



UNDERSTANDING FROM POLICY TO REALITY IN IMPLEMENTATION OF FOREST LAND ALLOCATION: INSIGHTS FROM TWO CASE STUDIES IN QUANG TRI PROVINCE, VIETNAM

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Abstract. Forest Land Allocation (FLA), initiated in 1992, aims to protect the forest and develop rural livelihoods. Although this policy has significantly contributed to the gaps between intentions and outcomes regarding forest and land policies in Vietnam, numerous problems and scepticism remain on the benefits for communities, especially ethnic minorities. Thus, this study aims to assess the implementation of FLA in the upland areas of Quang Tri province, thereby giving appropriate suggestions for the local government and indigenous people. With in-depth interviews and keynotes, a survey of 70 local people was carried out at Vinh O and Vinh Ha communes of Vinh Linh district in 2018. The results show that Vinh Ha commune has been implementing the policy since the beginning of 2018, with 5.2 ha of residential land allocated to 51 individuals/households; each received 0.1 ha on average. Meanwhile, Vinh O commune has completed the implementation of FLA to ethnic minorities since 2016. More specifically, 520.5 ha of land was allocated to 243 local people with an average of 2.14 ha/household. Of these, 55 households received 0.5–1.9 ha on average, and 188 households were allocated from 2 to 2.5 ha. Though both local authorities and communities have expressed great efforts, the implementation of land forest allocation policy in Vinh Linh district has been facing challenges because of limited human capacity, complex geography, biased economic policies, and overlap among organizations. They believe that flexibility should be accompanied by control and inspection by increasing stakeholder responsibility.

Keywords: forest land allocation, ethnic minority, land policies, Quang Tri, rural livelihoods

1 Introduction

Since the 1990s, the Government of Vietnam has allocated land use rights with over almost 9 million hectares of state forest land to households, communities, and economic entities, the so-called FLA policy [1]. The goal of FLA is to strengthen forest protection, management, and development while improving the livelihoods of the local people who live in and around the forests in Vietnam [2]. The policies focus on decentralizing land rights from the national to the regional and local levels and allocating land to different actors [3]. In this way, the Vietnamese

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government firmly believes that access to forest land and the right to make productive use of the land will motivate local people to use and manage the land in an economical and environmentally friendly way. User's rights to forest lands will benefit local livelihoods through the sale and local use of timber and non-timber forest products. Once local livelihoods are improved, local people are motivated to invest in the land and make an effort to protect the forest for sustainable use [1, 4]. For national policy-makers, the State hopes to end swidden slash-and-burn practices, and the landowners can develop stable and fixed production systems that allow them to produce and earn more [5]. In this view, FLA leads to an increase in individual commitment to managing forests sustainably and effectively. This, in turn, leads to increased forest resource protection and motivates households to invest in plantations [1].

However, recent reports indicated that the implementation of FLA in Vietnam has been facing too many problems. More specifically, a national workshop on FLA Policy and Practice organized in Ha Noi indicated four limitations of FLA in implementation in Vietnam [2]. The implementation process is inconsistent and varies among localities; no support is provided to land recipients after FLA, making it challenging to derive benefits from the allocated land and forest. Forest land allocation has disproportionately benefited different groups of people [1]. The policies and literature on property rights, especially forest land rights to promote local involvement, may not be effective and sustainable [6].

Another problem is that numerous localities failed to identify the advantages and disadvantages of the land allocated to farmers, making it difficult to punish those who lost or illegally used forests for other purposes. Sunderlin and Huynh Thu Ba reported that although 61% of the land has been allocated, only 10% has been handed out to households and communities [7]. Besides, an inadequate forest inventory database and lack of maps impede a reliable and precise land allocation, leading to land-use conflicts. This is extremely difficult for ethnic minorities who live with poverty, low levels of education, and limitations of human capacity [8].

