

Research Centre for Forest Ecology and Environment
REDUCING EMISSIONS FROM DEFORESTATION AND DEGRADATION THROUGH
ALTERNATIVE LANDUSES IN RAINFORESTS OF THE TROPICS (REDD-ALERT)

**REPORT ON
REVIEW OF FORESTRY POLICIES
IN VIETNAM**

Vu Long and Vu Tan Phuong

Hanoi, March 2011

Table of contents

1. Background.....	4
2. Overview on Vietnamese forestry development during reform period.....	4
2.1. Changes of forest and forest cover.....	4
2.2. Timber harvest.....	5
2.3. Implementation of forest socialization guidelines.....	5
2.4. Forest production value growth.....	6
3. Analysis of causes to deforestation and degradation in Vietnam.....	6
4. Overview on the existing forestry policy system.....	9
4.1. Overview on the existing forestry policy system.....	9
4.2. Brief main contents of some key forest policies.....	11
5. Analysis of impacts from forest policy system on forest development.....	27
5.1. Impacts of forestry policy system.....	27
5.2. General observation on forestry policy system:.....	33
References.....	35
Annex: List of forestry related legal documents for period 2000 - 2010.....	36

List of Tables

Table 1. Changes of forest area and forest cover during 1990-2010	5
Table 2: Annual timber harvested volume	5
Table 3. Increment/reduction of forest area on 8 forestry ecological economic zones (2005-2009).	7
Table 4. Legal documents divided according to different periods	10
Table 5. Legal documents categorized according to promulgation formality	11
Table 6. Brief main contents of some key forest policies (2000 – 2010)	11

Acronyms

AFTA	ASEAN Free Trade Area
BTA	Basic Trading Area
DARD	Agriculture and Rural Development
FIPI	Forest Inventory and Planning Institute
FPD	Forest Protection Department
MARD	Ministry of Agriculture and Rural Development
5MHRP	Five Million Hectare Reforestation Program
MOFi	Ministry of Finance
MONRE	Ministry of Natural Resources and Environment
MPI	Ministry of Planning and Investment Portal
PFES	Payment for Forest Environmental Services
SFE	State Forest Enterprises
SIDA	Swedish International Development Agency
VINAFOR	Vietnam Forest Corporation
WTO	World Trade Organization

1. Background

During end of decades 80 –XX Century, Vietnam was in deep socio-economic crisis. The Vietnam Communist Party developed and undertook reform process and brought Vietnam out of crisis and promptly developed with average GDP growth for 10 years (2000-2010) was over 7%. Vietnam has shifted from the centrally planning and subsidized development mechanism to socialist market oriented economy.

As a sector of the national economy, the forestry sector in Vietnam created changes and developed within the reform direction and gained certain achievement, particularly prevention of forest degradation. Forest cover increase was seen as an irreversible trend with diversified economic sectors participated in forest protection and development, especially households. These were results of forestry policy reform in particular and movement of the market economic institution of the entire national economy in general, particularly in the agriculture and rural sector.

2. Overview on Vietnamese forestry development during reform period

2.1. Changes of forest and forest cover

Viet nam has total natural forest of 33,121 mil. ha. According to P. Maurand, Vietnam had 14.3 mil. ha of forest in 1943, accounted to 43% of the total natural area. Vietnamese tropical forest has high bio-diversity with various rare and valuable timber species, herbal plants and specialty. Since then, forest area in Vietnam has experienced great changes. For the period from 1943 to 1975, forest area tended to go down. Northern part of Vietnam strengthened natural forest harvest to rehabilitate national economy and people's livelihood after the French war, to destroy forest for agricultural land expansion, resettle people in mountainous area. Southern part of Vietnam was seriously impacted from boom, chemical poison and forest harvest. Hence, forest was sharply diminished during this period.

For the period after 1975 to 1990, in order to re-construct the national economy and people' livelihood after 30 year war period, forest was more abused due to the fact of low living conditions, backward cultivation practices, high population growth pressure and increasing food, foodstuff and fuel demands, etc. in addition to forest management mistakes. As the results, forest area and quality was significantly reduced became exhausted. Before 1990, national forest cover was 27%, even some north-west and north-east provinces, forest cover were less than 15%.

Early 1990s, Vietnam escaped out of socio-economic crisis. With significant achievements gained in agricultural production, Vietnam did not only produce sufficient food but also became the 3rd largest rice exporter world wide. The National Assembly and Government have paid special attention to forest rehabilitation and development, starting with the national target program on greening of barren land and denuded hills in 1993 (Program 327), which was followed by the 5 mil. ha afforestation program (1998-2010). International organizations

have supported Vietnam to plant forest for timber and paper material as PAM, SIDA afforestation program. Thanks to that, natural forest was promptly rehabilitated and forest area increased significantly.

Table 1. Changes of forest area and forest cover during 1990-2010

Unit: 1000 ha

Year	1980	1990	1995	2000	2005	2006	2007	2008	2009	2010
Total forest area	10,608	9,175	9,302	11,314	12,616	12,873	12,837	13,118	13,258	13,452
- Natural forest	11,169	8,430	8254	9.675	10228			10348	10339	
- Planation forest	92.6	744.9	1,047	1638	1638			2770	2913	
Forest cover (%)	33.8	27.8	28.2	34.2	34.2	38.0	38.2	38.7	39.1	39.5

2.2. Timber harvest

In 2009, total national timber volume is 811.7 mil.m³, of which natural forest timber accounted to 93.4%, forest plantation covered 6.6%; during period from 2001-2005, national forest timber volume increased to 29,668,000 m³ (3.8%, mainly from plantation forest)

Table 2: Annual timber harvested volume

Unit: mil.m³

1990	1995	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008
3,210	2,793	2,122	2,375	2,397	2,504	2,435	2,627	2,996	3,128	3,461	3,562

Source: Department of Statistics

Annual average harvested timber volume of Vietnam is around 3 mil. m³ of log, which is rather low in comparison with forest area and population. Currently, each year Vietnam has to import from 4-5 mil.m³ of timber to meet timber material demands for furniture production for export. Timber harvesting structure has witnessed considerable changes, from natural to plantation timber harvest. Since 1990, the Government has tendency to limit natural forest harvest and allocates natural forest harvest quota of around 150-200,000 m³/year.

2.3. Implementation of forest socialization guidelines

Attract various economic sector to participate in forest development. Vietnam has undertaken policy on forest, forest land allocation to organizations, households and individuals. By 2010, around 10 mil. ha of forest land was allocated on nation-wide:

- State forest companies: 2,969 mil.ha, covered 29%

- Special use, protection forest management boards: 4,126 mil. ha, occupied 41%,
- Households and individuals: 3,826 mil. ha, accounted to 38%,
- Local community: 170,328 ha,
- Armed forces: 228,000 ha
- Leased by foreign investors and joint-venture: 11311 ha.

2.4. Forest production value growth

During the period of 2006-2010, annual forest production value growth reached 3%/year, contributed 1% to the national GDP. Vietnam is the first country in South East Asia to pilot FPES (2008-2010) in 2 provinces of Son La and Lam Dong. By 2010, the Government issued Decree on PFES implementation for nation-wide application.

3. Analysis of causes to deforestation and degradation in Vietnam

Since 1990s of the XX Century, Vietnam has prevented deforestation nation-wide, however, in parallel with forest growth, forest lost still happened in some regions of the country. During the period from 2005-2009, national forest area increased 642,143 ha, with increased forest cover of 2.1% (average growth of 160,536 ha/year and forest cover increased 0.53%/year). Within 8 regions, forest increased in 5 regions and decreed in 3 other regions: Central Highland, South-east region and Mekong delta. In Central Highland region, forest area reduced 11,970 ha/year, forest cover went down 0.4%/year, South-east region: forest area reduced 13,443 ha/year, in equivalent with reduction of 2.9%/year of forest cover, Mekong delta, reduction of 8,948 ha and 2.9%/year respectively. In comparison with the period of 2000-2005, deforestation rate in these 3 regions still increased: Central highland: 1.2 times, deforestation rate is lower in South-east region and keeps remained in Mekong delta (see table 3).

Noticeably, in some provinces, natural forest area is sharply going down, 10 out of 64 provinces with average forest area reduction of more than 1,000ha/year; highest is Gia Lai province (forest lost:11,650ha/year), Đắk Nong (12,684 ha/year), Bình Thuận (9,449 ha/year), Bình Phước (5,699 ha/year), Lâm đồng (3,650 ha/year), Đắk Lắk (3,500 ha/year). These provinces locate in Central highland and South-east region. In the north, Quang Ninh province also has high deforestation rate of 4,577 ha/year.

Regarding to plantation forest, 5/64 province where plantation forest reduced more than 1,000ha/year as Bình Phước (8,955 ha), Đồng Tháp (5,564 ha/year), Long an (8,955 ha/year), Bình Dương (1,651 ha/year).

Table 3. Increment/reduction of forest area on 8 forestry ecological economic zones (2005-2009)

No.	Region	Forested area (ha)					Forest cover (%)	
		Total	Natural forest	Plantation forest	Average increment/reduction/year (ha)	Average increment/reduction/year (ha) (%)	2005-2009	Average increment/reduction/year
Total		642,143	56,133	586,012	160,636	1.3	2.1	0.53
1	North-east	364,230	80,546	238,680	91,058	3.0	5.5	1.38
2	North-west	94,590	45,459	49,131	23,648	1.6	2.4	0.60
3	Red-river delta	2,744	-667	3,412	686	0.7	0.2	0.05
4	North-central region	280,173	110,219	169,935	70,043	2.8	5.2	1.30
5	South-central region	81,198	-26,185	107,384	20,300	1.2	2.3	0.57
6	Central highland	-47,880	-112,911	65,030	-11,970	-0.4	-0.9	-0.23
7	South-east region	-53,770	-22,691	-31,077	-13,443	-2.9	-1.9	-0.48
8	Mekong delta Long	-35,765	1,972	-37,727	-8,491	-2.9	0.0	0.0

Source: FIPI. 2010. *Thematic report on forest resources inventory under social-economic impacts*

Causes to deforestation include:

- Conversion of land use into other purposes as plantation of rubber, industrial trees, hydropower plant construction, irrigation, mining, etc. These are main causes to deforestation and degradation because majority of converted forest area is medium and rich natural forest.

