

# PROTECTION FOREST ZONING

## IN THE TIME OF VPA: GRAVE ISSUE FOR FOREST - PLANTERS

### KEY MESSAGE

*The implementation of Protection Forest zoning without community consultation has led to negative impacts on the livelihood of local forest-planters. In the light of Viet Nam preparing to join a Voluntary Partnership Agreement on Forest Law Enforcement, Governance, and Trade (VPA), the impacts could be intensified and exerted upon forest-planters.*

*To protect the livelihood of forest-planters in re-zoned plantations, the implementation of forest zoning should include the participation and consent of local stakeholders. With regards to plantations which have been re-zoned to Protection Forest, logging application procedure should be simplified to allow appropriate logging by local forest-planters.*

**Author: Hoang Quoc Chinh, Nguyen Quang Tan**



# INTRODUCTION

In Viet Nam, forest areas (including plantations) are either zoned as Production Forest, Protection Forest or Special-use Forest. Forest zoning policy has been implemented by the government to systemize the forestry sector and promote forest protection and development. However, the implementation of this policy has caused considerable issues at local level. Among these issues is the re-zoning of plantations (Production Forest) to Protection Forest.

In this paper, we illustrate the impact of forest zoning on the livelihood of local forest-planters, at a time when Viet Nam is preparing for a VPA . Evidence was collected through a stakeholder consultation process in Phu Luong district (Thai Nguyen province) and Yen Binh district (Yen Bai province), within the scope of an assessment of potential VPA impacts on forest-dependent communities, conducted by SRD in 2014.

As a pro-poor, non-government organization, we believe that Protection Forest zoning without flexibility and community consultation has caused negative impacts on the livelihood of forest-planters, and these impacts may become more pronounced once the VPA is implemented.



## CURRENT STATUS OF PLANTATIONS AND LIVELIHOOD OF FOREST-PLANTERS

Following the afforestation strategy of the government, the total area of plantations rose from 0.7 million ha in 1990 to over 3.4 million ha in 2014. Increased afforestation has significantly reduced barren land and raised the national forest coverage to over 40% ([www.kiemlam.org.vn](http://www.kiemlam.org.vn)).

Plantations consist mainly of *Acacia mangium* plus few other species such as *Eucalyptus*, *Manglietia*, and the family *Meliaceae*. These trees generally have a short to medium rotation, which makes them desirable for timber production, and ensures a stable, periodic income for forest-planters.

The development of plantations has supported millions of people. Income from timber accounts for 40-70% of household income, and provides important lump sum cash to pay for household expenditure. Nonetheless, most forest-planters are still in poverty, or categorized as low-income households. Furthermore, forest-planters in the countryside usually have limited education, low level of scientific and technical knowledge, little vocational training, and limited access to information. Their livelihood depends heavily on timber from plantations.

### RE-ZONING PLANTATIONS (PRODUCTION FOREST) TO PROTECTION FOREST CAUSES DETRIMENT TO FOREST-PLANTERS

On 5 Dec 2005, Directive 38/2005/CT-TTg was issued to guide forest zoning activities, determine the size for each forest category, form the basis for re-structuring forestry production, and carry out forest investment, allocation, and leasing. However, in many localities, the implementation of Protection Forest zoning has not included the participation of local stakeholders. Specifically, local forest-planters were neither fully informed, nor asked for their opinions and consent. As a result, Protection Forest zoning has reduced the size of plantations, which were previously designated as Production Forest.

#### Box 1: re-zoning plantations to Protection Forest in Phu Luong district

In Phu Luong, about 800 households in six communes (On Luong, Yen Ninh, Yen Lac, Yen Do, Hop Thanh, Duc Chinh) planted *Acacia* in areas **previously designated as Production Forest**. About 30% of the households are categorized as poor. Over 80% of the households are ethnic minorities such as Tay, Nung, San chi and Dao. Forest income accounts for 45% of their total income.

During the period 2007-2010, the plantation areas **were re-zoned to Protection Forest**. When re-zoning took place, trees had already been planted by local forest-planters. During the re-zoning process, local people were not consulted and compensated for their loss of plantations. As the plantations are now Protection Forest, local forest-planters will find it difficult to log their planted trees, due to strict regulation on Protection Forest logging. Thus, they are facing a potential loss of income from forest.

### RISK OF VIOLATING THE LOGGING REGULATION IN PLANTATIONS RE-ZONED TO PROTECTION FOREST

In addition to reducing the size of Production Forest, forest re-zoning leads to change in logging application procedure. Logging application procedure is different from Production Forest to Protection Forest, as described in Table 1.



