasonal calendars is to be sure to specify whether you are working with the solar year or lunar year.

Presenting back to the villagers was difficult to organize and tended to cause more hassle for the busy villagers than was intended. For this reason the team was encouraged to present back to district and commune officials rather than to villagers.

Both men and women in Vai were reluctant to discuss their NTFP gathering trips to the forest. There is definitely an environment of secrecy regarding what NTFPs are valuable, where to gather them, who gathers, and when they gather. When the research team explained that “we are not the Forest Protection Department” the villagers would just laugh and remain silent. Despite the fact that every villager seemed to know the exact punishment for gathering illegal NTFPs most people admitted that punishments were rarely given to illegal gatherers except in extreme cases. Extreme cases were characterized as the selling of rattan and timber in the market or the transporting of rattan and timber.

The medicine man asked the research team to please not share the information he gave us with Vai villagers. He explained that this knowledge provided the income for his family. The combined effect of potential retribution from the Forest Protection Department and giving away information that supplied their families with income seemed to discourage the villagers from sharing their NTFP knowledge and use habits.
3. GOVERNMENT’S INTEREST AND POLICIES RELATED TO NTFP TENURE

3.1 Government’s interest

Since 1991 Vietnam’s national forestry legislation and administration system has been evolving and changing rapidly. Before 1991, the emphasis on forest management was through top-down state government control with state forest enterprises managing and marketing timber and NTFP’s. Since 1991 the government has been allocating forestland and it’s management to households through various programs and policies.

Each local government in Northern Vietnam has its own variation of forest and land governance. These variations are also a reflection of the province and district people’s committee power and ability to:

- develop their own policy, programs and regulations,
- interpret national policy and programs to suit their needs, and
- choose what national policies to enforce.

Furthermore, many of the national changes and improvements to legislation and administration have not yet been fully implemented at all provincial, district, or commune levels. Also, before “Doi Moi” each community in rural Vietnam had formed its own informal forest and land tenure system. Thus, as a result of all this, each district in Vietnam has interpreted and adopted national legislation to fit the particular needs of their region and their informal tenure system.

Before “Doi Moi” policy regulating NTFP use was found only in trade and export laws regulating SFE activity. Since “Doi Moi” NTFP trade and export regulation has dissolved to allow for more market opportunities for both SFE and individuals. At present, there is no legislation that deals directly with NTFP use. The only legislation protecting NTFPs are laws protecting endangered plant and animal species (including Decree 130, 18, and 359).

Before 1990 forest policy was largely limited to timber and NTFP export and trade. Since 1990 there has been an increase in legislation that protects bio-diversity and forest resources. See Appendix 1 for a summary of the primary legislation used to allocate and control use rights to forest and land resources.

As an independent resource category NTFPs are referred to in at least four laws including the Bio-diversity Action Plan, the Law on Forests, Decision 65 (regulating the export of forest products), and in Decision 661 (discussing the sale and harvesting of plantation NTFPs). In 1995, a policy regulating the trade and export of unprocessed rattan was developed and regulations exist for Pomu production and export.

The NTFP Research Centre of the Forest Science Institute is the primary government body mandated to focus specifically on NTFPs. Until now, the primary function of this Centre has been to provide research and technical advice to the Processing Department of MARD, and to provinces with NTFP processing factories. While the NTFP Research Centre does have the power to recommend policy to the Policy Department, they have not made any formal recommendations to date apart from meetings and workshops, although there are many informal contacts and exchanges taking place. The Forest Inventory and Planning Institute (FIPI) has a small section working with NTFPs, and the Department of Agriculture and Forest Extension (DAFE) is occasionally asked to provide training related to NTFPs.

3.2 Forest Governance Structure

Since 1995 MARD has been the central authority managing forestry. In Vietnam government agencies are divided into 3 sections, cuc (departments), vien (institutes) and vu (administration). Departments are geared to manage specific topic areas. Institutes provide functions such as research, developing local level programs, and offering technical advice to the departments. Administration sections provide services to the departments, institutes and provincial divisions of MARD. See Figure 1.

The divisions of MARD that are concerned with forestry management are:

- Product Processing Department,
- Forest Protection Department,
- Forest Inventory and Planning Institute,
- Department of Agriculture and Forest Extension,
- Forestry Development Department, and the
- Forest Science Institute.

See Appendix 2 for a description of each department.

At the provincial level the department of agriculture and rural development (DARD) has the jurisdiction to manage forest resources. DARD often has a representative from each of MARD's departments at the provincial level. Provincial people’s committees, SFEs, and forest related institutes (such as FIPI) also play varying roles in forest management depending on the province. In theory DARD is equally accountable to both MARD and the provincial people’s committee. However, provincial people’s committees manage the funds channeled from the ministries including DARD staff salaries.

Provinces are divided into districts. DARD usually has a forest protection station (FPS) and DAFE unit at the district level. District level forestry officers are managed by and accountable to the district people’s committee. The district people’s committee is accountable to the provincial people’s committee. District people’s committees also have the power to develop policy to suit the needs of the district.

Each district is divided into communes and each commune also has a people’s committee that is accountable to the district people’s committee. If the district has a significant amount of forestland a forest protection unit (FPU) is present at the district level. Communes are divided into villages. Each village has a leader that is accountable to the Commune people’s committee. However, village leaders are not considered members of the national government. In many villages a women’s union, farmers union, student’s union, elder’s union, and veteran’s union are active community organizations recognized by the state.

There are two routes for the implementation of forest policy at the commune level. Forest policy can come from MARD to DARD to the district or it can come directly from the provincial people’s committee.
Forestland tenure structure in Vietnam is divided into three management categories:

- Production forest
- Special-use forest
- Protection forest

Special-use forests are nature reserves and national parks. Protection forests are protected for the purpose of protecting watersheds, soil erosion and limiting the effects of natural disaster. MARD, through Management Boards, is responsible for the management of National Parks and protection forests and the provinces are responsible for nature reserves. However, there are cases where SFE or households are responsible for special-use (and production) forest. In the legislation forestland is defined as “land that is covered with natural or plantation forests, and land that is barren with the intention of being reforested”. Another exception is that traditional village forests are not always classified as forestland. SFE and households are mandated to manage production forest land and Management Boards are mandated to manage special-use forest.

Red books are certificates the government gives to households to demonstrate rights to use certain types of land such as rice paddy land, winter crop land and forestland. See Table 3. Green books are certificates that demonstrate the forest management plan for allocated forestland. Red books hold more legal power and security than green books. The process of issuing red books and green books differs in each province and district (see section 4.0).

### Table 3  Sample Land Entries in Household Red book

<table>
<thead>
<tr>
<th>Plot #</th>
<th>Date the plot was acquired &amp; date usage rights expire</th>
<th>Location of the plot of land</th>
</tr>
</thead>
<tbody>
<tr>
<td>Map #</td>
<td>Total Area</td>
<td>Land Use</td>
</tr>
<tr>
<td>3</td>
<td>12 1 sao</td>
<td>Rice paddy 1970-2000 Bac Ha</td>
</tr>
<tr>
<td>6</td>
<td>56 1 sao</td>
<td>Rice paddy 1983-2017 Ho Tim</td>
</tr>
<tr>
<td>8</td>
<td>23 3 sao</td>
<td>Winter crop 1979-2009 Ha Cao</td>
</tr>
</tbody>
</table>

The constitution of 1992 states that land and forests are “under the ownership of the entire people” (article 17). The state is responsible for managing the land but the state shall “entrust land to organizations and private individuals for stable and lasting use” (article 18). Recipients of the use rights “are responsible for the protection, enrichment, rational exploitation and economical use of the land; they may transfer the right to use the land…., as determined by the law.” Thus, the state has a large responsibility in allocating land and resource use rights as well as controlling use rights.

National government directs provincial government and provincial government directs local government. In the research sites the provincial government has the jurisdiction to interpret and implement national policies and projects to suit specific provincial realities. In fact, national policies and programs can be interpreted and implemented differently in adjacent communes in the same province. For example, in Cam Hung commune it is necessary for a family to meet the requirements stated in their green book before they can secure rights to their forestland. However in an adjacent commune such as Cam My, use rights to forestland are secure at the time of issuing the green book.
4. LOCAL INTERESTS AND BEHAVIOURS RELATED TO NTFP TENURE

NTFPs comprise a large portion of a village household’s resources by providing food, health care, fodder, fuel-wood, house building materials, and raw materials for small industry. Also, NTFPs sold at local markets are an important supplement to household income. The research indicated that informal land tenure systems tend to guide land use and NTFP gathering decisions in the communities of the Ba Be National Park buffer zone whereas formal land tenure systems guide land use decisions in the communities of the Ke Go Nature Reserve buffer zone. In both buffer zones areas fuelwood and charcoal for cooking was rated as one of the most valuable NTFPs and was the most visible NTFP being gathered and utilized[2].

4.1 Ba Be National Park and Buffer Zone Management

Ba Be National Park is divided into 3 types of land management zones: 2 strict protection zone, 2 regeneration zones (9,600 ha) and a buffer zone (13,500 ha). However, of these areas, only one protection zone and one regeneration zone have been officially gazetted. The other protection zone and regeneration zone have been proposed. The management responsibility over the bufferzone is not entirely clear. Before 1991 the parkland was owned and managed by Cao Bang province, the province directly north of Bac Can. In 1991 the park was given to Bac Can province. From 1991 to 1996 the park was managed by the province and Ba Be District People’s Committee.

Since 1997 the park’s strictly protected areas have been managed by a park Management Board. The Forest Protection Department of MARD supports the Park Management Board. The responsibilities of the Park Management Board are forest management and protection, research and tourism. The Management Board follows the policies outlined in the Ba Be national park management plan. The Forest Protection Department of MARD and Fipi write the management plan. A new park management plan for the year 2000 and beyond has been developed and approved (Vo Tri Chung 1999). The activities outlined in the 1990-2000 management plan were to:

1991 - 1992 Set the boundaries of the park with the local people.
1993 - 1995 Improve infrastructure, conduct research, and continue to educate and cooperate with local people to protect the forest resources of the park.
1996 - 2000 Conduct research, improve tourism facilities and infrastructure.