In 2009, according to the Government approved plan of the Rubber Union, the Government shall invest 30,000 billion vnd in rubber development. By 2015, 220,000 ha of rubber will be planted (around 30,000 ha/year). The Government allows to convert some poor natural forest into rubber plantation (forest with timber volume

from 90-110 m³/ha). By 31/7/2010, around 109,993 ha of forest land was converted to rubber plantation, including 64,875 ha of poor forest, accounted to 60% and 33,306 ha non-forested area, mainly in central highland and south-east region (59,000 ha, occupied 92% of national-wide poor forest converted into rubber plantation). Apart from the intensive rubber plantation area, local people also abuse this guidance to take their own decision in converting allocated forest area into rubber plantation. This area is not small and impossible to make statistics.

Box 1. Forest area reduction in Binh Phuoc province

Bình Phước is one of the 3 provinces with highest forest loss. The province represents forest resources changes tendency in south-east region. During 2005-2009, 58,498 ha of forest was loss in Binh Phuoc mainly (90%) due to conversion of forest into industrial trees plantation, agricultural production. Main causes are seen as follows:

Causes to natural forest loss	Area (ha)	%
Total natural forest area for 2006-2008	10.468	100
Conversion of poor exhausted forest into rubber plantation	3646	36,3
Deforestation, changes of forest use purposes into agricultural production and others	5.456	54,3
Construction, project 134, Hoa Lu Economic zone	1.072	10,7
Can Don hydro-power and other reservoirs construction	216	2,1
Transportation road construction	76	0,8

Source: FIPI. 2010. Thematic report on forest resources inventory under social-economic impacts

Box 2. Conversion of natural forest into rubber plantation in Central highland region

According to the Vietnamese Rubber Industrial Group, it was planned to invest 2,000 billion vnd to further establish additional area of 100,000 ha of rubber in Central Highland and mainly distributed in: Kon tum 37,000 ha, Gia lai 50,000ha, Đắk Lắk 27,000 ha and Đắk nông 22,000 ha. New plantation area is mainly on converted poor natural forest

- Mangrove forest area in Vietnam has significantly reduced over recent years. According to Maurand’ statistics, in 1943: mangrove forest area is 400,000 ha. It reduced to 252,000 ha in 1982; 156,500 ha in 2002; 63,263 ha in 2005 and 60,603 ha in 2009, accounted to 15% of the total mangrove forest area in 1943. Main causes to deforestation of mangrove forest are: war (USA’s chemical poisons during 1962-1972); “reclamation” of mangrove forest for agricultural production land during 1980-1985, particularly the former Minh Hai province did reclamation of 20,000 ha; deforestation for shrimp production over the last 20 years (200,000 ha).

- Illegal forest harvest. During 2005-2009, 41,008 deforestation cases were recorded with total forest loss of 26,783 ha, annual average loss of 3,356 ha. This tendency seemed to gradually diminished: in 2005: 9,148 ha, 2008: 3,898 ha, 2009: 3,460 ha, early 6 months in 2010: 972 ha. Deforestation was mainly taken place in area where revision of the 3 forest types planning was completed (shifting protection into production forest and surplus forest area managed by state forest companies to be handed over to local authority for management). Illegal logging carried out to obtain agricultural production land (cassava, cashew, rubber plantation, etc.) and subsequently for concession rather than because of high demand on residential and production land. Illegal logging mainly took place in provinces with large natural forest area of high commercial value timber sources, accessible area with a large number of small scale timber processing units inside and nearby forest.

Although deforestation area is not so high in comparison with other causes, there remains serious violations on forest protection in some provinces so as creating considerable loss in terms of forest resources and socio-security disorder.

- Forest fire: during 2005-2009, there were 3,102 forest fire cases with average forest loss of 2.353 ha/year. Burned forest area was getting smaller through years thanks to active forest management. In comparison with 2005, burned area was only 34.8%. Burned forest was mainly plantation forest with key species as pinus, eucalyptus, acacia in addition to some poor, newly rehabilitated natural forest areas. Driving factors to forest fire are slash and burn agriculture (63%), seeking for material left from the world (13.6%), careless use of fire in forest (6%), others (7.7%) and intentionally burn forest (9%).
- Degradation: natural forest quality in general and high volume natural forest in particular is getting reduced. Various of high economic value flora and fauna species continue to diminish and some endemic species are at the edge of being extinct. Primary and rich natural forest can only be seen in special use and protection forest and in remote, mountainous areas without accessible road.

4. Overview on the existing forestry policy system

4.1. Overview on the existing forestry policy system

The existing forestry policy system comprises forestry and related policies, which was mainly promulgated during the reform period. We collected and systematized 88 key legal documents on forestry and related aspects, including: 15 laws; 6 Party and National Assembly's resolutions; 37 decrees, resolutions of the Government and 30 Ministerial level documents (see annex 1). These legal documents take effects nation-wide. Provinces also have the rights to issue local policies to extent of specifying some provision to be suitable to local conditions and within the framework entrusted by central level. To get understand forestry policy system and relevant aspects, it is possible to divide into the following ways:

- Classification according to policy promulgation period: bench-marks is considered as 5 year plan period, following the Party's congress. During each party's congress, practices are reviewed and the congress set out new guidance, orientation on socio-economic development. Specific policies on forestry sector were adjusted, newly promulgated accordingly and it is visible to see forest policy changes during different reform periods.
 - Period 1990-1995: 13 legal documents, accounted to 14.7% of the total number of legal documents;
 - Period 1996-2000: 8, covered 9%;
 - Period 2001-2005: 27, occupied 30.68%;
 - Period 2006-2010: 40, accounted to 45.45%

A large number of legal documents promulgated during the period from 1990 to 1995, where the central planning mechanism was shifted to market economy and period 2006-2010, where institutional and policy system was completed in compliance with international conventions on economic integration (BTA, AFTA, and WTO) to promote forestry production.

Table 4. Legal documents divided according to different periods

Aspects	Total	1990-1995	1996-2000	2001-2005	2006-2010
Total	88	13	8	27	40
1. Forest, forest land ownership and use tenure	14	4	3	4	3
2. National forest programme, forest strategy	5	1	1		3
3. State forest enterprises	20	7	3	7	3
4. Finance, credit, tax	18			5	13
5. Forest management	20			10	10
6. Institution	4	1	1		2
7. Environment	7			1	6

- Classification according to forest management aspects: forest, forest land ownership and tenure ; national target program on forest protection and development ; SFE renovation ; forest management ; forest management, credit finance, tax ; institution, environment.

Classification according to management aspects:

- Forest, forest land ownership, use tenure: 14 documents, accounted to 16% of the total number of documents.
- National target program on forest protection and development, forest development strategy: 5, occupied 5.7%
- SFE renovation: 20, covered 22.72%

- Forest management: 20, occupied 22.72%
- Finance, credit, tax: 18, occupied 20.45%
- Institution: 4, covered 4.45%
- Environment: 7, accounted to 7.95%

Table 5. Legal documents categorized according to promulgation formality

Aspects	Total number of legal documents	Of which			
		Laws	Resolutions (Party, National Assembly)	Decrees, Decisions of Government	Ministerial legal documents
Total	88	15	6	37	30
Forest, forest land ownership and use tenure	14	2	4	5	3
National forest programme, forest strategy	5			4	1
State forest enterprises	20	9	1	8	2
Finance, credit, tax	18	3	1	7	7
Forest management	20			7	13
Institution	4			3	1
Environment	7	1		3	3

4.2. Brief main contents of some key forest policies

As indicated above, there are 88 legal documents related to forestry. The following table briefly describes main contents of key forest policies.

Table 6. Brief main contents of some key forest policies (2000 – 2010)

Aspects	No.	Document title	Main contents
Rights on ownership and forest, forest land use	1	1. Resolution No. 10-NQ/TU, 1986 on agricultural management reform	Farmer households are self-economic entities. Allocation of agricultural land to households. Households fulfill taxation liability and sell their products according to market price.
	2	2. Resolution No.06-NQ/TU, 10/11/1998 of the Political Ministry on some issues related to agriculture and rural development	Shifting agricultural economic structure toward industrialization, modernization. Provide employment, increase income for rural population. Forest policy:..."concentrate on effective protection and enrichment of the existing forest, particularly protection and special use forest. Effectively undertake the 5MHRP. Establish production forest area in close connection to processing and improve forest activities efficiency"

3 4	3. Land law, 1988, 1998, 2003	<p><i>1. Policy on land allocation and lease for production forest plantation:</i></p> <ul style="list-style-type: none"> • Land belongs to the entire people's ownership and managed by the state. The State allocates and lease land to organizations, households and individuals for long term and stable use. • The State grant land use rights through an administrative decision to those that have land use demand. <ul style="list-style-type: none"> + Land for production forest plantation: households, individuals directly engage in agro-forestry activities; economic organizations allocated land by the state for production forest plantation. + Land lease tenure for production forest plantation is not exceeding 50 years. + Allocated forest land area: for households and individuals: not exceeding 30ha/household. • The State ensures granting land use right license for people being allocated land; providing incentive policy for those directly engage in agro-forest production to access to production land in addition to incentive policies for investment; vocational training, career development, creating employment for rural laborers. • Rights of households, individuals, organizations allocated land for production forest plantation: For households and individuals: have the rights to transfer, concuss, lease, inherit, offer land use rights; mortgage, guarantee, contribute capital as forest land use license; rights for being compensated when the state revokes land, • Organizations being allocated by the State without paying land use fee shall not have the rights to transfer, offer, and lease land use rights; mortgage, guarantee, contribute capital as forest land use right license. • Land price: the state identify land price framework
4	4. Decree No. 181/29/10/2004 of the Government guiding implementation of Land Law	
5	<p>5. Law on Forest Protection and Development, 1991,2004</p> <p>6. Decree No. 23/2006/ND-CP, 3/3/2006 on implementation law on forest protection and development</p>	<ul style="list-style-type: none"> • Ensure sustainable development in terms of socio-economic and environment; forest protection and development need to be in line with land use planning and plan; forest protection is responsibility of every agency, organization, and household, individual; ensure harmonization between the state and forest owner's interest; forest owners fulfill their rights and obligations during land use period. • The State commits to have investment policy in forest protection and development in close connection with other socio-economic policies. The State encourages organizations, households, individuals receive land for forest establishment on barren land and denuded hills, expand forms of land lease and mortgage for forest plantation. • Classification of the 3 forest types: protection, special use and production forest with respective management and use mechanism. • Natural forest belongs to the entire people, and managed

