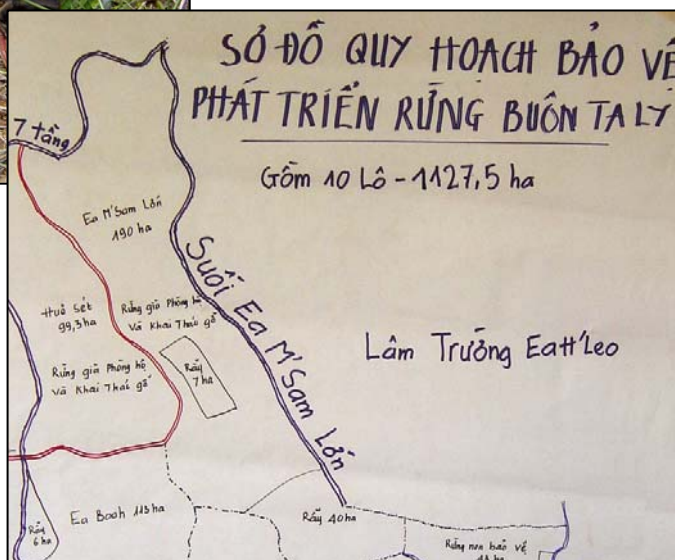




Forest Protection and Development Regulations





Rural Development Dak Lak - RDDL

Forest Protection and Development Regulations

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Dr. Björn Wode, Dr. Bao Huy, Dang Thanh Liem



Department of Agriculture &
Rural Development Dak Lak



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INTRODUCTION

BACKGROUND

Since 1990 the Government has undertaken a revision of the Law on forest protection regulations with the aim of making local organizations, households and individuals responsible for the protection and development of forest areas in the country.

With the new Forest Law passed in December 2004 a clear shift from state managed forest to participatory forest management has taken place and has influenced various new guidelines and decrees. Forest land can now be allocated to organizations, households and entire communities following number of steps such as Land Survey, Land Use Planning, and the issue of Land Allocation Certificates.

Through this process the rights over the protection and management of forest areas have been transferred to local communities, and individuals.

It is recognized that the role of local communities is particular important to the management and protection of forest resources. This implies that regulations on forest protection and development need to be developed and applied by the communities concerned.

Traditional village forest regulations are in general available and applied in each community. To respond to the new government policies on forests and to the increased responsibility of communities on protecting and managing their forest it has been proposed to assist communities in revising and updating such regulations by themselves to better respond to today government and forest users needs.

Extension has not been part of conventional forestry in Vietnam. Thus, foresters are not trained in its practice. Participatory extension methods are more likely not only to articulate villagers' knowledge and concerns, but also to facilitate the process of action-reflection needed to identify and refine appropriate forest regulations, and also help people develop their own problem solving skills.

Strengthening peoples' capacity in managing and protecting their forest according to regulations developed by themselves and approved by the relevant authorities is crucial in raising management efficiency and enabling a sustainable utilization of forest resources.

It is believed that if forest users' capacity in managing their forest could be engaged and strengthened, giving shared importance to both timber and non timber forest products, increased benefits could be shared amongst users without depleting forest resources but on the contrary enhancing its productivity.

This approach to the development of Forest Protection and Development Guidelines has been adjusted to the specific situation in Dak Lak Province. The authors would like to thank the Department of Agriculture and Rural Development (DARD), its Forestry Sub-Department and the members of the Provincial Forestry Consultative Working Group under DARD for the their cooperation. Particular thanks go to the People's Committees and the Economic and Forest Protection Sections of Lak and Ea H'Leo Districts and Dak Nue and Ea Sol Communes for facilitating the implementation of the pilots. Last but not least, the authors would like to express their sincere gratitude to the village forestry management boards and all involved villagers in Jol village in Dak Nue Commune and T'Ly and Cham villages of Ea Sol Commune.



METHODOLOGY

The methodology as detailed in this guideline is following the legal policy frame as defined by Circular 56/1999/TT/BNN-KI and has been developed as a participatory planning approach by the SFDP-Song Da in 2002 with full participation of District, Commune and Village level representatives. The guideline has been further adjusted to the specific socio-ecological conditions of Dak Lak province and to respond to recent forest policy development in Vietnam.