In reality, there has been much research on the FLA in Vietnam, but most of it seems to focus on economic growth and "material" outcomes [3]. Moreover, Vietnam has three main regions (North, Central, and South), varying tremendously in natural and socioeconomic conditions. The most-forested areas of the three main regions are in the Northern Uplands, Central Highlands, and Southeast Lowlands [6]. However, previous research has mainly been conducted in the mountain areas of the Northern provinces, such as Son La, Lai Chau, Bac Can, and Phu Tho [9–12], some in North Central, including Ninh Binh and Nghe An [13, 14], and in Central Highlands [6, 15, 16]. In contrast, there has been little exploration of the actual contribution of FLA's implementation to the community in Central Vietnam, especially to ethnic minority communities [3, 17].

2 Methodology

2.1 Case studies

Located in the North of Quang Tri province, Vinh Linh district has three mountainous communes, namely Vinh O, Vinh Ha, and Vinh Khe, with 771 ethnic minority households. Vinh O and Vinh Ha communes are two main case studies of this research, as shown in Figure 1.

The choice of the study locations can be explained by two main reasons: first, it can be justified not only by a larger forest land areas but also by a larger presence of ethnic minorities than Vinh Khe. In recent years, the district government has given priority policies to improve their livelihoods. Second, the two communes are located in the poorest region with communities living in the uplands of Quang Tri province. Their livelihood mainly depends on small-scale agricultural production, so the FLA policy is considered a good idea for effective farming expansion and high productivity. In fact, livelihood alternatives are scarce because of population growth, environmental degradation, and increasing competition for resources, which make traditional forms of farming untenable. While Vinh Ha commune has completed the implementation of FLA to ethnic minorities since 2016, Vinh O commune started implementing the policy at the beginning of 2018. Although these reforms and FLA policies have indeed led to economic growth and shown stabilizing and at some places even recovering forests, different problems remain in implementation.

2.2 Data collection

Secondary data. The information was primarily gathered from the annual reports on the socio-economic of Vinh Linh district and the two communes. Besides, some other documents were also collected from the yearbook of statistics, reporting on the situation of land use, the situation of agricultural production, the general explanation of land use planning to 2020 and orientation to 2030, economic-social development plans from administrative institutes/boards including the Department of Natural Resources and Environment, Provincial Committee for Ethnic Minorities, Office of People's Council and District People's Committee, Department of Natural Resources and Environment, Department of Agriculture and Rural Development, District Land Fund Development Center. Furthermore, comments from scientists, the People's Committee of all levels, experienced managers of the land planning, agriculture and land management sectors, officers of the Department of Natural Resources and Environment, Agricultural and Forestry Extension Station in the study area were proposed for sustainable development for a land change.

Primary data. Pilot field trips were performed in the mountainous areas of Vinh Linh district. These trips aimed to obtain an overview of FLA implementation, build ideas for research, and collect secondary data such as the commune's annual reports and related documents. The actual fieldwork lasted from August to December 2018. This fieldwork provided an opportunity for the

researchers to initially gather information from the government before approaching other sources through unstructured interviews. Besides, the questionnaires were used for key informants, including commune leaders, the head of the land management office, and others. A survey of 74 households was conducted through the semi-questionnaires, 37 interviews of each commune. However, the results of four households were skipped due to a lack of information. The sample size was calculated according to formula (1) [18].

$$n = \frac{N}{1 + N * e^2} = \frac{294}{1 + 294 * 0.1^2} = 74.6 \text{ (74 households)} \quad (1)$$

where n is the sample size; N is the total number of allowed households in the two communes (294 households); e is the margin of errors (10%).

Two household groups were determined according to the allocated area: group 1 with 0.5–1.9 ha and group 2 with 2–2.5 ha. The survey aimed to understand the legal context of FLA in the locality. It can reveal the current status of FLA implementation and discover the problems to be solved for the local communities. If further information was required, follow up emails and phone calls to informants were carried out.