		<p>by the State. The State develop plan on forest protection and development, forest allocation, lease, revoke, land use purpose conversion; forest price.</p> <ul style="list-style-type: none"> • The State allocate forest to organizations, households, individuals, village community; regulate rights and obligations of organizations, households over each allocated forest type. • Forest allocation: forest allocation, lease and revoke need to be in parallel with land allocation, land use right license granting; land use tenure is not exceeding 50 years and area of 30ha/household. • Forest allocation to village community without dividing forest into small pieces for individual community members; it is not allowed to converse, concess, offer, guarantee, mortgage and contribute capital under land use right license. • Protection forest allocation to households, individuals: households and individuals have rights to transfer and leaving land use right license for inheritance. For natural production forest: forest owners have rights to harvest forest products, mortgage, guarantee, contribute capital under the form of added value generated through their own investment in comparison with the original value defined at the allocation time.
6	<p>7. Decree No. 02/CP, 15/1/1994 of the Government regulating forest land allocation to organizations, households and individuals for long term and stable use on forestry purpose</p> <p>8. Circular No. 06/LN/KL, 18/6/1994 of Ministry of Forestry guiding implementation of Decree No. 02/CP, 15/1/1994 on forest land allocation.</p>	<ul style="list-style-type: none"> • Provide procedures and guidance on forest land allocation to organizations, households and individuals according to land law 1993 • Implemented by forest protection force (1994-1998) • Grant “blue book”
7		
8	<p>9. Decree No. 163/1999/NĐ-CP, 16/1/1999 of the Government</p>	<ul style="list-style-type: none"> • Provide procedures and guidance on forest land allocation to organizations, households and individuals according to land law 1993 • Implemented by land administration sector (after 1998)

	on allocation and lease of forest land to organizations, households and individuals for long term and stable use on forestry purpose (in effect)	<ul style="list-style-type: none"> • Grant “ red book”
9	10. Decree No. 01/CP/1995 on contracting agricultural land, production forest and surface water for aquacultural production to organizations	<ul style="list-style-type: none"> • Organizations allocated forest land or are managing forest land (state agro-forest enterprises, protection forest management board, etc.) have to apply long term and stable contract to households. Contracted households are forest land owners, organizations that contract forest land to households are forest owners (granted red book). • Contracting contents: forest protection, regeneration and new plantation. Contracting duration is 50 years for protection and special use forest or following business cycle for plantation forest. • Contracted households carry out business production on contracted area and are entitled to investment results on the contracted area.
10	11. Resolution No. 03/2000/NQ-CP,2/02/2000 encouraging farm economic development	<ul style="list-style-type: none"> • Farming economic development in order to effectively harvest and use land, capital, techniques, management experiences so as contribute to develop agriculture in a sustainable way, to create employment and increase income. Land shifting and accumulation process is closely connected to rural laborers redistribution. • The State allocate land, lease land and grant long term land use right license to farms; undertake policy to accelerate self-economic development of farmer households; provide support in terms of capital, processing techniques and technology, products consumption.
11 + 12	12. Decree No. 135/2005/NĐ-CP,12/10/2005 on contracting agricultural land, production forest and surface water for aquaculture production within state’s agro-forest enterprises. 13. Circular No. 102/2006/TT-BNN Circular No. 102/2006/TT-	<ul style="list-style-type: none"> • Regulations on production forest allocation within SFE, to replace Decree 01/CP (applied in SFE) • Contracting objective: Effective and sustainable use of land, forest and water resources; mobilize capital and labor force of stakeholders who receive contract in order to improve SFE’s production and business efficiency; ensure interest harmonization between different parties and the state; create additional employments, increase income for laborers so as contribute to alleviate poverty, ensure national security on the area. • Contracting form: Stable contract in accordance with planted trees or business cycle; work stages based contract. • Land contract agreement need to clearly reflect rights and obligations of each party. • Contracting natural and plantation production forest: contracting period following planted trees cycle without

		BNN guiding implementation of Decree No. 135/2005/NĐ-CP, 12/10/2005	exceeding 50 years.
	13	14. Circular No. 38/2007/BNN guiding procedures on forest, forest land allocation, lease to organizations, households, individuals and village communities 15. Inter-ministerial Circular No. 07/2011/TTLT/BN NPTNT-BTNMT on 29/01/2011 guiding some issues related to forest allocation and lease in close connection with land allocation and forest land lease.	<ul style="list-style-type: none"> • Provide guidance, procedures on forest allocation, lease and revoke to organizations, households, individuals or village community • Procedures on forest allocation to households, individuals, village community and organizations: forest allocation option; on the basis of land availability of each locality, forest allocation tenure to households, individuals shall not exceed 30ha/household. • Procedures on forest lease and revoke. • Define characteristics of forest being allocated, leased and revoked • Collaboration between Natural resources & environment and forest protection bodies on forest allocation, lease in close connection to land allocation, lease or granting land use right license as the first time to forested area.
	14	16. Resolution No. 1126/2007/NQ-UBTVQH regarding level of transfer agricultural land use rights of households and individuals for agricultural purpose	Limited area for transfer plantation production forest use rights of households and individuals is not exceeding 50 ha for commune, town in low land and 100 ha for commune, town in mountainous area.
National target program on forestry, Vietnam forest development strategy	15	17. Decision No. 327-CT/HDBT, 28-6-1992 on greening of barren land and denuded hills	<ul style="list-style-type: none"> • Within 10-15 years, fundamentally green barren land, protect forest and ecological environment • Implementation approach of local project (5,000-10,000 ha, in equivalence to 1 commune); households are implementers, agro-forestry enterprises are organizers. Establish steering committee from central, province, district and local project management unit. • Policies: forest, land allocation to households; state investment, aids • Forest protection contract to households: 50,000 đ/ha/year, forest plantation of around 1 mil.vnd/ha.
	16	18. Decision No. 661/QĐ-TTg,	<ul style="list-style-type: none"> • New plantation of 5 mil. ha of forest, protection of the existing forest to increase forest cover to 43%;

		<p>29/7/1998 of the Prime Minister on objectives, policies and implementation arrangement of the 5 mil. ha reforestation project</p>	<ul style="list-style-type: none"> • Local people are main force for forest plantation, protection, regeneration and enjoying benefit from forest; forest plantation is organized via local projects • Tasks: effective protection of the existing forest; plantation of 2 mil.ha of protection, special use forest; plantation of 3 mil. ha of production forest. • Policies and solutions: <ul style="list-style-type: none"> - Forest land allocation in close connection with forest allocation - Investment, credit: state budget invested in protection contract of special use, crucial protection forest; investment in infrastructure, scientific study, agriculture extension. - Investment credit for organizations, households and individuals engaged in forest plantation, regeneration of less crucial protection forest, production forest. • Benefit sharing policy: prioritize contracting protection and special use forest to households under resettlement, poor households living adjacent to forest. For production forest, households invest in production forest plantation shall have the rights to decide harvesting period, method but need to replant forest within 2 years; plantation timber is freely circulated on market. • Tax: preferable conditions applicable to plantation forest; exemption of natural resources tax for products harvested from natural production forest that is rehabilitated via regeneration.
<p>17 18</p>		<p>19. Decision No. 100/2007/QĐ-TTg, 6/7/2007 of the Prime Minister on revision, supplementation of some articles of Decision No. 661/QĐ-TTg dated 29/7/1998 on objectives, tasks, policies on implementation of 5MHRP</p> <p>20. Inter-ministerial Circular No. 58/2008 TTLT-BNN-BKHDT-BTC ,14/4/2008 of MARD – MPI and MOFinance guiding implementation of the Prime Minister’s Decision</p>	<ul style="list-style-type: none"> • Adjust tasks of project for period 2006-2010. Revise, re-plan 3 forest types, define stable national forest estate on map and demarcate boundaries of 3 forest types on site; • Review, complete forest and forest land allocation, lease to forest owners (local community, households, organizations and companies); • Sign protection, special use forest protection contract to households, individuals and local communities; average contracted fee is 100,000đ/ha/year • Total investment budget: 15,000 billion vnd, • Provide food for mountainous minority people who plant forest instead of doing upland cultivation.

		on objectives, tasks, policies and implementation arrangement of the 5MHRP for period 2007-2010	
19	21. Decision No. 18/2007/QĐ-TTg, 10/6/2007 of the Prime Minister ratifying Vietnam forest development strategy for 2006-2020	<ul style="list-style-type: none"> • Overall objective: Establish sustainable forest protection, development and use of 16.24 mil. ha planned for forestry sector, increase forest cover to 42-43% in 2010 and 47% by 2020, ensure participation of various economic sectors and social organizations in forest development; ecological environment protection; conserve bio-diversity and supply environmental services; contribute to poverty alleviation, improve livelihood of mountainous rural people so as to maintain national security. • Economic objective: Forestry growth rate shall reach 4-5%/year, contribute from 2-3% to national GDP by 2020; establish, protect, develop and use sustainably the 3 forest types, including: 8.4 mil.ha of production forest, 5.68 mil. ha of protection forest and 2.16 mil. ha of special use forest; harvested timber is 20-24 mil. m³/year; forest products export value is of 7.8 billion USD, forest environmental services is 2 bil. USD by 2020. • Social objectives: create additionally 2 new million employments, contribute to alleviate poverty and reduce 70% of poor households in key areas; complete forest allocation, lease to households, individuals, communities and organizations before 2010. • Environment objective: forest cover reach 42-43% n 2010 and 47% by 2020. • Carry out various programs: sustainable forest management and development program; forest protection, bio-diversity conservation and environment service development; forest products processing and trade in addition to 2 supporting programs: research, education, training and forestry extension program; policy, planning and monitoring program. 	
20	22. Decision No. 667/TCLD, dated 4/10/1995 of Ministry of Forestry on establishment of VINAFOR	Newly establish VINAFOR on the basis of VINAPOR I,II,III under MARD and forest products processing, supply companies attached to agro-forestry-industry alliances in central highland; forest mechanical engineering enterprises. VINAFOR is the unique forestry business production entity attached to MARD.	
21	23. Resolution No. 28-NQ/TU, dated 16/6/2003 on further re-arrangement and renovation of SFE	<ul style="list-style-type: none"> • Objectives: + Renovate state agro-forest enterprises in order to improve efficiency of sustainable forest, land resources utilization; establish intensive commodity production zone in close connection to processing and consumption market; improve efficiency and competitiveness, increase employments and income for 	