Purpose

The Village Forest Protection and Development Regulations methodology is being developed to respond to the government identified need and interest to build farmers' capacity in designing their own forest protection regulations for improved protection and management of natural resources by the local population. The methodology aims to build each farmer's capacity to analyse their forest resources and traditional regulations, eventually identifying and adopting the forest regulations that will best respond to farmers' and government's forest management needs. The purpose is also to assist the Forest Protection Officers to establish a rapport of trust, respect and exchange of information with local communities.

Consequently the methodology is not meant to instruct farmers on how the forest regulations should be prepared but through participatory planning methods to provide them with tools and skills which will enable them to analyse their own forest resources, and to generate their own ideas on forest protection regulations. Concerning the latter, an important tool that has recently been adopted, tested and is currently in the process of being approved by Dak Lak Province (DARD), is represented by the methodology for participatory development of community forest management plans. This methodology enables villagers to analyse their forest resources and to identify sustainable harvesting levels, as well as measures of needed for improvement and protection of respective forest blocks. It thus contributes greatly to capacity building on forest management at grassroots level and to reach a common understanding between facilitators and villagers. It is therefore strongly recommended to elaborate VFPDR after the forest management plans have been elaborated, to be able to incorporate respective knowledge and information into the VFPDR. References about linkages between VFPDR and forest management planning have been made in the respective sections of this guideline.

Methodological approach used

The Village Forest Protection and Development methodology uses "non-formal adult education" methods, based on experiential learning techniques, and participatory decision-making techniques. Farmers' learning is directed by goals and needs looking for solutions to real life problems. During the development of the methodology four major points were considered as follows:

1. The existing forest policy frame of Vietnam

- The law on Forest Protection and Development 29/2004/QH11, dated December 2004;



- Decree 23/2006/NĐ-CP on implementation of the Forest Protection and Development Law
- Decision No. 45-1998/QĐ-TTĐ, December 21, 1998; on the execution of state management over forests and forestry lands;
- Circular No. 56/1999/TT/BNN-KL, March 30th, 1999 providing a guideline on developing forest protection and development regulations in local communities;
- Decree No. 139/2004/NĐ-CP dated June 25, 2004 on administrative punishment regarding forest management, protection and forest product management; replacing Decree No. 77/1996/CP and Decree No. 17/2002/ND-CP
- Resolution No. 15/2002/NG-HĐND, dated 11 July 2002 of Dak Lak People's Council, including the Regulation on Establishment and Issuance and Implementation of the Village Forest Protection Regulations in Dak Lak Province.
- Village regulations should be designed in line with policy and advocacy of the Party and Government as well as the Law. At the same time village regulations should be in harmony with the fine traditions and customs of the village;
- The village regulations should be examined by the Commune Peoples' Committee and approved by the District People's Committee.

2. To increase people's participation

Increased people's participation at village level in the decision-making process to identify and agree on suitable forest protection and development regulations will greatly assist communities in improving the protection of their forest resources as fundamental basis for a sustainable management in the future..

In addition to the contributions that will be provided by local leaders in designing the village regulations, attention has been paid to identify and to include elements that will promote a greater involvement of individual community members and in particular a greater involvement of women in the decision-making process.

In this respect the village regulations should be clear, specific, easy to understand, easy to implement, suit the village forest condition and village future plans in forest development, and should be adequately disseminated amongst members.

3. To strengthen communities capacity

To build communities capacity in resource management is seen as a pre-requisite for the successful design, self-enforcement of forest regulations, and for a socially acceptable utilization of forest resources.

4. To provide a flexible approach

Communities vary from one to another in terms of physical, social and economic environments, leadership, cohesion amongst community members, and relation with local authorities. In some communities the forest regulations can be finalized in a short period of time, while in other more time will be needed to sort out conflicts of interest, and different opinions on specific issues.



It has been therefore proposed to devise a methodology that will allow each community to develop their own forest regulations within a flexible period of time and to consider the forest regulations related issues most relevant to them.