The Forest Protection Department works directly with the park Management Board to protect the forest resources in the park and buffer zone. The Forest Protection Department has 28 staff. Four staff members work at each of the eight forest protection stations and five staff members travel in the park and around the park boundary. The responsibilities of the Forest Protection Department are to talk with farmers about protection issues, to protect animal, plant and tree resources, and to stop people from illegally exploiting forest resources. Approximately 10,000 people live in the buffer zone of the park. The population consists of 80% Nung, 19% Dao, and 1 % Tay, Kinh and other ethnic groups (Forest Science Institute 1999). Despite cultural diversity, social cohesion is evident.

In 1998, specific areas of forest and grassy land in the buffer zone and strictly protected areas of the park were allocated to communes and villages. This process was undertaken as part of the national government’s forestland allocation program. Attempts to allocate forest to households within villages are not complete due to disagreements as to how to facilitate the process. After long negotiations, forestland allocation to communes and villages was completed. However several villages are still not pleased with the outcome of the forest land allocation process to villages (Na Han is particularly not content). The Forest Inspection Department along with the commune and district people’s committees manages the forestland of the villages.

There is little to no cooperation between the two forest management systems (the Forest Inspection Department and Forest Protection Department) in the buffer zone of the park. Also, the villagers and village leaders have received little information or guidance from either of the forest management agencies about the policies and regulations they are expected to follow regarding forest protection.

4.1.1 Ba Be District Profile

Khang Ninh Commune is north west of Ba Be National Park and occupies approximately 60% of the Ba Be buffer zone. The total area of the commune is 4,340 hectares. There are 900 hectares of forest in the commune of which 815 hectares are in the strictly protected area of the national park. A total of 2,900 ha of Khang Ninh land are in the buffer zone of the park.

There are 12 villages in Khang Ninh, 6 villages in the lowlands and 6 villages in the highlands. The lowland villages are Na Niem, Vai, Na Lang, Nan, Pac Nghe, and Na Kieng. The upland villages are Na Co, Na Han, Na Nieng, Cum Pan, Na Mo, and Khuoi Luo. Khang Ninh has 613 households and the total population is 3451. See Table 4 for a profile of Vai and Na Han in Ba Be District.

While use rights to agricultural land in the commune have been officially allocated to households since 1995, commune officials are having a much more difficult time allocating use rights to forestland. According to commune leaders forestland has been allocated to villages but within the villages leaders have not been able to reach consensus regarding use rights to forestland between households. Village leaders have been trained in the forest land allocation process through a provincial program. Part of the problem complicating the forestland allocation process is a lack of knowledge and agreement about park, buffer zone, re-generation zone and forestland boundaries (including production and special-use forest).

### Table 4. Village Profiles In Ba Be Buffer Zone

<table>
<thead>
<tr>
<th>Location</th>
<th>Na Han</th>
<th>Vai</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total land</td>
<td>150 hectares</td>
<td>380 hectares</td>
</tr>
<tr>
<td>Total forest land</td>
<td>140 hectares</td>
<td></td>
</tr>
<tr>
<td>Total Agricultural land</td>
<td>7.4 hectares</td>
<td></td>
</tr>
<tr>
<td>Population</td>
<td>60 persons (11 households)</td>
<td>359 persons</td>
</tr>
<tr>
<td>Culture(s)</td>
<td>Dao, Nung</td>
<td>Vietnamese, Tay, and Nung</td>
</tr>
<tr>
<td>Languages Spoken</td>
<td>Dao, Vietnamese, Nung, Tho, and Tay</td>
<td>Vietnamese, Tay, and Nung</td>
</tr>
<tr>
<td>A wealthy family owns</td>
<td>5 buffalo, 10 cattle, 3 rice paddies (approximately 1050 m²), and 700 m² of swidden land</td>
<td>2 motor bikes, 2 boats, 2 machines for processing rice, many buffalo and many chickens</td>
</tr>
<tr>
<td>Products sold at market</td>
<td>maize, rice, buffalo, pigs, chickens, and occasionally vegetables, fruits and medicines</td>
<td>Primary income of Vai family’s is generated from the production and sale of maize, rice and pigs. Products that are easy to sell in the market are chicken, duck, shrimp, fish and rice</td>
</tr>
<tr>
<td>Men’s Tasks</td>
<td>Han Men’s primary activities are raising the pigs</td>
<td>Both men and women share</td>
</tr>
</tbody>
</table>
4.1.2 History of Forest Resource Destruction in Ba Be District

1954: The 1954 land revolution in Ba Be was relatively peaceful compared to other districts in Vietnam (pers. comm. An Van Bay 1999). Unlike other areas in Vietnam, Ba Be did not have wealthy land merchants from which to retrieve land. In 1954 the villagers of Ba Be were all equally poor, thus land reallocation was limited to slightly wealthier families donating small parcels of land to slightly poorer families.

1960: In July 1960, village agricultural cooperatives were established with the assistance and guidance of provincial and national government. In 1960 Vai had approximately 35 households. According to village elders the old growth forests were still in-tact in 1960. At this time, tigers and deer were still plentiful in Ba Be’s forests and shifting cultivation was not yet practiced.

1969: According to Vai leaders, before 1969 the land currently occupied by Na Han belonged to Vai village. During difficult times in 1969, one man (Mr. Hoang) with his wives and children came and resettled in the Na Han area with permission from Vai leaders.

1979: In 1979, the Chinese invasion from the north forced entire villages from Cao Bang province south into the rich soiled northern valleys of Ba Be district. Thus, the Cao Bang people began clearing land and exploiting natural resources from the north and Vai people were clearing land and extracting resources from the south. It is said that in one year, 2000 hectares of forestland was cleared in this mountain area. Today these northern valleys are still considered “open access” land shared with several Khang Ninh villages. In the deepest part of the valley is terraced rice paddy and today several farmers have these paddies registered in their red books.

To accommodate the booming population in 1979 the cooperatives of the villages became the cooperatives of the Khang Ninh commune. This meant that surplus labor in Vai village could be called on to manage agricultural land in other villages in the commune. Likewise, if Vai was short of food or labor resources from other villages would be shared with Vai. At this time Vai village and their guests from the north began shifting cultivation in the mountain and forest regions surrounding their village.

1981: In 1981, the commune cooperatives disintegrated. Poverty and intense food shortages at this time caused many complications, including weakening the cooperative management capabilities. At this time Na Han and Vai tried to establish a cooperative together. This lasted for one year. Conflict over resources caused Vai and Na Han to separate their cooperatives. This history has created tense relations between the two villages, particularly for issues related to land use.

According to Vai village elders the rapid decline in the region’s forest resources occurred from 1970 to 1982. The elders believe that this rapid decline had three main causes: 1) the population influx from Cao Bang, 2) poor cooperative management, and 2) general food shortages. Village elders say that from 1970 to 1982, 40% of the forest land in the Ba Be region was cleared.

4.1.3 Ba Be Formal and Informal Land and Resource Tenure

- **Vai Village**
  In 1945, the Vai people’s committee was established, making Vai an official village. In 1994, Vai was divided into two villages, Vai (55 households) and Na Niem (45 households). In 1990 the cooperative system was broken and agricultural land was allocated to households. At this time the people’s committee began collecting tax from households based on the size of land parcels. In 1994 and 1995 red books were distributed to officially register the agricultural land used by each household.

- **Land Allocation**
  Since 1997, the commune has been attempting to allocate forestland. Most households now have a red book that states their official use rights to a plot of land for a house with homegarden, rice paddy land, and shifting agricultural land. Some households also have in their red book an extra garden plot near the lake.

  Informally, some households have individual or groves of trees planted on the village’s open access barren grassy land, common forestland or in the park.

- **Transition of Rights**
  In order to purchase land from another village the village leader and commune officials must negotiate a deal. Within the village, households can buy and sell land among themselves with the consent of the village and commune leader. If the husband dies the red book will usually be given to the eldest son of the family, not to the wife.

- **Other Land**
  There are four common land/open access areas managed by Vai village.

  The first is the strictly protected forest zone near Na Han. This area became strictly protected in 1992. Since the transition use of the region has decreased only minimally. In this region, Vai villagers plant litchi trees, papaya trees, apricot trees, groundnut, cotton and indigo. Also, there are Vai swidden plots in this area where they plant maize, green bean, and corn.

  Trees planted in the park by a Vai villager can be harvested by the person who plants it. These trees can be used for personal use but cannot be sold. Neem, bamboo, rattan, and fruit trees are the most common trees planted in the park. Road transport permits cannot be given to people who attempt to transport and sell trees from the park. The national park respects their right to plant trees in the park and to harvest from these same trees for household use, but does not allow the sale of felled trees.

  Vai residents are aware that they should not go into the park to gather NTFPs but they are not clear about the location of park boundaries. While the women have never heard about the park Management Board the men know about it through People’s Committee meetings.

  The second common area is a self-protected forest slope above the Vai homes. These forests are protected by the people of the village. Their parents and parents before them explained that they should not take away trees or plants from this slope to protect it from erosion. People occasionally plant bamboo, neem and banana trees on this slope. The fruit is gathered regularly and the bamboo and neem trees are used as income...
security in case of difficult times. In 1992, ownership of this slope was transferred to Ba Be national park but not all villagers are aware of this ownership transition. Since the park obtained ownership the villagers have not changed their behavior towards the slope.

The third region is an open access area of unallocated barren grassy land in the mountain area north of Vai. This region is shared by several villages in Khang Ninh and has many uses including rice paddy, cattle grazing, swidden plots, and tree planting. The local names for this area are Khuoi Luong, Na Bang, and Cum Pang. According to Vai villagers there is no official management process for this land. Villagers just know who has use rights to specific trees and agricultural plots.

Trees are also planted on the steeper slopes of the Khuoi Luong. A ditch, fence or sign is constructed to protect the planted trees from buffalo and to show ownership.

