

# DECENTRALIZATION IN FOREST MANAGEMENT AND IN THREE COMMUNITIES IN VIETNAM'S UPLANDS

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## ABSTRACT

The uplands of Vietnam, where most country forests are located, occupy three-fourths of its territories and one-third of its national population. From Independence Day in 1945, the Vietnamese government had already initiated many policies and programs on forest and forestland management, and livelihood improvement to the people. For some reasons, the forest areas decreased mostly after National Unity (1975) until early of 90's of previous century.

Thanks to recently remarkable efforts from the government, the forest cover is increasingly. Among the efforts, policy changes in forestland allocation and in administrative decentralization have had some positive impacts to both forest cover and local livelihood. Even though, quality of the forest is still decreasingly, and upland people are faced with the challenges of poverty, population growth, environmental degradation, and social and economic marginalization.

To improve the situation, studies found that current decentralization policies have not really helped conserve the remaining forest resources, improve forest quality, and increase people's livelihoods. Changes are needed in order to have better management and conservation of forests, and to bring better livelihoods for the people. This study offers three recommendations: (1). More decentralization, just "let local people manage local resources." The central government should give local people more authority to decide how to allocate, use, manage, and develop their resources; (2). More emphasis on people's livelihood, not just think about forest cover itself; and (3). A bigger role for community organizations since community-based forest management (CBFM) has proven to be successful in improving the protection of forest resources and making people's livelihoods more secure.

**Key words:** Decentralization, Forest Management, Ethnic Minorities, Vietnam's Uplands

## 1. INTRODUCTION

The uplands of Vietnam occupy three-fourths, or some 24 million hectares, of the country's total land area. The uplands are where most of Vietnam's forests are located. They are home to 25 million people - nearly one-third of the national population, and consist of 50 of Vietnam's 54 officially categorized ethnic groups (Vien, 1996). For people in the uplands, forests have been an important resource - contributing greatly to both their livelihoods and to their well-being by helping them generate income, provide subsistence goods, supplement inputs for farming, and reduce vulnerability during times of crop failure, unemployment, and other hardships.

Even before Vietnam gained independence as a whole nation in 1975, the Vietnamese government had already initiated policies and programs on natural forest resources and land use management. Regrettably, however, the Vietnamese forests are fast disappearing. In over

half a century, Vietnam has lost about five million hectares of natural forests. The area of Vietnam's remaining forest cover decreased from 33 percent during the period 1954-1975, down to 29 percent in 1976-1985, and 28 percent in 1986-1999. While the implementation of several re-forestation programs beginning in the early 1990s has increased the forest cover to 33.2 percent nationwide in 2002 and 37.7 percent in 2005, the problem of forest degradation remains serious as valued resources and biodiversity in many forest areas have dramatically declined (Ministry of Agriculture and Rural Development [MARD], 2000).

Several phenomena have been widely cited as the causes of forest loss in Vietnam. Among these factors are wars, inappropriate development policies, population growth, and shifting cultivation. nevertheless, the major reason of forest loss has been blamed on the concentration of power over the forest. In some countries, forests have long been under the control of the state, but this management system failed owing to lack of personnel in forest protection/management units and too large of an area of forests. Past experiences in such countries as China, Indonesia, Nepal, tanzania, and Uganda have proven that the condition of forests would be improved by decentralizing the state management regime (Quang, 2003). Vietnam is not an exception in this regard.

During the *Doi moi* or innovative period (from the late 1980s to now), the Vietnamese government has issued two new laws: Law on Forest Protection and Development (in 1991) and Land Law (in 1993). Under these, it has accordingly issued and enforced decrees to allocate forests and forestlands to individual households for management and development as an alternative to state control of forestland and resources (Sikor, 1998). This is the first step of decentralization in natural resources management (NrM), transferring development and management responsibilities of natural resources from the central state to lower levels. This paper takes an in-depth look at the decentralization of forest management in three hamlets under two of these decrees: the 1994 Decree 02/CP and the 1999 Decree 163/ND-CP.

## 2. RESEARCH DESIGN AND METHODOLOGY

### 2.1. Research Questions

The research questions of this study are:

1. How has the decentralization process in forest management operated in each study area?
2. How has the decentralization policy affected forest resources in different areas?

### 2.2. Research Sites

This study adopts an exploratory and descriptive design. Specifically, it employs a case study method in describing how the decentralization process takes place and what the responses of local people in the study sites are to the decentralization process.

Three different communities were chosen based on their geography and ethnicity, in order to compare differences and similarities in changes of forest resources and the influences of decentralization policy. This site selection allowed us to compare the impact of decentralization on the same ethnic communities living in different geographic conditions, and its impact on different ethnic communities living in the same geographic condition. Specifically, these sites are shown in the table below.

Name of Hamlet	Ethnicity	Location	
		Commune, District, Province	Region
Huoi Toi	Thai	Chieng Hac, Yen Chau, Son La	Northwest
Xieng Huong	Thai	Xa Luong, Tuong Duong, Nghe An	North Central
Na Be	Khomu	Xa Luong, Tuong Duong, Nghe An	North Central

### **2.3. Data**

The study uses both primary and secondary data. Data was gathered by using the following techniques: (1) structured interview, (2) semi-structured interview, (3) in-depth interview, (4) direct observation, and (5) desk analysis. An interview guide was formulated for use in semi-structured and in-depth interviews.

Key informants (KIs) in the communities and various government agencies in the two provinces - Nghe An and Son La - were selected for the study. These KIs came from the hamlet, commune, district, and provincial offices. They were purposely chosen with the consideration that, at the government agency level, informants are the staff working in positions directly related to forest resources protection, development, and management. Among them are Provincial Forest Protection Units (PFPU), Provincial Departments of Agriculture and Rural Development (PDARD), Provincial Departments of Natural Resources and Environment (PDoNRE), district Forest Protection units (DFPU), District People's committees (DPC), District Offices of Land Administration (DOLA), District Statistical Offices (DSO), and Commune People's Committees (CPC). At the community level, the selected community officials included hamlet heads, vice hamlet heads, and security cadres. Aside from these, a number of households in each selected hamlet were randomly chosen and interviewed. Overall, 27 KIs and 154 informants were interviewed.

## **3. BACKGROUND**

### **3.1. Decentralization**

the term decentralization embraces a variety of concepts. There are at least three dimensions embedded in decentralization: (1) politics (democratization, civil society), (2) geography and administration (deconcentration, delegation, and devolution), and (3) economics (privatization). Genuine decentralization entails transferring an appropriate mix of all three types of authority to the local level.

The Food and Agriculture Organization of the United Nations or FAO (2002) defines decentralization as the transfer of part of the powers of the central government to the regional or local authorities. Hence, there are two basic requirements in the decentralization process: (1) existence of an autonomous area and (2) transfer of authority to the local government in the area. Cheema and Rondinelli (1983) explain that first, local units of government are autonomous, independent, and clearly perceived as separate levels of government over which central authorities exercise little or no direct control. Second, the local government has clear and legally recognized geographical boundaries within which they exercise authority and perform public functions. Third, local governments have corporate status and power to secure resources to perform their functions. Fourth, devolution implies the need to “develop the local government as an institution” in the sense that it is perceived by local citizens as providing services that satisfy their needs and as a governmental unit over which they have some influence.

Similar to the FAO's definition, Smith (1985) states that: “Decentralization refers to any act in which a central government formally cedes powers to actors and institutions at lower levels in a political-administrative hierarchy.” Mairi, et al. (2002) reviewed several forms of decentralization: political or democratic decentralization, deconcentration or administrative decentralization, and fiscal decentralization. Specifically, they state:

Political or democratic decentralization occurs when powers and resources are transferred to authorities representative of and downwardly accountable to local populations. By implication, local authorities gain discretion in rule-making - within prescribed limits.

Deconcentration or administrative decentralization concerns transfers of power to local branches of the central state, such as prefects, administrators, or technical line ministry agents. The upwardly accountable bodies appointed are local administrative extensions of the central state.

Fiscal decentralization, the decentralization of budgetary and revenue generating powers, is often identified by analysts as a separate form of decentralization. However, although fiscal transfers are important, they constitute a cross-cutting element of both deconcentration and political decentralization rather than a separate category (Mairi, et al. 2002:3).

According to Knox, et al. (2001), decentralization transfers both decision-making authority and payment responsibility to lower levels of government with regard to NRM. Although still within the government, it provides a stronger role for local bodies, which are presumed to have greater accountability to the local populace, including both users of the resources and others who live in the given area.

Another indicator that shows the success or effectiveness of NRM decentralization is participation in decision-making. When local people, who always bear the burden of decisions regarding NRM, have opportunities to participate in such decision-making, they will certainly take into account the long-term sustainable use of natural resources (Vien, et al. 2001).