This is reflected in the planned number of the village meetings, which may vary from two to three days, the duration of each meeting which may vary from half-day to a full day, and the main issues to be discussed during the village meeting(s).

INTRODUCTION TO THE GUIDELINE

The purpose of this Implementation Guideline

The overall objective of the guideline is to assist facilitators by providing the basic framework and materials for the implementation of the Village Forest Protection and Development Regulations methodology.

The detailed objectives of this guideline are:

1. To provide District Forest Protection officers with a step-by-step methodology to facilitate village members and forest owners in the design of their own Village Level Forest Protection and Development Regulations;
2. to provide methodological guidance to facilitate the village meetings;
3. to provide the base for preparing the final Forest Protection and Development Regulations document for approval;
4. to provide ideas on how approved regulations could be effectively made available and known to all village members;
5. to document and to make the methodology available to:
 - field based extension officers, farmers' leaders and field-level development workers to facilitate the implementation of a Village Forest Regulation process
 - Resource persons who will be training field-level facilitators using these guidelines

How to use the Implementation Guideline

This field guide contains a number of exercises on a selected range of forest regulation topics. Each exercise is described in detail so as to provide sufficient guidance to the facilitator. It includes a brief introduction, objectives, time and material needed, and steps to be followed. Each exercise ends with suggestions for leading questions to facilitate group discussions.

For some exercises it is suggested to form small groups of 3 to 5 people. The group's assignment includes idea-generation, brainstorming, information sharing, list making, and problem solving. One or two persons work as recorders, summarizing the groups' output, and reporting to the larger group afterwards. The facilitator does not interfere, but monitors progress of the groups and offers procedural guidance and content suggestions.

To be able to promote group decision-making process the facilitator will need to use a variety of facilitation skills and methods. Some basic facilitation skills are summarized below:



Listening. Listening is the most fundamental skill for facilitation. Effective listening will allow to single out problems, to understand the main point expressed by a farmer or a group, help speakers to develop competence and motivation to solve her or his problem,

Observing. This skill involves seeing without judging what happens. Within a group people interact in different ways, they interact not only through what is being said but also through how it is said; use of voice, facial expression, attitude, and gesture. Body language gives a clue to feeling and can convey strong messages.

Questioning. For a group to work together effectively, everyone ideas must be heard. Effective questioning is a necessary facilitation skill in the FPR to get everyone involved in learning. Questions are one of the most valuable tools for assessing understanding, making points, promote farmer-to-farmer exchange, using available knowledge in the group to answer a question.

Summarizing. Summarizing what a group of people have said, or summarizing decision taken by the group will help all the participants in the meeting to have a clear understanding of the main point discussed and agreed. It is also used when a participant makes very long, complicated or confusing statements, or when a participant has problems phrasing his/her own thoughts clearly.

How the Implementation guideline is organized

The guideline contains 4 chapters and Annexes. The chapters follow the methodology steps/cycle as shown on page 12. Each chapter deals with a main topic and it contains an introduction and a number of exercises related to the main topic.

- | | |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| Chapter I | provides information on the activities suggested to be carried out before the beginning of the village meetings |
| Chapter II | contains a series exercises to be conducted during the village meetings where decisions on forest regulations are taken |
| Chapter III | includes the suggestions on procedures to finalize the document, its approval, and ideas to assist communities to effectively disseminate the regulations |
| Chapter IV | deals with monitoring and follow-up activities to review village forest regulations |
| Annex 1 | Format of the regulations document to be submitted for approval |
| Annex 2 | Violation case report |
| Annex 3 | Minutes of Compensation |

Important Note:

Administrative punishment can only be applied by a legally recognised authority.