3 Results and discussion

3.1 The legal framework/context of FLA policy

In national context

In Vietnam, the FLA started after the big reforms called “Doi Moi” around the 1980s. In 1993, the government passed the Land Law, which applies to different types of land, including forest land. The law stipulates various rights – the right to exchange, transfer, inherit, mortgage, and lease – to be associated with the land given to land recipients. Land recipients can exercise these rights for 20 years for annual croplands and 50 years or more for forest lands if the farmer complies with the government’s regulations in using the land [19]. Accompanying the Land Law, Decree number 2, issued in 1994, provides the farmer with the long-term allocation of forest land to individual households [20]. Decree number 1 in 1995 allows the sub-contracting of land in special use and protective forests. It grants land to Management Boards (MBs) and State Forestry Enterprises (SFEs) for management – they may then contract the land to local households for forest protection and planting. Local people who sign contracts with SFEs and MBs receive forest protection or tree planting money from these agencies [20]. From the state’s perspective, the decision to allocate forest land associated with rights to individual households addresses a number of problems with forest management, including forest cover decline and quality, rural poverty, and unsustainable land-use practices [21].

Table 1. Forest management structure by forest user group

No.	Forest user group	Area (ha)	Rate (%)
1	Management Boards (MBs)	4,522,000	33.45
2	State-owned enterprises (SFEs, forest companies)	1,972,000	14.59
3	Other economic entities	143,000	1.05
4	Army	265,000	1.96
5	Households	3,510,000	25.97
6	Communities	299,000	2.21
7	Other organizations	701,000	5.18
8	People’s Committees	2,103,000	1.59
Total		13,515,000	100

Source: [30]

The implementation of FLA has been facilitated by more recent policies, such as Decree 181 in 2004, Decree 135 in 2005, and Decree 23 in 2006. According to the Ministry of Agriculture and Rural Development (MARD), as of December 2018, Vietnam was covered by about 14.5 million hectares of forest with 10.2 million hectares of natural forests [26]. This area is divided into three categories: special-use forest, protection forest, and production forest. The 2004 Forest Protection and Development Law prescribes that the natural forest and plantations established under the state budget are owned by the State [27]. The State has devolved management power to eight so-called forest user groups (Table 1). However, the government issued different types of forest to different forest user groups. All special-use and protection forest, and most of the natural forest on the production forest land are managed by government entities, not by local households. Data from MARD indicate that 66% of forests are State-owned (mainly special use and protection forests); 25% is owned by households and individuals; 4% is managed by local communities; 1.5% is privately owned; and 4.4% is under the management of other organizations [12]. In 2011, approximately 2.6 million Land Use Certificates (LUCs) with 10.6 million hectares were issued by the Ministry of Natural Resources and Environment [28]. The vast majority of LUCs were issued to households; fewer were granted to organizations, though they received larger areas for management. On average, each LUC granted to a household covers an area of 3 ha, while the LUCs issued to organizations cover 930 ha [1].

However, despite the government’s commitment to a quick release of LUC, FLA has been slowly deployed, and there are still too many gaps and shortcomings. For example, To et al. [1] claimed that local households and communities have not yet gained the government’s trust and confidence in their potential contribution to forest protection. Meanwhile, Clement and Amezaga

[4] argued that forestland and forest resources management are defined and revised in more than 100 laws and regulations. In other words, FLA has been implemented differently in different provinces, and usually in a rushed manner (personal communications with senior officials from MARD's Legal Department), leading to numerous shortcomings in the allocation process [13].

Land use planning and relevant policies in Vinh Linh district

The system of existing legal documents, Law on Forest Protection and Development 2004, Land Law 2013, and a number of sub-law documents regulating policies for settlement of residential land and productive land for ethnic minorities are displayed in Table 2.