The fourth common area is Vai lake. All households are free to use Vai lake.

**NTFP Use**

Every household in Vai is involved in NTFP gathering and use.

According to the women of Vai, firewood is the most important NTFP. Women and girls are the primary gatherers of firewood, although in some households men assist with this task. Firewood is gathered 12 months of the year. Firewood was ranked as most important because it has a high value in the home and can be easily sold in the market. Often the poorest families of the village rely on the sale of firewood. Other households sell firewood to supplement their income.

Men in the village suggested that truc (bamboo) and mai (bamboo) were the most important NTFP. Bamboo can be harvested twelve months of the year but is only harvested when needed for construction, food, and income security. Bamboo grows best in valleys and does not grow well in rocky soil. Bamboo seedlings are taken from the park forestland and planted in home gardens or other open access/common land areas. Each household plants an average of 10 bamboo seedlings per year.

Fruit trees were highly regarded by both men and women and are a very visible NTFP in the forests, on barren lands, and in home gardens. The planting, protection, and harvesting of fruit trees is a shared responsibility between all members of a household and occurs throughout the year. At least 8 types of fruit trees were identified including oranges, lemons, apricots, papaya, plums, bananas, apples, and litchi.

From March until June many households in Vai Village gather medicinal plants. According to the medicine man of Vai, the most important medical plant in the area is Han Linh, a very popular medicine used for Vai children. The second most important medical plant is Binh Voi Trang, as this NTFP is often sold to Chinese traders for a high price. Refer to Appendix 5 for scientific names of NTFPs identified in Khang Ninh. Occasionally a Vai hunter will catch a monkey. Monkeys demand a high price and are kept in a cage near the household until an appropriate buyer visits. Groundnut trees grow naturally throughout the village and children are the primary gatherers of groundnuts.

Trips to the forests of Ba Be national park to gather NTFPs occur mostly often in the spring months of March, April, May and June. See Table 5.

The leader of Vai is trained by commune and district officials to teach Vai villagers about forestland protection. He states that it is very difficult to control what each villager does. He has chosen to focus his efforts on watershed protection, ensuring that people do not gather or cultivate in watershed areas.

**Na Han Village**

Today, Na Han is an official village and its land is registered in district and commune records. The village pays taxes to the commune for paddy land but does not pay tax for shifting agricultural land. Within the village agriculture and forestland has not been formally allocated to households. Thus, people have no red books or green books. The households of Na Han share management and ownership of specific plots of rice paddy land and shifting agricultural land. Each household has it’s own individual plot of paddy and swidden land along with a plot of land for a home, vegetable garden and fruit trees. Several of the shifting agricultural plots of land are located in other regions of the park. The village has not increased its paddy land in recent years.

The women of the household most often make decisions regarding the management of paddy and shifting agricultural land. The leader of the village makes decisions regarding the common rice and paddy land with the guidance of his villagers. The village also has communally owned fruit trees that grow naturally or that have been planted in or near the forest. The households nearest to the fruit trees manage and protect those trees. Na Han villagers are free to gather the fruit they need for personal use from these trees. While the people of Khang Ninh commune understand Na Han’s informal ownership of these fruit trees people from other villages occasionally raid the fruit trees.

In the past, young couples acquired land through inheritance from their parents. Already the village is experiencing agricultural land shortages. Young couples today are encouraged to acquire land through purchase from Vai village. In fact, Na Han is currently undergoing negotiations with Vai village to purchase land.

The people of Na Han are fully aware that they reside within the strictly protected zone of Ba Be national park, however they do not know the exact borders of the strictly protected one or the regeneration zone of the park. The forest protection unit has been active in Na Han since 1996, conducting inspections in the village 1 to 8 times per month. According to Na Han residents the policies being enforced by the forest protection unit in the Na Han area include:

- stopping villagers from shifting cultivation,
- ensuring villagers only plant maize at the base of the mountains, as opposed to the more delicate areas at the top of the mountain,
- stopping villagers from cutting trees in the forest, and
- giving fines to villagers who sell rattan and medicine products from the forest at the local markets.

If caught the forest protection unit may punish the culprit by confiscating tools and illegal products, as well as issuing a warning or fine.

Na Han village’s knowledge of national, provincial, district and park forest management regulations is based on their experience with fines and punishments for the illegal activities listed above, and on rumors about the fines and punishments experienced by people from other villages. Last year the forest protection unit fined members of the village for selling rattan and medical plants in Khang Ninh market. The people of Na Han often see people from other villages in Khang Ninh coming to their area to cut timber, gather firewood, mushrooms, rattan, and acacia. According to the women and men of the village the Forest Protection Department came only once in 1997 to explain to them what is legal or illegal regarding forestland and resource use and exploitation.

Women stated that firewood was the most important NTFP for Na Han village. They rated equally bamboo, rattan, and fruit as the second most important. Women are the primary gatherers of firewood in Na Han. All members of the household assist with the protection, planting and harvesting of fruit trees.
While the gathering of medical plants is conducted by both men and women, not all members of the village are knowledgeable about which plants are valuable for medical purposes. The leader of Na Han said he occasionally sees monkeys from his house picking fruit from the trees at the edge of the forest. Also, the leader was aware that monkeys can be sold to middlemen for a high price. For tet (lunar new year) celebrations apple wine is made from apple trees found in the forest. See Table 5.
<table>
<thead>
<tr>
<th>Local Name of NTFP</th>
<th>English Name of NTFP</th>
<th>Collected From</th>
<th>Who Collects</th>
<th>When Collected</th>
<th>Household Use and Sold in Market</th>
<th>Informal Tenure from Ba Be Park?</th>
<th>Formally Legal Access from Ba Be Park?</th>
<th>Rating men and women</th>
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<tr>
<td>Firewood</td>
<td>Ba Be Park &amp; BZ</td>
<td>Women &amp; girls</td>
<td>All Year</td>
<td>Cooking</td>
<td>Yes</td>
<td>No</td>
<td>2</td>
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<tr>
<td>Mush rooms</td>
<td>Ba Be Park</td>
<td>Men &amp; women</td>
<td>April-June</td>
<td>Food</td>
<td>Yes</td>
<td>No</td>
<td></td>
<td></td>
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<td>Truc Sao</td>
<td>Ba Be Park &amp; BZ</td>
<td>Men &amp; women</td>
<td>All Year</td>
<td>House construction</td>
<td>Yes</td>
<td>No</td>
<td>1 and 5</td>
<td></td>
</tr>
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<td>Cay ho mai</td>
<td>Ba Be Park</td>
<td>Informed men &amp; women</td>
<td>April-June</td>
<td>Medicinal</td>
<td>Yes</td>
<td>No</td>
<td>2</td>
<td></td>
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<tr>
<td>Mai</td>
<td>Ba Be Park &amp; BZ</td>
<td>Men &amp; women</td>
<td>All Year</td>
<td>House construction</td>
<td>Yes</td>
<td>No</td>
<td>1 and 3</td>
<td></td>
</tr>
<tr>
<td>Sa ohan</td>
<td>Antomorn</td>
<td>Informed men &amp; women</td>
<td>April-June</td>
<td>Medicinal and food</td>
<td>Yes</td>
<td>No</td>
<td>4 and 8</td>
<td></td>
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<tr>
<td>Nua</td>
<td>Bamboo roots</td>
<td>Men &amp; women</td>
<td>April-June</td>
<td>House Construction</td>
<td>Yes</td>
<td>No</td>
<td>5</td>
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<tr>
<td>May hoc</td>
<td>Bamboo</td>
<td>Men &amp; women</td>
<td>All Year</td>
<td>House construction</td>
<td>Yes</td>
<td>No</td>
<td>6</td>
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<td>Mua</td>
<td>Ba Be Park</td>
<td>Men &amp; women</td>
<td>April-June</td>
<td>Medicine</td>
<td>No</td>
<td>No</td>
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<td>Cay song</td>
<td>Rattan</td>
<td>Men &amp; women</td>
<td>All Year</td>
<td>Furniture, handicraft</td>
<td>No</td>
<td>No</td>
<td>2 and 7</td>
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<td>May</td>
<td>Rattan</td>
<td>Men &amp; women</td>
<td>All Year</td>
<td>Furniture, handicraft</td>
<td>Yes</td>
<td>No</td>
<td>2 and 8</td>
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<td>Fruit</td>
<td>Private land</td>
<td>Men &amp; women</td>
<td>All Year</td>
<td>Food</td>
<td>Yes</td>
<td>Yes</td>
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<td>Chaoei</td>
<td>Bananas</td>
<td>Men &amp; women</td>
<td>All Year</td>
<td>Food</td>
<td>Yes</td>
<td>Yes</td>
<td>2</td>
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<td>Cay Co</td>
<td>Ba Be Park &amp; BZ</td>
<td>Men &amp; women</td>
<td>All Year</td>
<td>Leaves for roof of house, Fruit is food</td>
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<td>Men &amp; women</td>
<td>All Year</td>
<td>House construction</td>
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<td>No</td>
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<td>Van</td>
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<td></td>
<td></td>
<td>Yes</td>
<td>No</td>
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<td>Tu</td>
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<td>Cay Tao</td>
<td>Ba Be Park &amp; BZ</td>
<td>Men, women, girls</td>
<td>April-June</td>
<td>Food, animal feed, vanity, medicine</td>
<td>Yes</td>
<td>No</td>
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<td>Cay Nua</td>
<td>Ba Be Park &amp; BZ</td>
<td>Men, women, girls</td>
<td>All Year</td>
<td>Animal food.</td>
<td>Yes</td>
<td>No</td>
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<td>Cay Mang</td>
<td>Ba Be Park &amp; BZ</td>
<td>Men, women, girls</td>
<td>All Year</td>
<td>Soap and firewood</td>
<td>Yes</td>
<td>No</td>
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<td>Hoc</td>
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<tr>
<td>Moc</td>
<td>Ba Be Park &amp; BZ</td>
<td>Men &amp; women</td>
<td>All Year</td>
<td>Food security.</td>
<td>Yes</td>
<td>No</td>
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<td>Thong</td>
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<td>Yes</td>
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<td>Birds</td>
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<td></td>
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<td>Small Animals</td>
<td>Ba Be Park</td>
<td>Men &amp; boys</td>
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<td>Food</td>
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<td>No</td>
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<td>Monkeys</td>
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<td></td>
<td>Medicine</td>
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<td></td>
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<td>Groundnut</td>
<td>Ba Be Park &amp; BZ</td>
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<td></td>
<td>Food</td>
<td>Yes</td>
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</table>
4.2 Ke Go Nature Reserve and Buffer Zone Management

- **Introduction**
  Ke Go Nature Reserve was established in 1996 by decision No. 970 TTg. The Ke Go forest area was given priority in the Bio-diversity Action Plan for Vietnam. The reserve falls in the territory of 2 provinces, 4 districts, and 22 communes. The total area of the park is 35,159 ha. The reserve consists of three zones:

1. Strictly Protected Zone 10,358 ha
2. Special Use Zone 24,801 ha
3. Buffer Zone 34,983 ha

Ke Go reservoir is 3000 ha. The reservoir was constructed in 1976 and has been operating since 1978.