22	24. Decree No. 200/2004/NĐ, 3/12/2004 of the Government on SFE re-arrangement, renovation and development	<p>laborers; contribute to poverty alleviation. Create appropriate new management mechanism and organizational structure.</p> <ul style="list-style-type: none"> • Define orientation and tasks for SFE. • Main solutions: <ul style="list-style-type: none"> + Review agro-forestry development and plan on each locality; clearly identify tasks and development orientation ; review and identify land area, surplus area that is not used in accordance with the proper purpose for handing over to local community for further allocation to farmers ; revoke encroached land, deal with land conflicts in accordance with existing regulations ; after completing land review, propose provincial people’s committee for allocation, lease and grant land use right license. + Renovate SFE management mechanism; shift to state land lease; develop long term and stable forest contract + Finance: SFE involved in business production need to apply financial balance in accordance with the law on enterprise; being supported investment from the State’s development investment credit, being supported infrastructure investment in accordance with the planning and project area. + Labor: households as SFE members reside legally on the area that have not been allocated residing land by the state shall be allocated land and granted land use right license by local authority.
23	25. Law on cooperative, 1996, 2003	<ul style="list-style-type: none"> • This law regulates establishment, organization and activities of cooperatives in different economic sectors of the country. • Cooperatives organize and operate according to the following principles: volunteer, democracy, equality and publicity; self-autonomy, high sense of self-responsibility and mutual benefit. Cooperation and community development.
24	26. Law on enterprises 2005	<ul style="list-style-type: none"> • This law regulates establishment, management organization and activities of liability limited companies, joint-venture companies and private enterprises of all economic sectors (hereafter referred to as enterprises); regulates on enterprise groups. • Target groups: Enterprises of various economic sectors. • State’s guarantee for enterprises and enterprises’ owners. • Regulates rights of enterprises. • Enterprises typology: liability limited companies (> 2 members, 1 member), joint-stock company, private companies, and company groups. • SFE are going to be shifted into one liability limited company under the State ownership.
25	27. Law on enterprises income	<ul style="list-style-type: none"> • Export, income tax for enterprises is 25%

Finance , credit, tax	26	tax, 2008	<ul style="list-style-type: none"> Enterprises established as investment projects on areas with difficult socio-economic conditions can be entitled to export tax of 20% for the period of 10 years.
	27	28. Law on agricultural land use, 1993, 2009 29. Resolution No. 55/2010/QH-12, 25/10/2010 of the National Assembly on exemption of agricultural land use	<ul style="list-style-type: none"> + Organizations, individuals that use land in agricultural purposes; timber and long term cycle species apply a tax level that account to 4% of the total harvesting value. Tax exemption applicable to use of barren land and denuded hills in agro-forestry purposes, land for plantation of special use and protection forest. Tax exemption applicable to agricultural land use for the entire agricultural land allocated to poor households by the state. Tax exemption applicable to agricultural land use for the entire agricultural land within the agricultural land area allocated to some target groups. For agricultural land area allocated by the state to economic, politic, socio-politic organizations, public utility and other entities, the following regulations is applied: Reduce 50% of agricultural land use tax applicable to agricultural land area allocated by the State to economic, politic, socio-politic organizations, public utility and other entities directly use land for agricultural production.
	28	- Decree No. 106/2004, 1/4/2004 of the Government on the State's development investment credit.	<ul style="list-style-type: none"> Purpose of the State development investment credit is to support development investment projects of various economic sectors under different important sectors, large scale economic programs that directly have impact on economic structure shifting, enhancement of sustainable economic growth. The State's development investment credit comprises: 1) provide investment loan for projects according to Government's agreement; 2) supporting interest rate after investment; 3) investment credit guarantee. Regulate principles on the state's development investment credit. Interest rate of the state's development investment credit is 6,6%/year applicable to the first credit project agreement since the date of effect and will be maintained during the entire borrowing period. Provide the state's development investment credit to projects engage in material forest plantation, intensive industrial trees in central highland, mountainous area, remote area of special difficulties with close linkage to minority people and forest products processing units on the above areas.
	29	- Decision No. 44/2004, 29/4/2004 of Ministry of Finance on interest rate of the state's development investment credit.	
	30	- Decree No. 20/2005/NĐ-CP of the Government supplementing the list of projects provided the State's development investment credit in accordance with Decree No. 106/2004, 1/4/2004 of the State	
31	- Law on Investment, 2005	<ul style="list-style-type: none"> Target groups: Domestic and foreign investors invest in Vietnamese and abroad from Vietnam; organizations, 	

		<p>individuals relate to investment activities.</p> <ul style="list-style-type: none"> Investment policies: 1. Investors could invest in sectors and areas permitted by law; take initiatives and make own decisions on investment activities in accordance with the Vietnamese legal regulations. 2. The State treats equally to various investors of various economic sectors, between domestic and international investors; encourage and create favorable conditions for investment activities. 3. The State recognizes and protects property rights, investment capital, income and legal rights and benefit of investors; recognizes long term existence and development of investors. 4. The State commits implementation of International conventions related to investment that Vietnam is a member. 5. The State encourages and has incentive policies applicable to investment in sectors and areas entitled to investment preferential schemes.
32	- Decision No. 147/2007/QĐ-TTg dated 10/9/2007 of the Prime Minister on some policies related to production forest development for period 2007-2015	<ul style="list-style-type: none"> Objective on production forest development: 1. plantation of 2 mil. ha of production forest; 2. creation of employments, increase income and stabilize livelihood of mountainous people; 3. promotion to establish long term and stable forestry market, including supply of seedlings, technical services, forest products processing and consumption market. Target groups: 1. Organizations, households, individuals and communities engage in production forest plantation, harvesting and forest products processing. Policy supporting investment to different target groups under specific conditions. Investment fund for implementation of this Decision: around 40,000 billion vnd; of which 31,000 bil. Vnd from various economic sectors; 9,000 bil. Vnd from the state budget (central budget of 8,000 bil. Vnd and provincial budget of 1.000 bil.vnd)
33	- Circular No. 74/2008/TTLT-BKH-NN-TC, dated 23/6/2008 of MPI, MARD, MOFinance, guiding implementation of Decision No. 147/2007/QĐ-TTg dated 10/9/2007 of the Prime Minister on some policies related to production forest development for period 2007TTg	
34	- Decree No. 48/2007/NĐ-CP, 28/3/2007 of the Government regarding principles and methods on forest valuation. - Circular No.	<ul style="list-style-type: none"> Forest price is price of forest use rights, price of plantation forest ownership regulated by provincial people's committee. Forest price is basis for: 1. calculation of forest use fee when the state collect forest use fee, value of forest use rights, value of plantation forest ownership; 2. calculation of forest lease fee when the state lease forest without organizing bidding of forest use rights and plantation forest ownership. 3. calculation of compensation amount when the state revokes forest. 4. calculation of capital

	65/2008/TTLT-BNN-BTC, 26/5/2008 of MARD, MOFinance guiding implementation of Decree No. 48/26/5/2008/NĐ-CP, 28/3/2007 of the Government regarding principles and methods on forest valuation.	<p>contribution on the basis of the state's forest use rights and plantation forest ownership at enterprise 5. calculation of compensation amount applicable to those who break law on forest protection and development and cause damage to the state. 6. calculation of various taxes, fee, charge in accordance with the existing legal regulations.</p> <ul style="list-style-type: none"> • Regulations on principles and basis for identification of prices applicable to different forest types.
35	- Decree No. 05/2008/NĐ-CP, 14/1/2008 of the Government on forest protection and development fund	<ul style="list-style-type: none"> • Purpose of VNFF establishment: 1. mobilize social sources for forest protection and development, contribute to undertake forestry activities socialization guidance; 2. improve awareness and responsibility on forest protection and development of forest beneficiaries and those directly carry out activities that directly have impacts on forest; 3. Improve management capacity and efficiency; use and protect forest for forest owners so as contribute to implement Vietnam forest development strategy. • Operational principle: 1. non-benefit making but ensure maintenance of the initial fund allocated by the State; 2. Support programs, projects or non-project activities that the State has not invested or has met investment requirements; 3. Ensure publicity, transparency, efficiency, utilization on the right purpose and compliance with legal regulations. • Establishment of central VNFF and provincial FF. • Financial sources for establishment of VNFF and provincial FF • Target group: organizations, households, individuals and communities with programs, projects and non-project activities.
36	Inter-ministerial circular No. 52/2008/TTLT-BNN-BTC, 14/4/2008 of MARD guiding rice subsidy to ethnic people who plant forest as replacement of slopping cultivation in mountainous area.	<ul style="list-style-type: none"> • Guidance on rice subsidy for those engage in special use and protection forest plantation replacing upland cultivation on area yet to be improved as cascade, which is located within area planned for forestry development. • Applicable to mountainous ethnic people. Rice provision is only applicable to households that volunteer to plant protection and production forest as upland cultivation replacement. • Rice subsidy quantity shall be sufficient for households during the period of shifting upland cultivation in forest plantation and is define for individual households on the basis of the actual upland cultivation areas converted into forest plantation. • Fund for rice subsidy is from the 5MHRP allocated annually by the State

