



SUMMARY REPORT

FOREST MANAGEMENT AND THE BENEFIT-SHARING MECHANISMS IN THE CONTEXT OF VPA-FLEGT & REDD+

Summary report. Forest management and the benefit-sharing mechanisms in the context of VPA-FLEGT & REDD+

Cover photo: A forest surveyed by SRD

Disclaimer:

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I. BACKGROUND

Starting from 2010, the Vietnamese Government had been in the negotiation process for VPA-FLEGT. The Agreement was officially signed in 2018, ratified and came into effect since 2019. By 2021, Vietnam will expectedly be exporting only FLEGT-licensed timber materials and products to EU.

According to FLEGT, timber legality is timber and timber products (hereinafter referred to as timber) exploited, imported, processed, confiscated, transported, purchased, sold, processed and exported in accordance with the laws of Vietnam, relevant provisions of treaties Vietnam jointly signed, and relevant laws of the country where timber is harvested then exported to Vietnam. This also includes the legal status of land. In Vietnam, forest and forestland allocated to local people are mainly forests and land planned for planting production forests. Although Land Uses Rights Certificates have been widely extended to most people, there are still areas where communities have not yet been granted forest land use certificates due to disputes and overlaps between maps and reality. Timber harvested from these areas, whether planted or natural forests, is considered to be illegal under the provisions of the VPA/FLEGT.

In REDD+, payment is made based on evidence of forest land tenure. In disputed site, a facility for payment cannot be established. Therefore, the issue of forest land use rights is a big concern for REDD+ and FLEGT. In many places, lands are allocated to the people by forestry companies and forest's management boards through short-term contracts. In this type of contract, local people face the possibility of not having long-term benefits from REDD+, especially when forestry companies or the management boards change contracts and allocates forest land to other units.

In addition, REDD+ and safeguarding measurements require fairness for forest-dependent entities and social groups involved in forest management, etc. Therefore, it is necessary to consider whether existing benefit-sharing mechanisms are fair enough for the long-term interests of the forest-managing communities to be taken into account, for the transparency to be ensured throughout, and for REDD+ regulations to be complied or not.

Through this assessment, the more comprehensive, point-of-view findings will support the proposal of safeguard policies under REDD+ and VPA/FLEGT regulations.

II. OBJECTIVES OF THE STUDY

i. Assess the status of forest allocation and contracting among forest owners (Protection Forest Management Board, Special-use Forest Management Board and Forestry Companies), Commune People's Committees and local communities.

ii. Clarify the positive and negative results of the allocation and contracting to the community, local people from the protection forest management boards, the SUF management boards, the FC and the commune people's committees.

iii. Highlight the relevant or incompatible points of the current forest and forest land contracting mechanism and the contracting mechanism for REDD+ safeguards and VPA regulations. Analyze the possible consequences on communities, local people, communes, forest management boards, and FC if the allocation of forests and forestland is not appropriate.

iv. Propose amendments/recommendations to harmonize existing forest and forest land allocation with REDD+ or VPA/FLEGT and policies, which creates long-term and sustainable benefits for communities, people and other forest owners.

III. METHODOLOGY

To achieve the goals of the study, the research applied both quantitative and qualitative methods. The data was collected in three phases:

- + Stage 1: Design and collect secondary information from experts;
- + Stage 2: Conduct a field survey with semi-structured questions and analyze collected data
- + Stage 3: Conduct in-depth interviews to collect missed data in the second phase.

Stage 1: Collect secondary data

Computerized evaluation to compile and synthesize information on existing forest land and benefit sharing mechanisms. The research team collected data regarding to policy and legal frameworks from government, social organizations and research institutes.

The secondary documents are as follows:

- Documents and data on current forest and forest land status
- Documents and data related to forest and forest land management
- Report on the implementation's results of current benefit sharing mechanisms

Stage 2: Semi-structured interview

Respondents are households and forestry staff at all levels (province, district, commune, forest management boards), and forestry companies in the research sites. The total number of people interviewed are 126 people.

Collected information and data are processed by Excel and SPSS, described through important statistical parameters such as frequency, average value, standard deviation for indicators on age or plantation age/working year from the subjects at the study site and indicators on the current forest status as well as the current state of forestland allocation. The Chi-Square test method is used to analyze the differences between the variables of gender, ethnicity, education level and the variable of the interviewees, and for testing the quality of forests in the provinces at the same time. Assessment of differences in forest quality among provinces is the basis for evaluating the relationship between factors of ecological zones, forest types and forest management methods to the quality of forests in each study area.