The Ke Go Management Board manages the reserve. The Management Board is directly accountable to the Province. The Management Board’s departments include forest inspection (49 staff), science research, inventory, and planning. There are 5 forest inspection stations in the nature reserve.

- **Development History**
  The forest land that is now a reserve has an interesting management history that sheds light on the problems with forest management today.

The reserve area is in the location of the last battle of the American war. During that war the area that is now a Lake included a road and airport for the army.

From approximately 1967 to 1990 Cam Ky SFE owned the reserve land. In 1990 the SFE dissolved and the land became the target for the national 327 program. Members of the former Cam Ky SFE were allocated the forestland and directed to implement the 327 program. Several households from Cam My and Cam Hung communes were also integrated into the 327 program and allocated forest land. The 327 program lasted six years, involved approximately 20 households, and was geared to reforestation of the former SFE land. The program offered households 1,450,000 dong per ha for seedlings and equipment. Program participants were told that they would receive money annually to protect and manage the land. While the participants received money to buy seedlings and plant them they did not receive money to manage and protect seedlings the following years.

In 1996 the 327 initiative ended and the land was established as a nature reserve to be protected by a MARD Forest Management Board. Officially, this change in land management caused the 20 households involved in the 327 program to lose rights to the trees they planted. However, a few households have opted to cut the trees they planted anyway and have not been reprimanded. Along with the establishment of the reserve came policies forbidding villagers dependent on forest resources to enter the reserve land.

To develop the nature reserve the Management Board was given 10 billion dong. A portion of this money was to go to communities in the buffer zone of the reserve to ameliorate the negative impacts on households dependent on the forest resources. Cam My has not heard of any communes or villages receiving benefits or cooperation from the Management Board.

Interestingly, the staff responsible for implementing the 327 program (also former SFE staff) is now the staff of the Ke Go Nature Reserve Forest Management Board. In fact, the director of the former Cam Ky SFE became the director of the 327 program in Ke Go and then became the director of the nature reserve forest management Board.

- **Relations Between the Commune and Management Board**
  Cam My commune officials expressed great concern for the preservation of forests in the nature reserve. They explained that the nature reserve forest Management Board is not respected by the people of their commune. They see the forest resources being exploited not by the people of their commune but by the Forest Inspection Department of the nature reserve Management Board. The commune officials felt that the Management Board’s capacity is not strong enough, they have limited knowledge of forest protection, and have too small a labour force to protect such a large area. Without district support and cooperation to protect the nature reserve’s borders the forest Management Board is virtually powerless.

While the forest Management Board has a forest inspection section they do not punish illegal forest product hunters and gatherers. Instead the Management Board brings illegal forest product hunters and gatherers to the forest protection unit and the forest protection unit takes the culprit to the local police.

Although in theory, opportunities exist for the province to provide inputs into the management of the nature reserve, in practice, the current management system does not allow for provincial or district input or decision making power over the land in the reserve. Before the land was a nature reserve the SFE and 327 program had a mandate to cooperate with provincial and district people’s committees. The Management Board does not conduct regular meetings with the districts or communites. They do occasionally have meetings with communities in the buffer zone for such purposes as to warn against forest fires, and to hire labour for reforestation activities.

4.2.1 Cam Xuyen District Profile

- **Introduction**
  Cam Xuyen district has 27 communes and 7 of these communes are in the buffer zone of Ke Go nature reserve. According to district leaders, Cam Hung and Cam My are the communes most dependent on forest resources. Within these two communes Village Seven, Five, and Four were explored for the purposes of this research. See Table 6.

Geography determines the livelihood of each commune in the district, being agricultural lowlands, highland forests, and seaside fishing villages. According to district officials each commune has the power to develop policy to suit their social and environmental needs.

- **The Forest Protection Unit**
  The forest protection unit assists the people’s committee to make forest management policy for the district, and provides forestry training and technical advice. The current priorities of the district forest protection unit are to assist with forestland allocation as well as to protect the forest from forest fires and illegal forest product exploitation.

District authorities are familiar with the concept of a buffer zone, but there is no policy that refers specifically to the buffer zone region. The borders of the buffer zone are not clear to villagers, the borders of production forestland and the nature reserve are clear to both local officials and villagers.

A recent concern of the forest protection unit is that households do not have enough labour or money to invest in their allocated forestland. A lack of capital and labour is also why the forest land allocation process is not yet complete in the district. Without the financial, technical, and physical
resources to use the land people are reluctant to acquire rights to the land for which they may be accountable for taxes and responsible to follow green book contracts. The forest protection unit of the district and commune develops a green book contract for each household that acquires use rights to forestland. Green books state the size of the forestland plot and use guidelines including species to plant, quantity of species, management strategies, and harvesting strategies. For each commune the forestland allocation and green book process has evolved differently as will be explained in the following section. To execute the forestland allocation the forest protection station works closely with the district and commune land cadastral units.

- **The State Forest Enterprise (SFE)**
The Cam Xuyen SFE is accountable to DARD and owns 6,958 ha of production forestland in the district. The SFE forestland is both plantation and natural forests. Cam Xuyen SFE has contracts with households in the district to manage sections of their plantations. For example a household may be contracted to extract sap from pine trees and have rights to gather pine needles (for fuel) from the forest floor. A permit from the forest protection station is needed to gather products from SFE forestland.

- **NTFP Use**
According to district authorities the most important NTFPs for their district are rattan and medicinal plants. However, the products most frequently gathered are la non, cay dot, cay qua qu, cu mai, mat ong, heo, giang, ngu giu bi, and ha thu o.

Animals hunted by villagers include:
- Bear
- Wild pig
- Wild chicken
- Turtle
- Bird
- Deer, and
- Snakes

Often these animals are sold to restaurants in nearby cities. Before 1996 there were six hunters in the village. Each hunter worked 100 hectare areas in Ke Go forests. Since 1997 the hunters have decreased their hunting. Now they are not allowed to use guns so they use traps and hunt at night. If a hunter captures a rare species the FPU punishment may be to send the hunter to jail.

In 1993 the medicine man saw 24 elephants outside of the village. He states that all forest products are easy to sell in Cam Xuyen town or Ha Tinh town.

Honey provides 1-2% of the income of many households in village 5 and 7. Sometimes men travel 8-10 days to find honey and they may not find any at all. A lucrative honey gathering trip can bring in 100,000 – 200,000 dong. See Table 7.

According to district authorities the only products that can be legally gathered from the nature reserve are dry firewood and leaves. However, district authorities admit that villagers are rarely fined for gathering illegal products from the forests. Punishments for illegal gathering depends on the severity of the situation, a person may be fined and the gathered products can be taken away. In recent years forest protection workers began wearing uniforms and this has improved their ability to discourage illegal gathering from the forests. District authorities feel that the forest area in the district is too large to control illegal gathering effectively.

**Table 6. Village Profiles in Ke Go Buffer Zone**

<table>
<thead>
<tr>
<th>Cam Xuyen</th>
<th>Cam Hung</th>
<th>Village 7, Cam Hung</th>
<th>Cam My</th>
<th>Village 4, Cam My</th>
</tr>
</thead>
<tbody>
<tr>
<td>Population</td>
<td>150,253</td>
<td>6,472</td>
<td>444</td>
<td>6,066</td>
</tr>
<tr>
<td>Total Households</td>
<td>1,480</td>
<td>108</td>
<td>1,361</td>
<td>128</td>
</tr>
<tr>
<td>Total land area</td>
<td>30,860 ha</td>
<td>2,382 ha</td>
<td>196 ha</td>
<td>12,580 ha</td>
</tr>
<tr>
<td>Total forest land</td>
<td>16,559 ha</td>
<td>780 ha</td>
<td>56 ha</td>
<td>7,024 ha</td>
</tr>
<tr>
<td>Total forest land allocated to households</td>
<td>5,000 ha</td>
<td>268 ha</td>
<td>35 ha</td>
<td>400 ha</td>
</tr>
<tr>
<td>Total land managed by SFE</td>
<td>6,958 ha</td>
<td>8 ha</td>
<td>500 ha</td>
<td>0</td>
</tr>
<tr>
<td>Total households with Green books</td>
<td>117</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total households with Red books</td>
<td>117</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total unallocated forest land</td>
<td>743 ha</td>
<td>25 ha</td>
<td>5 ha (approx.)</td>
<td></td>
</tr>
<tr>
<td>Distance from Ke Go Nature Reserve</td>
<td>Approx. 15 km</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Total rice paddy land/ household</td>
<td>2 ½ sao</td>
<td>2 sao (270m²)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average Income/household</td>
<td>3 million dong/year</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Men’s Duties</td>
<td>Plant and tend trees, animal husbandry, rice paddy</td>
<td>Gather NTFPs</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Women’s Duties</td>
<td>Winter crop gardening, animal husbandry, rice paddy</td>
<td>Winter crops, gathering firewood and medicinal plants</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

4.2.2 Ke Go Formal and Informal Land and Resource Tenure

- **Village Seven**
Unlike other villages, red books in village 7 contain winter cropland as well as rice paddy land.