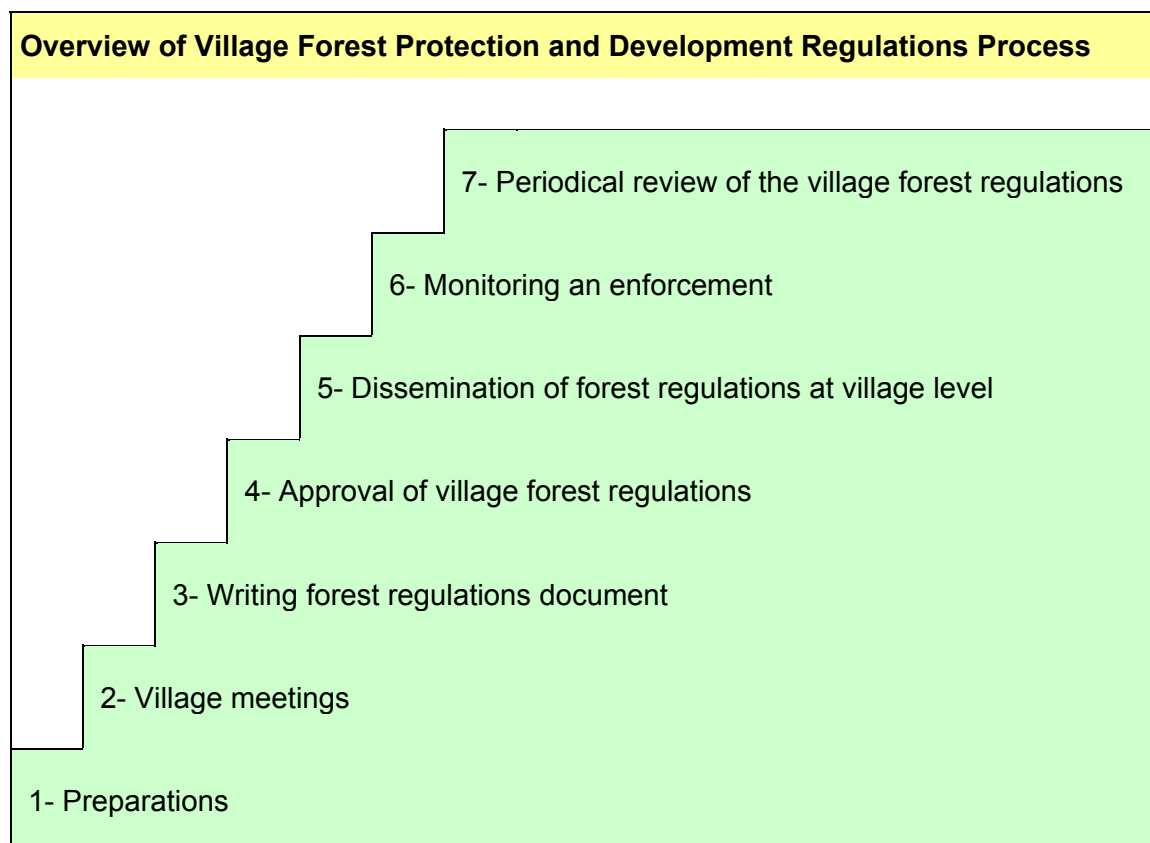
In Vietnam, the lowest recognised administration is the commune level. Consequently, no administrative punishment can be applied by any village organisation. However, compensation for damage caused can be applied at all levels including village level.

All applied financial sanctions in the document therefore have to be understood as “compensation” to apply with the legal policy frame in Vietnam.



OVERVIEW OF THE PROCESS TO DESIGN VILLAGE FOREST PROTECTION AND DEVELOPMENT REGULATIONS

In the following paragraphs a summary of the steps are provided that are suggested to be followed in assisting communities to design their own forest protection and development regulations.



1) Preparation

To make each village meeting successful, participatory and an useful learning experience for all villagers some preparations may be necessary and they may include:

- to gather the village (or commune) land use map, and other government regulation documents;
- to review existing data on forest resources, and village socio-economic data;
- to organize a meeting at commune level inviting all village heads to attend (if appropriate);
- to visit the village forest to have a better understanding of the present situation and general conditions and main villagers concerns in forest management;
- to inform the women's union representatives of the commune and the village(s). Prior to the village meetings. Ask them kindly to select women for the participation during the village meetings. Also inform them about the importance to act as a co-facilitator in order to ensure that women are encouraged to raise their concerns in the course of FPDR establishment.
- to inform the Village Management Board of:



- the FPDR process that will take place, its approach and the objectives;
- what they can expect and what is expected from them;
- who should attend the village meetings;
- Agree on the date of the first day meeting.