### ***3.2.Policies***

The government in January 15, 1994 issued Decree 02/CP. Following the Decree, organizations, local households, and individuals were allocated lands containing natural forests and land under afforestation, as well as unforested land that had been zoned for the purpose of afforestation, forest nurture and protection, and to be developed, rehabilitated, and replanted over the period of the next 50 years. The recipients (households or individuals) did not have to pay taxes for the land they received and were not paid salaries for protecting the land. In turn, they could extract certain kinds of forest resources on their allocated areas according to specific regulations. In cases where organizations, households, and individuals plant forest trees with a life cycle of over 50 years, the state will re-allocate the land to them until the fruits of the trees or trees are completely collected (completion of harvesting cycle) (Article 6). Decree 02/CP enabled households to exchange, transfer, mortgage, or pass on the received forestland as inheritance to others, according to the 1993 Land Law.

on november 16, 1999, the government issued Decree 163/ND-CP on allocation and lease of forestland to local organizations, households and individuals for long-term forestry purposes. Later, in January 2000, this decree officially replaced the 1994 Decree 02/CP. In essence, the new decree extends or supplements Decree 02/CP 1994 by adding provisions to the lease of forestland.

Decree 02/CP or Decree 163/ND-CP were considered the “first legal base” in the allocation of forestlands to local organizations, households, or individuals assigned to protect, rehabilitate, enrich, develop, and plant on such lands. It was the first sign of transferring development and management responsibilities of natural resources from the central state to lower levels (Quang, 2003).

To complement the general reforms made in the system of land allocation and land use, the government designed several programs and projects alongside the aforementioned policies. The most influential programs for Nghe An and Son La provinces in general- and the study sites of Na Be, Xieng Huong, and Huoi Toi hamlets in particular, are: (1) the 1992 327 Program, and (2) the 1997/1998 661 or Five Million Hectare Afforestation Program. The objectives of these programs were to encourage replanting and protecting the forests, improve the utilization of land, raise the living standards of local (forest-adjacent) people, support the sedentarization program, and supply wood for industrial purposes, firewood, and other forest products, both for domestic consumption and for export.

#### 4. RESULTS

Like Vietnam's management system, the forest and forestland management system is stratified into five levels and is hierarchically organized as follows:

The 1<sup>st</sup> level – Central level: Government, National Assembly, and the institutes of MARD and GDLA<sup>1</sup>

The 2<sup>nd</sup> level – Provincial level: Provincial People's Committee (PPC) and its organizations of PFPU, PDARD, PDONRE, and SFE or Farms;

The 3<sup>rd</sup> level – District level: DPC and its organizations of DFPU and DOLA;

The 4<sup>th</sup> level – Commune level: CPC and its specialized/professional personnel; and

The 5<sup>th</sup> level – Community level: Local organizations (such as associations of farmers, veterans, women, elderly, and youth), group of households, households and individuals in local community.

However, it is important to note here that in the management system, within any given level there are two kinds of institutions, *directing organizations* and *implementing organizations*. As the terms imply, the *directing organizations*, though being in the same level of management system, are in a little higher position. *Implementing organizations* are professional or specialized institutions that carry out what the *directing organizations* appoint them to do. Therefore, when looking at the whole management system, it appears to have two channels of linkages between the different organizations. The vertical linkage is a link either between *directing organizations* in different levels or between *implementing organizations* in different levels. In contrast, non-vertical linkage is a link between a *directing organization* and an *implementing organization*.

Regarding forest resources management system, a summary of Vietnamese management system's *directing* and *implementing organizations* towards forest resources is shown in Table 1 and Figure 1.

The local organizations, groups of local households, households and individuals (fifth level) are the forestland recipients and directly work on protecting, conserving, and developing the allocated forests.

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<sup>1</sup> Before August 5, 2002, the GDLA was an organization under the government. In August 5, 2002, the Vietnamese National Assembly, by its Resolution 02/2002/QH11, officially established the MONRE. GDLA from this point was no longer directly under the government anymore, but became part of MONRE. At the provincial level, MONRE has its branches called Departments of Natural Resources and Environment (DONRE), and PDLA at the provincial level was now under the DONRE. At the district level, however, DOLA was still under the management of the District People's Committees, as happened before the establishment of MONRE.

The next sections discuss the decentralization process of the 1994 Decree 02/CP and the 1999 Decree 163/ND-CP in each study province.

#### ***4.1. Decentralization Process in Son La Province***

##### ***4.1.1. Implementation of Decree 02/CP***

Son La province started to implement the forestland allocation policy of Decree 02/CP in 1995, and finished it in 1996. Decree 02/CP, as mentioned earlier, was to allocate forestland to local organizations, households and individuals for long-term forestry purposes. The Board of Forestland Allocation at provincial level was formed with the members from: PPC, Provincial Department of Land Administration (PDLA), Provincial Department of Finance (PDOF), PFPU, PDARD, and Ethnicity.

Two state organizations, GDLA and MARD, were responsible for implementing the policy. To implement the policy in the field, these two organizations made contracts with some independent companies to conduct land surveys. DOLA directly cooperated with these companies to allocate forestland to local households. DOLA played a main role in direct allocation process to local households.

In terms of decentralization, the GDLA's and MARD's branches or departments at provincial level: PDARD and PDLA, guided their district level branches to implement the decree in the district. It is important to note that the PDARD and PDLA at the provincial level are under the management of the PPC. So, to decentralize rights of allocating forestland (of the Decree 02/CP), Son La PPC issued Decision 109/QD-UB to officially transfer the rights to DPC.

In turn, within DPC there are DOLAs and Department of Agriculture and Rural Development (DOARD). But in allocating forestland to households and individuals, only DOLA was in charge, under direct guidelines of the PDLA. While DOARD and DFPU did not participate in the allocation process, they were consulted by DPC and DOLA in the work of forestland allocation.

The DPC and DOLA, then, guided the Commune People's Committee (the lowest level of state management under the DPC) in allocating forestland to communities/hamlets. These decentralization steps to implement the 1994 Decree 02/CP in Son La are illustrated in Figure 2.

Decree 02/CP as implemented in Son La mainly allocated forestlands to communities/hamlets rather than to households or individuals. To allocate forestland, a hamlet head was chosen to represent all the residents in a hamlet who were to be allocated land. The hamlet residents, then, jointly managed and got benefits from this community forest. Nevertheless, the implementation of the Decree 02/CP in Son La was not really focused or serious. And as stated by a provincial level officer, "At that time (i.e., 1995) allocation of forestland was not an imperative or urgent issue in Son La".

The implementation of Decree 02/CP has even been considered an experimental phase of forestland allocation to lower levels to manage and enrich in the area (Direct interview, 2004). Thus, the forestland allocation following Decree 02/CP was implemented only in 7 communes of Yen Chau district, which are located along National Highway No. 6 that connects the area to the lowlands of the country: Chieng Dong, Chieng Sang, Chieng Pan, Vieng Lan, Chieng

Khoi, Sap Vat, and Chieng Hac (Son La Provincial Statistical Report, 1999). Chieng Hac, one of our research sites, was one of these communes.

During this time, forest resources in the allocated areas were still continuously extracted, and shifting or swidden cultivation activities took place everywhere. Local people perceived that this community forest belonged to no one, thus they freely extracted and cultivated in the forest. Therefore, there was no sign of any impact of Decree 02/CP—a decentralization policy—on local people’s livelihoods in the experimentally implemented area. Forest resources there continuously decreased.

#### *4.1.2. Implementation of Decree 163/ND-CP*

The government in November 1999 issued decree 163/ND-CP, on the allocation and lease of forestland to local organizations, households, and individuals for long-term sustainable usage. It officially replaced the 1994 Decree 02/CP in 2000. Son La province started to implement the 163/ND-CP in its whole territory in July 2001 (Direct interview, 2004).

It is important to note that in fact Son La province authorities had allocated forestland to individual households before Decree 163/ND-CP was applied in Son La, because Son La at that time had a huge area of barren forestland on hills and haphazard shifting cultivation activities took place everywhere in the province. To afforest those areas while ensuring that local people had land for cultivation, in August 28, 1999 the Son La PPC issued Decision 1483/1999/QD-UB, demarcating land for rotational swidden fields in Son La province.

Following this Decision, a forest hill was divided into three parts: top, middle, and base. Local farmers were allowed to do swidden within the base part. The middle part was used to plant fruit trees or industrial trees. The top part was used to afforest and nothing could be extracted from this top part.