Table 2. The development of FLA policies during implementation in Vinh Linh district

No.	Relevant policies	Date
1	Decision No. 134/2004/QĐ-TTg of July 20, 2004, of the Prime Minister on a number of policies to support production land, residential land, houses and running water for poor ethnic minority households, difficult life	July 20, 2004
2	Law on forest protection and development, No. 29/2004/QH11	April 1, 2005
3	The Prime Minister's Decision No. 33/2007/QĐ-TTg of March 5, 2007, on the support policy of migration for sedentarization in ethnic minority areas in the 2007–2010 period	March 5, 2007
4	Decision No. 1592/QĐ-TTg dated October 12, 2009, of the Prime Minister on the implementation of a number of policies to support production land, residential land, houses and daily-life water for people Poor ethnic minorities, difficult life	October 12, 2009
5	Directive No. 1474/CT-TTg of August 24, 2011, of the Prime Minister on implementing a number of urgent tasks and solutions to reorganize the granting of land-use rights certificates and house ownership rights and other assets attached to land and construction of land databases	August 24, 2011
6	Decision No. 1695/QĐ-UBND dated July 5, 2012, of Vinh Linh People's Committee on approving: "Project of sustainable socio-economic development and poverty reduction for villages with the high poverty rate in the commune. Vinh O, Vinh Ha and Vinh Khe"	July 5, 2012
7	Land Law, No. 45/2013/QH	November 29, 2013
8	Decree No. 43/2014/NĐ-CP dated May 15, 2014, of the Prime Minister detailing the implementation of a number of articles of the Land Law	May 15, 2014
9	Decree No. 47/2014/NĐ-CP dated May 15, 2014, of the Prime Minister regulating compensation and assistance and resettlement when the state acquires land	May 15, 2014

10	Circular No. 23/2014/TT-BTNMT dated May 19, 2014, of the Ministry of Natural Resources and Environment regulating land-use rights certificates, ownership of houses and other assets attached to the land.	May 19, 2014
11	Circular No. 24/2014/TT-BTNMT dated May 19, 2014, of the Ministry of Natural Resources and Environment regulating cadastral files	May 19, 2014
12	Circular No. 25/2014/TT-BTNMT dated May 19, 2014, of the Ministry of Natural Resources and Environment regulating cadastral maps	May 19, 2014
13	Circular No. 30/2014/TT-BTNMT dated June 2, 2014, of the Ministry of Natural Resources and Environment regulating land allocation, land lease, land use purpose and land recovery	June 2, 2014
14	Decision No. 59/2015/QĐ-TTg dated November 19, 2015, of the Prime Minister on the issuance of a multi-dimensional approach to poverty, applied for the 2016–2020 period	November 19, 2015
15	Decision No. 2085/QĐ-TTg dated October 31, 2016, of the Prime Minister approving the specific policy to support socio-economic development in ethnic minority and mountainous areas from 2017 to 2020	October 31, 2016
16	Decision No. 2553/QĐ-UBND dated September 19, 2016, of Quang Tri Provincial People’s Committee On the approval of the plan to implement the sustainable poverty reduction program in Quang Tri province – the period of 2016–2020	September 19, 2016
17	Resolution No. 14/NQ-HĐND dated December 28, 2016, of the People’s Council of Vinh Linh District	December 28, 2016
18	Decision No. 582/QĐ-TTg dated April 28, 2017, of the Prime Minister approving the List of extremely difficult villages, communes of Region III, Region II and Region I in ethnic minority areas. mountainous areas in the period of 2016–2020	April 28, 2017
19	Law No. 21/2017/QH14 dated November 14, 2017, of the National Assembly on Planning	November 14, 2017
20	Resolution 10/2018/NQHĐND dated July 18, 2018, of the Provincial People’s Council on policies to support residential land and funding for granting residential land use right certificates and production land to poor ethnic minority households and households poverty in communes of region III, villages and villages with particular difficulties in Quang Tri in the period of 2019–2022	July 18, 2018

Source: [29]

In general, the legal provisions of the 2013 Land Law and its guiding documents give a significant broad leeway addressing residential and production land policies for ethnic minorities. Accordingly, for residential land, ethnic minorities are allocated land by the State with a fee, and this fee is exempted for areas with extremely difficult socio-economic conditions. Ethnic minorities are supported at least 200 m²/household. It is necessary to adopt policies on residential and ethnic minorities in conformity with customs, national identity, and each actual region conditions. This allocation facilitates ethnic minorities, especially poor and vulnerable households in rural areas.