2) Village meetings

This is probably the most important step in the preparation of the village forest regulations. During a series of meetings the community members will first share their ideas and opinions on the purpose of the forest regulations and agree on what they would like to achieve with them.

Women are of equal importance during the process of forest protection regulation establishment than men. However, they are often reluctant to share their opinions and voice their concerns in meetings held with men. Separate meetings are often organized by the women's union representative. Regarding the elaboration of forest protection regulations, this would result in impracticability and additional effort. It is therefore advised to contact the women's union representatives of commune and village prior to each village meeting, to ensure that an adequate selection of women to attend the course is made. Furthermore, to ensure that participating women are confident to share their opinions in the meetings, co-facilitation by the women's union representative should take place. A women's and a men's group should furthermore be formed and the various steps carried out in groups, before final agreements are reached.

Villagers will then classify their forestland and decide what regulations are appropriate and need to be applied for each forest product, for fire prevention, for the wildlife and the fines and compensations that will be applied to violators. The main objective of the village meetings is the identification and finalization of the village forest regulations. This step includes the following main points:

- Introduction to the meeting
- Forest classification for management, utilization and identification of main problems related to protection and management
- Design regulations for harvesting of forest products
- Design regulations for uplands clearing and burning, and design the fire prevention plan
- Design regulations for cattle grazing
- Design regulations for hunting and harvesting of wildlife
- Identify benefits and duties of forest owners and protectors
- Identify procedure for fining, compensations, and awarding
- Decide on how regulations will be disseminated within the community

3) Finalize village forest regulations document for approval

Once the village forest regulations have been developed and agreed by all community members, such regulations need to be written down in a simple document that will then be submitted to the Commune and District authorities for their approval.

During this step the project assists the village management board to finalize the document.

4) Approval of the village forest regulations

The document is submitted to the relevant authorities for approval.

After the regulations are completed at village level the document is submitted by the village head to the commune and the commune leader submits the document to the



district Forest Protection Unit. The district Forest Protection Unit together with the district Justice Unit approves the regulations and the Forest Protection Unit feedback the results to the commune.

5) Dissemination of government and village forest regulations

It has often been pointed out that villagers are not always well aware of the FPDRs. During this step the trainer will assist the villagers to identify the best way to properly disseminate both, government and village regulations to all village members.

6) Monitoring and enforcing forest regulations

At village level the villagers themselves are the main responsible to ensure that regulations designed by them are followed. This is one of the main reasons why the new guidelines for forest regulation stress the importance of community members participation in the design process. Nevertheless during the village meetings it might be necessary for the community members to decide who will have the responsibility to ensure that regulations are followed by all and how this will be achieved.

7) Periodical review of the village forest regulations

- Periodical revision of village forest protection and development regulations to follow recent forest policy changes.
- Follow-up support to communities - coaching activities.

WHEN AND WHERE TO IMPLEMENT THE PROCESS

There are several steps that need to be completed to successfully assist villagers to prepare and disseminate the village forest regulations. When planning the activity in a community it will be useful to prepare a simple work plan so that your and farmers' time is properly utilized.

It can also be useful to have a meeting at commune level with all village heads to have the opportunity to brief them on the overall process, purposes and procedure.

Time of the year: In scheduling the preparation of village forest regulations the facilitator should be aware of farmers' availability and the importance of involving participants in setting the time and schedule of meetings. Women may not have the same availability as men. To guarantee that women can attend regularly suitable times need to be identified. Facilitators have an important role to play in this respect.

Duration: The overall process from the design to the dissemination of regulations may take about 2-3 months. The village meetings from two to four half-days.

Length of each meeting: There are no fixed rules on the duration of each meeting. This will depend on farmers' and your availability. In general it is not possible for farmers to spend a full day away from their farm or other commitments very often. Therefore it is suggested the meetings take no more than half a day.

