1. Background

It is widely recognized that secure tenure and clearly defined access of farmers to forest resources are preconditions for protection and sustainable management of forests. Based on this, the SFDP applies in Yen Chau and Tua Chua districts a land and forest allocation methodology which comprises the allocation of existing forests on a contract basis to groups of households. In order to define clearly the access to these forests the villages in Chieng Dong commune have set up village forest protection rules.

The SFDP assumes that the allocation of forests to groups of households and clearly defined protection and management regulations are the basis for the development of a Community Forestry Development Plan and for the implementation of community forestry activities within the project. However, it is presumable that the situation in Chieng Dong is very heterogeneous and might require specific approaches if only because of two ethnic groups -Thai and Hmong- living in the commune. The evaluation in Chieng Dong commune, Yen Chau district will be helpful to develop a community forestry management strategy and to identify the appropriate levels of intervention.

2. Objectives of the Evaluation

The main objectives of the evaluation are:

- to analyse the impact of the forest protection contracts and the forest protection regulations on protection and use of forests;
- to review the assumption that the allocation of forests to groups of households and the definition of
forest protection and management rules provides the basis for future community forestry activities;
• to examine existing (indigenous/local) systems for regulated forest protection and use;
• to come up with recommendations for improvement of forest land allocation and of forest protection regulations.

3. Methodology of the Evaluation

The evaluation took place from July 7-12 in Chieng Dong commune, Yen Chau district. The schedule included the following activities:

1. day: introduction, methodology of the evaluation, visit commune leader studying existing sources, preparation of fieldwork.

2. day - 4. day: field work in Na Pan, Dong Tau, Then Luong, Pung Khoai, Keo Bo consisting of interviews at village, protection group and household level.

5. day: processing of data, discussion with participants

6. day: Visit to the forest protection unit of the district.

Participants: SFDP staff from province and district level: Co, Ban, Viet, Ulrich, interpreter.

The evaluation took place at different levels, starting from commune level down to farm household and field level. Group discussions, interviews with key-informants and farm households, field visits together with local staff as well as the study of existing sources took up the main part of the work. Annex 1 comprises the topics which were discussed in semi-structured interviews.

4. Results

4.1 Forest Protection Contracts

During the forest land allocation in Chieng Dong commune the existing forest area has been contracted to three different parties: groups of households, individual households and villages. In some villages all kinds of contracts can be found. Around 50% of the existing forest area is contracted to groups of households, 30% to individual households and about 20% to villages or cooperatives (see table 1). The interviews gave us the general impression that the allocation of forest land was done in a participatory way and the different forms of contracts were desired by the villagers. To a certain extent, it reflects the situation prior to the forest land allocation. Forest areas near the village have been traditionally used by the whole community and small patches of forest above the upland plots by households which cultivate these plots.

Table 1: Allocation of existing forest area in Chieng Dong according to GDGR-data

<table>
<thead>
<tr>
<th>village</th>
<th>ethnic group</th>
<th>existing forest area [ha]</th>
<th>allocated to individual households [ha]</th>
<th>allocated to groups of households [ha]</th>
<th>allocated to the village or cooperative [ha]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Chai</td>
<td>Thai</td>
<td>77.0</td>
<td>--</td>
<td>--</td>
<td>77.0</td>
</tr>
<tr>
<td>Na Pan</td>
<td>Thai</td>
<td>720.9</td>
<td>306.0</td>
<td>225.4</td>
<td>189.5</td>
</tr>
<tr>
<td>Nhom</td>
<td>Thai</td>
<td>145.7</td>
<td>--</td>
<td>139.8</td>
<td>5.9</td>
</tr>
<tr>
<td>Chum</td>
<td>Thai</td>
<td>155.4</td>
<td>133.4</td>
<td>--</td>
<td>22.0</td>
</tr>
</tbody>
</table>
It was reported in the interviews that small patches of forest (e.g. on top of hills) were contracted to individual households, areas far from the villages to groups and areas adjacent to the villages to the community. Forest protection groups were formed on the basis of a set of criteria: households, which use upland plots adjacent to a forest area as well as households with kinship or friendship relations often belong to one group.

Protection of the contracted forest and its use do not really correspond in the case of groups of households or individual households. Although there is a feeling of responsibility for the contracted area the groups or individuals value the forest more for the cash flow from the 327-program and not for its benefits. That is also indicated by the fact, that in Thai villages the households which not have forest protection contracts have more or less free access to the forest area. Even in villages with large forest areas only 80% down to 50% of the households have contracts and in villages with small forest areas only a few households have contracts (see table 2). In the Hmong villages Keo Bo and Pung Khoai all households are included in the protection groups.