IV. RESEARCH RESULTS AND DISCUSSIONS

1. Characteristics of interviewed subjects

Two target groups participated in the interview includes the group of farmers and the group of officials. The majority of respondents to the survey were male. The educational attainment level was different between the farmer group and the other two groups. More than 100% of the officials interviewed have bachelor's and post-graduate degrees, while there were primary, secondary, high-school, university education and postgraduate schools in the farmer group. However, there were still 0.8% of the illiterate subjects belong to the farmer group. The ethnic composition was relatively balanced, which means 46.00% are Kinh people and 54.00% are ethnic minorities.

Characteristics of interviewed subjects

		Officials	Famers	Sig.
Gender	Male	32(25,4)	74(58,7)	0,355
	Female	4 (3,2)	16(12,7)	
Educational level	Illiterate		1(0,8)	0,000
	Primary		19(15,1)	
	Secondary		25(18,8)	
	Highschool		22(17,5)	
	Graduated	16(12,7)	12(9,5)	
	Post-graduated	20(19,5)	11(8,7)	
Ethnic	Kinh	28(22,2)	30(23,8)	0,000
	Other	8(6,4)	60(47,6)	

2. Current status of forest and forest land allocation similar to benefit sharing mechanisms related to each form of contract in the three study areas

2.1 General forest status of 3 provinces

According to the results of forest inventory and supplementary review in 2019 in the three provinces, Son La has the largest total forest area with 628,448.05 ha, Ca Mau has a smallest forest area with 77,757.31 ha which are mainly mangroves. While Son La is mainly natural forest, Ca Mau is mostly planted forest. Average volume of forests of the provinces is 80.07 m³/ha (Son La), 75.36 m³/ha (Ca Mau), 72.34 (Quang Tri), respectively.

2.2 Current status and forest protection and management characteristics at study sites

In Son La, the research team selected Nhop village, Little cang village under the Thuan Chau Special-use Forest Management Board and Phu Yen Forest Protection Forest as the study site. Ban's total forest area is 19,590.53 ha, which spreads in 08 communes of 2 districts of Thuan Chau and Quynh Nhai. The area of special-use forest is 9,614.63 ha in 3 communes Chieng Bom, Long He, Co Ma, Thuan Chau district. 9,975.9 ha protection forest in 05 communes: Nam Lau, Ban Lam, Muong Bang, Thuan Chau district and Muong Giang, Muong Sai district, Quynh Nhai district. The total forest area of Phu Yen SFE is 8,080.4 ha, of which production forest only accounts for 2,432.17 ha, the rest is protection forest. The forest covered at the research sites is very high, both reaching the rate of over 60%.

In Quang Tri, the research team selected three communes: Dakrong, Huong Hiep and Ba Nang, and Duong 9 Forestry Company in Dakrong district. Dakrong commune has the largest forest area in Quang Tri province with 80,404.13 ha, of which: special-use forest has an area of 36,864.03 ha, protection forest 15,997.40 ha, production forest 27,175.32 ha. Regarding the forest cover, Huong Hiep has the highest rate of 66.6%, Dakrong has 53.6% and Ba Nang has the lowest forest coverage of only 32.2%. The average forest volume at the study sites is also quite equal with 86.48 m³/ha (Dakrong), 86.48 m³/ha (Huong Hiep), 73.33 m³/ha (Ba Nang) and 85m³/ha (FC). Total forest area of Duong 9 Company is the largest with 66,925.8 ha, Huong Hiep commune has 9,428.81 ha. Ba Nang has the smallest forest area with only 2,091.10 ha. In 3 communes, forest areas are mainly natural forests, but 100% of the forests of Duong 9 Company are plantation forests.