Unlike Decree 02/CP, which was implemented mainly by DOLA, Decree 163/ND-CP was designed to be implemented by two organizations: DOLA and FPU. However, from August 5, 2002, DOLA was no longer under the management of GDLA, but under the new DONRE. Besides these two organizations, there was collaboration with other provincial state organizations in Son La province: Department of Finance and Prices, Department of Planning and Investment, and DARD. Table 2 summarizes some main differences between Decree 02/C and Decree 163/ND-CP and their implementation in Son La province.

The specific responsibilities of PDLA and DOLA, and PFPU and DFPU since the implementation of Decree 163/ND-CP in 2000, are listed in Table 3 below. Similar to the implementation process of Decree 02/CP, DOLA and DFPU also made contracts with some cadastral companies in Vietnam to implement the allocation.

Since Son La intensively worked on Decree 163/ND-CP and implemented it throughout the whole province, this study mainly focuses on analyzing the implementation of this Decree. The decentralization process at different levels and the actors involved in each step are discussed in detail in following sections.

#### From Central Government to Provincial Level

Decree 163/ND-CP is the key policy that the central government issued and is the focal point of this study. There is another document, however, called Decision 178/2001/QD-TTg, that was issued by the government (Prime Minister) in November 12, 2001, and deals with rights and responsibilities of households and individuals that are forestland recipients following Decree 163/ND-CP.

### From Provincial Level to District Level

There are a number of decisions and instructions issued by provincial organizations to guide implementation of the forestland allocation policy of the central government. These decisions, instructions, and announcements/dispatches state the upper level of the Vietnam administrative system (provincial level) democratically and administratively decentralizes rights or powers to a lower level (district level). This can be seen in the ways that the involved organizations at the district level independently set up plans for any activities that help to implement the Decree of the government.

In terms of transparency, PPC has conducted conferences for officials from the various organizations that take part in the implementation process of forestland allocation, to disseminate contents, purposes or objectives of the government's plan. Training courses have also been held for local officials from communes and hamlets to learn what the Decree is about the roles of each participating organization, and how to implement the Decree. The PPC have also diffused the forestland allocation policy to everyone in the community via mass media, such as TV, radio, and newspapers. In general, local officials and the majority of ordinary people have known about Decree 163/ND-CP.

Regarding administrative decentralization, a Provincial Forestland Allocation Board was established with members including a vice president of the PPC (chairperson), and cadres from PFPU, PDLA (and later the PDONRE), and PDARD. This board has designed plans to implement the forestland allocation policy, and instructed the policy to district people's committees in the province. The districts are accountable for implementation in their own areas. However, the Provincial Board has sent its personnel to districts in order to work with and direct district personnel. Participation has been top-down, but not bottom-up.

District organizations did not participate in the work of the provincial board, which acted alone, with no involvement of district and commune levels, who had no opportunity to contribute ideas or share experiences.

The total fund for implementing Decree 163/ND-CP in Son La was VND 15 billion and was funded by the government. However, the central government provided directly VND 6 billion from the state budget/treasury, and the other VND 9 billion was from the province's revenues, part of contribution of the province to the country's treasury. This fund was managed by the provincial authorities (Direct interview, 2004).

### From District Level to Commune Level

Similarly, at the district level, a District Forestland Allocation Board was also established. Chairperson of the Board was a vice president of the District People's Committee, and members were cadres from DFPU, DOLA, and DOARD. It is clear that although DFPU and DOLA are the two organizations that are directly accountable to implement the forestland allocation, other organizations, such as DOARD and DPC are also involved. This means the level of transparency of the work is quite high since different actors are involved in the activity.

After receiving the decisions from PPC, the DPC in collaboration with the District Board, and with DFPU, DOLA, and DOARD, set up its own plan to transmit the PPC's plan to its communes, specifically to the CPC. The Board also appointed its members to directly work at the commune level. This is participation from higher level to lower level in the policy implementation process. But again there was no upward participation from the lower level (commune) to the higher level (district).

### From Commune Level to Community

At the commune level, a Commune Forestland Allocation Board was also established, and chairperson of the Board was a vice president of the CPC. Members of the Board were agricultural- and cadastral-specialized cadres at the commune level, and hamlet heads.

Before the actual allocation took place, officials from DOLA in cooperation with the Commune Board conducted several meetings with local organizations (Women, Farmer, Veteran Unions, etc.) and farmers in each hamlet in order to diffuse the policy and to instruct them in how to apply for getting forestlands. Cadres from DOLA, CPC, and DFPU start to determine the actual situation of the each hamlet's forest, both on the map and in reality, considering size, richness, land cover, kinds of forest, geographic condition. Then, based on that information, they began setting up a feasible plan to allocate forestland to people. Once the plan was done, they organized another meeting with forestland recipients-to-be to discuss the situation and to get feedback from farmers. The transparency level here was quite high compared to other steps.

Steps of decentralization of forestland allocation under Decree 163/ND-CP in Son La province are summarized in Figure 3.

#### *4.1.3. Existing Issues after Decentralization in Implementing Decree 163/ND-CP*

Although the implementation of Decree 163/ND-CP has not been entirely completed in Son La province, encouraging results are already evident. Forest cover increased significantly from 9.8 percent in 1991 to 34.2 percent in 2003 (Son La PFPU, 2004). At the same time, there have been some problems with the decentralization which are discussed below.

Together with the implementation of Decree 163/ND-CP, there are programs supporting Decree in practice, which means that the results are also impacted by the supporting programs.

The fund for the land allocation work is managed by provincial authority, while district and commune authorities are the ones who implement the allocation in practice. They find it difficult to implement the allocation and to issue certificates (Son La PDONRE, 2004).

According to the provincial plan of forestland allocation under the Decree 163/ND-CP, by 2003 all forestland in Son La province should have been completely allocated to households and individuals, and whose "ownership" should have been documented by a "Red Book" or forestland certificate. Nevertheless, as of March 2004 the fund for implementing the Decree still lacked VND 4 billion. Lack of timely financial support made the process of allocating forestland to households late (Son La PFPU, 2004).

Dissemination of the Decree to local people was not thoroughly done, so the recipients did not know clearly how much they can get from the forest products they care for and protect; some people even thought the forest area allocated to them had already become their own, so they freely extracted forest products in that area.

A forestland allocation cadre was paid only VND 25,000 to 30,000 (about USD1.75-2) for his/her work of allocating one ha forestland. This is too small an amount for such very hard work. Moreover, the number of in-charge cadres of forestland allocation was not enough to implement such a huge forest area in Son La. According to the standard norm, one forestland allocation cadre had to allocate 1,000 ha forestland to recipients, but in fact each cadre in Son La had to allocate about 2,000 ha. Too low salary and lack of human resources led to negative impacts. Forestland allocation cadres did not work seriously.

There were other factors that slowed the allocation process. In some communes farmers were trying to exchange their plots of forests among each other (to be easier to protect and

develop). Some other communes were located in special-use or protected forest areas, so forestland allocation could not be implemented at once.

#### *4.1.4. Forestland Allocation in Huoi Toi Hamlet, Son La Province*

Forestlands in Huoi Toi hamlet of the Thai people had been twice officially allocated to groups of households or individual households, and the forestland recipients received a Red Book. The first time was in the beginning of 1999 under the plan of Son La province itself. The second allocation, which replaced the first one, began in 2001 under guidelines of the 1999 Decree 163/ND-CP. Along with the allocation programs, recipients also received support from the German-supported Da River Social Forestry Project (SFDP), and from Programs 327 and 661, but support came mainly from Programs 327 and 661 (Direct interview, 2004).

In the first forestland allocation in 1999, a Red Book was issued to land-recipient households, but the Red Book was for all kinds of lands the household had: residential, home garden, fishpond, paddy field, swidden field, and forestlands. Moreover, in this time of officially identifying rights toward land for local people, Son La province authorities categorized swidden fields—which originally were forestland—as agricultural land. This was new, and no other place did this.

In the forestland allocation in 2001 under the Decree 163/ND-CP, another Red Book for only forestland was issued and delivered to recipients in 2003. The two Red Books (the 1999 and 2003 ones) existed simultaneously. The second Red Book overlapped with and sometimes was different from the previous one. Specifically, the total amount of land that the two Red Books indicated to have been allocated to a household was often much bigger than the amount of land they actually had. In most cases, the plots of land allocated in 2003 were completely different from the ones allocated in 1999.

Local authorities explained that when implementing Decree 163/ND-CP for the second land allocation, they made a new plan and did not really take into account how land had been previously allocated. This created much confusion and led to many complaints. Some households still claimed land that was allocated to other households in 2003. Some thought they had been allocated more forestland in 2003, in addition to, instead of replacing, the land they had been allocated in 1999 (Direct interview, 2004).