Although the Party and the Government's comprehensive policies ensure the rights of ethnic minorities in land-related matters, there exist wide and complex sub-law documents, event some overlaps regulating procedures during the implementation of FLA in this area. For example, the land use planning for the period 2011–2020 of Vinh Linh district was approved by the Quang Tri Provincial People's Committee in Decision No. 894/QĐ-UBND, dated May 9, 2014. Meanwhile, the implementation of the provisions of the 2013 Land Law is under the guidelines of the Department of Natural Resources and Environment of Quang Tri Province. Vinh Linh District People's Committee developed a land-use plan for 2018, approved by the Provincial People's Committee in Decision No. 2476/QĐ-NĐ, dated June 27, 2018. Next, the plan for land use planning up to 2020 complies with the guidelines in Circular No. 19/2009/BTNMT of the Ministry of Natural Resources and Environment in November 2009. This circular puts the formulation, adjustment, and appraisal of land use planning in order and contents of the steps for elaborating land use planning and formulation of district land use plans. The development of the plan is based on the preliminary assessment of the current status of land use, the socio-economic development situation of the district in the past, and the current potentials of natural resources and people, as well as socio-economic development orientations of provinces, districts, and industries by 2020 in the new situation.

Moreover, policies are issued by numerous relevant agencies, complex guides, and constantly updated year by year, causing difficulties for people, especially ethnic minorities to access and understand the policy. For example, on July 5, 2012, the District People's Committee issued Decision No. 1695/QĐ-UBND, approving the "Scheme on sustainable economic development and poverty reduction for villages with high poverty percentage in Vinh O, Vinh Ha, Vinh Khe communes". Then, at the end of 2016, the district People's Committee reviewed the project's first phase and issued Decision No. 813/QĐ-UBND, dated April 5, 2017, establishing the Steering Committee for phase II implementation of the project (2016–2020). District People's Committee implements Decision No. 11/2015/QĐ-UBND of the Provincial People's Committee on the average level of production land area for poor ethnic minority households in the province and poor households in the commune, extremely difficult villages and hamlets living on agriculture and forestry in the province. Meanwhile, the district is working on the project of

Table 3. The results of land allocation to households/individuals in Vinh Linh district during the period 2013–2018

No.	Year	Households	Areas of land allocation (ha)
1	2013	176	12.26
2	2014	307	25.14
3	2015	231	14.32
4	2016	120	7.35
5	2017	157	9.51
6	2018	45	2.71
Total		1036	71.32

Source: [27]

implementing Official Announcement No. 842/UBND-TN, dated March 10, 2017, of the People’s Committee of Quang Tri province on transfer land from organizations to localities for management, then allocated production land for ethnic minorities in Vinh O and Vinh Ha communes. The District People’s Committee issued Official Announcement No. 652/UBND-HKL, dated June 23, 2016, regarding the review of conversion of less-important protection forests to the development of production forests regarding the official announcement of the Department of Agriculture and Rural Development of Quang Tri province.

Table 3 shows the results of land allocation to households/individuals in Vinh Linh district (From January 1, 2013, to October 30, 2018). It indicates that 1,036 households were allocated land by the District People’s Committee with a total area of 71.32 ha. In which, 1,023 households were allocated land with land-use fees with an area of 70.65 ha, and 13 households without the fees.

