



**PROJECT «NETWORK FOR AGRICULTURE AND RURAL DEVELOPMENT
THINK-TANKS FOR COUNTRIES IN MEKONG SUB-REGION (NARDT)»**



Regional research

Agricultural innovations review in Sub-Mekong region countries

**Forest land allocation model with participation of farmers in Bac Kan province –
Viet Nam**

1. Introduction

Land and forest allocation in Vietnam has been implemented since the 1980s under the policy of “making each land area, each forest, and every hill owned by someone with the expectation of preventing deforestation, improving forest cover, forest quality, and poverty alleviation”. Forest land is allocated to user groups such as state-owned forestry enterprises, communities, and households. Forest land and forests are allocated to different user groups according to different mechanisms and policies decided by the central and local governments. The purpose of the policy is towards land plots that have owners. The policy of land allocation and forest allocation has contributed to improving forest quality, increasing forest cover, and contributing to hunger eradication and poverty reduction in mountainous and highland areas. However, in the process of implementation in localities, many problems arise related to overlapping, the technical facilities and professional capacity of the implementing unit as well as the willingness to pay of the contractor. people. Therefore, the progress of land and forest allocation in some localities is often slow and prolonged, causing many inconveniences to people.

Therefore, in the component on agricultural production for a greener future of Bac Kan Province Commercial Smallholder Support Project (CSSP) funded by the International Fund for Agricultural Development (IFAD), The sub-component Land allocation and forestry land use right certification is currently being implemented with the objective of promoting equitable ownership among different asset groups and genders and efficient use of local production forests.

This model, when implemented, has renewed the land allocation and forest allocation with the participation of the people, and has ensured the people's right to use forest land and forest resources in order to improve living conditions and improve natural resource protection and management.

2. Model development

The current forest land users are households who were contracted for forest planting areas by state forestry enterprises. These households planted forests and were certified by the forestry enterprise for their planted forests. At this stage, there is no map, the location is not accurate. In the 2004-2009 period, the project on forest land allocation and grant of forest land use certificates was carried out in many districts of Bac Kan province. The

cadastral map was established based on aerial photos, made symmetrical contouring, and correlated judgments, so many land plots and locations of land plots were determined to have deviations. This deviation leads to many problems of disputes and conflicts over land use rights in the community. Due to the large deviation, many commune-level localities have not yet assigned LURCs (land use right certificates) to households. In the period 2011 - 2012, the 3PAD (Pro-Poor Partnership for Agroforestry Development) project was piloted in a number of localities in the province. High-precision mapping technology combined with the participation of the people in all steps of reviewing and determining boundaries in the field, signing and certifying the boundary, and publicly posting information that has been approved. The results of land allocation and grant of land use right certificates of the project in this phase are proposed to be implemented within the framework of the CSSP project.

The work of land and forest allocation in some project areas in Bac Kan province is implemented according to the Manual issued in two decisions of the Provincial CSSP Project Steering Committee, including:

- Decision No. 1178/QD-BCD of the CSSP Project Steering Committee dated August 11, 2017, on the Technical Manual for land allocation and issuance of forest land LURCs with the participation of the people. The handbook is based on the handbook of forest land use planning and allocation with the participation of the people that has been implemented by the 3PAD project. The manual guides the basic principles in land allocation and issuing of forest land use LURCs, the sequence of steps in the participatory land allocation, together with specific instruction tables.

- Decision No. 1486/QD-BCD of the CSSP Project Steering Committee dated August 19, 2020, on the Land Allocation Manual with the participation of the people under the CSSP project in the Bac Kan province ". The manual provides detailed instructions on basic principles in participatory forest allocation, and the sequence of steps in participatory land allocation and is accompanied by detailed instruction tables.

These Handbooks have been compiled based on the reference and synthesis, development of methods and documents on land use planning, participatory land allocation of projects led by the European Union (EU), The Food and Agriculture Organization (FAO), the German Technical Cooperation Organization (GTZ), the International Fund for Agricultural Development (IFAD), etc. New points in this document are compiled by the team based on the 2013 Land Law and guiding documents on land allocation, issuing of

land use right certificates, ownership of houses and other assets attached to the land issued by the Government of Vietnam and based on the project document of CSSP project in Bac Kan province.