In allocating forestland following Decree 163/ND-CP in Huoi Toi hamlet, some forest areas were allocated to individual households as stated in the Red Book, but in fact forests were allocated to groups and an elected group leader was the representative recipient. Specifically, bamboo forest areas were allocated to groups of about 8 to 11 households. In Huoi Toi, there were four groups of households that jointly managed forests (Direct interview, 2004). When asked where a specific forest area of a household was, farmers could not answer exactly. They only know the whole area that was allocated to their group. And when asked about how they benefited from the area's resources, the answer was they jointly harvested bamboo for sale as a group based on regulation of how much to extract at a time and when it was possible to harvest.

Because they did not perceive that they had a right to decide what to do in their allocated area, no one wanted to invest in that area.

There was also another problem. Some mistakes were made in the size of land indicated in Decree 163/ND-CP Red Books of 17 households in Huoi Toi. Those Red Books had to be reissued to correct the mistakes. This is an example of the imprecise allocation of forestland.

In terms of transparency in forestland allocation, 39 out of 40 people who were interviewed in Huoi Toi hamlet said that they did participate in one or all of the meetings which aimed to help them understand the objectives of land allocation, and the rights and responsibilities of land recipients. Those persons knew their responsibilities were to protect the forests from agriculture and extraction, and to develop/enrich the forest. However, few of them grasped their rights toward forest resources.

When asked about the situation of forest resources after the forestland allocation, 36 out of 40 farmers said that the quality of the forests had been improved as a large area of barren forestland was afforested. Not many people continued to swidden freely in the forest, nor to let their cattle and buffalo graze freely there as they had in the past. However, some informants confirmed that illegal forest resources extraction activities still happened every day, though it was not as serious as before the allocation. Figures 4 and 5 illustrate the forest situation in Huoi Toi hamlet of the Thai people in 1990 and 2003. Although improved, barren forestlands are still easily found in the area.

## **4.2. Decentralization Process in Nghe An Province**

### **4.2.1 Implementation of Decree 02/CP**

The 1994 Decree 02/CP was implemented in all of Nghe An province, beginning in June 1994, and ending in 2000. Forestland recipients in Nghe An received a Green Book or “So Xanh” to identify their right to the forestland allocated to them. The Nghe An PPC appointed the PFPU to implement the decree, and at the same time the Committee also issued several documents to guide relevant departments at the provincial level and at lower levels that were to support or assist the PFPU in the implementation processes.

However at the district level, a District Management Board of forestland allocation was established with involvement of personnel from DPC, DFPU, DOLA, and DOARD. At the commune level, a forestland allocation team was formed in each commune and the commune’s chairman or vice chairman was appointed to be the team leader. This team consisted of the CPC’s chairman or vice chairman, a commune forest expert, one extensionist, one commune specialist of land management, all hamlet headmen in the commune, and a technical staff. The team was responsible for allocating forestland in each hamlet of the commune.

According to the process of forestland allocation, after the first meeting, the local people filled out the application forms requesting that forestland be allocated to them. The forestland could not be allocated to a household if their application form was not approved by the hamlet headman and commune chairman (Direct interview, 2004). After this, a second meeting was organized. The local people were asked to participate in order to discuss about how to allocate forestlands to each household. Once all of the meeting participants agreed to a specific plan, with no more questions or complaints, then the process of forestland allocation could be started in the field. After land was allocated, a forestland use certificate (Green Book) was issued to each recipient.

In terms of participation, there was wide participation of various institutions at all levels of management in implementation of Decree 02/CP in Nghe An province, especially with local people who participated in all steps of the forestland allocation process as well as in deciding how to allocate land to households. In some hamlets, however, commune and hamlet leaders made all decisions related to forestland allocation themselves, and then asked villagers to follow. The participation of local people was only formalistic. Farmers came to the hamlet meeting only in order to be informed of the already-made plan of land allocation.

As for transparency, Decree 02/CP and its guiding documents from provincial level were transmitted from central government and provincial levels to relevant departments/offices at all levels by various channels, such as radio, newspapers, national television programs, internet, and face-to-face meetings. Moreover, at the commune and hamlet levels meetings were also held to disseminate contents and objectives of the Decree, as well as to plan for forestland implementation in certain areas. It was estimated that the implementation process of forestland allocation under Decree 02/CP in Nghe An province was quite transparent amongst administrative organizations and between government offices and local people. In terms of benefit sharing, however, it was not quite clear, especially at the hamlet level or for forestland recipients (Direct interview, 2004).

In terms of accountability, it was widely agreed that in all of the land allocation process under Decree 02/CP in Nghe An province, there was no downward accountability from a higher level to a lower one, but only upward. This led to some unexpected outcomes during the implementation of Decree 02/CP in the study sites—hamlets of Na Be and Xieng Huong in Xa Luong commune, Tuong Duong district. Specifically, staff who were in charge of measuring the size of fields did not do their work seriously. They simply set up the boundaries of a plot of forest without any real measurement and then made a mark (a pole or a tree) to distinguish the area from nearby plots. Later on, when local people complained about the size of the plot, the staff simply ignored them and did not do anything to adjust or correct shortcomings. In some cases, they were not even able to tell people exactly where the boundaries were of the forestland plots allocated to them (Direct interview, 2004). Meanwhile, higher authorities were still reporting that the land allocation was successfully implemented, as can be seen in annual reports.

In terms of power devolution, local government organizations were not really allowed to decide how to implement the central government policies. The power to decide how to use, manage and develop forest resources still belonged to the central government. Regarding financial issues, local organizations had no right to decide how to use the budget, but were dependent on the often detoured distribution of funds from the central government. To a certain extent, this was a top-down approach in natural resources management; therefore, it could not encourage the active participation of local people. The general results were:

Forestland allocation process took place slowly. Some steps of the forestland allocation process were conducted improperly, such as mapping, demarcating borders of the fields, and measuring land areas. This led forestland recipients to be unclear about borderlines of their forestland. In some cases land recipients did not know where their allocated forests were.

Low salaries for the hard-working officials in the forestland allocation process provided little motivation for them to become more accountable to the people.

The forest recipients received such a small amount money from the government (VND 50,000 per ha per year) for their work in protecting and developing forests that they did not have much motivation to take care of their forests.

#### *4.2.2 Implementation of Decree 163/ND-CP*

The main responsibility for implementing forest allocation under the 1994 Decree 02/CP had been assigned to the FPU; but the second round of forestland allocation under Decree 163/ND-CP assigned primary responsibility to the Department of Natural Resources and Environment (DONRE), previously called PDLA. Implementation of forestland allocation under these new arrangements began in Nghe An province in June 2002. Nghe An province authorities had also issued some documents to guide their local authorities to organize and implement the allocation of the Decree 163/ND-CP.

The organizational work for implementation of the Decree 163/ND-CP was similar to that of Decree 02/CP. However, the forestland allocation management board for Decree 163/ND-CP was formed at all levels of the administrative system, and the number of involved organizations was higher than for Decree 02/CP.

In terms of power devolution, in comparison with implementation of Decree 02/CP, the land administration organizations working under Decree 163/ND-CP had more rights to run their work, as they independently made contracts with land allocation- and cadastral-professional companies to conduct investigations of the actual situation of the forests, and to precisely allocate forestland to recipients. Power devolution, however, stopped at the point where local organizations had the right to decide in what ways forestland would be allocated to local people.

Local organizations did not have rights to decide how to manage, use, and enrich the forests, but had to follow the master plan made by central authorities. Local organizations were completely dependent on the provision of funds from the central government. They were not able to keep an independent budget.

As for transparency, as with Decree 02/CP, Decree 163/ND-CP and its guiding documents were also sent to various relevant organizations via different channels such as radio, newspapers, television, internet, mail, and face-to-face meetings. Through those means, central officials could receive feedback/ideas from their lower officials as well. As mentioned above, more organizations participated: PPC, Land Administration or Natural Resources and Environment, Finance, FPU, Agriculture and Rural Development, and Ethnic minorities. Most importantly, there was a deeper involvement of local people in deciding how to implement the Decree, and in what ways to allocate forestland to farmers.

In terms of accountability, missions of each level to undertake Decree 163/ND-CP had been clearer than in Decree 02/CP, as they had been precisely stated in the Circular 62/2000/TTLT/BNN-TCDC launched in June 6, 2000, issued by MARD and GDLA. This Circular clarified the mission of all organizations involved in land allocation process, providing guidelines on forestland allocation and issuing forestland certificates. According to the Circular, PPC is in charge of setting up landuse planning, clarifying exactly the size of three types of forest (protection, production, and special-used), and establishing a specific plan for implementing Decree 163/ND-CP and then issuing forestland certificates (Red Book). DPC is in charge of setting up landuse planning in their own territory and managing implementation work in districts in collaboration with the CPC. Those Committees are considered to be “*directing*” organizations.