**Table 1: Logging application procedures for Production Forest and Protection Forest**

Logging by household in plantation zoned as Production Forest	Logging by household in plantation zoned as Protection Forest
<ul style="list-style-type: none"><li>• Logging application is reviewed and approved by the Commune People's Committee for self-funded plantation, and approved by the District People's Committee for state-funded plantation.</li><li>• Forest owner decides on how much to log, but if the entire plantation is logged, re-planting must be carried out immediately.</li></ul>	<ul style="list-style-type: none"><li>• Logging application is reviewed and approved by the District People's Committee</li><li>• Forest owner is allowed 20% selective cutting and must ensure post-harvest canopy cover of 0.6</li></ul>

*(according to Circular 35/2011/TT-BNNPTNT)*

For plantations zoned as Protection Forest, the limit of 20% selective cutting and post-harvest canopy cover of 0.6 is difficult for small households because they lack the resource and capacity to carry out this technique. Thus, forest-planters whose plantations are re-zoned to Protection Forest will likely fail this requirement. Nonetheless, for livelihood reason, they still harvest timber in re-zoned Protection Forest, and risk violating the logging regulation.

Furthermore, the current regulation also restraints their return, by the limitation to a 20% selective cutting and until a further cut is permissible, especially relevant for Acacia as it will lose timber value if grown old.

**Box 2: logging in Protection Forest in Yen Binh district**

Around the Thac Ba reservoir in Yen Binh district, about 400 households plant Acacia and Manglietia on 1700 ha of land. The plantation has been re-zoned to Protection Forest, thus complicating the logging procedure. However, for livelihood reason, these households still frequently harvest and sell the timber to traders who take care of administrative paperwork. These households endure the risk of violating the logging regulation on Protection Forest.





## STRENGTHENING THE LOGGING REGULATIONS WITH REGARD TO THE VPA

Viet Nam is currently in the later stage of VPA negotiations with the EU. When the VPA is implemented, Viet Nam will have to exercise strict regulations on the whole timber supply chain to ensure the legality requirement, from the first element in the supply chain – logging. To accomplish this, laws and regulations in the forestry sector need to be well enforced. Compliance with logging regulations needs to be strengthened.

The examples from Phu Luong and Yen Binh illustrate that forest-planters in plantations re-zoned to Protection Forest are unable to comply with the current logging regulations, specifically the requirement for 20% selective cutting and post-harvest canopy cover of 0.6. When the VPA is implemented and logging regulations are strictly enforced, the livelihood of those forest-planters will be threatened.

### Box 3: legality requirement in the VPA about logging by households

In Annex 3 of the VPA draft, there is Principle 1 about logging by households. Principle 1 has Criterion 2 (logging in state-funded plantation), Criterion 3 (logging in self-funded plantation), and Criterion 8 (logging dispersed trees in the garden). Each criterion includes a set of paperwork for legality requirements.

The establishment of criteria in the VPA will improve law enforcement in the forestry sector. However, inflexible implementation of the logging regulations might lead to negative impacts on the livelihood of forest-planters in re-zoned Protection Forest.



## CONCLUSION AND RECOMMENDATIONS

Forest zoning policy is good for the forestry sector in Viet Nam. However, re-zoning plantations to Protection Forest without flexibility and community consultation may lead to negative impacts on forest-planters. Current regulations on logging in Protection Forest is complicated, even for trees planted by local forest-planters. Local people usually lack the capacity and resource to meet the required logging technique. Due to their hardship and dependence on plantations, many people still log in Protection Forest and risk violations.

When the VPA is implemented in Viet Nam, the laws and regulations in the forestry sector will be enforced more strictly. This may increase the difficulty for forest-planters whose plantations are re-zoned to Protection Forest, which in turn may discourage plantation activities. The livelihood of forest-dependent communities may be impacted significantly.

### ***To ensure the livelihood of forest-planters, effective and timely measures should be implemented:***

- First, forest zoning policy must ensure that forest-planters will not be adversely affected by new policy. Local authorities need to conduct community consultation and assess the potential policy impacts on community livelihood. Macro-level policy changes could induce significant impacts on the livelihood of local communities that usually lack the capacity to adapt to changes.
- Second, logging application procedure should be simplified for cases of logging in plantations re-zoned to Protection Forest. As said above, the main tree is Acacia, unsuitable for the function of Protection Forest. In addition, there should be a plan for conversion to indigenous plants to ensure the function of Protection Forest.
- In the long term, it is crucial to create livelihood opportunities for forest-dependent communities. When the livelihood is ensured, communities will have access to education and their awareness about the law and policy will be improved. They will be able to participate and contribute to better policy formulation, and be in a better position to cope with changes.

## REFERENCE

- Circular 35/2011/TT-BNNPTNT, MARD 2011;
- Timber Legality Assurance System (TLAS) draft version 2, VNForest 2013;
- Report on the potential VPA impacts on the livelihood of forest-dependent communities in Phu Luong district, SRD 2014;
- Report on the potential VPA impacts on the livelihood of forest-dependent communities in Yen Binh district, SRD 2014.

*With support from the European Union (EU) and the Food and Agriculture Organization of the United Nations (FAO). The contents of this document are the sole responsibility of the Service Provider and may in no case be considered as reflecting the opinion of the EU or FAO.*

### ***The author:***

**Hoang Quoc Chinh**  
Centre for Sustainable Rural Development  
chinh@srd.org.vn

**Nguyen Quang Tan**  
RECOFTC - Centre for People and Forests  
tan@recoftc.org