Ca Mau is the province having the largest forest area in the Mekong Delta, mainly mangrove ecosystem. Because of the importance of coastal protection as well as social security of people living by the sea, the research team selected 3 places : Mui Ca Mau National Park, Tam Giang I and Ngoc Hien Forestry Company to collect data and conduct interviews. Mui Ca Mau National Park, Tam Giang I Protection Forest Management Board and Ngoc Hien Forest Protection Forest Coverage reach 59.72%, 64.68% and 58.5% respectively. The average volume of forest in Ngoc Hien NR and Mui Ca Mau National Park (on average greater than 80m³/ha) is higher than Tam Giang I Protection Forest Management Board (58.5 m³ / ha). Total forest area of Ngoc Hien SFE is the largest (19,104.3 ha) while the smallest is Tam Giang I MB (3,150.70 ha).

The difference in forest origins is evident in these three units, while Mui Ca Mau National Park has both natural forest (4,797.46 ha) and plantation forest (4,316.30), in Tam Giang I and FC Ngoc Hien, 100% is plantation forest.

2.3 Current status of forestry land allocation and contract

At Thuan Chau Son La PFMB, the target groups are households and communities that are currently allocated forest protection and management in the form of direct contracting through annual contracts with the Management Board and FC. According to the survey and interview results in 2 villages under the management board and at Phu Yen SFE, there are two forms of forest land allocation: land allocation with LURC issuance and forest protection contract. For the Thuan Chau PF-PF, the forest is contracted to communities (over 70% in both Nhop and Less Cang villages), but in Phu Yen SFE, it is contracted to households only. In both the MB and FC, over 80% of the forest has been contracted.

In Quang Tri, according to a survey in 2019, over 45% of forest land has been allocated in the form of a LURC.

The research results show that although the allocation of land and forest has been handed over to the commune for a long time, the allocation of forests to households and communities in the communes has not been completed. Huong Hiep is a place where the task of implementing forestland allocation is the slowest with only 50% of them not yet allocated, while in Ba Nang it is 23.55% and Dakrong 19.10%. Duong 9 FC is a different management entity from the Commune People's Committees, which means the company only contracts forest to households at a rate of 47.5%. The average proportion of people being allocated land, forested forests and having LURCs in Dakrong and Ba Nang communes is 52.50% and 42.5% on average, while in Huong Hiep commune is only 17.50%. Households contracted with forest from FC only have contracts with the company.

In Ca Mau, it can be seen that the study sites only have the form of contracting for forest protection to households. While the NP only contracted more than 10% to households, Tam Giang I Management Board and FC Ngoc Hien have contracted over 70% of the total forest area. Due to the characteristics of the mangrove forest and the dependence on aquaculture farming under the forest canopy, many households want to be contracted for forest.

2.4 Current status of the benefit mechanism associated with each form of forest allocation and contracting

+ Forest and forest land management mechanism

In Son La and Quang Tri, there are two types of forest and forest land allocation and contracting, while in Ca Mau there is only one form of contracting. In Son La, forest land is allocated and contracted by the MB/FC for two subjects, namely, community and households. In Quang Tri, forest land is again allocated and contracted by the CPC/FC to residential

communities and households. While in Ca Mau, the MB/NP/FC are contractors and the contracted party is only households.

Currently, the forest contracting mechanism governs all the benefits that forest contracted households or communities receive. Based on the Prime Minister's Decision No. 38/2016/QD-TTg dated September 14, 2016 on a number of forest protection and development policies, the provinces have established management mechanisms and support for development protection. Through the mechanism of forest allocation and contracting, communities or households will enjoy the benefit odd annual forest protection contracts, which ranges from 50,000 VND/ha/year to over 500,000 VND/ha/year regarding to the locality. This source of money comes from the following sources: 1) Funds from the budget for forest protection contracts according to Decision 38/2016/QD-TTg (300,000 VND/ ha/year), 2) Payment for forest environmental services (Depending on the area sector), 3) separate support from investment projects (Depending on investment projects). Depending on the location and period of time, through contract allocation, households and communities receive funding from all three sources above or only receive 1 of 3 types.

+ People's awareness of benefit sharing mechanism

Benefit sharing mechanism is a specific mechanism for each locality and each community, means there is no common mechanism for the whole province. The three provinces of Ca Mau, Quang Tri and Son La all have specific benefit-sharing mechanisms, in which Ca Mau stands out with its benefit sharing mechanism from mangroves, Quang Tri and Son La have applied the payment for forest environmental services. However, it has only been piloted in a number of localities and has not been fully implemented in the whole province. All 3 provinces have implemented REDD + programs, but only at the stage of communication and awareness raising about REDD+ but payment of REDD+.