The Circular also makes clear what the “*implementing*” organizations have to do. Land administration/natural resource and environment organizations have to help/advise People’s Committees to make the landuse planning, and at the same time have to be responsible for the allocation work. The agriculture and rural development organization is responsible for helping/advising People’s Committees on making forestland use planning. The forest protection organization is responsible for measuring forestland, setting up forest resources protection strategies, patrolling forests, resolving conflicts among local people, and enforcing regulations.

#### 4.2.3 *Forestland Allocation in Na Be Hamlet, Nghe An Province*

Decree 02/CP was implemented in Na Be hamlet in 1996. Under the Decree, Khomu people in the hamlet received forestlands, and they were issued forestland use certificates (Green Books). Following the implementation of the 1994 Decree 02/CP, people in Na Be were allocated production forestland only. To allocate it, local authorities depended on technical

cadres or land administration experts in order to know exactly which forest areas were protection forest, and to know how large an area of production forest they currently had, then they distributed it to those who desired to receive it. However, because local people had already claimed some forest areas as their own property before the land was allocated by the government, officials just relied on information about which areas of forest belonged to whom, and then allocated the areas to the ones who were keeping the land. There were also some adjustments for cases that kept a large area of forest and that was not production forest.

Nevertheless, at the same time, when allocating forestland, local authorities also set up a fixed area of swidden fields at suitable places in the forests and allowed swiddeners in the hamlet to cultivate in those areas (Direct interview, 2003).

There was a problem about a lack of precision of forest plot demarcation among recipients. Some households had complained that they did not know the exact boundaries of their forest plots. Two reasons help to explain this: (1) The work of forestland allocation did not take place directly in the fields, but on papers and maps only; and (2) Officials from District Department of Land Administration used a UTM (Universal Transverse Mercator) map made by the United States of America a long time ago and it did not fit to the present situation anymore. By using the very old map as a base for the land allocation, many mistakes had appeared, as a number of landmarks that appeared on the map no longer existed in the fields (Direct interview, 2003).

Timber on the way to hamlet and exposed right on the main road in hamlet Contents of Decree 163/ND-CP were conveyed to different districts in Nghe An by Document 144/QD-UB issued by the Nghe An PPC. As mentioned earlier, Decree 163/ND-CP has been implemented in Nghe An province since 2002. In the implementation process, forest areas that were under support from Program 661 remained under community forest protection. In Na Be hamlet, after the establishment of the Hop Thanh hamlet of H'mong people, an area of about 460 ha (in 1,285.7 ha of forest) was set aside to form Hop Thanh hamlet. Production forestland together with some area of swidden land under Decree 02/CP before were planned for protection purpose and allocated to individual households. These forestlands were first divided on the map in accordance with number of households in the hamlet. The division was based on natural boundaries such as streams or mountain ranges. Forest plots were thus not equal in terms of size and quality of resources. After that, farmers together with land administrative officials of district and commune and hamlet leaders went to the field to determine forest plots. Farmers were also asked to clear lines to mark their forest boundaries. Most farmers could then determine and point out their forest plots, but they did not know the size of their forest plots. Moreover, since many farmers did not go directly to the forest in order to receive forest plots in field, they did not know even the locations of their forest plots.

Na Be was quite different from Huoi Toi and Xieng Huong hamlets in that farmers in Na Be still heavily depended on forest resources for their daily needs, from food for cattle, pigs, and buffalos, firewood for cooking, to non-timber forest products and selling timber for cash income.

In the hamlet, as observed, most households stored pieces of valuable timber beneath their houses-on-stilts and waited to sell it. Local people said that the quality of forests had decreased after land allocation. Walking around the hamlet, it was hard to see a single wooden/timber tree.

There was another surprisingly strange point in terms of people's perception: most of the Na Be people thought that only "big" timber trees were forbidden to extract, and the small ones could still be cut freely. Almost everyday, in the late afternoon during the field work, we saw a number of people come back from the forests with pieces of timber on their shoulders.

It is clear that the will of local authorities regarding forest protection is one of the most important criteria for conserving forest natural resources. Interestingly however, in the case of Na Be hamlet, not only ordinary farmers, but also hamlet leaders engaged in forest resources extraction activities. Moreover, there was only one road connecting Na Be to Highway No. 7, meaning that would be impossible for loggers or the like to take timber to the outside areas if the commune and district authorities worked seriously. But once timber was in the hamlet, sooner or later it would be sold to outsiders without any capture or confiscation. Situation of forest and land use in Na Be hamlet is shown in Figures 6 and 7.

#### *4.2.4 Forestland Allocation in Xieng Huong Hamlet, Nghe An Province*

Decree 02/CP was implemented in Xieng Huong in 1995. Both fixed swidden land and production forestlands were allocated to households under the Decree. Swidden land allocation was based on farmers' claim they had farmed that area before. Both swidden and production forestlands allocated to households were certified in a Green Book (Green Book in Xieng Huong hamlet, as in Na Be in 2002). Farmers were encouraged to plant trees in production forestlands allocated to them. And they were also told that the harvests would all belong to them. In fact, however, only some households had planted bamboo (*Dendrocalamus Membranaceus* Munro) in their land as they had been encouraged to do. The rest used their allocated forestland for swidden farming, even though they had been already allocated fixed swidden areas. Moreover in 1997, production forestlands of some households were taken back for use in Program 327, and their investment and resources in that forestland were taken away without any compensation (Direct interview, 2003). Households whose production forestlands were taken for the project ask others for land in production forestlands if they need some to do swidden. There were about 31 ha of forests supported by Program 327 for replanting and enriching the forest. However, the people who had been allocated forestland and then lost it for the Program gained nothing from that, but suffered a loss.

In 2002, for implementation of Decree 163/ND-CP, provincial land administration officials, hamlet leaders and farmers went to the fields to mark swidden fields and forest plots for each household based on its present situation. There were no land surveys in this process. What these actors did was to look at and to estimate the area of swidden plots, then make some adjustments.

Some households who wanted to move their field to another location near their relatives were allowed to do so. However, as noted above, all of this land has been categorized as production forest, not swidden land. In July 2003, provincial land administrative officials came to the hamlet to make a list of households and production forestland area to process Red Books for the forest-receiving households. However, farmers still do not know when they will get their Red Book.

As in Na Be hamlet, Xieng Huong farmers also engaged in illegal timber extraction. However, as revealed by informants, illegal loggers in Xieng Huong did not dare to transfer sawn timber home, as the Khomu did, because forest protection cadres would capture them, confiscate the timber, then fine them if discovered. They thus transferred only round timbers declaring that they intended to use this wood for their own house building. Then, if discovered, the forest protection cadres would not make difficulties for them. The situation of forest and land use in Xieng Huong hamlet is shown in Figures 8 and 9.

## **5. IMPACT OF FOREST MANAGEMENT DECENTRALIZATION ON NATURAL RESOURCES**

The two decrees, Decree 02/CP (1994) and Decree 163/ND-CP (1999), have been implemented in both provinces of Nghe An and Son La but at different times. Nghe An implemented Decree 02/CP in the whole province right after it took effect in 1994. In Son La, it was implemented in 1995 in only seven communes of Yen Chau district. As for Decree 163/ND-CP, Son La started implementing it in July 2001, while Nghe An started in June 2002 (nearly one year later). In fact, even before the Decree 163/ND-CP was officially implemented in Son La, the provincial authorities had decided to allocate parts of forestland to forest-adjacent people in 1998. This was accepted by the government and was considered as breaking the steps of decentralization of Son La authorities over NRM, in order to prevent the haphazard activity of clearing and burning forests for shifting cultivation, and to afforest barren hills. The experiences of Son La province had been used by the policy makers for forming the Decree 163/ND-CP.

The decentralization processes of both Decrees were the same from central level to lower levels, as follows: central government – province – district – commune – community/hamlet and/or local households. However, when implementing Decree 02/CP, Son La province did not allocate forestland to individual households, but rather to communities or hamlets. Meanwhile Nghe An authorities allocated forestland to individual households. Moreover, provincial authorities made their own circulars/decisions to appoint their lower administrative levels to implement the Decrees.

To allocate forestland to recipients, both provinces established Forestland Allocation Management Boards at different levels. Members of these Boards are officials from several organizations in the same level: land administration, agriculture and rural development, forest protection units, people's committee, police, finance and price department. Unlike Son La province, which set up Boards at every level, Nghe An province did not set up the Board at the provincial level. Although members of a Board were quite various, members who really worked in field were very few. Following Decree 02/CP, District Offices of Land Administration (DOLA) directly allocated forestland to local people. Following Decree 163/ND-CP, not only was DOLA appointed to allocate forestland, the District Forest Protection Unit (DFPU) was also assigned.