ROLE OF THE FOREST PROTECTION OFFICERS

The role of the Forest Protection officers is to assist the community members during the whole process to design the village forest regulations (from preparations to dissemination and monitoring), to facilitate the village meetings, and to provide adequate information of forest related issues when required.



The facilitators task is to be supportive and to provide guidance, and most important to be able to establish a pattern of communication that creates a climate trust and safety, eventually increasing the flow of information and cooperation amongst group members.

The facilitator, a field officer or group leader is trained in adult education principles, facilitation skills, participatory training and group decision-making methods, and has implemented the methodology at least once as part of her or his training.

ROLE OF COMMUNITY MEMBERS

The village head and the Village Management Board are responsible for organizing and moderating the meetings.

The community members take part in the meetings and actively contribute in the decision-making process on village forest protection regulations. Since women are the major users of forest resources their presence and contributions during the whole meetings is a pre-requisite for the successful design and implementation of sound forest regulations. Their attendance and active participation has to be encouraged and supported. A suggestion of how to actively involve women in the meetings is presented on page 10.

This also implies that the time of the meeting should be chosen according to women availability to attend and to have a duration suitable with women daily tasks. This is also one of the reasons to conduct 2 or 3 meetings of half-day each, so that participants have also time to care for their own family and other commitments.

A secretary should be appointed to take minutes of the meeting and to help to compile the results of the discussions.



Chapter 1 - PREPARATION

This chapter provides hints and ideas on what to consider when preparing to implement the design of village forest regulations.

To assist each village in designing their forest regulations, and making the village meeting successful, participatory and a useful learning experience for all villagers some preparations may be necessary, including:

1. to visit the village forest to have a better understanding of the present situation and general conditions and main villagers concerns in forest management and protection;
2. To gather village and commune maps, if available, on existing forest, forestland and land use planning, and check the availability and conditions of the 3D-land use model;
3. to obtain relevant legal documents:
 - Decree No. 139/2004/NĐ-CP dated June 25, 2004 on administrative punishment regarding forest management, protection and forest product management;
 - Decree No. 23 dated February 2005 concerning the implementation of the Forest Law;
 - Forest Protection and Development Law date December 2004;
 - Existing regulations on the village and the commune;
4. if appropriate, organise a meeting at the commune inviting all village heads to attend, and to explain about the process to design each village forest protection and development regulations (FPDR);
5. to review existing data on forest resources, and village socio-economic data;
6. to agree on the date of the first day of the village meeting, including who should attend. Participants of the village meeting should include the Village Management Board Members, representatives of mass organizations. Since women are important actors in harvesting forest products and upland clearing their participation need to be encourage and facilitated.

Prepare for the commune level meeting

To support the commune level meeting the following preparations should be taken into consideration:

1. A simple meeting agenda and a checklist with main points to be discussed;
2. Inform the Village Management Board about the FPR process that will take place in their village, its approach and the objectives, what they can expect and what is expected from them;
3. Material to be distributed as hand outs, and /or guideline to explain the process.