37	-Law on natural resources tax, 2009	<ul style="list-style-type: none"> • Target groups: natural forest products, excluding animals • Tax payers: organizations, individuals harvest natural resources. • Export tax: Natural forest products: Timber of group I: 25-35%; Timber of group II: 20-30%; Timber of group III, IV: 15-20%; Timber of group V, VI, VII, VIII and other timbers: 10-15%; branch, peak, stump, roots: 10-20%; firewood:1-5%; bamboo, rattan, bambusa procera: 10 – 15%; Aquilaria crassna; 25 – 30%; Cinamonum Casia, Cinnamomum cassia, Amomum xanthioides, Amomum aromaticum 10 – 15%; other natural forest products:5-15%
38	- Decree No. 50/2010/ND-CP guiding implementation of law on natural resources tax.	
39	- Circular No. 05/2010/TT-BTC of Ministry of Finance guiding implementation of Decree 50/2020/NĐ-CP,14/4/2010 of the Government providing detailed regulations and guidance for implementation on some articles of Law on natural resources tax	
40	- Decree No. 99/2010/NĐ-CP, 24/9/2010 of the Government on payment for forest environmental services	<p>Regulations on PFES in Vietnam:</p> <ul style="list-style-type: none"> • Target groups: state agencies, organizations, households, individuals, village communities in Vietnam, Vietnamese oversea, foreign organizations and individuals that involve in supplying or using forest environmental services, management of forest environmental services payment. • Regulation on services providers who are paid: owners of forest that provide forest environmental services; organizations, households, village community that have long term and stable forest protection contract with state forest owners (hereby referred to as contracted households). • Services users who pay: hydro-power production plants: 20 vnd/1kwh; clean water production and supply units: 40 đ/m³ of water; organizations, individuals operate tourism business that enjoy forest environmental services: pay from 1% - 2% of the total revenue according to accounting period.
41	- Decision No. 40/2005/QĐ-BNN-LN, 7/7/2005 of MARD on timber and forest products harvesting regulation	<ul style="list-style-type: none"> • Regulation on forest management, harvesting design, main harvest, sub-harvest, making best use of forest products in production forest, natural protection forest and plantation forest; • Forest management plan developed by design consulting firm with legal jurisdiction. • Regulation on basis for natural forest timber harvesting design: • Specific regulations on forest to be designed for harvest and harvest intensity. Minimum diameter of trees for

		<p>harvesting regarding to large timber forest is regulated as follows: 30cm-50cm depending on different regions.</p> <ul style="list-style-type: none"> • DARD organizes approval of forest owners' harvesting design. • After completing harvest, DARD together with forest owners and harvesting company organize post-harvest checking on the site and develop minutes of commissioning to evaluate harvest. • FPD's hammer: on the basis of trees marking made by DARD or sub-department of forest, make FPD' hammer for circulation. • On the basis of post-harvesting minutes, DARD announces forest closure.
42	- Decision No. 61/2005/QĐ-BNN, 12/10/2005 on special use forest classification criteria	<ul style="list-style-type: none"> • Protection forest includes: watershed protection forest, protection forest prevents against wind and sand blow, sea wave and sea encroachment; environmental protection. • Regulations on watershed protection forest classification criteria, dividing into 3 protection levels: very crucial, crucial and less crucial. • Criteria on classification of protection forest that prevent against wind, sand, wave and sea encroachment.
43	- Instruction No. 38/2005/CT-TTg, 5/12/2005 of the Prime Minister on revision of the 3 forest type planning	<ul style="list-style-type: none"> • Forestry sector needs to promptly review, re-plan and define area of each forest types to have basis for re-arrangement of forest production; undertake policies and guidance on investment, forest allocation, forest protection contract, SFE renovation and development in accordance with Decree No. 200/2004/NĐ-CP dated 03.12.2004 of the Government; encourage various economic sectors to invest in forestry production development,... • Develop plan to clearly identify production forest and forest land planned for production forest plantation. • After planning, concretely identify 3 forest types; carry out demarcation of different forest types both on map and on the site.
44	Decision No. 62/2005/QĐ-BNN, 12/10/2005 regarding criteria on special use forest classification	<ul style="list-style-type: none"> • Special use forest comprises: national park; nature reserve; landscape protection area including historical, cultural, relics and tourism spots; forest for scientific research and experiment. • Regulate criteria on classification of national park, nature reserve, and species – landscape conservation areas.
45	- Decision No. 89/2005/QĐ-BNN, 19/12/2005 promulgating regulations on forest seedlings management mechanism	<ul style="list-style-type: none"> • Regulate gene source harvest and use, experiment; assessment, recognize; produce; business; quality management of forest seedlings and monitor chain of custody of main forest seedlings. • Target groups: Domestic organizations, individuals; foreign organizations, individuals carry out forest seedlings research, production and business in Vietnam.
46	Decision No. 13//2005/QĐ-BNN,	"List of key forest seedlings", including seedlings of the following species:

	153/2005 of MARD's Minister stipulating list of key forest seedlings	<ol style="list-style-type: none"> 1. Eucalyptus: urophylla, tereticornis, camaldulensis, brassiana, eucalyptus hybrid. 2. Acacia: Acacia hybrid, Acacia crassicarpa, acacia mangium, Acacia aurialiformis 3. Pinus: pinus caribaea, pinus merkusii, pinus kesiya, pinus massoniana.
47	- Decision No. 15/2005/QĐ-BNN, 15/3/2005 stipulating list of forest seedlings applicable to sector standards	List of forest seedlings applying sector standards
48	- Decision No. 16/2005/QĐ-BNN, 15/3/2005 stipulating list of key plantation species in 9 ecological zones	List of key seedlings in 9 ecological zones
49 50	- Decree No. 32/2006/ND-CP, 30-3-2006 on management of valuable and endangered forest animals and plants - Decision No. 54/2006/QĐ-BNN, 6/6/2006	<ul style="list-style-type: none"> • Regulations on management and list of valuable and endangered forest animals and plants in Vietnam. • Valuable and endangered forest animals and plants are divided into 2 groups: group I and group II • Regulate specific policy on management and protection of valuable and endangered forest animals and plants under each group.
51	- Decision No. 106/2006/QĐ-BNN, 27/11/2006 promulgating village community forest management guidance	<ul style="list-style-type: none"> • Regulate trees marking and management, forest protection hammer making applicable to domestic natural forest harvest; timber under valuable and endangered group harvested from intensive forest, scattered garden in the country; • This regulation applies to domestic organizations, individuals; foreign organizations and individuals involve in timber harvest, transport, store and processing; • Tree marking means to identify trees for cutting. Forest protection's hammer means to manage and identify timber original source.
52	- Decision No. 186/2006/QĐ-TTg of the Government on forest management regulations	<ul style="list-style-type: none"> • Regulations on organization of management, protection, development and use of special use, protection and production forest, including forested and non-forested land allocated, leased or planned for forest establishment by the state. • Regulations applicable to state agencies, organizations, community, households and individuals in the country... • Regulate principles on forest management organization. • Forest management organizations: Forest management organization takes the following regulations: forest
53	- Circular No. 99/TT-BNN, guiding implementation of Decision No.	

		186/2006/QĐ-TTg on forest management regulations	<p>allocated, leased shall follow existing regulations; unallocated and unleased forest shall be managed by people's committee of commune, town (hereby referred to as communal people's committee).</p> <ul style="list-style-type: none"> • Management of special use, protection and production forest
	54	- Decree No. 09/2006/NĐ-CP of the Government regulating fire management	<ul style="list-style-type: none"> • Regulation on fire management, organizational structure, facilities and equipments, budget investment, policies and schemes applicable to fire management; responsibilities of various authority levels, agencies, organizations, households and individuals engaged in fire management. • Rights and obligations of forest owners; responsibility of leader of agencies, organizations operated inside or adjacent to forest; responsibility of head of households reside inside, adjacent to forest • Policies applicable to people involve in forest fire management.
	55	- Decree No. 119/2006/NĐ-CP, 16/10/2006 of the Government on forest protection organizational structure and operation.	<ul style="list-style-type: none"> • Regulate organizational and operational principles of forest protection force • Organizational structure of forest protection force.
	56	Decision No. 106/2006/QĐ-BNN, 27/11/2006 promulgating village community forest management guidance	<ul style="list-style-type: none"> • Guidance on forest allocation, forest management plan development; rights and obligations of village community (called community); responsibility of relevant agencies, organizations involved in community forest management.
	57	Circular No. 70/2007/TT-BNN, 8/1/2007 of MARD guiding development and implementation of forest protection regulation at village community level	<ul style="list-style-type: none"> • Provide guidance on procedures, contents for development and implementation of Regulation on forest protection and development at village community level. • Target groups: 1) village community allocated land by the state; 2) village communities reside inside or adjacent to forest. • Guidance on formality and contents of regulation.
Institution	58	Decision No. 245/QĐ-TTg, 21/12/1998 on exercising state administration over forest and forest land at various levels	<ul style="list-style-type: none"> • Clearly define state management responsibility over forest and forest land of various competent levels. • Regulate contents of state management responsibility over forest and forest land of local authority at various levels.
	59	Merging Ministry of Forestry and Ministry of	

		Agriculture into MARD		
	60	Decree No. 75/2009/ND-CP, 10/9/2009 establishing 3 Directorates under MARD (incl. Directorate of Forestry)	- Establish Directorate of Forestry under MARD	
Environment and climate change	61	- Law on environment protection, 2005	<ul style="list-style-type: none"> • Regulate environmental activities; policies, measures and resources on environment protection; rights and obligations of organizations, households and individuals on environment protection. • Target groups: state agencies, domestic organizations, households and individuals; Vietnamese overseas; foreign organizations, individuals having their business operated on area of the socialist republic of Vietnam. • Principles on environment protection; state policy on environment protection; prohibited actions 	
	62	- Resolution No. 60/2007/NQ-CP of the Government responding to global climate change	<ul style="list-style-type: none"> • View points on program steering • Objectives: assess impacts of climate changes on various sectors, aspects and localities during different periods and develop feasible action plans to respond to climate change on short term and long term basis in order to ensure sustainable development of the country; make the best use of opportunities to develop economy toward low emission direction and participate in mitigating climate changes, protecting global climate together with international community's efforts. • Develop tasks, measures and financial mechanism to mobilize investment sources. 	
	63	- Decision No. 158/2008/QĐ-TTg, 2/12/2008 of the Government ratifying national target program responding to climate change		
	64	- MONRE: national target program responding to climate change		
		65	Decision No. 2730/QĐ-BNN-KHCN, 5/9/2008 stipulating framework on climate change adaptation of the agriculture and rural development sector for period 2008-2010	<ul style="list-style-type: none"> • Objectives: improve climate change mitigation and adaptation capacity to minimize damage, ensure sustainable development in agricultural and rural development sector under climate change impacts. • Main tasks: Disseminate knowledge and information; human resources training and capacity building, strengthen scientific research; develop policy system; integrate climate change into sector program; international cooperation.
		66	Decision No. 204/2006/QĐ-	

		TTg,16/1/2007 of the Government promulgating national action plan on anti-desertification for period 2006 - 2010 and orientation to 2020	
--	--	--	--

5. Analysis of impacts from forest policy system on forest development

5.1. Impacts of forestry policy system

5.1.1. Creating significant progress on forestry socialization, attracting various economic sectors participating in forest activities.