Over 70% of the interviewed individuals in Ca Mau said that they do not know what REDD+ or PFES is, whether it is implemented in Ca Mau or not. Over 90% of interviewed people in Son La responded that REDD+ is not in their locality even though Son La has a REDD + Action Plan 2017-2020, more than 20% of respondents said that PFES is not implemented in when in fact they are receiving PFES money annually. Similarly, 97% of the interviewed people in Quang Tri responded that REDD+ is not implementing in Quang Tri while in fact Quang Tri is one of the provinces in the phase 2 of REDD+ readiness project in Vietnam (FCPF-2).

100% of the people in Ca Mau answered that they are not sure about the form of payment from the PFES, similarly over 80% of the people in all 3 provinces said that they are not sure about the form of payment under REDD +.

100% of the people in Ca Mau and Quang Tri said that they did not know about the benefit-sharing mechanism and financial safeguards in both REDD + and PFES. Only 20% of the people in Son La answered that they know about this, but they cannot describe in detail what the mechanism is like.

In general, people's awareness of REDD + and PFES is still very limited.

3. Impacts of existing forest allocation and contracting and benefit sharing mechanisms on communities, local people, communes, protection forest management boards, special-use forest management boards

3.1 Forest protection and development, forest fire prevention and fighting have been improved.

In the studied provinces, awareness and responsibility for forest protection and deforestation are raised from local authorities to local communities and people. The forest allocation to the community has contributed to promoting the socialization of forestry. Thanks to the payment for forest environment services in combination with forest contracting, in 2019, the work of forest protection and development, forest fire prevention and fighting in the studied provinces has had a positive change. Forest quality, ecological environment has been gradually improved. According to statistics of forest sub-departments and forest owners, the number of cases of violating regulations on forest management and protection and forest product management has been reduced on 3 criteria: Number of violations, number of acreage and number of forest products damaged. For example, Son La in 2019 decreased by 967 cases compared to 2009 (in 2009 there were 1,434 cases, in 2019 there were 357 cases). In Ca Mau, the allocation of forests to farmers encourages people to raise organic shrimp to help conserve the mangrove ecosystem, to avoid deforestation for illegal shrimp farming.

3.2 Production value of forestry sector and household economy living near forests have been improved.

For local people and households, forest protection contracts and payment for forest environmental services have made a very important contribution to the stability and socio-economic development in the locality, especially for ethnic minorities who depend on forests. Along with the propaganda, the policy of payment for forest environment services has attracted a large labor force in the population, especially in remote and extremely difficult areas to directly participate in forest protection.

Every year in Son La, there are over 43,000 households, accounting for 40.26% of the country, to benefit from PFES and other benefits from forests have positively contributed to stabilizing political security, social order and safety in the villages and hamlets.

In Dakrong, Quang Tri, according to district reports, the management, protection and allocation of forest land and forest have changed positively contributed largely to the economic development of the district. The production value of the forestry sector reaches 61.21 billion VND, an increase of 20% compared to 2018;

In Ca Mau, over 90% of households that have been contracted natural forest have a forest-dependent economy and their livelihood was initially stable due to a steady income from aquaculture under the forest canopy. Many households have developed economies due to their large contracted area, knowledge of how to apply science and technology to intercropping aquaculture and improvement the ecological efficiency of mangrove forests and combine with ecotourism family business.

3.3 Forest coverage and quality increase

In Son La, most people and officials highly appreciate the quality of the natural forests as well as the planted forests in the area. 83.30% of the respondents think that natural forests are of good quality, and 73.91% of the opinions are similar to planted forests.

In Quang Tri, 50% of the people and officials here rated the natural forests in their areas as average. Similarly, 47.62% of respondents rated the quality as medium for planted forests.

In Ca Mau, the quality of natural forests and planted forests was also evaluated relatively well, with 61.90% of the respondents rated natural forests as the same, and in planted forests, 52,385 were also positively rated.

Payment policies for forest environment services and policies to support local processing enterprises have created incentives for people to participate in protecting natural forests and developing planted forests. In the studied localities, the average forest coverage rate increases by 0.5%/year. Significant changes from the work of land and forest allocation have made an important contribution to the goal of greening the barren hills of the provinces. In recent years, the quality of forests has been improved, and the biodiversity of the forests has been protected and developed.

