

Redefining concepts of what type of forest comprises community forests in Viet Nam

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Key message

The approval of the 2004 Forest Protection and Development Law was a milestone which marked the legal recognition of community forestry in Viet Nam. Yet, general understanding of community forests as only the area legally allocated to village communities has undervalued the role of community forestry. To address this issue, it is recommended that community forestry needs to be clearly defined in the forestry legal framework to include forest areas allocated to individual households, particularly natural forest areas where collective forms of forest management are being practiced.

Introduction

The 2004 Forest Protection and Development Law (FPDL) marked a milestone in the Vietnamese forestry legal framework for community forestry (CF) as it was the first time a provision on the allocation of forests to local communities was recognized in national law. Although the term CF does not actually appear in the law, the 2004 FPDL opened up a space for recognizing CF in the legal framework and thus the development of CF in Viet Nam. Yet to date, inadequate attention has been given to the importance and contribution of CF to the forestry sector. Based on experiences from the field, this brief argues that the concept of CF being used in Viet Nam is too narrow, as it is limited only the area of forest legally allocated to communities, which is one of the reasons for a lack of public attention to CF thus far. To properly quantify the contribution of community forestry in Viet Nam, it is important to understand where it is being practiced.



Redefining community forestry beyond individual households land ownership

The forest tenure reform policy (commonly known as the Forest Land Allocation or FLA) was promulgated in Viet Nam in the early 1990s, when forests began to be allocated to households, marking the legal recognition of the involvement of local people in the management of national forest resources. Various FLA pilots took place in 1990s, including allocation of forest to households and village communities. In 2004 the Forest Protection and Development Law (FPDL) was passed, which legally recognized the allocation of forests to village communities (Articles 29 and 30 of FPDL).

The 2004 FPDL created a legal foundation for the allocation of forests to village communities. By the end of 2014, the forest area allocated to village communities were around 458 thousand ha, or 3% of the total forest area. Although there is no legal definition of community forest(ry) in Viet Nam, official documents often equate it with the areas of forests legally allocated to village communities - that is, the legally registered 458 thousand ha of forests (3% of the country's total forest area).

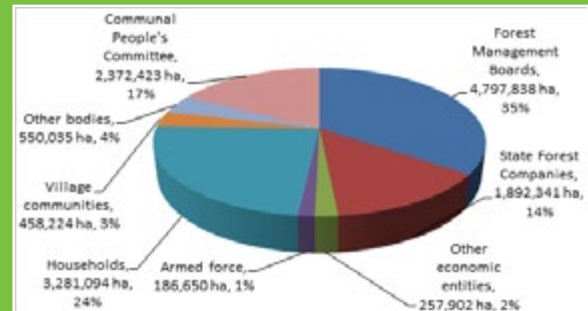


Figure 1: Areas of forest under different tenure groups in Viet Nam (Source: www.kiemlam.org.vn)

Although there is nothing wrong with this understanding, compared with other forms of forest management, it undervalues the role and contributions of CF to the forest sector in Viet Nam as the concept of community forestry goes far beyond the areas of forest legally allocated to village communities.

The concept of community forestry

Community forestry is defined by the Food and Agriculture Organization of the United Nations (FAO) as “any situation that intimately involves local people in a forestry activity. It embraces a spectrum of situations ranging from woodlots in areas that are short of wood and other forest products for local needs, through the growing of trees at the farm level to provide cash crops and the processing of forest products at the household, artisan or small industry level to generate income, to the activities of forest dwelling communities” (FAO 1978). Over the last decades, the definition of community forestry has evolved from a narrowly defined technical field to a broader concept that includes all aspects, initiatives, science, policies, institutions, and processes that increase the role of local people – including women, youth and marginalized groups – in governing and managing forest resources. It consists of informal, customary, indigenous, and formal or government-led initiatives. Community forestry includes a variety of institutional arrangements such as indigenous management of sacred sites of cultural importance, direct community control or management of forest areas, smallscale forest-based enterprises, forest out-grower schemes, company-community partnerships, and other forms of decentralized and devolved forest management (RECOFTC 2013).