Under the centrally planning mechanism, forestry activities mainly depended on state own sector, including state forest enterprises and state owned forest entities, in addition to a very small proportion of cooperative economy. Economic reform process recognized market economy with various economic sectors. Implementation of policy on forest, forest land allocation (land law, law on forest protection and development), particularly to households, individuals (similar to agricultural land allocation to farmer households) has significantly changed tenure rights over forest, forest land. Households and individuals based forestry has developed strongly together with engagement of private sector. By 2010, nearly 10 million ha forest land has been allocated in the whole country:

- State forest company: 2,969 mil. ha, accounted to 29%
- Special use, protection forest management board: 4,126 mil. ha, occupied 41%,
- Households and individuals: 3,826 mil. ha, accounted to 38%,
- Village community: 170,328 ha,
- Armed forces: 228,000 ha
- Leased by foreign investors and join-venture: 11311 ha.

By 6/2009, 1,028,559 land use right license have been granted, including organizations: 43,314 license with total 4,986.482 ha; households, individuals: 982,296 license with total 3,372,756 ha (*source: MONRE*). Forest, forest land allocation to households has created fundamental conditions to establish forest owners while connecting laborers and land, forest. Being allocated barren land, denuded hills, supported state investment capital and entitled to Government's enabling policy on plantation timber harvest, plantation timber products consumption, households have become driving force on material forest plantation so as contribute to improve and stabilize livelihood of several ten thousand farmer households. Over 40% of forest land allocated to households is seen as poor natural and protection forest and the existing inappropriate management policy, which consider natural forest as the state's

assets, could not allow them to benefit considerably from the allocated forest (once signing protection contract) as they seem to protect forest for the state. Local people were involved in forest protection and development via forest land contract policy (01/CP), each year, around 2 mil.ha of natural forest area is allocated for protection so as to attract several ten thousands ethnic minority households to engage in forest protection.

Nevertheless, there exist some constraints during implementation of forest, forest land allocation policy as follows:

- (i) Northern provinces basically completed forest, forest land allocation to households and individuals. In many provinces, forest land area managed by households is larger than that managed by state economic entities so as to fulfill forest socialization in terms of forest land tenure. Many Southern provinces, though announcing of being completed forest, forest land allocation, actual allocated area to households, individuals and communities is very low (less than 10%). Majority of forest land area, particularly natural forest, is still under management of state own entities. This situation resulted from inconsistent guidance of the central level, without clearly identifying objectives of changing forest land tenure structure among different regions to undertake forest socialization guidance.
- (ii) Over 1 mil. ha of natural forest was allocated to households, however, local people are not interested in natural forest as it brings few benefit, apart from domestic timber products. They wish to replace natural by material plantation forest to have income. Policy on natural forest allocation to households is not flexible as applicable to forest land. People could not make any concession. Instead, they could contribute natural forest as capital or mortgage in terms of forest added value created by themselves through investment. In reality, not any state organization or households could identify this value (lack of transparency).
- (iii) Forest closely links to land, so far, when mentioning forest, forest land allocation; only the latter has been conducted while the former has not yet been allocated. It is due to insufficient cooperation between forestry and land administration sector during forest, forest land allocation process. For instance: during the period of allocation according to Decree No. 02/CP, mainly it was conducted by forestry sector while missing cooperation with land administration right at the beginning; during the period of allocation according to Decree No. 162 and granting of land use right, it was mainly done by land administration sector with absence of forestry sector. Until end of 2010, MARD and MONRE developed and issued circular guiding forest, forest land allocation.
- (iv) Forest, forest land allocation quality is not high. Forest owners could not well recognize their allocated area on the field, particularly natural forest. These constraints have been vividly revealed when implementing pilot policy on payment for forest environmental services in Lam Dong and Son La province.

- (v) Law on forest protection and development did not work out orientation on stable national forest estate. To date, there is still missing consensus definition on this aspect.
- (vi) Lack of legal documents guiding forest allocation with collection of natural forest use and lease fees. Provinces have not identified specific forest price (there exists only guidance on forest price frame development principles).
- (vii) There is gap between land law and law on forest protection and development regarding authority to allow conversion of land in close connection with forest.
- (viii) Land area limitation policy is not appropriate. A large number of land owners have accumulated plantation area to several thousands ha, which is not within communal but beyond provincial territory. Large accumulated land offers favorable conditions for mechanical application on soil preparation, large nursery establishment, science technology application and selection of advance seedlings, fire management, etc. so as to bring high economic value.
- (ix) Lack of concrete awareness and common consensus on natural forest as the state assets. As such, policies on forest, forest land allocation and lease are often seen as natural resources protection policies rather than production instruments. Forest, forest land has not yet become tradable assets in the market.
- (x) Policy on benefit sharing from forest aim to allocate and contract forest to local people so as they could benefit from forest resources rather than only relying on protection contract fee. However, benefit policy has not yet penetrated into daily life as it is not practical. In reality, under the ideology that forest is the state assets, forest and forest land are not allocated to local people as it was in the agricultural sector. Furthermore, implementation arrangement is not synchronously carried out with insufficient guidance without paying due attention to policy supplementary and completion.

5.1.2 Policies on state forest enterprises (SFE) renovation are not successfully implemented in reality.

SFE used to be the biggest organizational system (over 400 SFE with more than 200 thousands laborers) that plays the most important role on implementation of the state's forest protection and production plan in the forestry sector during the centrally planning period. However, entering reform process, the national economy operates following market oriented system, under which various economic and financial policies applicable to enterprises in general and SFE in particular have fundamentally changed. SFE system has faced up with crisis situation and various SFE seem to be at the edge of bankruptcy, mainly relying on the services activities and state budget through 327 and 661 program. Some SFE engaged in paper and mining pole material plantation could maintain their activities thanks to soft loan from the State's development investment credit. Majority of SFE managing poor natural forest had to stop harvesting particularly when the Government announced "forest closure" guidance and natural forest harvest limitation. Very few SFE could maintain their business operation meanwhile many others function as forest protection entities (selling standings, contribute income to provincial budget, being allocated fund forest protection and silvicultural

activities). Under this context, the Government promulgated Decision No. 187 in 1999 on SFE's organizational structure and management mechanism renovation with an aim to improve SFE's business production efficiency, perform well as a driving force in forestry production, act as a center for services, technical material supply, process and consume forest products for households and individuals engaged in agro-forestry production so as contribute to protect and develop forest, develop socio-economic in the area. Existing SFE were re-arranged and number of SFE was shifted into protection forest management board. However, implementation arrangement of Decision No. 187 was not consistent with the absence of close guidance from the sector and local authority in addition to policy gap regarding to some relevant aspects as finance, land, natural forest management, etc. Therefore, implementation results were very limited. In 2003, the Politburo issued Resolution No. 28/NQ/TW on further re-arrange, reform and develop agro-forestry enterprises with specific tasks for SFE as follows: (i) SFE that mainly manage production forest and land for material plantation need to be further invested and operate in accordance with business production mechanism, (ii) SFE that mainly manage land with natural forest and plantation area that planned for protection, special use forest shall be shifted to administrative entities with income (management board), (iii) Some SFE that fail to meet the above mentioned conditions shall be shifted into administrative entities or dissolved if necessary. Some main orientation regarding management mechanism applicable to SFE involved in business production as follows: (i) clearly review, identify area remained for each SFE, surplus area for handing over to local authority for further allocation to farmer households and on this basis, carry out boundary demarcation and land allocation/lease and subsequently grant land use right license to SFE. (ii) Shift to the State's land lease and enjoy domestic investment incentive policies; (iii) regarding to financial statement following law on enterprises , the Government promulgated Decree No. 200/2004/ND-CP in 2004 to institutionalize Decree No. 28 of the Politburo. The Government approved SFE renovation and development proposal of various provinces, cities and forest corporations. To date, 157 SFE shifted into the State's one member liability limited companies and manage 2.3 million ha of forest (reduce ½ in comparison with the previous time of 4 million ha). However, this is only formality and in reality, forestry company confront with various difficulties, particularly those that manage natural forest.

Main constraints:

- (i) Existing policies, natural forest allocated to forest companies is not considered companies' assets. Companies only have the rights to manage and use forest in physical form rather than forest value (forest value is not stated as company's assets). Companies only have ownership on the added value generated through its investment.
- (ii) "Forest closure" policy: facing up with mass illegal harvesting and serious deforestation and degradation during 1990s, the Prime Minister issued forest closure guidance to control natural forest harvesting by providing limited harvesting quota; timber harvesting volume reduced from over 1 mil. m³/year down to 200-150,000 m³/year after 2000. Number of forest companies with timber harvesting quota sharply reduced, forest companies could not take initiatives on natural forest business

production in spite of having their forest management plan approved by competent authority. Permitted harvesting volume is lower than forest capacity and market and this has hindered company development and at the same time to distort business production and turn forest company into forest protection administrative entity (forest companies in central highland do not have financial autonomy as local authority apply policy on standing trees auction, collect revenue and as return, allocate fund to company for forest protection). Forest closure could only limit harvesting of forest companies rather than illegal harvest. According to annual report of forest protection force, annual confiscated illegal harvesting volume is around 100,000m³ and this figure seem to be 5 – 10 times higher as estimated by consultant.

- (iii) Policy that requires forest companies to lease land meanwhile forest lease policy is absent and forest companies do not have any funding sources to pay for land lease fee.
- (iii) Not any financial policy in place to support forest company to protect and rehabilitate poor natural forest.
- (iv) Some companies have to face up with lots of difficulties as they manage large protection forest area and they are not allocated fund in accordance with policy applicable to protection forest.
- (v) Forest companies specializing in forest protection have gained positive operational results thanks to the State's investment support capital and they have not yet paid for land lease. They have more competitive advantages than households and individuals.
- (vi) Contracting policy 135 did not bring any new thing to forest companies, if not creating no concrete forest owners as proportion of long term and stable contract is less than that of short term or period based contract in addition to forest company's insufficient financial and personnel sources.