When implementing Decrees 02/CP and 163/ND-CP the two provinces of Nghe An and Son La were allowed to flexibly adjust for the actual situation of each area and to ensure local people had enough land for agricultural production. Therefore, although the Decrees 02/CP and 163/ND-CP did not mention allocation of forestland for recipients to do farming, the two provinces still allocated fixed areas for local people to cultivate crops. This land is called "rotational swidden or rotational shifting cultivation area".

The implementation of the decentralization policies has different impacts in different places. In Huoi Toi Thai hamlet of Son La province, swidden area decreased significantly and forested areas increased accordingly. However, in another Thai hamlet, Xieng Huong in Nghe An province, land use patterns in 1992 and 2003 were almost the same. Interestingly, the forest of Na Be hamlet of the Khomu people worsened after the implementation of the Decrees 02/CP and 163/ND-CP: more swidden area appeared and the natural forest area shrank.

## 6. EFFECTIVENESS OF DECENTRALIZATION

The forestland allocation policies or the decentralization policies, although having some good points as mentioned above, have not really captured the initial objectives of better management, conservation, and development of forest resources, as they have not encouraged the local authorities in-charge or local recipients in forest resources management and development.

Local authorities have no rights to decide what to do with their forests, but have to follow what the higher level authorities have already designed. The same story applies to financial decentralization. The fund to implement forestland allocation is managed by provincial authorities, while district and commune authorities are the ones who implement the allocation in practice. They find it difficult to implement the allocation and to issue land-use certificates. In fact, the untimely payment led to the tardiness of forestland allocation in both provinces. According to the provincial plan of forestland allocation under the Decree 163/ND-CP, by 2003 all of the forestland in Son La province should be completely allocated to households and individuals, and those recipients are entitled to be the owners with a “Red book” or forestland certificate. As of March 2004, they were short four billion VND of the 15 billion VND necessary to implement the Decree (Son La Provincial Forest Protection unit, 2004 and Provincial Department of Natural Resources and Environment, 2003). The same is true in the case of Nghe An, where the implementers sometimes had to wait for long time for the necessary financial support to begin work.

The factors of accountability and transparency in the decentralization process, as well as in the implementation process, have not been seriously taken into consideration. Diffusion of the Decrees’ contents to local people was not thoroughly completed. Therefore, the recipients did not know clearly about what and how much they will get for their work on forestland, so they did not really work on allocated land. In many other cases, recipients thought that the allocated forestland had become their own property already, thus they started to extract as much as they could in the area they thought had been allocated to them.

Additionally, lack of seriousness of the local authorities in charge in implementing the policies was a problem that led to inadequate care and protection of forest resources. This is marked by a recipient:

I do not yet know the locations and shapes of all forest plots that I (my household) have been allocated. I only know the location of one of my plots through the map, but the other I do not know. In 2002, when officials and I went to one of my plots that were very far from the hamlet, we could not reach it before dark and had to return home. The officials promised me that we would go to that plot again on the next day, but this has not yet happened” (Direct interview, 2003).

The overload of forest allocation cadres (in forest protection units and land administration offices) was also a reason for tardiness of forest allocation following Decree 163/ND-CP. In Son La, for example, one implementing official had to allocate 2,000 hectares, while normally one could only manage 1,000 hectares.

In the forestland allocation process, most farmers participated in meetings from which they got some ideas of their rights and responsibilities regarding land uses and forest protection. It was very good that farmers were free to raise their voices and questions at the meetings. By this, some items in the land allocation processes given by local authorities had changed to be

more or less widely accepted by farmers. This helped to overcome unnecessary mistakes faced by previous land allocations like the impreciseness between the land area/size in reality and on the map. However, the incomplete participation of local recipients, together with the less than thorough policy diffusion of responsible officials, led a number of recipients to act differently from the policies. They continuously extracted forest products and expanded or haphazardly moved to new forest areas to clear, burn, and use for shifting cultivation.

## **7. CONCLUSIONS**

Recent policy changes in forestland allocation and in administrative decentralization have had some positive impacts. Various programs and projects following the policy have provided some benefits to local people. People's awareness of the need to protect natural resources, especially forests, has been raised. Nevertheless, we conclude that these policy changes have failed to achieve their main objectives. They have not brought about better management, conservation, and development of forest resources.

The shift toward effective community-based forest management is still incomplete. Local authorities still have no right to decide what to do with their forests. They must follow plans designed by higher levels. Funds for allocating and managing forestland in these communities are still controlled by organizations that are not directly involved in the process of allocating and managing these lands. As a result, delays are common. It is often unclear who has what rights and what responsibilities. Motivation is low. In addition, the quality of the forest continues to decline.

There was participation by local people in the land allocation process in the communities we studied. Meetings were held in which farmers got some ideas of their rights and responsibilities in land use and forest protection. Many farmers freely asked questions and expressed their opinions at these meetings. This helped authorities to avoid making some of the unnecessary mistakes made in previous land allocations, such as serious discrepancies between the actual size of plots and what appeared on official maps. Moreover, authorities were enabled to make some changes in their approach to win greater acceptance by local farmers.

Thus, more participation by local farmers did have a positive impact upon the land allocation process and to some extent improved management of forest resources. Nevertheless, this process was still inadequate. Responsible officials did not thoroughly inform local people about the new policies.

The participation of local people was limited. As a result, policy goals were not met. Many people continued to extract forest products and to extend their swidden fields into new areas of forest. In addition, lack of equality in access to and use of forest products by forestland recipients was a problem in all three study sites.

## **8. RECOMMENDATIONS**

Current decentralization policies have not really helped conserve the remaining forest resources, improve forest quality, and/or increase people's livelihoods in the studied areas. Changes are needed in order to have better management and conservation of forests, and to bring about better livelihoods for people living close to the forests. This research offers two recommendations: More decentralization and a bigger role for community organizations.

The top-down practice of following fixed plans designed by higher authorities has been proven ineffective. So “let local people manage local resources.” The central government should give local government more authority to decide how to allocate, use, manage, and develop local resources. This can dramatically increase the ability of local authorities to take better account of actual local conditions, including culture, ethnicity, topography, and socio-economic conditions. Similarly, decentralization of decision-making in resources use and management should also extend to budgetary authority.

Community-based forest Management (CBFM) has proven to be successful in improving the protection of forest resources and making people’s livelihoods more secure, enhancing equal participation of all community members in contributing to and benefiting from the effective management of local resources. Thus CBFM could be applied in Vietnam widely, especially since the new Vietnamese Land Law 2003 officially recognizes this model as a unit of forest resource management; and some successful models are found in some parts of Vietnam.

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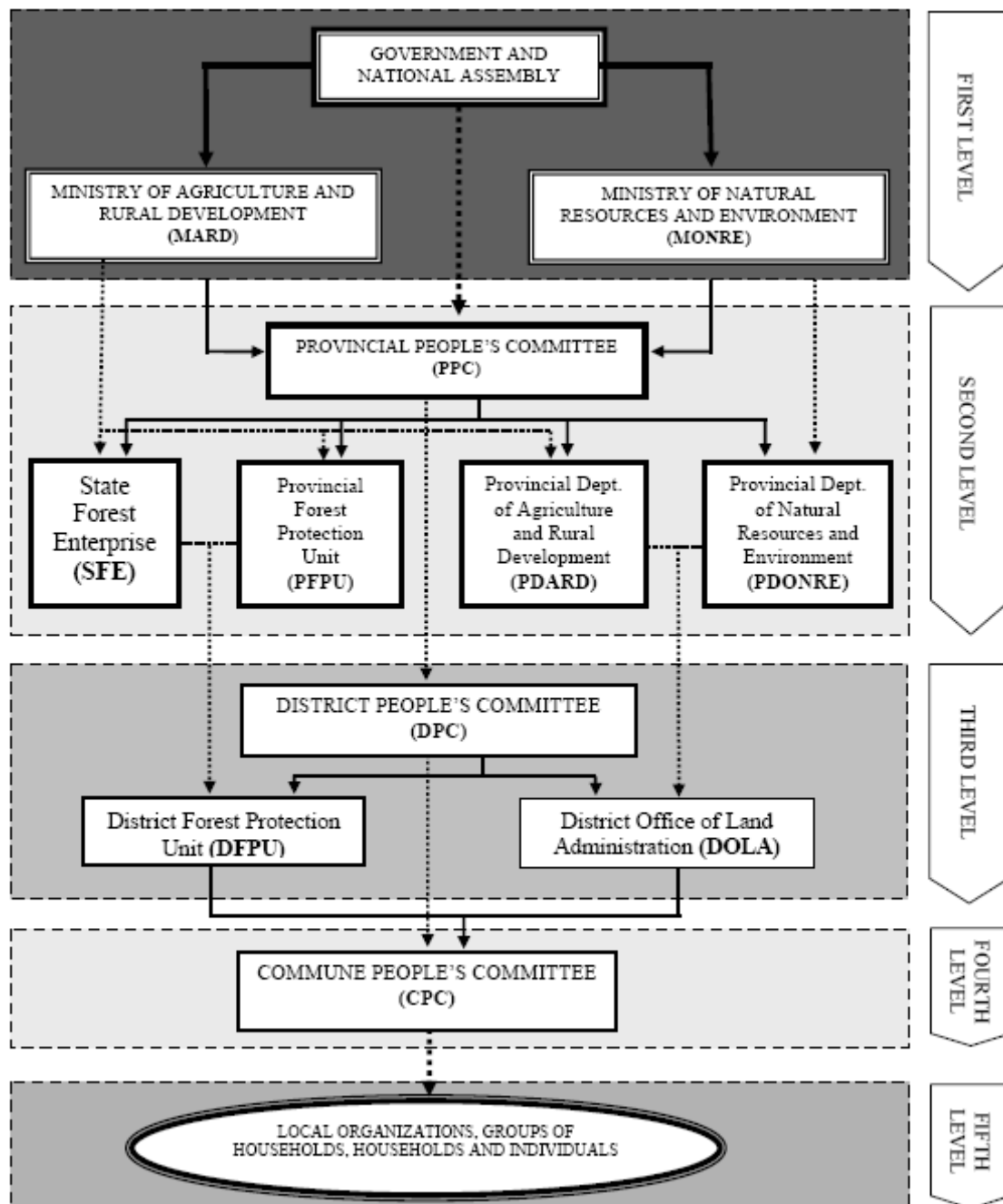
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TABLE 1 - DIFFERENT ORGANIZATIONS OF VIETNAM'S FOREST AND FORESTLAND MANAGEMENT SYSTEM