### Table 2: Number of households with forest protection contracts in selected villages

<table>
<thead>
<tr>
<th>village</th>
<th>No. of households</th>
<th>No. of households with group or individual contracts</th>
<th>No. of contracts</th>
<th>established in</th>
</tr>
</thead>
<tbody>
<tr>
<td>Na Pan</td>
<td>178</td>
<td>94</td>
<td>42</td>
<td>1994</td>
</tr>
<tr>
<td>Dong Tau</td>
<td>143</td>
<td>112</td>
<td>5</td>
<td>1994</td>
</tr>
<tr>
<td>Than Luong*</td>
<td>83</td>
<td>10</td>
<td>11</td>
<td>1994</td>
</tr>
<tr>
<td>Pung khoai</td>
<td>12</td>
<td>12</td>
<td>1</td>
<td>1996</td>
</tr>
<tr>
<td>Keo Bo</td>
<td>14</td>
<td>14</td>
<td>6</td>
<td>1996</td>
</tr>
</tbody>
</table>

* 10 households have got Red Book Certificates for 9 ha of existing forest area and also get money from the 327-program.

In Dong Tau the village management board has the plan to include the households without contracts in the protection groups next year. In Na Pan it was mentioned that the households without contracts live far from the forest or have not enough labor capacity to protect the forest.

In Napan and Than Luang the villages employ forest guards which are responsible for protection of the community own forests. Dong Tau has formed three security groups which act as forest guards in the forest contracted to the groups.

Since 1994 the villages get 28,000 VND/ha/year from the 327-program. In 1994 and 1995 the forest
enterprise in Mai Son distributed the money, in 1996 the responsibility was handed over to the forest protection unit of the district. In Chieng Dong commune only the Thai villages are paid for forest protection, the Hmong villages do not get money from the 327-program although they have protection contracts since 1996. The total fund of 46,000,000 VND is used to subsidise 1650 ha of forest, excluding about 200 ha existing forest of the Hmong villages.

In the Thai villages the 327-money is distributed to the households according to the forest area they protect or in the cases of community protection, the money goes to the village fund.

4.2 Forest Protection Regulations

In 1996 all villages set up village forest protection regulations under guidance of the cooperatives or village management boards and with the help of the SFDP. The regulations follow the guidelines of the Vietnamese government, particularly the regulation 77-CP issued in 1996. The regulations are more or less lists of prohibited activities and punishments applied to forest violation and do not take the farmers needs and interests into account. Therefore, they are not suitable to achieve a community based forest management (3 examples of village regulations are listed in Annex 2). However they have a positive impact on forest protection because violations of people outside the villages can now be uniformly fined and they have raised the awareness of the local people in forest protection.

The regulations are quite similar comprising rules about cultivation, burning, use of timber and fuelwood, livestock grazing and hunting in the existing forest area and fines applied to violations. Only some details are different indicating a little bit of participation. For extraction of timber a written application to the village management board is required and has to be approved by the forest protection unit of the district. In practice it seems, that the villagers inform only the village head, which, for example in Na Pan, collects a tax of around 10,000-15,000 VND per tree for the village fund.

In case of the Thai villages the regulations are applied to a certain extent, particularly to violations of people outside the village. There seems to be a good recognition of the regulations by all villagers. In the Hmong villages the general impression is that the regulations are hardly recognised and not applied due to language problems, lack of participation and poor dissemination of the policy.

It is difficult to examine local regulations about forest use because the informants in the interviews are very cautious and stick to the official version of the forest protection regulations. Nevertheless, there is evidence for local use regulations, e.g. in Dong Tau the extraction of bamboo shoots is only allowed from 5-15 July and is restricted to household consumption. In Then Luong it was reported that the village earns some money from extraction of bamboo, which is partly used to pay the forest guard.

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

According to Mr. Tham the policy of forest protection exists since 1970. But it has only been successful during the last three years due the forest land allocation and the forest protection contracts.

The payment for forest protection contracts by the 327-program is based on a feasibility study of the Mai Son Forest Enterprise in 1993. The Hmong villages were incorporated in the commune in 1994, so they were not considered by the 327-program. In 1998 it is planned -but has yet to be approved- to increase the fund for payment of protection contracts in Chieng Dong commune from 46 Mio VND to 100 Mio VND. In this time the Hmong villages will also receive money for forest protection.

The forest protection unit receives applications for timber extraction for around 1,000 m³ of timber/year in the whole district. The villagers have to pay a tax of 50% of the value of the timber. There are 8 groups of timber species with fixed value from 400,000 VND/m³ for group I-timber down to 8,000 VND/m³ for group VIII-timber.

Activities of SFDP in the field of community forestry management should be discussed with the forest protection unit beforehand. It seems that Mr. Tham is very cooperative and the unit would like to participate in the activities.
5. Discussion and Recommendations

The evaluation revealed a very heterogeneous situation concerning forest protection contracts in Chieng Dong commune. During the forest land allocation existing forest has been contracted to villages, to groups of households and to individual households. It seems that the allocation was done in a participatory way and the different forms of contracts desired by the villagers.