- **Forest Land Allocation Process**
Of the total forestland allocated to the village 30% has not yet been allocated. There is a plan to complete the allocation process in 1999. At the time of this study (early 1999), some households did not want forestland because the remaining land is too far away, too sloped, has poor soil; and families may not have the resources to work the land or pay taxes for the land. The village and commune are waiting for a new reforestation programme, the 661 program to assist these households and to allocate the remaining forestland.

Forestland was allocated to households in 1993 and 1994. Each household has approximately 7-8 hectares of forestland. Unlike agricultural land, each household has only one plot of forestland (never two plots). However special privileges are given to certain households (i.e. war veterans) and
they may have up to 30 hectares. The commune FPU oversees activity on the forestland and the district FPS oversees the FPU.

There are several steps a household must follow to acquire full use rights to forestland:

1. Household selects the desired forestland.
2. Household makes a request to the village leader proving their financial and labour capacities.
3. Leader decides if the land is free for acquisition and, if the household has enough capital and labourers to invest in the land.
4. If step 3 criteria is met the village leader gives the request to the chairman of the commune.
5. Chairman of the commune makes the request to the FPU and land cadastral unit.
6. The FPU and land cadastral unit come to the village, assess the household’s financial and labour capacities, measure the land, and develops a land use plan (green book) with the household.
7. Vice Chairman of the commune signs the green book.
8. FPU submits the proposed green book to the FPS and land cadastral station for approval.
9. FPS submits the green book to the FPD and land cadastral department for approval.
10. Once approved the household has use rights to the land with the obligation to follow green book guidelines. FPS monitors the household’s actions on the land for 2-3 years.
11. Household must pay annual taxes to the commune for the forestland.
12. After approximately 2-3 years the FPU assesses if the household has followed the guidelines satisfactorily.
13. If the household has met the requirements the forestland is entered into the household’s red book. Once the forestland is entered in the red book their use rights are more secure and their obligations to the FPU and FPS decrease. The red book can be used as collateral for a mortgage at the bank.

Usually the husband’s name is in the red book. If the husband dies the wife gets the red book but the name is not changed. Provided the husband has followed all the requirements of the red book the oldest son inherits the red book.

- **Management Policy Awareness**

District and commune officials are aware of and appear to be confident with new responsibilities national government is placing on them regarding the management of forest land in their region.

**Box 1. Buffalo Grazing: An Example of Informal Use Rights**

Buffalo can graze on any barren, grassy land and in forestland but the owner must tend the buffalo so that it does not destroy crops. Buffalo are known to eat and damage planted seedlings, thus trees are often planted near the house to protect from wandering buffalo. The village has been trying unsuccessfully to set aside several hectares to reserve specifically for cattle and buffalo grazing. The villagers cannot agree on the location for the pastureland nor on the usage rules for the potential grazing land.

Village 7 villagers are clear about the exact boundaries of forestland, agriculture land, and Ke Go nature reserve land. Many villagers also seem to know the boundaries of the regeneration zone of the nature reserve land. They said that from Village 7 a hiking trip to the natural forest takes one hour. However, villagers are not clear about the nature reserve’s buffer zone boundaries. Those families that have planted seedling on their forestland have planted acacia, fruit trees, and white eucalyptus.

Cam Hung commune leaders claim that the commune has buffer zone policy that encourages the planting and protection of trees, and discourages the hunting of animals yet the people did not seem aware of this policy. Although villagers admit they are not familiar with the buffer zone they do know that households with forest land in the buffer zone have received benefits from government (327 program) and internationally funded programs (Prof. Vo Qui’s project).

In the past a government poverty alleviation program came to the village with forestry assistance and provided seedlings to households. The disadvantage for households that received assistance from these particular programs is they are bound to external commitments (ex. must submit a proposal to harvest the trees and must give a percentage of their harvesting income to the government) in addition to the green book’s guidelines. Households who invest in their forestland without assistance have the right to harvest their plantations without a permit and can reap the benefits of this harvest without having to pay tax on the income accrued.

The FPS has 2 workers per station. Cam Hung commune has 2 stations. The main forest policy that is enforced is the forest fire prevention regulations. The commune has 12 people on their forest fire prevention team. People who cause forest fires are fined. Villagers use fire in the forest for two reasons:

1. To make coal from firewood, and
2. To chase bees from their hive to make honey extraction possible.

Cam Xuyen SFE contracts several households in village 7 to assist with the management of their 8 ha of forest land in Cam Hung commune. The SFE does appear to be involved in the district’s forestland policy system and villagers tend to respect SFE plantations.

**4.2.3 Village Four**

Of the 135 ha of forestland in the village 130 ha were allocated in 1997. Every household in the village now has forestland complete with a green book and red book. The steps to acquiring forestland in Village 4 was similar to Village 7 except that meeting the requirements of the green book was not a prerequisite for securing use rights to forestland. Another difference was that labour and financial stability was not a prerequisite. Of all the forestland allocated in Village 4 only 40 ha have been planted and the rest remains barren or is used as garden land.

Buffalo can graze anywhere if they do not destroy crops. If a buffalo destroys crops the owner must pay for the damage. Women in Village 4 stated that if a husband dies the wife maintains rights to all assets in stated in the family red book. Women were not certain if the same rules applied to green books.

The few villagers who have planted trees on their forestland did so with the assistance of the FPD. Consequently, these households will need to inform the FPD when they decide to harvest their trees and may need to pay a tax to the FPD.

The forest protection unit in their area stops villagers from cutting trees and occasionally stops them from hunting animals. Villagers are never stopped for gathering firewood. Villagers are not familiar with the activities of the forest Management Board and the board has no known impact on the villager’s land use decisions.

Several households have very large trees in gardens near their house that were planted many years ago by their parents or grandparents. The villagers questioned had no intention of cutting down these trees but admitted they would cut the trees during times of financial hardship. Trees planted include bach dan, acacia, and thong. Seedlings are often purchased from the FPD.
Nearby SFE forestland supports a 12 year-old plantation. One household from the village is contracted to extract sap from the pine trees for the SFE. The family is paid 220,000/100 kilograms of sap.

**Box 2: Women and Firewood**

In the buffer zone of both Ba Be National Park and Ke Go Nature Reserve, women, as primary gatherers of NTFPs are particularly ill informed. The women are not familiar with the park Management Board, the Forest Protection Department, the buffer zone or park boundary. Women do not attend people’s committee meetings. Legal documents stating rights to land are often not in the women’s name. Women do not have access to loans.

Culturally, villagers are dependent on firewood and the collection of firewood is extremely time consuming for women. Collection of firewood is the most visible strain on forest resources. National, provincial, and local policies have not addressed the use of firewood and charcoal.
<table>
<thead>
<tr>
<th>English Name</th>
<th>Collected from</th>
<th>Who Collects</th>
<th>When Collected</th>
<th>Household Use and Sold</th>
<th>Informal Tenure from Ke Go NR?</th>
<th>Formal Tenure from Ke Go NR?</th>
<th>Rating Men &amp; Women</th>
</tr>
</thead>
<tbody>
<tr>
<td>cot toai</td>
<td>Medical Plant</td>
<td>Men &amp; women</td>
<td>June - August</td>
<td>Food to sell. Rarely consumed by villagers.</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>tan Cai</td>
<td>Fuelw., charc.</td>
<td>Men &amp; women</td>
<td>All Year</td>
<td>Cooking</td>
<td>Yes</td>
<td>No</td>
<td>1</td>
</tr>
<tr>
<td>x</td>
<td>Nature Reserve &amp; BZ</td>
<td>Men &amp; women</td>
<td>June - August</td>
<td>To make brooms.</td>
<td>Yes</td>
<td>No</td>
<td>3</td>
</tr>
<tr>
<td>ang</td>
<td>Bamboo</td>
<td>Men</td>
<td>June - August</td>
<td>Used to make baskets. Line for tying.</td>
<td>Yes</td>
<td>No</td>
<td>13</td>
</tr>
<tr>
<td>thu o</td>
<td>Nature Reserve</td>
<td>Men</td>
<td>June - August</td>
<td>Medicine. Especially for women.</td>
<td>Yes</td>
<td>No</td>
<td>10</td>
</tr>
<tr>
<td>io</td>
<td>Nature Reserve &amp; BZ</td>
<td>Men</td>
<td>June - August</td>
<td>Similar to rattan. Sold locally and internationally.</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>sang</td>
<td>Animal</td>
<td>Men</td>
<td>June - August</td>
<td>Food</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>mong bai</td>
<td>Vetiver oil</td>
<td>Men &amp; women</td>
<td>June - August</td>
<td>Used to make incense sticks.</td>
<td>Yes</td>
<td>No</td>
<td>6</td>
</tr>
<tr>
<td>(bunh trung a dong)</td>
<td>Nature Reserve &amp; BZ</td>
<td>Men &amp; women</td>
<td>January, February</td>
<td>Leaves used to wrap traditional Vietnamese cake.</td>
<td>Yes</td>
<td>No</td>
<td>5</td>
</tr>
<tr>
<td>mon</td>
<td>Nature Reserve &amp; BZ</td>
<td>Men &amp; women</td>
<td>June - August</td>
<td>Leaves for traditional Vietnamese hat.</td>
<td>Yes</td>
<td>No</td>
<td>12</td>
</tr>
<tr>
<td>rung</td>
<td>Wild pigs</td>
<td>Men</td>
<td>All Year</td>
<td>Food to sell. Rarely consumed by villagers.</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>ay</td>
<td>Bamboo</td>
<td>Men</td>
<td>June - August</td>
<td>House construction.</td>
<td>Yes</td>
<td>No</td>
<td>2</td>
</tr>
<tr>
<td>uu</td>
<td>Animal</td>
<td>Men</td>
<td>June - August</td>
<td>Food to sell. Rarely consumed by villagers.</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>tran</td>
<td>Nature Reserve &amp; BZ</td>
<td>Men &amp; women</td>
<td>June - August</td>
<td>Medicine for digestion.</td>
<td>Yes</td>
<td>No</td>
<td>7</td>
</tr>
<tr>
<td>tu</td>
<td>Monkey</td>
<td>Men</td>
<td>June - August</td>
<td>Boil bones to make medicine.</td>
<td>Yes</td>
<td>No</td>
<td>9</td>
</tr>
<tr>
<td>daoc</td>
<td>Nature Reserve &amp; BZ</td>
<td>Men &amp; women</td>
<td>June - August</td>
<td>Medicine sold to local medicine men.</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>n day</td>
<td>Nature Reserve &amp; BZ</td>
<td>Men &amp; women</td>
<td>June - August</td>
<td>Used to make a juice.</td>
<td>Yes</td>
<td>No</td>
<td>8</td>
</tr>
<tr>
<td>ng</td>
<td>Rattan</td>
<td>Men</td>
<td>All Year</td>
<td>Sold locally and exported. House construction.</td>
<td>No</td>
<td>No</td>
<td>4</td>
</tr>
<tr>
<td>suan huong bo</td>
<td>Nature Reserve &amp; BZ</td>
<td>Men &amp; women</td>
<td>June - August</td>
<td>Medicine sold to local medicine men.</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>
5. EXAMINING NTFP TENURE SYSTEMS IN VIETNAM
5. EXAMINING NTFP TENURE SYSTEMS IN VIETNAM