3.2 The implementation of FLA in Vinh Linh district

Characteristics of land use and agriculture cultivation in the case study

The Land Law and the Forest Protection Law form the basis of the policies as created and managed by the central government. Vinh O, a poor mountainous commune, has 252 households, 64.9% of which live in poverty (Table 4).

Meanwhile, this poverty rate is 15.9% and 12% in Vinh Linh district and Quang Tri province [27]. Thus, Vinh O is the most impoverished commune in Quang Tri. Currently, Vinh O has nine villages with 1,183 inhabitants. This commune has a total natural area of 8,467 ha, of which agricultural land is 104 ha, and forest land 8,363 ha. However, there is only 43 ha of rice, 23 ha of cassava, and 112 ha of acacia forest land.

Similarly, Vinh Ha commune is also one of the poorest mountainous localities of Quang Tri Province, with a natural land area of 16,514.7 ha. There are 361 households with 1,611 individuals, including Kinh people and the Van Kieu ethnic group; the population density is nearly ten people/km². The commune has a large area of natural land, but the area of agricultural cultivation accounts for only 1,830.74 ha (11%).

The results indicate that, unlike the situation for the delta agrarian land, the ethnic minority communities (mostly Van Kieu) significantly depend on the forest for their subsistence livelihoods, especially collecting non-timber forest products. The swidden cultivation is based on various highland crop cycles centred upon hill rice, but also corn, beans, and cassava [3]. The very fact that slash-and-burn agriculture needs to be an itinerant activity (the farmer is back on a precedent cultivated plot after 10–20 years or more) means that traditional property includes both fields in use and fields under forest recovery [15]. With its privatisation intent, the new tenure system will put an end to the locally community-based forest management system and may give rise to conflicts within the community and between the community and the authorities [6]. As depicted previously, one of the critical objectives of FLA is to improve local livelihoods through production activities on the land allocated to individuals/households, thus contributing to poverty alleviation and increased prosperity in the upland areas. However, it is worth noting that most of the FLA documents are written in Vietnamese [3], which is not familiar to Van Kieu

Table 4. Characteristics of land use and agriculture cultivation in case studies

Characteristics	Unit	Vinh O	Vinh Ha
Total area	ha	8,467	16,514
Population	people	1,183	1,611
Household	households	252	361
Rate of poverty	%	64.9	19.1
Main crops	plants	Acacia, rice, cassava	Acacia, cassava, fruits

Source: [27]

villagers, making it hard to get access to clear information about the policies. Whether the policy systems are sustainably fulfilling their goals remains debatable.

FLA in Vinh Ha commune

Land use structure and management

Table 5 shows the current status of land use in the commune. Total land areas did not change after four years. According to the land statistics of Vinh Linh District People’s Committee, the total land area in Vinh Ha commune was 16,406.30 ha in 2018, similar to the year 2014. In which, the forest land occupied the most prominent area with more than 80%. However, what is mentioned is that most forest areas are secondary forests (planted forests) owned by a private company called “Ben Hai” [27]. As a result, there is overlap and ambiguity between the boundaries of land acquisition to implement land allocation for ethnic minority people. In addition, the results also indicate that the area of residential land accounts for only 0.18% of the total natural area of the region, which means that there is a low population density. Therefore, many individuals are significantly dependent on the forest for their subsistence livelihoods based on the surrounding forests. They were traditionally semi-nomadic farmers who practised swidden agriculture and hunting and gathering in addition. As a result, the implementation of the FLA has faced many problems. Unused lands are mainly un-fillable craters, coastal dunes, low-lying areas where cultivation is impossible. The alignment between land parcels is used to shield wind and hold land. Land plots located along rivers and streams are at risk of erosion.