4. Shortcomings/gaps in forest allocation, contracting and existing benefit sharing mechanisms

+ *The management mechanism of natural forests and forest land (especially protection forests and production forests) is not consistent among research sites.*

The management mechanism of forest and forest land at the study sites is mainly through the form of forest allocation and contracting, which is shown in the Figure 3 in the Sector 5.2.3. At the first level, the State allocates and contracts forests to forest owners such as national parks, protected areas, protection and special-use forest management boards, forestry companies, communities and households who are granted a land use right certificate. After that, the forest owners contracted to protect the forests to the households under the contract.

+ Short-term forest contracts that last only 1 year

Currently, in the three provinces of Ca Mau, Quang Tri and Son La, most of the forest has been allocated to the PFMBs, the National Park, the FC and the CPCs for management. These forest management units perform forest management and protection contracts for the people under the forest contract, of which the current term is usually 1 year.

100% of forest contracts in Son La have a term of 1 year, while those in Ca Mau and Quang Tri are 79% and 68%, respectively. The term longer than 1 year, which are from 5 years or more, are usually of the contract between FCFs and households.

For households or communities contracted to forests and whose economy are completely dependent on forests like in Ca Mau, this is a very short period of time, which creates insecure feelings of investment and living. As for households and communities such as Ban Nhop, Little Cang, Son La, households that receive forest protection contracts and annual payment for forest environmental services, re-signed annual contracts also create a sense of insecurity and fear of loss during inspection and re-evaluation process.

For forest owners, the one year period also puts a lot of pressure on verification and re-signing of contracts. The fact that this process takes place every year and is on a large forest area causing costliness, wasting on time, money and manpower.

+ Recently, most of the forest areas allocated to households and communities have not been granted land use right certificates yet.

In the study sites in Ca Mau, 100% of the households contracted from the National Park, the Protection Forest Management Board and FC, therefore they were not eligible for LURCs, but only contracted.

For Quang Tri and Son La, with the forest areas managed by the Commune People's Committee, the commune agencies still develop an annual plan to allocate forests to communities and households, but the issuance of LURCs is very slow. Specifically, at research sites in Quang Tri province, the ratio of the area granted a LURC to the allocated forest only ranges from 10-50%, commonly from 10-20%. The reason for this delay is that in order to get LURCs, households or communities need to pay prescribed fees and go through the procedures

at the CPC, which is struggled by difficult traffic conditions. Therefore, people do not want to go through the procedures to get LURCs.

+ There is an overlap on the field boundary between households and on that many plots of land plotted in the household red book do not coincide with the actual area.

In practice, FLA working groups often ignore a number of steps in the regulations to save time and money. In a specific, it is possible that some meetings in villages and communes are not being conducted as requested but may be shortened or omitted. In many places, these meetings often do not have the full participation of relevant departments; maps are absent or do not update the forest and land status in the allocation process; some extra-activities like field trips are often ignored. Therefore, the households do not clearly define their forest plot boundaries or whether the forest plot area on the red book matches the actual forest plot they manage or not.

+ People's awareness of REDD+ and PFES is still very limited.

Most of the people interviewed in the study sites do not know what REDD+ or PFES is, what the form of payment from PFES and REDD+ are nor the benefit sharing mechanisms and financial security measures even though they are the direct beneficiaries of the PFES benefits and other benefits from the forest.

+ In some research sites, payment for forest environmental services is currently only piloted through investment projects but not guaranteed to be paid in a sustainable and long term.

In the study sites in Ca Mau, payments for forest environmental services are paid by organic shrimp farming companies under the framework of a pilot's project, from which initially a benefit-sharing mechanism is established from the community forests and the households with a square of shrimp under the forest canopy. However, this source of money will no longer be available at the end of the project, which will create many disadvantages for all forest owners, communities and contracted households to protect forests. Especially, it is when people neglect their work on forest protection that puts pressure on the managing responsibility of forest owners.

+ The payment for forest environmental services is low and uneven between regions and local communities

Due to the limited revenue and revenue beneficiaries, the revenue is still low compared to the potential. Although the national revenue is large, the expenditure level for each forest owner is not high. Therefore, forest workers have not yet lived through the forest profession and not really felt secure to protect and develop forests. In addition, the level of payment in a

specific area depends on the level of revenue for the payers of forest environmental services in the area, so this payment is different among regions. For example, in Son La, at Thuan Chau PFMB, the forest areas in the Ma river basin, the service payments for households are only from 150,000-200,000 VND/ha/year. However, for the forest areas in the Da river basin, the payments to households are greater than 500,000 VND/ha/year. This usually causes a rivalry among local communities, households in the work of forest protection contracts and results in pressure on the Management Board.