Level	“Directing organization”	“Implementing organization”
- The 1 <sup>st</sup> level	Government and National Assembly	MARD; GDLA / MONRE
- The 2 <sup>nd</sup> level	PPC	PFPU; PDARD; PDONRE; SFE or Farms
- The 3 <sup>rd</sup> level	DPC	DFPU; DOLA
- The 4 <sup>th</sup> level*	CPC	Specialized/professional personnel
- The 5 <sup>th</sup> level*	Local organizations (associations of farmers, veterans, women, elderly, youth), groups of households, households and individuals	Local organizations (associations of farmers, veterans, women, elderly, youth), groups of households, households and individuals

\* Note: However, at the fourth and fifth levels, since they are the lowest levels and limited in personnel, officials here act in both roles: directing and implementing.



Note: ..... : Vertical linkage; — : Non-vertical linkage.

FIGURE 1 - LEVELS OF VIETNAM'S CURRENT FOREST AND FORESTLAND MANAGEMENT SYSTEM

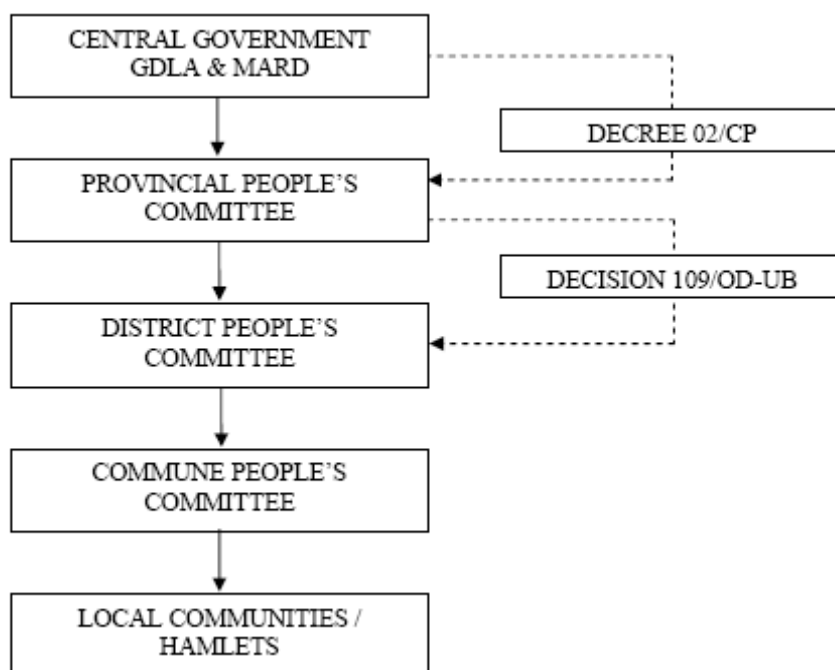


FIGURE 2 – DECENTRALIZATION STEPS OF DECREE 02/CP IN SON LA PROVINCE

TABLE 2 - DIFFERENCES BETWEEN DECREE 02/C AND DECREE 163/ND-CP IN SON LA PROVINCE

	<b>Decree 02/CP</b>	<b>Decree 163/ND-CP</b>
Objectives	Allocation of forestland to local organizations, households, and individuals for long-term forestry purposes	Allocation and lease of forestland to local organizations, households, and individuals for long-term forestry purposes
Date of issuance	January 1994	November 1999
Time of implementation	1995-1996	2001 – present
Scale of implementation	7 communes of Yen Chau district located along National Highway No. 6	Whole province
Recipients	Mainly communities / hamlets	Local organizations, households, individuals
Organizations in charge	GDLA and its branches (with technical assistance of hired land survey companies)	MONRE and its DOLA, and PFPU and DFPU (with technical assistance of hired land survey companies)

TABLE 3 - RESPONSIBILITIES OF PDLA, DOLA, AND PFPU AND DFPU SINCE 2000

Organization	Responsibility
PDLA AND DOLA	<ul style="list-style-type: none"> <li>- Consult PPC and DPC to implement programs or policies related to all different kinds of land;</li> <li>- Help PPC and DPC issue landuse certificates for agricultural land, forestland, residential land, industrial zone, and so on;</li> <li>- Directly manage all kinds of land in the province: agricultural, residential, forest, construction land;</li> <li>- Make landuse planning for all kinds of land in the province by setting up land allocation procedures and building up cadastral maps;</li> <li>- Disseminate the land allocation policy to local people;</li> <li>- Directly allocate agricultural and forestland to organizations and households.</li> </ul>
PFPU AND DFPU	<ul style="list-style-type: none"> <li>- Consult PPC and DPC to implement programs or policies related to forest;</li> <li>- Categorize forests into different kinds (special-use, protection, production) in order to help PDLA and DOLA precisely set up forest landuse planning;</li> <li>- Patrol, manage, and protect forest and forest resources;</li> <li>- Cross-check forest landuse planning and forest cadastral maps made by PDLA and DOLA;</li> <li>- Make regulations on who will be eligible to receive forestland, volumes of forest products able to be exploited in certain kinds/areas of forests;</li> <li>- In terms of forest resources, after the PDLA and DOLA finish allocating forestland, the PFPU and DFPU will be fully in charge of managing, monitoring, and protecting the forest.</li> </ul>

Source: Decision 2398/2000/QD-UB of Son La Provincial People's Committee, 2000.