5.1 Transforming Governance

Forest policy and management structures in Vietnam are under transformation. Forestry management in the 1990’s is characterized by the government decision to allow households to play a greater role in rural development and management with the objective to curb the rapid degradation of Vietnam’s forests.

The main forestry management reform in Vietnam has been the allocation of forestland to individuals and households for management and protection. Many new laws have focused around this initiative and several forest management agencies have been given new roles. For example, the forest protection units are now mandated to assist people’s committees and cadastral units with forestland allocation and to develop household forest land-use plans.

Other important initiatives focus on promoting reforestation and forest protection by individuals and households. The forest development department is mandated to execute the 5 Million Hectare Reforestation Programme (or Programme 661), and the Forest Protection Department is mandated to ensure the implementation of forest legislation (a task previously done by the forest inspectorate).

5.2 The Need to Clarify Roles and Responsibilities at Administrative Levels

The transformation of forest governance has had important consequences for the way government operates, both at the national level and between the national and local level.

- **Communication and Cooperation Between Departments**

In order for the government to adequately manage the changes that are taking place in Vietnam, some of which have been initiated by the government itself, such as the economic liberalisation and the decentralization of government roles, government institutions need to be using their resources adequately and efficiently. Good coordination needs to prevent overlap, re-inventing the wheel and cohesion. Information sharing and collaboration between different government agencies will become more and more important. Insufficient communication and sharing of information between forest related departments and institutes precludes an enabling environment toward understanding the state of NTFPs in the country. The respective roles of various institutions and collaborative mechanisms between them need to be further established. For example, in the past year (1998) FIPI has been involved in an extensive study of the natural and social environment of Ba Be District. FIPI has also conducted a study specifically on NTFPs in Ha Tinh province. In addition, FIPI has recently proposed a “Ba Be National Park Establishment and Investment Project” that has apparently been approved by MARD (Vo Tri Chung 1999). FIPI holds a great deal of information regarding NTFP resources and park management that is difficult to access. The NTFP research centre has minimal contact with FIPI.

Management Boards of protected areas are mandated to receive direction from MARD. In the legislation there is a statement requiring Management Boards to cooperate with local people’s committees but the purpose or nature of that relationship is not defined. DAFE is occasionally required to provide NTFP related extension services to villagers but receives inadequate information from the Forest Science Institute and NTFP Research Centre to be able to assist the villagers adequately. Until now, the main function of the NTFP Research Centre has been the processing of NTFPs rather than conservation and management and the NTFP Research Centre has been mainly cooperating with the Plant Processing Department.

In both the Ba Be and Ke Go buffer zone areas a poor relationship between local government and the park Management Board does not allow for land-use and resource issues to be resolved efficiently. A primary cause for the poor relationship between the local government and forest Management Board is a lack of understanding of distribution of forest benefits.

- **Communication and Cooperation Between Levels of Government**

Province, district and commune people’s committees have a great deal of autonomy as to what programs they wish to implement and how they will implement them. In the legislation it states that provincial, district and commune forest protection workers are equally accountable to DARD and their local people’s committee. However, forest protection workers are in daily contact with their associated people’s committee and are paid by that people’s committee. Thus, forest protection workers tend to be influenced more by the people’s committees’ decisions. Also, people’s committees are given the final say in decisions regarding land allocation, forestland classification, policy implementation, policy interpretation, and policy development. Thus, even when a provincial forest protection worker disagrees with the people’s committee their opinion can be overridden.

In the Ke Go buffer zone a potentially viable government structure for the management of forests and land is in place including the Forest Protection Department, Ke Go Nature Reserve Forest Management Board, and a respected local government. However, the capacity of the government structures managing land and forests is weak due to poor intergovernmental relations between levels and departments. In general, communication and understanding between all stakeholders (including government agencies) is weak.

- **Buffer Zone Policy**

The need for further definition and clarification of roles and responsibilities is particularly relevant for buffer zones. The use of buffer zones and regeneration zones in the protected area landscapes is a strategy that is endorsed in the legislation and on maps but has little significance to forest managers and households at the district, commune, and village level. Even the new 5 million hectare program makes no mention of buffer zones and when asked the forest development department stated that they have no intention of focussing any initiatives in the buffer zone or of planting NTFP seedlings.

5.3 New Tenure Systems and Uncertainty

Legislation attempting to secure individual and household use rights to forest resources has been developed. The rational behind this initiative is to ensure households have secure use rights to forestland to provide incentive for more sustainable use of the forests and forest products.

- **How successful is the Forest Land Allocation process?**

Allocation of forestland to households has been a slow process and is not complete in many areas. While national programs transform formal forestland tenure, parks tenure, and nature reserve tenure, villager’s partly still rely on their informal systems of use. Table 8 summarizes the existing systems of land and tree tenure in the research sites. In both research sites villagers combine informal and formal policies to ensure access to enough resources to sustain their livelihoods.

Before park boundaries were imposed, villagers were relatively free to gather NTFPs on forestland. Now that park boundaries have been imposed and forestland allocated in both Be Be and Ke Go, gathering rules are largely uncertain and in some cases inappropriate. As a result, gathering is often conducted at night or in secret, which raises questions about the enforceability of the rules.

There are several aspects to the partial success/failure of forestland allocation:

- **Uncertainty & reluctance/skepticism of people:**

However, households are skeptical about the security of their forestland use rights. Unlike agricultural land, forestland has traditionally been an open access or common property resource. Even during the time of agricultural cooperatives paddy land was allocated to households for management.
Household ownership of forestland is an entirely new concept in Vietnam. This unfamiliarity with the concept has caused difficulties and conflicts with allocation, especially in the Ba Be District. Once allocated households lack resources and zoned areas are clear with allocation. If forestland is not used appropriately, households are faced with the threat of state reclamation. It is possible that the new five million hectare reforestation program will assist many of the new forestland owners.

In the Ba Be buffer zone people are not clear about park boundaries, buffer zone boundaries, and village boundaries. Each village has different formal and informal tenure arrangements depending on the culture of the village. For these reasons planting seedlings on common lands is not secure. When wealthier households do plant seedlings on common lands the plantations are subject to theft, vandalism and destruction from grazing buffalo or other villages.

Formal tenure regulation, as set by the nation, province, and district is the dominant tenure system used in Ke Go’s buffer zone. Forestland has been allocated and use rights to land zoned for forestry are relatively secure through green book registration.

- **Equity**

Districts and communes develop their own allocation criteria. Criteria to allocate land in both Ba Be and Ke Go have not allowed for an equitable distribution of land. For example in Ke Go war veterans are given priority and prime land; and only households with enough capital and labour may acquire use rights to forestland. In Ba Be lowland villages have been given priority to forestland.

In Ba Be District village leaders were trained in forestland allocation and have been trying to reach consensus, however they have not been successful. Two reasons given for this lack of success are; first, that before attempts to allocate forestland the district was still dealing with inequity concerns in the allocation of agricultural land. Secondly, the informal tenure system is very strong, has a complicated history, and is carried on through family lines.

However, in the Ke Go buffer zone the once common barren grassy land is now the allocated forestland. Since the establishment of the Ke Go Nature Reserve villagers have been cut off from the Reserve’s resources. Thus, villagers became more dependent on the common barren grassy land for grazing and as a gathering source for fuel and plants. The resources on the now allocated forestland are essential for livelihoods. Changing the tenure relations and use of the once common land may further alienate villagers from valuable resources such as fuel sources and grazing land.

### 5.4 Reforestation programmes

New forest legislation such as the 327 and 661 programs give virtually unlimited NTFP use rights to households contracted to protect forests. Legislation states that former SFE and FPD staff will be given priority to the land. In fact the legislation explicitly encourages these households to harvest and market NTFPs. Thus, villagers who once relied on the barren lands and forestlands were suddenly denied access to this land without compensation to that portion of their income. This national program creates disparity between forest management agencies at local levels.

Of those households that did become involved in the 327 program in Ke Go there were several cases of households not receiving the payments they were promised and families losing use rights to the land after planting seedlings. This brings us to another issue that programs and policies are not reaching local levels in all areas. When they do, programs tend to be corrupt, not effective, and heavily top down. The standard strategy has been to give households seedlings to plant and then to pay households annually to protect those trees. For the long term the state cannot expect to pay people to protect all forest resources. There needs to be another strategy in which the people obtain direct benefits from their activities, rather than indirectly from the state. Additionally, villagers are increasing becoming more skeptical of forestland use rights with all the problems and expenses it can incur.