Besides, the dependence on revenue also creates the scene of some localities get paid while some others are not paid though in the same area. For example, with 3 studied Dakrong district in Quang Tri, which are Huong Hiep commune, Dakrong commune and Ba Nang commune, only 2 communes Dakrong and Ba Nang have money to pay for forest environmental services. The essence of the PFES policy is to increase income from forests for local people, to encourage them to voluntarily manage and protect forests, at the same time protect their livelihoods. However, it is the benefits they receive are not the same between localities that leads to feelings of jealousy, depression, discontent, and neglect, refusal to accept forest protection contracts.

5. Existing forest and land management, protection and development status and benefit sharing mechanisms with VPA/FLEGT and REDD +

5.1 For VPA/FLEGT

The VPA/FLEGT Agreement officially came into effect on June 1, 2019, which is a milestone for Vietnam and the EU to jointly commit their cooperation to tackle illegal logging and trade. The FLEGT initiative has an important goal of removing illegal timber products, including products originating from Vietnam and from the EU market. In principle, a timber product that is considered legal is the one that complies with all Vietnamese regulations, including which relating to the legality of the forest land where the timber was harvested, transportation, processing and trade, environmental and social compliance throughout the supply chain. In addition, the Government of Vietnam agrees with the view to establish a system to ensure the timber legality so that the legality requirements for exported timber products are the same as for domestic timber products.

So how is the current situation of forest management and development related to the source of domestic exploited timber?

Up to now, land disputes among households or between households and management units such as the Protection Forest Management Board, National Park or forestry companies

are still occurring in some locations. There are many different reasons, among which is the common overlapping of traditional people's rights to land established before the implementation of land allocation and legal rights over land formed from allocation. Timber harvested from disputed forest area of unclear legal origin will not meet the requirements of VPA/FLEGT.

Likewise, the TLAS system does not accept timber products harvested from disputed forest areas for consumption in the domestic market. This means that in order for timber harvested from the forest to meet the legality requirements set forth by the VPA, the government needs a current land conflict resolution mechanism.

In theory, closing the natural forest will reduce illegal logging from this forest source. However, under weak enforcement of laws and policies, especially at the local level (as evidenced by illegal logging still exists in many places) the closure of natural forests does not guarantee the achievement of pepper to control illegal logging. In other words, smuggled timber is likely to remain in the supply chain despite the Government's policy of forest closure.

With regard to timber harvested from planted forests, up to now many opinions believe that the legality of planted forest timber is relatively clear because the implementation of FLA has created an important and clear legal basis for land rights. This comment is correct, but ignores some important issues, as follows:

- + In the framework of VPA/FLEGT, timber that is considered legal requires clear legal evidence. For the timber sourced from the planted forest of the household or community, one of the evidences to determine the legality of the timber is the LURC of the recipient of the land. However, up to now, there are still many forest areas and forest land that have been allocated to these subjects but have not yet been granted LURCs (analyzed in section 5.2.1.2). This may make it difficult for planted forest timber of households planting on non-certified land to be proved their legal origin.

- + The problem of overlapping boundaries and unclear boundaries between LURCs and the reality as analyzed in point c, section 5.2.2.2 makes the decision of the timber legality planted on land allocated to households difficult.

Thus, in order to ensure that the harvested timber is eligible for VPA/FLEGT, the Government needs to have specific instructions to each locality and guide the implementation of solutions to address outstanding problems as stated above.

5.2 For REDD +

In the REDD + safeguard principles, a number of points directly related to local communities that need to be enforced including: i) Provide information explaining regulations and procedures for Forestry and Land in Easy-to-understand language for ethnic minorities and people in the area that are extremely difficult, mountainous and remote areas; ensure that they can understand information and the rules, regulations, purposes and requirements of activities related to forests and forest land in the REDD+ implementation mechanism; ii) Community access to information needs to be guaranteed, public consultation with Free, Prior and Informed Consent (FPIC) should be implemented according to regulations, including which in REDD+ planning and pilot implementation processes in the provinces; ensure full participation of the community and stakeholders; iii) The statutory rights to use and access to forest land as well as the land allocation, documentation and demarcation process need to be assessed and strengthened so that the forest areas under REDD are clearly bounded with full legal documents.