5.1.3 Forest development program called 327, 661 with specific objectives have applied various policies from forest, forest land allocation to investment support, research, forestry extension technical technology apply, forest products market and implementation structure from central down to local level, local projects, beneficiaries as households so as to bring significant results on forest protection and development, contribute to increase forest cover while alleviating poverty in mountainous area.

Annual forest protection contract area is over 2 mil. ha, contracting norm gradually increases from 50,000 đ/ha/year to 100,000 đ and 200,000vnd/ha in 2008 là 200.000 đ/ha. Forest protection contract is conducted in 62 poor districts so as to attract hundred thousands of mountainous households to engage in forest protection. Various contracting forms have been applied as contracting households, individuals, household groups, communities, armed forces ...

New plantation area during the period from 2006-2010 was 1.06 mil. ha, annual average of 200,000ha (including 250,000 ha of protection forest and 840.000 ha of production forest),

regeneration of 922,700 ha. Total investment capital is 4,785 bil. Vnd. In 2007, the Government issued Decision No. 147 supporting plantation of 2 million ha of production forest so as to accelerate production forest plantation.

Policy constraints are as follows:

- Low investment norm supporting to forest plantation and protection and need to adjust many times; unsustainable 5 year forest protection contract policy which easily leads to deforestation risks when protection contract ends meanwhile policy on benefit sharing from forest entitled by households is not implemented.
- Decision No. 147, regulating specific conditions for forest owners (obtaining land use right license), forest companies (contracting forest land to households and individuals for long term and stable use (50 years) to access to investment support so as make it hard for different forest owners to access to investment support.

5.1.4 It is the first time when the forestry sector obtained a Government approved Vietnam Forest Development Strategy. Strategies development viewpoints have approached modern forestry management, which consider forest as forest products supplier while respecting its ecological and biodiversity conservation value. Forest environmental services are forest products that play more and more important role in the forestry sector. Forest has significant social meaning, particularly for mountainous area. Reviewing forestry production processing, including forest products processing and trade in close connection to material production and forest products processing, over 5 year implementation of forest strategy, the developed orientation and implementation measures are appropriate and eligible to reality, although anticipation on forest product export value was underestimated. The tentative planning of 16.2 million ha of forest land is seen unstable with high risks of being broken due to inter-sectoral balance on land use planning, particularly the Government's guidance on converting 100,000 ha of poor forest into rubber plantation and illegal conversion of forest land which could hardly be prevented though insufficient strong punishment regulations.

5.1.5. Policy on payment for forest environmental services. Vietnam is first country in South-East Asia to undertake policy on payment for forest environmental services (PFES) (2008-2010 piloting in Lam Dong and Son La province). Vietnam has participated in UN-REDD project – phase 1 and shall join the project phase 2. Establishment of program on reduction of forest degradation via long-term financial sources for sustainable forest management is identified as one of REDD+ strategy in Vietnam. Vietnam established forest protection and development fund with an aim to invest in forest protection and development. To date, this fund has not yet operated due to financial shortage. It is over 2 years but the state has not allocated sufficient budget of 100 billion vnd; provincial forest protection and development fund has not been established because of the absence from MARD's guidance. Regulation on “commit to ensure maintenance of the original capital allocated by the state” is hard to realize as activities supporting to forest protection and plantation are very fragmented.

5.1.6. Main constraints of other forest policies:

- i). Policy dealing with sanction against administrative violence on forest protection. Violence on forest protection has become complicated over recent years. According to FPD' statistic, in 2009 there was 40,929 cases of which 34,370 cases were dealt. Confiscated materials included: log 25,598 m³, sawn timber: 26,361 m³, wildlife 12,930 individuals with around 39 tons. There were also some cases of forest encroachment for agricultural production.
- ii). Policy constraints: punishment level applicable to violence is too light so as fail to deter people who break regulations and they even did not respect law enforcement agencies (Criminal law, 2009 regulating highest punishment level for deforestation of 15 years prison and maximum fine of 100 million vnd). In many forest encroachment and illegal logging cases, it is impossible to collect fine as people are too poor to pay.
- iii). Policy on 3 forest type management. Missing complete and stable investment in management and protection of the entire special use and protection forest; existing policies are short-term basis and project oriented. Absence of concrete management and investment policy applicable to poor natural forest. Over 1 mil. ha of natural forest area allocated to households with average area from 1-4 ha/household. Majority of this area is poor forest meanwhile there has not any appropriate policy on management of forest products harvest and they are required to develop forest management plan as a state forest companies; majority of them are poor and needed support and if they harvest timber, they still have to pay natural resources tax. In addition, there is not any policy on domestic timber applicable to mountainous ethnic households.
- iv). Natural resources tax applicable to timber, forest products harvested from natural forest is very high in comparison with other renewable natural resources. Application of natural resources tax on forest products generated from forest owners' investment discourage rehabilitation and improvement of poor natural forest (although it is proposed in 661 project). Too high export tax also leads to negative impacts, encourages illegal harvesting, taxation evading, particularly for high value timber group (several ten million vnd/ m³)

5.2. General observation on forestry policy system:

5.2.1. Strengths:

- During renovation period, the forestry policy system of Vietnam is rather comprehensive and completed. It covers wide range of forestry activities from forest management, protection, development, business production to forest environment while creating favorable conditions for sector management. Several laws were available as land law, law on forest protection and development and on these basis, relevant legal documents issued by Government and Ministerial level.
- Forestry policies have been regularly revised, supplemented on one hand toward the Party and Government's orientation on economic management policies within different periods, and on the other hand approaching market economic mechanism and international economic integration so as timely meet the sector practical requirements

and enable the sector to shift from state forest management to forestry socialization, multi-sectoral forestry economic commodity.

5.2.2. Weaknesses:

- Unstable forestry policy system which is subsidy oriented so as fail to enhance forestry socialization and market mechanism approaching (particularly regarding to natural forest and forest land).
- Ownership, forest tenure, rights on business management; benefit sharing on forest, forest land, particularly rights on natural forest assets, which have not yet been clearly and transparently regulated within the existing legal documents and regulations. As consequences, understanding and application of these regulations varied.
- Missing policy on establishment of stable national forest estate.
- Inappropriate forest investment policies (both plantation and natural forest) which are not suitable with forestry characteristic. Local people find hard to access to investment support credit in addition to inequality credit access for non-state own entities.
- Limited capacity on organization of policy implementation. Lack of consistent and close guidance in addition to insufficient effectiveness and effect../.

References

1. MARD, 2000. Some new policy guidance on agriculture, forestry, aquaculture, irrigation and rural development. Agricultural Publishing House, Hanoi.
2. MARD, 2001. Policy on shifting of economic structure in agriculture and rural sector.
3. MARD, 2002. Legal documents on forest management and protection, Agricultural Publishing House, Hanoi.
4. MARD, 2010. Report (draft) 5 year plan for 2011-2015 of the forestry sector. MARD, Hanoi.
5. MARD, 2010. Vietnam Forest Policy Workshop – current status and orientation for period 2011-2015, Hanoi 7/12/2010.
6. Forest Protection Department, 1994. Legal documents on forest protection, management, forest products management. Agricultural Publishing House, Hanoi. Forest Department, 2003. Forestry legal documents. Agricultural Publishing House, Hanoi.
7. Forest Department, 2007. Legal documents on community forest management. Agricultural Publishing House, Hanoi.
8. Forestry Club, 2009. Vietnam Forestry – looking back over 20 year reform along with the country development. Forestry Club, Hanoi.
9. Workshop on policy mechanism for forest company development in Vietnam, Hanoi 11/11/2010- Program on promoting sustainable forest management, trade and marketing of forest products in Vietnam.
10. Vietnam Forestry Science and Technique, 2010. Workshop on natural forest management – Constraints and Challenges, 5/11/2010.
11. Forest Inventory and Planning Institute, 2010. Thematic report: forest resources inventory under impacts of different social-economic factors. FIPI, Hanoi.

Annex: List of forestry related legal documents, 2000 - 2010

Aspects	No.	Title of legal document	Issued by	Type of document
Forest, forestland allocation and forest contract	1	Resolution No. 10-NQ/TU, 1986 on agricultural management reform	Central Party	Resolution
	2	Resolution No.06-NQ/TU, 10/11/1998 of the Political Ministry on some issues related to agriculture and rural development	Poliburo	Resolution
	3	Land Law, 1988, 1998, 2003	National Assembly	Law
	4	Decree No. 181/29/10/2004 of the Government guiding implementation of Land Law	Government	Decree
	5	Law on Forest Protection and Development, 1991, 2004	National Assembly	Law
	6	Decree No. 02/CP, 15/1/1994 of the Government regulating forest land allocation to organizations, households and individuals for long term and stable use on forestry purpose	Government	Decree
	7	Circular No. 06/LN/KL, 18/6/1994 of Ministry of Forestry guiding implementation of Decree No. 02/CP, 15/1/1994 on forest land allocation	The former Ministry of Forestry	Circular
	8	Decree No. 01/CP/1995 on contracting agricultural land, production forest and surface water for aquacultural production to organizations	Government	Decree
	9	Decree No. 163/1999/NĐ-CP, 16/1/1999 of the Government on allocation and lease of forest land to organizations, households and individuals for long term and stable use on forestry purpose	Government	Decree
	10	Resolution No. 03/2000/NQ-CP, 2/02/2000 encouraging farm economic development		
	11	Circular No. 38/2007/BNN guiding procedures on forest, forest land allocation, lease to organizations, households, individuals and communities	MARD	Circular
	12	Decree No. 135/2005/NĐ-CP, 12/10/2005 on contracting agricultural land, production forest and surface water for aquaculture	Government	Decree