Table: Steps of forest land allocation with participation of people

Steps	Activities	Outcomes
1. Preparation	<p>Organizational and administrative preparation</p> <ul style="list-style-type: none"> • Collect existing documents and maps • Training for commune-level working group members • Communal meeting to carry out the land use right conversion, issue the LURC, determine the expected land allocation of each village/village and make a plan for the implementation of the family, issue the LURC and prepare necessary materials 	<ul style="list-style-type: none"> • Decide on setting up steering committees and working groups at all levels (districts and communes) • Related documents and maps • Commune map showing the boundary of the proposed land area in the commune • Minutes of the commune meeting and the plan of family activities, granting land certificates to villages in the commune
2. Status Assessment	<ul style="list-style-type: none"> • Organize the first village/village meeting: • Introduce the objectives, activities, and procedures of the process of land use, land use rights certificates, issuance of LURCs with the participation of the people and policies related to land use, issuance of LURCs, presentation of the plan of land use rights, issuance of LURCs, selection of land use rights certificates. a number of local people 	<ul style="list-style-type: none"> • Minutes of the 1st village/village meeting • Results of assessment of socio-economic status and situation of rural forestry land use

Steps	Activities	Outcomes
	<p>participated in supporting the family family working group, granting LURC.</p> <ul style="list-style-type: none"> • Assessment of the socio-economic situation and the situation of village forestry land use 	
<p>3. Formulation of the village/village's land use LURC plan and issuance of the LURC</p>	<ul style="list-style-type: none"> • Develop the village's plan and plan on forest land use right • Organize the 2nd village/village meeting • Prepare and approve the list of households and groups of households eligible for land allocation and issuance of LURCs • Meeting with households that will be allocated land and issued LURCs in the same area • Make a forest land use plan of the village 	<ul style="list-style-type: none"> • Minutes of the 2nd village/village meeting • Guidance on Application for Land Allocation, Application for Grant of LURC • List of households applying for forest land allocation • List of eligible and ineligible households to be allocated forest land • Forest land allocation plans and plans of the villages • Village/village FLA map
<p>4. Formulation of plans on land use rights change and issuance of LURCs at commune level</p>	<ul style="list-style-type: none"> • Develop plans on land use rights and LURCs at commune level on the basis of a synthesis of the village-level land use use rights certificate plan implemented in step 3. • Socio-environmental impact assessment (ESIA) of the commune-level option 	<ul style="list-style-type: none"> • Minutes of the 2nd village/village meeting • Guidance on Application for Land Allocation, Application for Grant of LURC • List of households applying for forest land allocation

Steps	Activities	Outcomes
	<ul style="list-style-type: none"> • Commune-level workshop on the option of land allocation, issuance of LURCs and ESIA 	<ul style="list-style-type: none"> • List of eligible and ineligible households to be allocated forest land • Forest land allocation plans and plans of the villages • Village FLA map
5. Forest land allocation in the field and cadastral mapping	<ul style="list-style-type: none"> • Clearly define the boundaries in the field • Developing cadastral maps of forest land for land allocation and issuance of LURCs • Write and submit the proposed FLA plan to the Commune People's Committee • Implement FLA work in the field • Organizing the 3rd village/village meeting 	<ul style="list-style-type: none"> • The 1/10,000 scale cadastral map of FLA is checked and accepted according to regulations • The application form for the commune's land use rights certificate and LURC (including maps and reports) approved by the Commune People's Committee and the District People's Committee • Minutes of forest land allocation in the field. • Minutes of the 3rd village meeting
6. Check and review the cadastral map, complete the application for the director, the application for the issuance of the LURC	<ul style="list-style-type: none"> • Check and review the cadastral map • Completing the application for forest land allocation, • Completing the application file for issuance of LURCs 	<ul style="list-style-type: none"> • The 1/10,000 scale cadastral land use right certificate is checked and accepted according to regulations. • The application form for the commune's land use rights certificate and LURC (including maps and reports) approved by the Commune People's

Steps	Activities	Outcomes
		Committee and the District People's Committee <ul style="list-style-type: none"> • Minutes of forest land allocation in the field. • Minutes of the 3rd village meeting
7. Appraisal and issuance of land allocation decisions, approval, and issuance of forestry certificates; completing cadastral records, handing over and archiving	<ul style="list-style-type: none"> • Submit for issuance of land allocation decision, approval, and issuance of LURC • Completing the cadastral dossiers • Checking, collecting cadastral records products, handing over and storing cadastral records according to regulations 	<ul style="list-style-type: none"> • Minutes of inspection and appraisal of land use land use records • Minutes of appraisal of dossiers of application for land use right certificates • Decision approving land allocation, granting land use right certificate of the District People's Committee • Minutes of handing over records to all levels of management and use • Set of cadastral dossiers (including 1 set of originals, 3 sets of copies and software for maps)

Source: Bac Kan province CSSP project, Viet Nam.

