Factsheet

Strengthening tenure among upland communities in Vietnam to reduce illegal logging and conversion of natural forest

Highlights

• Upland ethnic minorities inhabit important areas of remaining natural forest in Vietnam
• Upland ethnic minorities have little incentive to manage natural forests sustainably and participate in REDD+ because the legal system does not recognise them as legal entities or as having collective land-use rights
• A pilot project in Vo Nhai District, Thai Nguyen Province in the north of Vietnam, supports upland ethnic minorities and upland communities to form self-governing groups and cooperatives that can legally claim long-term forest-use rights
• The pilot project set up a revolving fund for microcredit tied to performance, measures to secure free prior and informed consent, consultations, grievance procedures, participatory land-use planning for low-emissions development
• The pilot project trains and supports community-based forest and carbon monitoring and preparations for REDD+ at provincial level
The project

Title: Strengthening tenure among upland communities in Vietnam to reduce illegal logging and conversion of natural forest

Duration: 2015-2016

Implementing partner: Centre of Research and Development in Upland Areas (CERDA)

Partners: Vietnamese Academy of Forest Sciences (VAFS), World Agroforestry Centre (ICRAF)

Location: Vo Nhai District, Thai Nguyen Province, Vietnam

Budget: EUR 200,000

Funding: European Union
Natural forests in Vietnam

Afforestation, reforestation and natural regeneration have increased forest cover in Vietnam, reversing decades of forest loss. However, the remaining intact natural forests, mainly in the uplands and regions bordering Cambodia, Laos and China, are fragmenting because of rapid deforestation and forest degradation. The upland and border regions, home to ethnic minorities, are hotspots for illegal logging and illegal regional trade in timber. Lack of recognition of collective land-use rights means that ethnic communities, some of the poorest and most marginalised groups in the country, have few incentives to manage forests sustainably.

Community tenure and participation in forest management

Forest-dependent communities that have secure tenure improve forest management and reduce forest degradation and deforestation. Secure tenure provides forest users with a stake in the forest and an incentive to protect the resource. Evidence from Southeast Asia shows that communities are more effective in protecting and managing local forest resources than state forest companies, private companies, protected area management boards or, in Vietnam, commune people’s committees.

Experience from Lam Dong province and REDD+ pilots in Vietnam indicates that allocating forest to communities rather than households increases equity in the distribution of payments for ecosystem services, and reduces the scope for capture by elites. Projects have shown that local communities are able to monitor carbon stocks to international standards more cheaply than professional foresters.

A growing body of evidence shows that strong indigenous/local tenure leads to outcomes that are as good as or better than outcomes in areas owned or managed by the state, such as protected and special use forest areas. Investing in strengthening community tenure is thus an important component of REDD+ and reforming forest governance.
Further benefits of secure tenure and rights include improvements to livelihoods and grassroots democracy. The right to draw benefits from forests enables communities to secure credit, provides them with a safety net and offers them the means to lift themselves out of poverty. Participation in forest governance strengthens local democracy and the rights of forest people, acknowledges cultural traditions, and recognises traditional knowledge and forest management practices. Not least, community participation in forest governance helps governments fulfil their commitments to international agreements, and standards such as the Cancun REDD+ safeguards.

Box 1. Devolved forest management in Vietnam

Beginning in the 1990s, Vietnam brought in policies to devolve forest management to local actors and ethnic communities. The Land Law 1993 introduced long-term land-use titles, land-use right certificates or red books that allocated forest to households. The Forestry Protection and Development Law 2004 officially recognised village community as a legal entity for forest land allocation and management. In 2006, the government set up the Community Forestry Management Pilot Programme to develop community forestry.

The measures to devolve forest management had mixed results. Upland ethnic minorities appear to have benefitted much less than the Kinh ethnic majority. The process has provided opportunities for elite capture. Consolidation of small land holdings into large plantations has marginalised households and communities. In ethnic upland minorities, the transition from shifting agriculture to permanent plots together with the move towards more individual property rights disrupted collective land-use practices and provoked conflicts over rights to non-timber forest products and grazing.