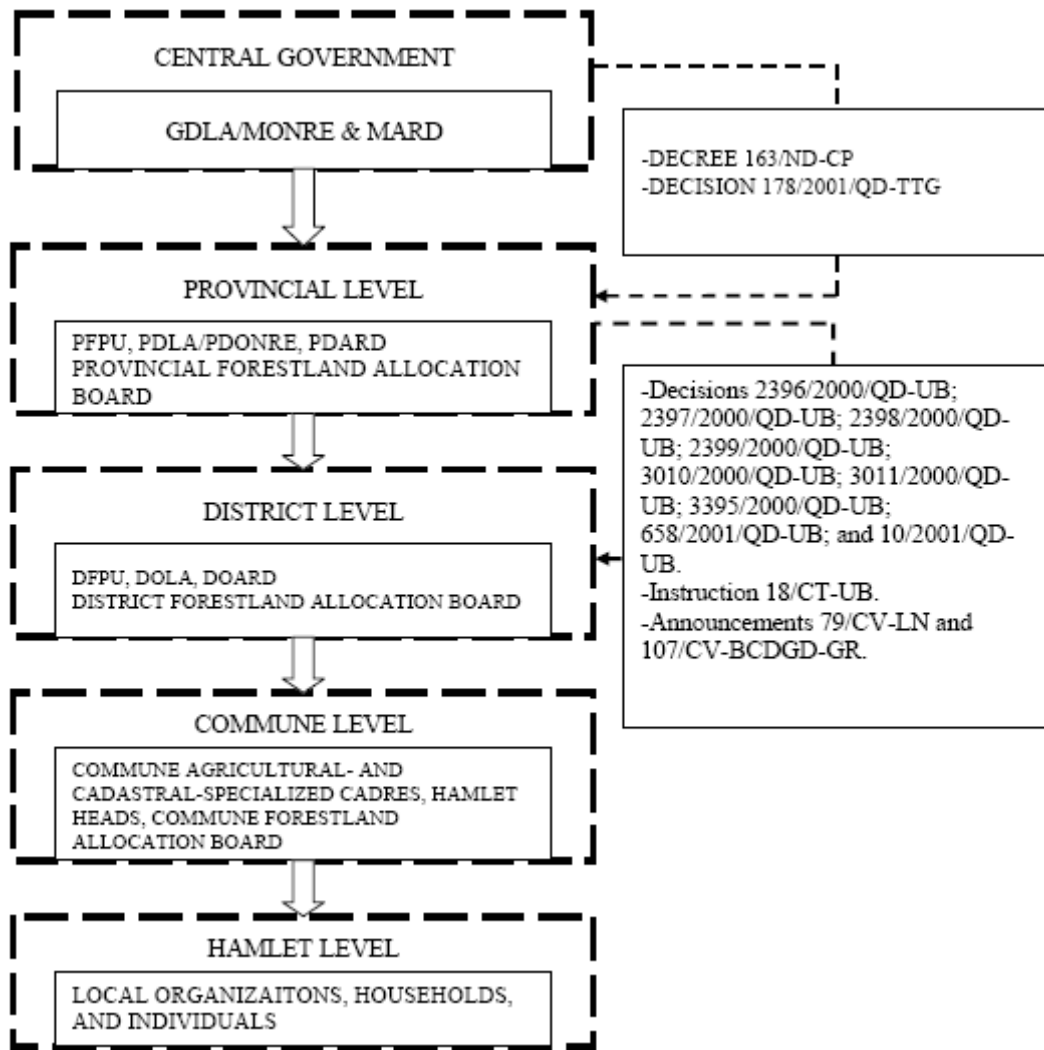
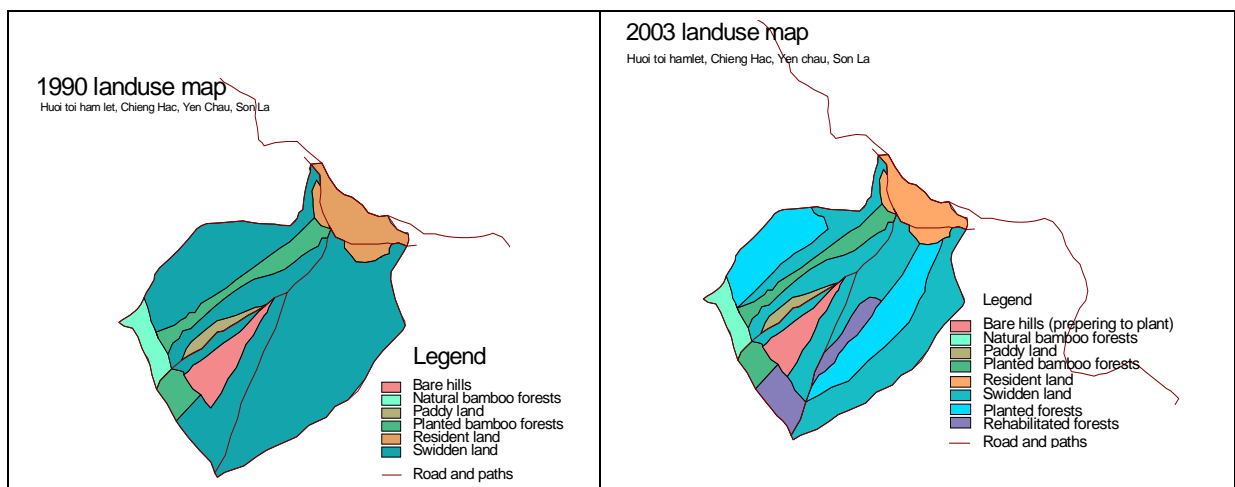
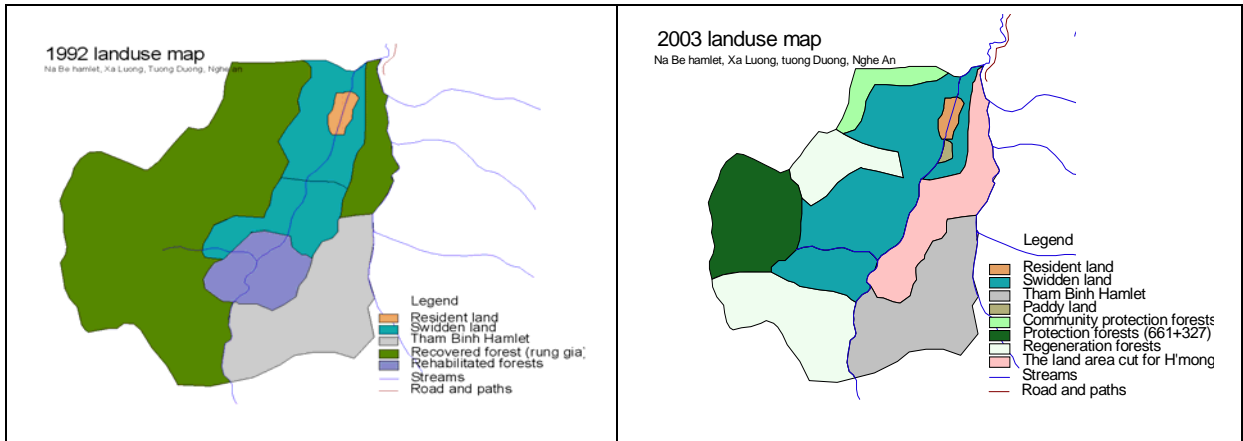


FIGURE 3 - DECENTRALIZATION STEPS OF DECREE 163/ND-CP FOR FORESTLAND ALLOCATION IN SON LA PROVINCE

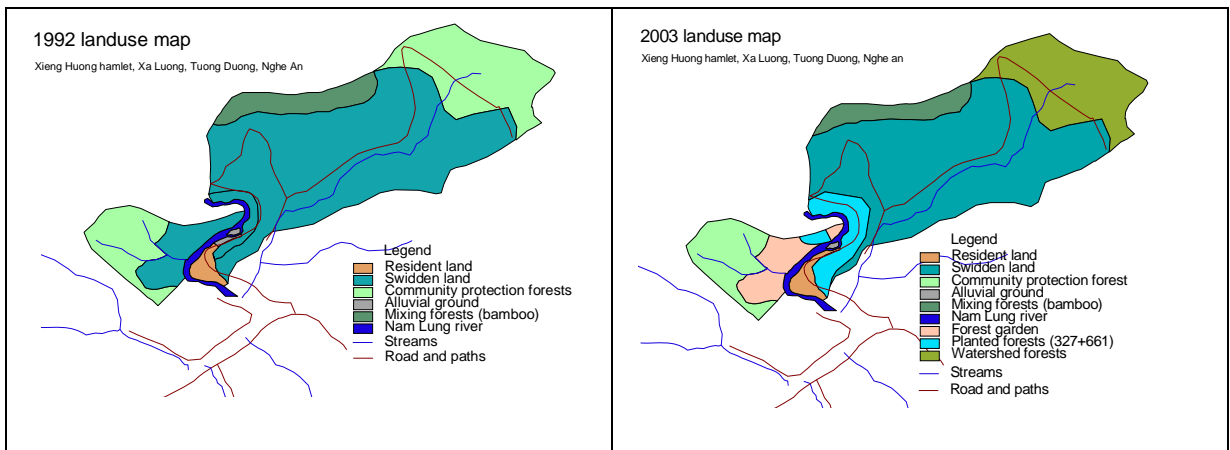


FIGURES 4 AND 5 LAND USE SITUATION OF HUOI TOI HAMLET IN 1990 AND 2003

Source: Shape of the map was based on the map produced by Son la Province Department of Land Administration. Group discussion, 2003



FIGURES 6 AND 7 LAND USE SITUATION OF NA BE HAMLET IN 1992 AND 2003  
 Source: Shape of the map was based on the map produced by Nghe An Province Department of Land Administration. Group discussion, 2003



FIGURES 8 AND 9 LAND USE SITUATION OF XIENG HUONG HAMLET IN 1992 AND 2003  
 Source: Shape of the map was based on the map produced by Nghe An Provincial Department of Land Administration. Group discussion, 2003.