However, in the three provinces of Ca Mau, Quang Tri and Son La, which are three provinces that have implemented REDD+ and have developed a REDD + Action Plan for the period 2017-2020, almost local people in research sites do not know about REDD+ information, regulations and benefits will be received if REDD+ is paid. Thus, regulations on information provision and access to information of REDD + are not yet guaranteed. When payments can be made in REDD +, it will also require the development of a payment mechanism, as does payment for forest environmental services (PFES). However, the results of interviews in all 3 studied provinces also showed that over 90% of local people do not know the specific benefit mechanism they receive.

Only the heads (village head, village leader) and commune staff know the details of the benefit sharing mechanism, for example who are stakeholders, how much of each specific beneficiary will benefit and how is the money received from forest environmental services to the commune, to the community to be specifically allocated or spent?, etc. All of these problems most people do not know. They only know that each the year they are allocated a specific amount for 1 ha of forest they protect. People also do not know why two localities are next to each other, but one locality can receive PFES money and the other does not. This is not satisfied with the principles of safeguarding REDD+.

The essence of REDD + is to make results-based payments. REDD + payments are made when there is credible evidence that interventions have contributed to reducing emissions. So the first considered issue when making payments is the boundary. However, in reality, the following problems still exist:

+ Over 25% of the area has been allocated to households that have not been certified. Even in some provinces, this is up to 30%.

+ Regarding to REDD+, if payment is made, the total amount of cumulative carbon measured on the forest areas that each household receives or contracts is the number that is of primary concern in the payment calculation process. Currently, the boundary between forest states according to the Ministry of Agriculture's regulations is not really clear. It is difficult to define, check, and measure the total amount of accumulated carbon for each different state in the field.

+ Households can also benefit from REDD + through contracts to protect the forest areas currently managed by SFEs, MBs and national parks. However, current protection contracts are usually short term (1 year), which does not guarantee that households will have access to long-term benefits from REDD+.

V. CONCLUSION AND RECOMMENDATION

From the perspective of a social organization engaged in research on forests, forest land and forest-related mechanisms in the context of preparing for the implementation of the VPA/FLEGT agreement and towards future REDD + payments, the research team proposes a few amendments and recommendations to harmonize current forest and forest land allocation with REDD+ and the VPA/FLEGT policy to create long-term, sustainable benefits for communities and people, as follows:

1. The Ministry of Natural Resources and Environment should urge localities to speed up the process of issuing LURCs for the entire forest and forest land areas for the people

+ GoV needs to allocate forests to real forest owners for the forest areas currently managed by the Commune People's Committees (CPC is not forest owners, not granted LURCs) soon.

The Government should issue policies and guidelines for the allocation of communal forest and land areas to real forest owners. These forest owners are individuals, such as owners of businesses, owners of farms (without a business license) and households. According to current regulations, each individual is allocated a maximum quota of 30 hectares.

To implement this effectively and to ensure transparency, the Government needs to develop a roadmap for implementation, consult with stakeholders from the central to local levels and build an implementation monitoring system, in which the functions of the network of social organizations from the central to local levels should be maximized.

+ For the forest and forest land areas that have been allocated to households and communities without LURCs, the Government should have instructions to urge all levels to carry out the statutory procedures, including that the commune agencies need to conduct statistics on the entire allocated area but do not have a red book and encourage households and communities to apply procedures for LURCs; the district level develops annual plans, criteria, allocates human resources to handle applications for LURCs. This process should be carried out synchronously across the country.

+ Reviewing the areas that have been granted LURCs to households with the difference between paperwork and the reality to re-issue.

This is a really difficult and necessary task to have a policy in order to coordinate the implementation between different programs and departments. In the context that FPES is being implemented in many localities and in every year, the inspection and review of the results of forest protection and management are carried out in the field. Therefore, there is a need for coordination between forest owners, CPCs of communes, local rangers, together with the Forest Protection and Development Fund, to combine the annual inspection and evaluation process of the PFES, to compare each LURC of the forest owners with the actual area and location in the field. Synthesize and compile application file for re-issue of LURC to submit to the District People's Committee for approval. This is a costly process in terms of both time, manpower and money. However, if there is agreement between departments, authorities at all levels, using resources is completely feasible, benefits from VPA/FLEGT and REDD+ should be completed.