Community forestry takes place in various forms (Arnold 2001). It can be collaborative (joint), such as co-management of forests as demonstrated in West Africa, joint forest management (JFM) as in India, community forestry as in Nepal, community management of forests as in Mexico, or community-based forest management (CBFM) as in the Philippines. Community forestry also includes smallholder management of plantations and natural forests. In its various forms, community forestry is being promoted for one or more of the following reasons (Arnold 2001):

- as a component of strategies to enhance rural livelihoods, in particular the livelihoods of the poor, including women and other disadvantaged groups;

- as a means to manage forest resources sustainably so as to conserve them and the bio-diversity they contain; and
- as a component of government strategies to devolve and decentralize responsibilities, and to reduce the budgetary costs to the central government of managing the forest sector.

What type of forest comprises community forests in Viet Nam?

Community forest management is not new in Viet Nam. Local communities in various parts of the country have maintained their traditional practices in forest management for generations, which are widely respected by not only community members but also their neighbors.

Under this traditional form of community forestry, local communities develop their own rules and necessary mechanisms to exercise these rules. In most cases, local people have maintained these traditions for generations. See example in Box 1.

Box 1: Traditional community forest management in Pho Trach Village

Pho Trach village is located in Phong Dien district of Thua Thien Hue province. The village manages around 150 ha of sandy forest, where villagers have been practicing traditional forest management for over 500 years. While rights to the forest have not been legally given to the villagers, these resources have been well-managed.

Villagers believe that the forest protects the local water source and also serves as an important source of fuel wood. To manage these resources, villagers have developed their own regulations. Accordingly, the forest is divided into four lots, each of which rotates as the site for fuel wood collection every year. Rights to collect fuel wood are granted to all villagers on an equal basis. People can also decline or transfer their share of benefits if they wish. Those who collect fuel wood have to contribute to the cost of patrolling. This arrangement of benefit and cost distribution creates an equal chance for even the poorest of the villagers to benefit from the forest and to help protect and sustain the forest over the last 500 years.

With the FLA program being undertaken, local households received ownership of forests in large parts of the country. As illustrated in Figure 1, almost 3.3 million ha of forest or 24% of the total forest area of Viet Nam have been allocated to individual households. Although forest land use titles have been awarded to individual households, local people continue to apply a collective way of managing the allocated forests. For example, a village forest management board may be set up to oversee the management of forest; forest patrols are done by a group of representatives from different households and covers the area of all the forests allocated to households within the village; collection of forest products (including timber for domestic use) is done not only in one's own forest but also in neighbors' forests. Such examples are found in natural forests allocated to individual households (around 1.5 out of the total 3.3 million ha allocated to individual households nationally), and are common in the Central Highlands, Central Coastal and Northern Mountains regions.

Smallholder forestry is more commonly found in plantation forests (around 1.8 out of 3.3 million ha), particularly in the Northern Mountain and Central Coastal regions. Under this form, individual households often make their own decision about tree planting, tending and harvesting of the forests.

Taking the concept of community forestry discussed in the previous section into account, the area of forest where collective forms of forest management are being practiced includes natural forests that have been allocated to individual households. In quantitative terms, this area is almost 2 million ha (around 0.46 million ha allocated to communities, and 1.5 million ha natural forests allocated to individual households), or 14% of the total forest area of the country. Adding the area of 1.8 million ha of plantation under smallholder forestry, the total area is close to 3.8 million ha of forests (or 27% of total forest area) under community forestry (excluding the area of forest under traditional practices, for which there are no official statistics). Using these concepts, community forestry is the second largest forest tenure regime in Viet Nam.

Recommendations

The discussion in this policy brief indicates that limiting community forest only to the area legally allocated to village communities has undervalued the role and contribution from CF in Viet Nam. To address this issue, the following recommendations are made:

- The concept of community forestry needs to be clearly defined in legal frameworks. This includes the new Forestry Law that the Viet Nam Administration of Forestry (VNFOREST) is preparing and future documents guiding the implementation of the Forestry Law and community forestry.
- The definition of community forestry needs to go beyond the areas of forest legally allocated to include at least the area of natural forest under individual households where collective forms of management are being practice. After all, community forestry is not about what kind of forest title is legally granted to local people, but more importantly how forests are being managed in the field.
- Community forestry can go further to include areas of smallholder plantation forests as these areas are also a part of strategies to enhance rural livelihoods, a means to manage forest resources sustainably, and a component of government strategies to devolve responsibilities and to reduce the budgetary costs of managing the forest.

References

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