After two decades of devolved forest management, illegal logging and conversion of natural forest continue unabated. Enabling policies and measures are not in place and some laws are inconsistent. For instance, the Forest Protection and Development Law 2004 recognises that communities are legitimate forest users. The Land Laws 2003 and 2013 and Civil Code, however, do not recognise communities as legal entities meaning that communities cannot have land allocated to them. Forest land allocated to households tends to be of low quality, for the specific purpose of afforestation/reforestation rather than management of good quality forest with intact ecosystem services, which still tends to be reserved for protected areas management boards and state forest enterprises.
Innovative approach to community forest management in Vo Nhai

An approach for improving forest management and strengthening ethnic minorities’ rights and involvement in forest management is to support ethnic minorities’ communities organise as legal entities, such as self-governing groups, that are eligible for titles that grant forest-use rights for 50 years.

The Vietnamese non-governmental organisation Centre of Research and Development in Upland Areas (CERDA), supported by the EU REDD Facility, is piloting this approach in Thai Nguyen Province. The pilot project expands CERDA work in Binh Long commune, coordinated by Tebtebba, funded by the Norwegian Agency for Development Cooperation and underway since 2012, to four neighbouring communes in Vo Nhai district: Phu Thuong, Dan Tien, Trang Xa and Phuong Giao. The Tay and Nung ethnic groups each make up about 20% of the communes, the Dao 15% and Cao Lan, Sun Diu, San Chi, H’Mong, Thai, and Muong the rest. Poverty affects around a third of the people in the communes.

Strengthening local tenure

The pilot project aims to strengthen community tenure in order to reduce illegal logging and prevent conversion of natural forest. It does so, by building on the already significant existing experience in Vietnam with forest land allocation and piloting community forest management.

By targeting clarification of land tenure, reconciliation of customary and statutory land rights and inconsistent spatial planning, this intervention is expected to help address land use conflicts that could represent risks to REDD+ and FLEGT implementation, and ultimately contributes to improve forest and land use governance, which is an important objective of both processes.

The project supports forest allocation processes by:

- Establishing and training community teams to make maps of commune forest
- Establishing community teams to communicate information and arrange consultations, obtain free, prior and informed consent from communities, facilitate discussions in communes and negotiate the distribution of forest land among self-governing groups
- Supporting self-governing groups to obtain forest-use rights certificates and community forest protection conventions from district authorities

The project works with commune peoples’ committees (CPCs) on allocating forest under their management. Commune people’s committees have no mandate or resources to manage forest resources but have temporary authority for 2.9 million hectares of forest across Vietnam. This means that forest under their authority is open to illegal logging and forest conversion. In the four communes, the Commune People’s Committee has temporary authority over 3197.62 hectares of unallocated production forest.
Supporting self-governing groups

The project helps self-governing groups form cooperatives to manage and protect commune forest. The cooperatives in the five communes have formed an alliance of cooperatives to protect forests and prevent illegal logging and collection of firewood across commune boundaries.

The project also pilots a model for payments for reducing forest emissions based on community forest and carbon monitoring supported by the Vietnamese Academy of Forest Sciences (VAFS). The project provides self-governing groups and cooperatives with a microcredit revolving fund. The amount awarded depends on communities' performance in managing and preserving the forest allocated to them, as measured by community-led monitoring. Members of cooperatives can draw loans from the revolving fund to buy agricultural inputs such as organic fertiliser for green tea, maize, rice and potato. In parallel, the project builds the capacity of cooperatives in institutional, technical, legal and business issues to commercialise both timber and non-timber forest products.

Figure 2: Forms of community organisation at village, commune and district level
Emerging lessons

• By forming cooperatives and an alliance of cooperatives, communities have acquired the power to bargain with suppliers of agricultural inputs, negotiate contracts with buyers and service providers, and secure extension services.

• Communities are making forest inventories, mapping, allocating and monitoring forest more cheaply and quickly than the authorities.

Lessons for REDD+

• The project consolidates a robust and participatory land-use planning model for low-emissions development for REDD+ that involves and informs communities, deals with grievances and shares benefits.

• Members of the five communes receive training in forest and carbon monitoring, forest inventories and measuring forest carbon consistent with national and international practice.

• Moving towards REDD+, provincial authorities in Thai Nguyen are supported in establishing a Provincial REDD+ Action Plan (PRAP).
Further reading