Table 5. Status of land use in Vinh Ha during the period 2014–2018 (Unit: ha)

No.	Land types	2014	2018	
			Area	Compared with 2014
1	Agriculture land	15,702.09	15,701.61	-0.48
1.1	Land for agriculture cultivation	2,517.28	2,523.19	+5.91
1.2	Forest land	13,166.09	13,159.69	-6.39
1.3	Aquaculture land	18.73	18.73	0.00
2	Non-Agriculture land	650.03	650.51	+0.48
3	Unused land	54.18	54.18	0.00
Total		16,406.30	16,406.30	0.00

Source: [27]

The settlement project in Khetro area

The government of Vinh Ha commune determined to select the Khetro area in the options of regional planning and land allocation, beginning in 2018, for poor households who lack productive and residential land and other public service conditions. The resettlement project aims to form a concentrated residential area for 51 mobilized households of Vinh Ha commune, thereby, creates a better socio-economic region and connects with the rest of Vinh Ha commune.

Accordingly, three goals of this program are: (1) allocating 5.3 ha of forest land to each household on average; (2) eradicating hunger for the households in the area; (3) reducing poverty for households by 5% each year.

The results of land allocation to households in Vinh Ha are summarized in Table 6. The implementation only started in 2018, resulting in people receiving only residential land, approximately 0.1 ha/household, used primarily for accommodation purposes.

Meanwhile, four types of cultivated land are unallocated, including wet-rice, annual, rubber, and forest land areas. This process is currently in progress and is expected to be accomplished at the end of 2019. However, the results of the survey show that, due to the complex terrain and low human capacity, the implementation is zigzag and difficult. In addition, ethnic minorities have their own language, making it difficult to explain (by Vietnamese, the official language) and land-use certificates. This will be comprehensively analyzed in the next part.

FLA in Vinh O commune

The interview results demonstrate that the project's objectives on land forest allocation in Vinh O commune are poverty reduction, income improvement, and socio-economic development. The scale of the plan is to implement the allocation of land on an area of 583 ha owned by the Forest Management Board previously, which the Provincial People's Committee revokes to hand over to local authorities. Then, this area was re-allocated to the ethnic minority in 2018.

Table 6. Current status of land allocation in Vinh Ha commune

No.	Land use type (LUT)	Area of land allocation (ha)	Completed in 2018
1	Residential land	0.1	Yes
2	Cultivate land	5.2	No
2.1	Wet-rice land	0.2	No
2.2	Annual land	1.0	No
2.3	Rubber production land	2.0	No
2.4	Forest plantation land	2.0	No
Total		5.3	

Source: [27]

Table 7. The results of forest land allocation in 2018 at Vinh O commune

No.	Villages	Number of households	Area of land allocated (ha)
1	Thuc	35	77.8
2	Xom moi 1	32	70.6
3	Xom moi 2	11	25.2
4	Len	61	128.5
5	Xa Loi	27	54.6
6	Xa Ninh	20	47.0
7	Cay Tam	27	51.9
8	Mit hamlet	30	64.9
	Total	243	520.5

Source: [27]

It can be seen that about 520.5 ha out of 583 ha of land have been allocated to local people, accounting for 90% (Table 7). The above results show that the implementation of land forest allocation has achieved some initial results and benefits. More specifically, 243 homes are allocated land with an average of 2.1 ha/home. Fifty-five households received 0.5–1.9 ha on average, and 188 households were allocated between 2 and 2.5 ha.

3.3 Challenges in implementation of FLA at Vinh Linh district, Quang Tri province

Land forest allocation is one of the most critical policies to support poor ethnic minority people with no residential land or lack of cultivation land, shifting cultivation and living in disaster and dangerous areas. Although 80% of respondents argue that the policy is vital, there are still too many problems and challenges.