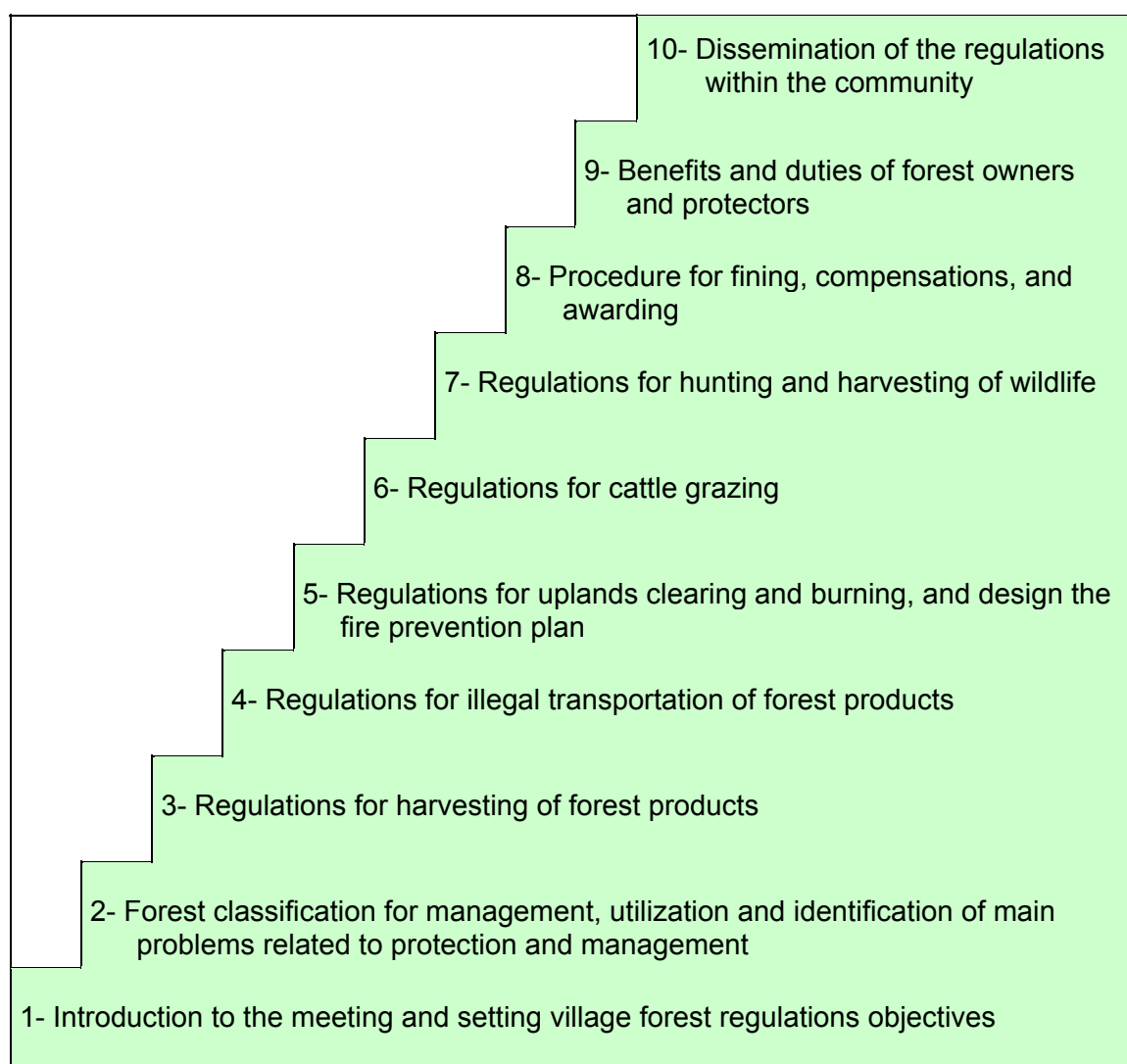
Chapter 2 - DESIGNING VILLAGE FOREST PROTECTION AND DEVELOPMENT REGULATIONS

This chapter contains exercises to introduce the village meeting, to assist villagers in assessing forest resources and to decide the most appropriate regulation.

During this step a number of exercises have to be completed that will help the group to:

- agree on the purpose and objectives of the village forest regulations,
- identify and prioritise main problems in forest management,
- mapping their forest resources,
- design forest regulations for harvesting of forest products, clearing and burning for upland cultivation, preparing fire protection plan, cattle grazing, hunting and harvesting of wildlife.

OVERVIEW OF THE VILLAGE MEETINGS' AGENDA





INDICATIVE VILLAGE MEETINGS AGENDA FORM

Day one				
Time	Session/Topic	Objective	Method	Material
	<i>Introduction</i>			
	Objective of the regulations			
	Forest classification			
	<i>Summary & feedback</i>			

Day two				
Time	Session/Topic	Objective	Method	Material
	<i>Today agenda & summary of previous day</i>			
	Harvesting forest products			
	Clearing and burning for upland cultivation			
	Cattle grazing			
	<i>Summary & feedback</i>			

Day three				
Time	Session/Topic	Objective	Method	Material
	<i>Today agenda & summary of previous day</i>			
	Hunting			
	Duties and responsibilities			
	Awarding			
	Compensation			
	Fining procedure			
	<i>Summary & closure</i>			