The major question here is to identify the appropriate levels of intervention in community forestry management. Because of the general impression, that forest protection by groups or individual households does not really correspond with the use of the contracted areas, interventions should be aimed at the village level, starting with activities in the forests contracted to whole villages. These areas are predominantly used because of their proximity to the villages. Another starting point is that some villages employ forest guards for these areas, they could be trained to act as village forest extensionists. There are, of course, different approaches and the interest and needs of the villages should be taken in account. There could also be a cooperation with protection groups which show interest in silvicultural treatment of the areas contracted to them.

Forest land allocation with the definition of the boundaries between the villages, the issuing of protection contracts in combination with the subsidies from the 327-program have a positive impact on forest protection which is indicated by profuse natural regeneration and restoration of the forests within the last three years. Additionally, the definition of the village forest protection regulations have raised the awareness of the local people in forest protection. But because of the fact, that protection and use of the forest do not correspond, the farmers see the value of the forest more in its cash-flow from the 327-program than for its benefits. This makes it conceivable that forest protection will decrease if this level of subsidy cannot continue. Therefore, community forestry activities within the SFDP should try to provide immediate direct benefits. A small number of pilot sites in which activities can be concentrated on a trial basis should be indentified. Activities should focus on income generation through forest management.

Another issue is that the money from the 327-program is only distributed to Thai villages, although the Hmong have forest protection contracts and requested the money from the district. The project should try to intervene in this praxis on province level or consider to pay money for forest protection to the Hmong villages imposing definite conditions, which could be checked by the project staff.

The Village Management Boards (VMB) which have been established by the SFDP in 1996 are working quite well. Our opinion is that in the Thai-dominated Chieng Dong commune village management boards are more suited to the situation than a board on commune level. In the Thai villages some persons have double function in the VMB and in the cooperative. In some cases bickering over responsibilities between the cooperative and the VMB occurs. In the interviews the VMB’s requested financial support in order to work more effective. In case of Na Pan the members stated that the board consisting of 10 people is too big to work effectively.

6. Appendices

Annex 1: List of topics discussed during the evaluation

Annex 2: Examples of Village Forest Protection Regulations from Na Pan, Dong Tau, and Huoi Sieu villages
does the commune go into the villages to check agricultural and forestry activities?
does the commune explain and disseminate policies to the villages? How?
does the commune give technical advice to farmers?
is the commune interested in establishing a sort of CAFB?

**Village level**

- general data about village and village forest (households, forest area)
- village forest protection regulations (set up when, by whom, is it written, in which language, who keeps the regulations, how announced to villagers)
- recognition of the regulations by the villagers
- are there any other (traditional) regulations apart from the forest protection regulations?
- are there regulations about use of forest and grazing in the forest?
- what was the situation prior to the forest land allocation and forming of protection groups?
- how many forest protection groups were formed and is all existing forest allocated to these groups?
- forest protection contracts, money from forest protection, how is the money distributed?
- does forest protection correspond with use of the contracted area?
- any violations or conflicts, how were the solved?
- any fines collected (in which cases, how much?)
- is there a forest function planning in the village (e.g. watershed forest, amenity forest, holy forest)
- have all villagers forest protection contracts and is the contracted area evenly distributed?
- is there a council of elders in the village which regulates forest protection/use? Does the council get money for its work?
- is the village interested in improvement of the regulations or in silvicultural activities?
- is the village interested in establishing a sort of CABF?

**Forest protection group level**

- how and according to which criteria was the forest protection group formed and when established?
- how many households belong to the group?
- organisation of the forest protection group (leader, changing of leader?)
- duties and responsibilities of the group members
- who keeps the forest protection contracts?
- how large is the area contracted?
- which type of forest? (big/small trees, what products can be found?)
- are the boundaries clear?
- how much money do the group get, how is the money distributed?
- what can the group extract from the forest contracted to them?
- can other villagers extract forest products from the same area?
- can the protection group exclude other users from other villages?
- any violations or conflicts, how were the conflicts solved?
- is there any management in the contracted forest area?
- are there any protection and use regulations including grazing regulations?
- are there any regulations established by the protection group itself?
- do the group sell or exchange any forest products from the area contracted to them with other protection groups or with other villages?
- does the forest protection department check the forest before prolonging the yearly contract?
- is the group interested in setting up specific regulations for their needs and conditions of their area and in silvicultural treatment of the area?

**Household level**

- is the household member of a group?
- how was the group formed?
- what are his/her duties and responsibilities?
- does he/she know about any regulations?
- where does he/she collects forest products (timber, fuelwood, bamboo shoots, etc.)
- how much can he/she collect?
- can other people collect forest products from there? (how much, people from the same protection group or from other groups?)

**In the field**
The main issues to check in the field are the boundaries between the protection groups within the village and between adjacent villages. It is also important to get an impression about the type and the state of forest allocated to the different protection groups.