In the Ba Be buffer zone appropriate national forest management legislation and agencies are in place but have not been successfully implemented causing continued stress on available resources. In the Ke Go buffer zone the incentives for the forest Management Board to encourage sustainable use of NTFP’s are limited due to the benefits they are experiencing from their position of power and gathering of NTFPs.

### 5.5 Integrating NTFP management into Forest Policy and Programmes

Interviews with many government officials revealed a growing recognition of the value of NTFPs in Vietnam. However, the underlying message was that NTFPs are not yet important enough to warrant significant time, energy, and money from government. At this time forest management agencies are primarily focussing on the sustainable use of the timber resources in Vietnam. Despite the state’s unintentional avoidance of NTFP issues the current legislative reforms and proposed forest programs are directly affecting NTNFs.

Despite the above mentioned problems Vietnam’s forest management changes are heading in a positive direction. Several documents, including Vietnam’s Biodiversity Action Plan, demonstrate the government’s awareness of many of the issues and solutions to improving the management of the countries forest resources. Forest policy and programs are under reform and are increasingly being geared to giving local people more control over and benefits from forest resources.
Table 8. Land and Tree Tenure Scenarios in the Research Sites

<table>
<thead>
<tr>
<th>To acquire land a villager can.</th>
<th>Village Seven, Ke Go Nature Reserve Buffer Zone</th>
<th>Village Four, Ke Go Nature Reserve Buffer Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Purchase land from another household in Vai (approximate cost 1000 m² = 6000 dong); Clear land for shifting agriculture or terraces in Khuoi Luong or in the park; Plant trees in Khuoi Luong or in the park; Buy sand and rock to reclaim land from Vai lake or Lang river.</td>
<td>Inherit from their family; Buy land from another family in village 7; Submit a letter to the commune and clear forestland, or If a household is suffering from difficulty they can borrow land from the commune.</td>
<td>Inherit from their family; Buy land from another family in village 4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>One household can have formal use rights to:</th>
<th>One household can have informal use rights to:</th>
<th>One household can have informal use rights to:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Land with a house and adjacent homegarden, Paddy land, and Garden land (usually near the lake).</td>
<td>Common barren, grassy land, Allocated and unallocated forest land that does not have seedlings or trees, NTFPs in Ke Go Nature reserve.</td>
<td>Common barren, grassy land, Allocated and unallocated forest land that does not have seedlings or trees, NTFPs in Ke Go Nature Reserve</td>
</tr>
<tr>
<td>Issue</td>
<td>Strengths</td>
<td>Weaknesses</td>
</tr>
<tr>
<td>-------</td>
<td>-----------</td>
<td>------------</td>
</tr>
<tr>
<td>Forest and land management system under transformation</td>
<td>• National government officials recognize the need to consider and protect NTFPs.</td>
<td>• Forest policy and governance systems are under transformation in Vietnam creating an environment of uncertainty at all levels.</td>
</tr>
<tr>
<td>Forestland allocation</td>
<td>• Forestland is being allocated to households.</td>
<td>• Criteria for a household to acquire forestland encourages inequity in the distribution process.</td>
</tr>
<tr>
<td>Park and nature reserve buffer zone policy</td>
<td>• The desire for buffer zone policy and management strategies exists.</td>
<td>• Within each commune forestland allocation processes are different, are at different stages, and have different complications.</td>
</tr>
<tr>
<td>National forest programs at local levels</td>
<td>• Programs such as 327 and 661 have been implemented to assist with the protection of forest resources.</td>
<td>• The informal tenure system in Ba Be is strong and conflicts with the forestland allocation process.</td>
</tr>
<tr>
<td>Provincial, district and commune power and autonomy</td>
<td>• Local governments have a great deal of autonomy over how policy and programs are implemented.</td>
<td>• Local government structures are in place for the purposes of protecting and managing forest resources.</td>
</tr>
<tr>
<td>Cooperation and communication between agencies and villagers</td>
<td>• The skill and financial capacity of the departments is limited.</td>
<td>• People are not clear about park boundaries. In both Ba Be and Ke Go the park’s boundaries are only 3-4 years old.</td>
</tr>
</tbody>
</table>

**Table 9. NTFP Tenure SWOL Summary**
6. RECOMMENDATIONS FOR THE NTFP PROJECT
6. RECOMMENDATIONS FOR THE NTFP PROJECT

Neglecting to clearly understand rights in land and trees, as well as informal and formal forest management systems has been a common cause of failure in community forestry projects (Bruce 1989). Without taking into account land and forest tenure and management, project activities may not achieve the intended benefits and may lack the potential to be sustainable. Misunderstandings about tenure create problems for projects because:

- Project design and implementation may neglect social and institutional constraints which prevent stakeholders from responding and acting on opportunities provided by the project,
- The tenure system will have an effect on incentives for resource use and protection,
- Project benefits may not reach the intended beneficiaries and may cause unintended displacement,
- Project activities may exclude other necessary uses for land and other users of the land. (Bruce 1989)

In Vietnam, NTFP project activities could potentially further complicate land and resource use rights in an already complicated land tenure system. This can be avoided by understanding and working with existing tenure systems and by using these systems as the point of departure for interventions. Forest and land tenure is very different in the two pilot sites. In Ba Be district an informal tree and land tenure system is very strong and forestland allocation to households has not been successful. In Ke Go forestland allocation to households has occurred and project activities can occur on the allocated land. The capacity of local government forest management agencies in Ke Go appears to be much stronger than in Ba Be district. Because the local government is strong in Ke Go officials may be less open to new ideas whereas in Ba Be there seems to be more of a willingness to try new ideas and strategies.

Local government agencies have a great deal of autonomy in their jurisdictions. If the project can involve local agencies and build capacity in local agencies, long term tenure, use rights, and resource benefits may be more secure for villagers.

Recommendations:

- Based on a proper understanding of the local tenure arrangements and on a careful and prudent approach to addressing tenure issues, the project could:
  - Help in certain situation clarify parts of the confusion that exists at the moment on tenure arrangements in the field sites: this will probably help to overcome some of the existing conflicts,
  - Explore the possibility to test new tenure arrangements and new divisions of roles and responsibilities, e.g. through collaborative forest management, and after a while develop policy recommendations,
  - Consider tenure systems, together with land use systems, as the main entrance point/defining factor for organising project interventions at the level of planting NTFPs, etc. E.g. promote planting of certain NTFPs in homegardens, on barren hills, etc.

The NTFP Research Centre has the capacity and jurisdiction to influence national policy once project initiatives demonstrate insights toward sustainable management of NTFPs.

Recommendations:

The project should continue to monitor and analyse the changing tenure situation and also develop policy recommendations on these issues. Furthermore, national government agencies should be kept up to date on the Projects activities and successes.

Also, it is recommended that the NTFP project work closely with other relevant institutions, which have relevant information and expertise to share, including IEBR, the Beekeeping Institute, other sections of FSIV and FIPI. For example, FIPI has conducted biological studies in both Ba Be and Ke Go. Also, FIPI has the authority to influence the park management plans and to improve buffer zone policy.

Policy and legislation related to NTFPs, forest land, park management and buffer zones have been evolving rapidly in Vietnam since 1991 (as explained in section 2), and will continue to evolve and improve in the future. This evolution is largely a response to concerns of the national government and at an international level for the rapid desecration of Vietnam’s diverse natural resources. It is also a reflection of the government’s decentralisation and economic liberalisation programmes. Consequently, new policy and legislation will effect a project related to forestry in the buffer zone of a national park.

Additionally, several legislative reforms have not yet filtered to the provincial and district levels. Since it is the aim of the project to:

- conduct NTFP market system analysis and development,
- to improve NTFP management, and
- to ensure NTFP users understand and enforce NTFP regulations and policies (IUCN, 1997),

it is important that the project staff be aware of how provincial and district level governments interpret and implement new national policies and legislation.

Recommendations:

It is recommended that further research be conducted once project activities have been identified so that the proposed activities work within the provincial and district forest and land management policies. The project might also help to clarify official policies and legislation to government officials at various levels and to other stakeholders, including traders and forest users.

The NTFP project should be informed of all new legislation set by national government. A subscription to the Official Gazette and a Vietnamese legislation journal is advised.

Also, one project member’s task should be to periodically check the development of forestry related legislation to ensure that the NTFP project activities are working in consort with national policy.

Project monitoring and evaluation activities should assess 1) district and village level knowledge of provincial and national legislation, and 2) new forestry related legislation and its impact on the appropriateness of project activities.
7. REFERENCES

- Christy, L. *Legislation for Forestry in Vietnam*. FAO.


• Tissari, Jukka, Juha Kiura, Tran Tuan Nghia, Ho thanh Huyen. November 1996. Local Markets for Wood and Non-Wood Products in Cho Don District and Bac Thai Province. The Vietnam Finland Forestry Sector Co-operation Programme.


• Uphoff, Norman. Local Institutions and Participation for Sustainable Development. IIED, Gatekeeper Series No. 31.