2. The General Department of Forestry should lead the development of an M&E framework during REDD + payment implementation in consultation with stakeholder.

During the pilot phase of REDD+, the UN-REDD program has developed a framework for MRV (Measurement, Reporting and Verification) that includes a system of solutions for measuring indicators, determining methods for forest area, total carbon for different forest states as well as method of verifying results and reporting. However, in order for the implementation of REDD + payment to be transparent, effective and convincing customers to buy carbon credits, an independent monitoring and evaluation system (M&E) is needed for this REDD+ implementation. The M&E system is independent with the participation of stakeholders, including government agencies (from commune, district, province to central levels), research institutions (Universities, Research Institutes), social organizations and local communities. The M&E framework should be built logically, uniformly, with a transparent and verifiable reporting system in order to convince customers in buying carbon credits.

3. The General Department of Forestry should advise MARD to develop a general benefit sharing mechanism for forest allocation and protection, including payments for PFES, REDD+ and forest protection and development

At the provincial level, it is advisable to establish a common mechanism in using payment sources (From PFES, from REDD+, from other sources if any), to local payments as budget for forest protection and development in the whole province. To do this, the province agencies also need to consult stakeholders, to build an M&E system throughout the payment process, including management levels from central to commune, research institutions, CSOs, communities and households.

4. The General Department of Forestry should consult and develop a separate payment policy for mangrove forest environmental services

It is necessary to develop a payment mechanism for the use of mangrove environmental services to fishing companies in mangrove provinces such as Ca Mau province. This is carried out under supervision, regulated by a state agency such as the Provincial Forest Development Protection Fund, and gradually helps implementing a general policy for the whole province such as the policy of payment for forest environmental services to hydropower companies and ecotourism companies, operating under the M&E system with the participation of stakeholders in monitoring and evaluation as described in the above sections.

5. The General Department of Forestry advises the Ministry of Agriculture and Rural Development to develop a mechanism for social organizations/non-State units to contribute opinions and monitor throughout the process from policy formulation to implementation done in the community

In fact, social organizations/non-state units still regularly carry out research and activities in raising awareness with the aim of raising community's, improving the economic life of the community living near forests and relying on forests to contribute to the protection and development of forests in the country. However, at present, there is an unclear linkage between these organizations and the relevant organizations and agencies of the government, which results in the not high effectiveness. Therefore, in this study, the research team proposes a mechanism for social organizations to contribute voice to the process of formulating, modifying or implementing policies related to forest protection and development. In particular, they are policies related to forestland allocation, forest protection contracting, payment for forest environmental services and payment of REDD+.

6. The role of social organizations / non-state actors in policy monitoring and criticism related to land, forests and benefit sharing should be promoted and encouraged.

Up till now, civil society organizations (CSOs) and state agencies have been often operating separately in many areas, including forest land issues and share benefits to communities relying on forests. The role of CSOs has not been properly paid attention by the State, leading to effective implementation in many policies not achieving the desired results. So in order to optimize the performance of policies related to land, forests and the lives of communities, people living on forest, the State needs a mechanism to encourage participation and enhance the role of CSOs in monitoring, criticality and enforcement of these policies.

7. The State should assign CSOs to raise public awareness about mechanisms that benefit from forests such as forest allocation, contracting, payment for forest environmental services through training, handouts and direct sharing

The current situation of local communities shows that there is limited awareness of policies related to forest protection and development such as forest allocation, forest contracting, payment for forest environmental services and REDD+. Social organizations would like to contribute to this. In the work of forest development and support for community socio-economic development, there should be a plan to implement in activities of raising awareness from different forms such as training, handing out leaflets and direct sharing. These are activities that require the effort and perseverance of practitioners.

8. Local FPDs should further strengthen community consultation on forest management, protection and development.

The Forest Protection Department is the highest forest management unit at the provincial level, having direct influence on the forest protection and management system from province, to districts, communes and villages. In order for forest protection and management to be more effective, the organization of community consultation activities is the key to help management agencies to identify gaps in the management system in forest protection and to identify priority issues with the purpose of developing a roadmap for implementation.

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