		production within state's agro-forest enterprises		
	13	Circular No. 102/2006/TT-BNN guiding implementation of Decree No. 135/2005/NĐ-CP, 12/10/2005 on contracting agricultural land, production forest and surface water for aquaculture production within state's agro-forest enterprises	MARD	Circular
	14	Resolution of the National Assembly' Standing Committee dated 18.6-2010 on land tenure	National Assembly	Resolution
National target program on forest protection and development, forest development strategy	15	Decision No. 327-CT/HDBT, 28-6-1992 on greening of barren land and denuded hills	Government	Decision
	17	Decision No. 661/QĐ-TTg, 29/7/1998 of the Prime Minister on objectives, policies and implementation arrangement of the 5 mil. ha reforestation project	Government	Decision
	18	Decision No. 100/2007/QĐ-TTg, 6/7/2007 of the Prime Minister on revision, supplementation of some articles of Decision No. 661/QĐ-TTg dated 29/7/1998 on objectives, tasks, policies on implementation of 5MHRP	Government	Decision
	19	Inter-ministerial Circular No. 58/2008 TTLT-BNN-BKHDT-BTC ,14/4/2008 of MARD – MPI and MOFinance guiding implementation of the Prime Minister's Decision on objectives, tasks, policies and implementation arrangement of the 5MHRP for period 2007-2010	MARD – MPI – MOFi	Circular
	20	Decision No. 18/2007/QĐ-TTg, 10/6/2007 of the Prime Minister ratifying Vietnam forest development strategy for 2006-2020	Government	Decision
State forest enterprise renovation	21	Decree No. 170-HDBT, 11-1988 regulating reform policies applicable to business individuals, enterprises on agro-forestry and aquaculture sector.	Government	Decree
	22	Law on private enterprises, 1990	National Assembly	Law
	23	Law on company, 1990	National Assembly	Law
	24	Decree No. 221-HDBT, 23/7/1991 and Decree No. 66-HDBT, 2/3/1992	Government	Decree

	on business registration		
25	Decree No. 388-HDBT/1991-HDBT on business registration, state owned enterprises re-arrangement.	Government	Decree
26	Decree No. 12-CP, 1993 HDBT on re-arrangement and re-organization of state forest enterprises' activities	Government	Decree
27	Decision No. 667/TCLD, 4/10/1995 of Ministry of Forestry on the establishment of VINAFOR	The former Ministry of Forestry	Decision
28	Decision No. 187/1999/QĐ-CP, 16/9/1999 on renovation of organizational structure and management mechanism of SFE	Government	Decision
29	Resolution No. 28-NQ/TU, dated 16/6/2003 on further re-arrangement and renovation of SFE	Poliburo	Resolution
30	Decree No. 200/2004/NĐ, 3/12/2004 of the Government on SFE re-arrangement, renovation and development	Government	Decree
31	Circular No. 45/2005/TT-GTC, 8/6/2005 of Ministry of Finance guiding some financial issues when re-arranging and renovating SFE	Ministry of Finance	Circular
32	Decision No. 164/2005/QĐ-TTg 16/6/2005 of the Prime Minister on revoking production land of agro-forestry enterprises for further allocation to minority people	Government	Decision
33	Decree No. 109/2008/ND-CP on company selling and handing over policy	Government	Decree
34	Law on cooperative, 1996	National Assembly	Law
35	Law on value added tax (VAT), 1997, 2008	National Assembly	Law
36	Law on Commerce, 1997	National Assembly	Law
37	Law on competitiveness, 2004	National Assembly	Law
38	Civil Law, 2005	National Assembly	Law
39	Law on Enterprises, 2005	National Assembly	Law

	40	Law on enterprises' income tax, 2008	National Assembly	Law
Finance, credit, tax	41	Law on agricultural land use tax, 1993, 2009	National Assembly	Law
	42	Resolution No. 55/2010/QH-12, 25/10/2010 of the National Assembly on exemption of agricultural land use	National Assembly	Resolution
	43	Decree No. 106/2004, 1/4/2004 of the Government on the State's development investment credit	Government	Decree
	44	Decision No. 44/2004, 29/4/2004 of Ministry of Finance on interest rate of the state's development investment credit.	Ministry of Finance	Decision
	45	Decree No. 20/2005/NĐ-CP of the Government supplementing the list of projects provided the State's development investment credit in accordance with Decree No. 106/2004, 1/4/2004 of the Government	Government	Decree
	46	Decision No. 03/QĐ-BNN, 5/1/2005 regulating timber harvest for house construction of poor ethnic minority with special difficulties	MARD	Decision
	47	Law on investment, 2005	National Assembly	Law
	48	Decision No. 147/2007/QĐ-TTg dated 10/9/2007 of the Prime Minister on some policies related to production forest development for period 2007-2015	Government	Decision
	49	Circular No. 74/2008/TTLT-BKH-NN-TC, dated 23/6/2008 of MPI, MARD, MOFinance, guiding implementation of Decision No. 147/2007/QĐ-TTg dated 10/9/2007 of the Prime Minister on some policies related to production forest development for period 2007-2015	Inter-Ministerial	Circular
	50	Decree No. 48/2007/NĐ-CP, 28/3/2007 of the Government regarding principles and methods on forest valuation	Government	Decree
	51	Decree No. 05/2008/NĐ-CP, 14/1/2008 of the Government on forest protection and development fund	Government	Decree
	52	Circular No. 65/2008/TTLT-BNN-	Inter-Ministerial	Circular

		BTC,26/5/2008 of MARD, MOFinance guiding implementation of Decree No. 48/26/5/2008/NĐ-CP, 28/3/2007 of the Government regarding principles and methods on forest valuation.		
	53	Inter-ministerial circular No. 52/2008/TTLT-BNN-BTC, 14/4/2008 of MARD guiding rice subsidy to ethnic people who plant forest as replacement of slopping cultivation in mountainous area.	Inter-Ministerial	Circular
	54	Law on natural resources tax, 2009	National Assembly	Law
	55	Decree No. 50/2010/ND-CP guiding implementation of law on natural resources tax	Government	Decree
	56	Circular No. 05/2010/TT-BTC of Ministry of Finance guiding implementation of Decree 50/2020/NĐ-CP,14/4/2010 of the Government providing detailed regulations and guidance for implemmentation on some articles of Law on natural resources tax	Inter-Ministerial	Circular
	57	Decree No. 99/2010/NĐ-CP, 24/9/2010 of the Government on payment for forest environmental services	Government	Decree
Forest management	58	Decree No. 139/2004/ND-CP, 25/6/2004 of the Government dealing with sanction against administrative violence on forest management, protection and forest products management	Government	Decree
	59	Decision No. 40/2005/QĐ-BNN-LN, 7/7/2005 of MARD on timber and forest products harvesting regulation	MARD	Decision
	60	Decision No. 61/2005/QĐ-BNN, 12/10/2005 on special use forest classification criteria	MARD	Decision
	61	Instruction No. 38/2005/CT-TTg, 5/12/2005 of the Prime Minister on revision of the 3 forest type planning	MARD	Decision
	62	Decision No. 62/2005/QĐ-BNN, 12/10/2005 regarding criteria on special use forest classification	MARD	Decision
	63	Decision No. 89/2005/QĐ-BNN, 19/12/2005 promulgating regulations on forest seedlings management	MARD	Decision

	mechanism		
64	Decision No. 13//2005/QĐ-BNN, 15/3/2005 of MARD's Minister stipulating list of ke forest seedlings	MARD	Decision
65	Decision No. 14/2005/QĐ-BNN, 15/3/2005 promulgating list of forest seedlings permitted for commerce	MARD	Decision
66	Decision No. 15/2005/QĐ-BNN, 15/3/2005 stipulating list of forest seedlings applicable to sector standards	MARD	Decision
67	Decision No. 16/2005/QĐ-BNN, 15/3/2005 stipulating list of key plantation species in 9 ecological zones	MARD	Decision
68	Decree No. 32/2006/NĐ-CP, 30-3-2006 on management of valuable and endangered forest animals and plants	Government	Decree
69	Decision No. 106/2006/QĐ-BNN-LN, 7/7/2005 of MARD stipulating regulations on trees marking and forest protection hammer	MARD	
70	Decision No. 186/2006/QĐ-TTg of the Government on forest management regulations	MARD	
71	Circular No. 99/TT-BNN, guiding implementation of Decision No. 186/2006/QĐ-TTg on forest management regulations	MARD	Circular
72	Decree No. 09/2006/NĐ-CP of the Government regulating fire management	Government	Decree
73	Decree No. 32/2006/NĐ-CP of the Government on endangered and valuable animals and plants management	Government	Decree
74	Decision No. 54/2006/QĐ-BNN, 6/6/2006 publishing list of wild animals and plants regulated under CITES' annexes.	MARD	Circular
75	Decree No. 119/2006/NĐ-CP, 16/10/2006 of the Government on forest protection organizational structure and operation.	Government	Decree
76	Decision No. 106/2006/QĐ-BNN, 27/11/2006 promulgating village community forest management guidance	MARD	Decision
77	Circular No. 70/2007/TT-BNN,	MARD	Circular

		8/1/2007 of MARD guiding development and implementation of forest protection regulation at village community level		
Institution	78	Decision No. 245/QĐ-TTg, 21/12/1998 on exercising state administration over forest and forest land at various levels	Government	Decision
	79	Merging Ministry of Forestry and Ministry of Agriculture into MARD	Government	Decree
	80	Re-arrangement of sub-department on forest protection to be under DARD	MARD	Decision
	81	Decree No. 75/2009/ND-CP, 10/9/2009 establishing 3 Directorates under MARD (incl. Directorate of Forestry)	Government	Decree
Environment and climate change	82	Law on Environment Protection, 2005	National Assembly	Law
	83	Resolution No. 60/2007/NQ-CP of the Government responding to global climate change	Government	Resolution
	84	Decision No. 158/2008/QĐ-TTg, 2/12/2008 of the Government ratifying national target program responding to climate change	Government	Decision
	85	MONRE: national target program responding to climate change	MONRE	Decision
	86	Decision No. 2730/QĐ-BNN-KHCN, 5/9/2008 stipulating framework on climate change adaptation of the agriculture and rural development sector for period 2008-2010	MARD	Decision
	87	Decision No. 172/2007/QĐ-TTg, 16/1/2007 of the Government ratifying national strategy on natural disasters control and mitigation by 2020	Government	Decision
	88	Decision No. 204/2006/QĐ-TTg, 16/1/2007 of the Government promulgating national action plan on anti-desertification for period 2006 - 2010 and orientation to 2020	Government	Decision