The activities of land and forest allocation are often complicated and involve many agencies and departments from the province to the district level, the commune level, the village level, and households, in which, the commune People's Committee is the administrative management unit at the commune level. directly with households. Therefore, forestry land allocation and issuance of forest land use right certificates (LURCs) are

carried out at the commune level to ensure the full participation of the people. People's participation through village meetings between commune-level working groups and relevant implementing agencies. Through these meetings, households in the village have equal access to the allocation and receipt of forest land in the locality. Conflicts arising in the process of handing over and receiving the field are carried out according to the instructions of the Manual and the conciliation and agreement between the concerned households with adjacent land plots.

By the end of 2021, forestry land allocation has been granted 11,177 forest land LURCs to 6,915 households (including 56% poor households, nearly poor households, and 12% female-headed households) with a total land area. assigned forestry reached 17,075.04 ha. In addition, the consulting unit and the CSSP project have completed the support work awaiting approval from households in the Ba Be and Pac Nam districts.

The model of land allocation and forest allocation with the participation of people has brought sustainability to the management and use of forest land in Bac Kan province in recent years.

Institutional sustainability: Land allocation and forest allocation is a major strategic policy in community-based forest management, protection, and development of the Government of Vietnam. The allocation of forest land has given this resource to people for stable and long-term management, use, and business for forestry purposes. Local people and communities have real ownership over the allocated forest. From there, they know about the assigned time, and the right to use in accordance with the law. The households have believed in the results and efforts of investing in planting, tending, and protecting forests. This FLA (forest land allocation) activity has contributed to forest development, forest cover, and quality in recent years.

Social sustainability: Land including forestry land is considered an important resource in development. However, land is also considered a complicated issue with many disputes and long-standing complaints in the community. Before the FLA was implemented in the project communes, many villages had complicated disputes and complaints. Many households believe that “the old land” belonged to the generation of their grandparents who exploited and used it, so this part of the forest land belongs to their families. Disputes between inherited households in the same family. Disputes over the location of land plots between households during the process of shifting cultivation and fallow. While the FLA activity in the period prior to 2009 created unclear landmarks leading to disputes over

border areas among households in the community, the participatory model of land and forest allocation within the project framework. CSSP has created consensus in the village community. Households and villages with disputed forest land are exchanged and conciliated to agree on land allocation in the field and sign border receipts through village meetings in the 7-step process of the manual. project technical instructions.

Environmental sustainability and adaptation to climate change: When having a certificate of forest land use rights, people feel secure about keeping forests, protecting forests, and developing forest areas including natural forests and planted forests. The increased percentage of forest cover has contributed to environmental protection, water source protection, and forest ecosystem protection. Currently, although it is a poor forest, with shrubs and mixed trees of low economic value, it has a great effect in keeping the land and hilly land no longer subject to erosion like previous shifting cultivation. In addition, people and villages also receive more money to pay for forest environment services to increase community development funds.

3. Opportunities and challenges of the model

The model of land allocation and forest allocation with the participation of people has harmonized the relationships between owners and users in which people's rights are guaranteed and encouraged to participate in management and development. benefit from forest development.

This model is a form of promoting the process of land and forest allocation in Vietnam, solving bottlenecks in overlapping farming, and disputes between users (communities, businesses, people, etc.).

However, extending this model may face certain challenges. First, it is the coordination between the State management agencies. This activity involves many management agencies (environmental resources, agriculture, and rural development), different levels of population management (province, district, commune), involving many households with documents that are not clear. Therefore, the confusion at any stage in the implementation steps will slow down the progress, the enthusiasm of the parties to resolve, etc. Within the framework of the CSSP project, the FLA is carried out based on coordination. Close cooperation between the project and the Department of Natural Resources and Environment, Department of Agriculture and Rural Development, District

People's Committee (Department of Natural Resources and Environment, Department of Agriculture and Rural Development, Forest Protection Department) and People's Committees of communes and villages.

Forest allocation activities require large budgets for document review, cadastral mapping, forest allocation maps, and field identification, and involve multiple levels of government, communities, and other stakeholders. subjects granted land use right certificates. This problem is a big obstacle for mountainous districts and localities where there is a lot of forest land and forests. Therefore, in fact, if it is only based on local resources or contributors, it will be very difficult, but it will need other sources of funding.

In mountainous areas, people's income is low, so the willingness to pay households for forest land allocation is very low. This has a significant impact on implementation progress.

4. Conclusion

The participatory model of land and forest allocation in Bac Kan province is a valuable experience in promoting forest land and forest allocation in Vietnam's forestry sector. It has resolved the conflicts of interest between the parties involved in the management and exploitation of forest land. This model also presents challenges that may be faced in the process of expanding to other locations. However, the benefits of the model are much larger, and it is one of the ways to approach the law and the needs of the people to ensure that forest resources are protected and developed. This model will help localities to review forest resources most effectively in preparation for participating in the carbon market and forest payment services in the future.