## APPENDIX 1. Forest and Land Legal Documents in Vietnam

<table>
<thead>
<tr>
<th>When</th>
<th>What</th>
<th>Code</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1998</td>
<td>On the Target, Task, Policy, and Organization of the Implementation of the Project of Planting Five Million New Hectares of Forest</td>
<td>Decision #661 QD-TTg</td>
</tr>
<tr>
<td>May 1997</td>
<td>on urgent measures to protect and develop forests</td>
<td>Directive #286 - TTG</td>
</tr>
<tr>
<td>June 1997</td>
<td>On ratifying the program for survey, evaluation and monitoring of the development of the forest resource throughout the country during the 1996 - 2000 period.</td>
<td></td>
</tr>
<tr>
<td>December 1997</td>
<td>1993 Land Law and Stipulations on the Forest Land Allocation</td>
<td></td>
</tr>
<tr>
<td>May 1996</td>
<td>On functions, duties, powers and organization mechanism of the department of forest protection</td>
<td>Decision #347- TTG</td>
</tr>
<tr>
<td>May 1996</td>
<td>On urgent measures to protect and develop wildlife</td>
<td>Directive #359 - TTG</td>
</tr>
<tr>
<td>November 1996</td>
<td>On the Exploitation and Export of “Po Mu” (Foklena Hodginsii) Timber.</td>
<td>Decision #821 - TTG</td>
</tr>
<tr>
<td>November 1996</td>
<td>On Sanctions Against Administrative Violations in the Field of Forest Management and Protection and Forest Product Management</td>
<td>Decree #77-CP</td>
</tr>
<tr>
<td>January 1995</td>
<td>On the Promulgating Stipulation about the Contract of Land to use for Agriculture, Forestry, Aquaculture in State Businesses.</td>
<td>Decree #01 - CP</td>
</tr>
<tr>
<td>February 1995</td>
<td>Decree on Detailing the Implementation of the Right and Responsibilities of Domestic Organizations to Which Land is Allocated or Leased by the State.</td>
<td>Decree #18 - CP</td>
</tr>
<tr>
<td>March 1995</td>
<td>On urgent measures to prevent and fight against forest fires.</td>
<td>Directive #177 – TTG</td>
</tr>
<tr>
<td>September 1995</td>
<td>On Revising and Supplementing Decision No. 327-CT on September 15, 1992 by the Chairman of the Council of Ministers.</td>
<td>Decision #556 – TTG</td>
</tr>
<tr>
<td>November 1995</td>
<td>On the Role, Responsibilities, Powers and Organization Structure of the MARD</td>
<td>Decree #73 CP</td>
</tr>
<tr>
<td>December 1995</td>
<td>Vietnam National Action Plan on Biological Diversity</td>
<td>Decision #845-TTg</td>
</tr>
<tr>
<td>1994</td>
<td>Law on Environmental Protection</td>
<td></td>
</tr>
<tr>
<td>January 1994</td>
<td>On concerning allocation of forest land to organizations, households, and individuals for long-term forestry purposes.</td>
<td>Decree #02 CP</td>
</tr>
<tr>
<td>April 1994</td>
<td>On the System of Organization, the tasks and power of the The Forest Ranger Service</td>
<td>Decree #39 – CP</td>
</tr>
<tr>
<td>May 1994</td>
<td>On contracts for forest protection, maintenance, natural regeneration and planting</td>
<td>Decision # 202 – TTG</td>
</tr>
<tr>
<td>August 1994</td>
<td>Stipulating the Prices for Each Type of Land</td>
<td>Decree #87 – CP</td>
</tr>
<tr>
<td>March 1993</td>
<td>On Promulgating the Stipulation on Policy for Producing Household to credit or loan to develop agroforestry, aquaculture, salt career and rural economy</td>
<td>Decree #14 – CP</td>
</tr>
<tr>
<td>March 1993</td>
<td>On the reorganization and renewal of management in State Enterprises in the Agriculture Sector</td>
<td>Decision #12-CP</td>
</tr>
<tr>
<td>March 1993</td>
<td>Protection and management of rare, valuable animals and plants</td>
<td>#130 TTg</td>
</tr>
<tr>
<td>April 1993</td>
<td>On Guidelines on management and provision of credits from the State for programmes and projects for use of bare land, degraded hills, forests, alluvial flats and water bodies.</td>
<td>Circular #32 - TC/DT</td>
</tr>
<tr>
<td>May 1993</td>
<td>On Guidelines for the Allocation of Land in Accordance with decree 327-CT</td>
<td>Circular #300 - CV/RD</td>
</tr>
<tr>
<td>June 1993</td>
<td>On Guidelines Concerning Implementation of decision 327-CT</td>
<td>Circular #10 – KH</td>
</tr>
<tr>
<td>July 1993</td>
<td>Law on Land</td>
<td>LDD</td>
</tr>
<tr>
<td>July 1993</td>
<td>On Buffer Zones for National Parks and Preservation Areas</td>
<td>Regulation No. 1586 LN/KL</td>
</tr>
<tr>
<td>December 1993</td>
<td>Law on Environmental Protection</td>
<td></td>
</tr>
<tr>
<td>January 1992</td>
<td>On listing species of precious and rare wild plants and animals</td>
<td>Decree #18 – HDBT</td>
</tr>
<tr>
<td>January 1992</td>
<td>Implementing the law on forest protection and development</td>
<td>Decree #17 – HDBT</td>
</tr>
<tr>
<td>July 1992</td>
<td>On policies encouraging investment for forestry development</td>
<td>Decision #264 – CT</td>
</tr>
<tr>
<td>1991</td>
<td>National Plan on Environment and Sustainable Development</td>
<td></td>
</tr>
<tr>
<td>August 1991</td>
<td>Forest resources and development law</td>
<td>58 LCT/HDN58</td>
</tr>
</tbody>
</table>
The latest initiative of the forestry development department is the plan for the 5 million hectare reforestation program. Every province has a representative of this department who is assigned the task of carrying out reforestation activities. For households to participate or cooperate with this program they must hold a red book or a green book to establish their land ownership. According to Nguyen Ngoc Binh this program has no intention of focussing its efforts on buffer zones of protected areas.

The NTFP Research Center (NTFPRC) organizes and carries out scientific and technological activities in the fields of silviculture, plantations, exploitation, preservation and processing of NTFPs. To date they have not influenced NTFP policy. Their main function has been to provide recommendations on NTFP production to provinces and the plant processing department.

The institute has three departments: remote sensing; assessment of forest resources; and environment and social forestry. The environment and social forestry department has a NTFP section that focuses on data collection, research and marketing of NTFP products. FIPI has 800 staff throughout the country in many field sites.

It is FIPI’s responsibility to develop management plans for the Management Boards of national parks in Vietnam. Management plans are only concerned with strictly protected areas and are not concerned with buffer zones or regeneration zones. However, MARD and FIPI are working to improve buffer zone policy.

The forest science institute is directed to guide MARD’s activities through research and consultation. Often the forest science institute also receives directions from MOSTE. The functions of the institute are organizing and implementing scientific and technological research on silviculture, forest industry, forest economics, and forest management. They are also responsible to implement forest programs, carry out international cooperation programs and conduct consultant services in forestry investment. The institute’s most recent initiative was designing the 5 million hectare plantation project. However it is not their responsibility to implement this project.

The institute has many offices throughout Vietnam and many special research divisions. The research divisions include:

- Non-timber forest products research center (NTFPRC)
- Forest tree improvement research center
- Forest protection research division
- Forest economics research division

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In many districts State Forest Enterprises (SFE) manage state owned forest land. SFEs are owned and managed by either the Ministry of Finance or provincial authorities. Recently SFE have been reformed by MARD attempting to complement household based forest operations such that:

1. Forest service enterprises are expected to support afforestation, management, and protection activities undertaken by households.
2. Forest exploitation and processing enterprises are expected to purchase, process, and market the household products.
3. Forest industry groups are expected to explore and open new marketing possibilities.
4. Environmental protection enterprises are expected to be responsible for the management of national parks and watershed reserves (Poffenberger 1998).

Apparent changes to the SFE structure include a reduction in their scope of activities and number of employees. They are now entrusting the management of forests to former employees and neighboring farmers on a contract basis (Warfvinge 1997).
Management Boards
According to the law on forest resource protection, Management Boards are to be established for each special-use forest. National parks, nature reserves and other protection areas each have their own Management Board that is accountable to MARD. The Management Board is responsible to implement the park management plan. FIPI develops the management plans with the Management Board and submits the plan to MARD for approval. The functions of the Management Board include:

- Making plans and taking measures to protect and maintain the forest,
- Planting trees on bare hills and empty land,
- Carrying out business with NTFPs and wildlife products in combination with agricultural production and cultivation of water products, and
- Protecting watersheds.

The Management Board usually consists of technology, accounting, tourism and forest protection sections. In the legislation it is state that the Management Board must cooperate with local people’s committees and forest protection stations.

APPENDIX 3. Government Officials interviewed in Hanoi

<table>
<thead>
<tr>
<th>Name</th>
<th>Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>Policy Department Representative</td>
<td>Policy Department, MARD</td>
</tr>
<tr>
<td>Vo Chi Chung, Forestry and Human Ecology</td>
<td>Forest Inventory and Planning Institute</td>
</tr>
<tr>
<td>Vu Van Dzung, Vice Director</td>
<td>Forest Inventory and Planning Institute</td>
</tr>
<tr>
<td>Nguyen Huy Dzung, Nature Conservation</td>
<td>Forest Inventory and Planning Institute</td>
</tr>
<tr>
<td>Dr. Ha Chu Chu, Director</td>
<td>Forest Science Institute</td>
</tr>
<tr>
<td>Khai</td>
<td>Forest Science Institute</td>
</tr>
<tr>
<td>Dang Dinh Cat, International Cooperation</td>
<td>Forest Science Institute</td>
</tr>
<tr>
<td>Do Van Nhuuan, Vice Director</td>
<td>Department of Agriculture and Forestry Extension</td>
</tr>
<tr>
<td>Nguyen Ngoc Binh.</td>
<td>Forest Development Department</td>
</tr>
<tr>
<td>Dr. Le Thanh Chien</td>
<td>NTFP Research Centre</td>
</tr>
</tbody>
</table>

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[1] The project is implemented through a partnership in which the Government of Vietnam (through the NTFP Research centre) and IUCN collaborate. CRES and ECO ECO are responsible for the implementation of activities in the pilot sites in Ke Go and Ba Be respectively. The Royal Netherlands Embassy provides the funding for the project.  
[2] Preliminary findings of other studies by the NTFP studies indicate that charcoal collection (for sale) is more important in Ke Go whereas fuelwood use for home consumption and alcohol destillation are more important in Ba Be.  
[3] BZ = Bufferzone  
[4] The first child of a family always has rights to receiving land from the commune when they marry. The second, third, and fourth child born after 1994 will not receive land from the commune. This is the commune’s strategy to control population and land shortages.  
[5] BZ = Bufferzone