First, regards to characteristics of population and location. As mentioned previously, Vinh Ha and Vinh O are mountainous areas with risk topography and dangerous transportation. As a result, the measurement and distribution of land to the people are complicated. Furthermore, most local people are poor, with low education, even no education, which causes unemployment and poverty, with low human capacity. Moreover, this location is a meeting point of different cultures, i.e., the area embraces people of different religious beliefs living fraternally [22]. Not surprisingly, local residents, notably ethnic minorities, often complain that they neither understand forest policies nor know the exact forestland boundaries. This situation further explains the lack of participation of upland communities, notably ethnic minorities of Central Vietnam, in government land allocation programs [23]. As a result, it has been becoming a significant challenge for understanding and implementing FLA. The adverse outcomes of FLA to households on land management primarily stem from the unsuitability of individual property

rights with the biophysical characteristics of upland areas and the customary collective rules-in-use.

Second, the overlap between organizations/institutes and unclear policies. In our cases, the overlap in the delimitation of land-use boundaries amongst organizations, such as Ben Hai company and Forest Protection Management Board, caused the land acquisition and allocation for ethnic minorities to be still challenging. Poor market conditions and discriminatory economic policies of governments had made it more difficult for local communities with limited capital to enter the implementation and decisions of FLA [24]. This is consistent with what the Institute of Forest Planning and Inventory (FIPI) reported. It said that FLA had not involved the full participation of local people, nor did it create a momentum for people to invest in forest plantations and sustainable forest management [2]. Although the guidelines and instructions are available at authorized agencies, inconsistencies exist in the policy implementation process. This study recorded 19 policies and instructions. These policies and legal documents sometimes contradict one another.

What is needed are both short and long-term, specific, and expertise-demand strategies. On the one hand, we argue that before providing any policies, it should encourage the participation of the local people and their roles in making decisions. Moreover, enhancing their awareness and responsibilities through training courses and visiting trips will be a priority. From the long term and macro-level, reviewing and re-checking processes are needed for the legal documents/systems to avoid overlap and inefficiency. We suggest that it should involve independent non-state agencies, such as international consultant institutions or NGOs. This not only avoids bias and "group interests", but also shows the responsibility of the whole in checking and re-checking the laws. It means that the operation may become possible via collaboration and cooperation of the private sector and public bodies at the local, regional and national levels. Forestry land allocation should go in line with forest allocation to avoid overlapping procedures and unnecessary paperwork for local residents. It is essential to revise what has been done in the previous forest land allocation. The study recommends that the role of the forest protection force be strengthened to improve forest management. At the same time, experts should be involved in forest protection and management.

4 Conclusion

Forest policies in Vietnam might appear relatively successful. However, forest land policies and related issues remain a sensitive and complex issue in the uplands of the central and other regions. This study described relevant policies and implementation of FLA in two communes of Vinh Linh district, Quang Tri province. In Vinh Ha, the implementation only started in 2018, resulting in the mere allocation of residential land, approximately 0.1 ha/household, used mainly

for accommodation purposes. Meanwhile, four types of cultivated land are unallocated, namely wet-rice, annual, rubber, and forest land areas. In Vinh O, the implementation of land forest allocation has achieved some initial results and benefits. More specifically, 90% out of 583 ha of land were allocated to local residents. Two hundred and forty-three households were allocated land with an average of 2.1 ha/household. Fifty-five households received 0.5–1.9 ha on average, and 188 homes given from 2 to 2.5 ha.

Also, this study shows barriers/challenges that the government and the locals are facing while carrying out the FLA policy. With low human capacity and limited access to information, the overlap and ambiguity between government agencies in enacting legislation and implementing agencies are the current challenges for the FLA implementation in Vinh Linh district. Thus, based on the actual situation and literature reviews, we also provided solutions to improve the efficiency of land and forest allocation. From different angles, FLA policy should carefully consider the social and environmental factors that characterize the farming system in the upland to avoid possible detrimental feedbacks, e.g. massive migration and further expansion of forest clearing. Indeed, if implemented in a careful and participatory manner, in combination with technical, financial, and marketing support, particularly to local households, FLA has the potential for strengthening local livelihoods, reducing forest conflicts, and thus contributing to the protection of the remaining forest.

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