SESSION 1.1 INTRODUCTION TO VILLAGE MEETING

- OBJECTIVES**
- A sense of welcome and an atmosphere of co-operation will be created
 - Villagers will be able to explain the steps that will be followed to prepare the village forest regulations
 - Villagers will be able to explain the purpose of the meeting
- LOCATION**
- Indoor
- MATERIALS**
- Large pieces of paper with the methodology steps
 - Meta cards
 - Marker pens
- TIME**
- 20 min

FACILITATOR'S NOTES

- The design of village forest regulations can only become a success with the villagers active participation.
- For most of the villagers the approach is new and they are not used to the kind of participatory methods used. It is therefore very important that the villagers know what they can expect from the meetings and what is expected from them.
- The main objective on this exercise is to help the group to get settled in, create a sense of welcome, and establish an atmosphere of co-operation, and sharing, increase their self-confidence, and increase exchange of information.

STEPS

- (1) Before starting the introduction, prepare a flip/wall chart clearly indicating the steps that will be followed during the meeting(s) (the 9 steps of the meeting). A timetable for the conduction of a three day course can be found on the next page.
- (2) Start the introduction by presenting:
 - the objectives of the meeting,
 - the steps that will be followed,
 - the time that may be required,
 - the role that the participants are expected to play.

During this presentation show the meeting chart (*previously prepared*) and make use of it while giving villagers an overview, in a chronological order, of the meeting.



- (3) Then, if appropriate, briefly introduce the relevant government policies.
- (4) Ask participants if they have any questions for clarification, and answer them.
- (5) Ask the participants to appoint a secretary, responsible for recording of the minutes which will be needed for the compilation of the approval document.
- (6) Outline the meeting agenda and main objectives. Make a wall chart of the agenda and refer to it during the meeting.

Note: It will be useful to keep the meeting chart visible to all villagers during the whole meeting(s) period. This will help participants to remember the whole process, and the links amongst different topics discussed during this and following meetings.



SESSION 1.2 SETTING VILLAGERS' OBJECTIVES OF THE FOREST PROTECTION REGULATIONS

- OBJECTIVES**
- Villagers will have shared their perceptions on the purpose of the forest regulations
 - Villagers will have agreed on what they want to achieve with the regulations

- LOCATION**
- Indoor

- MATERIALS**
- Small paper, flip chart, markers, and tape (or pins)

- TIME**
- 1 hour

FACILITATOR'S NOTES

- Before deciding on how forest resources can be utilized and the restrictions to be applied it is important for the community members to reach a common vision on what they want to achieve with the regulations. This will enable the community to identify regulations that will better help them to achieve the objectives.

STEPS

- (1) Explain the objectives and the procedure of this exercise to the participants.
- (2) Ask villagers to divide into three groups and to discuss:
 - what they think is the purpose of designing forest protection regulations
 - what they want to achieve with it.
- (3) Then ask the groups to finalize their findings, and write them on paper
(*Allow 20 minutes for discussion and writing*)
- (4) Ask each group to select a representative that will present their result to all villagers
- (5) After completion ask each representative to present their conclusions.
- (6) Promote a short plenary discussion highlighting differences so that at the end an agreement is reached on the purpose and what the community wants to achieve.
- (7) Write the main conclusions on a large paper and fix it on the wall for all to see



SESSION 1.3 MAPPING - FOREST CLASSIFICATION

- OBJECTIVES**
- Villagers will be able to identify the position of their forest on the map;
 - villagers will be able to distinguish different forest areas, their location and conditions;
 - villagers will have classified their forestland according to forest function classification.
- LOCATION**
- Indoor
- MATERIALS**
- Land–use map, transparency and whiteboard markers. 1:5,000 is a suitable scale for such maps, larger scales might be inconvenient for recording
 - Large piece of paper, marker, pencils or pens, tape
- TIME**
- 1 to 2 hours

FACILITATOR'S NOTES

- The preparation of a simple forest map may help the group to visualize and/or identify the main features of their forest such as boundaries, as well as different forest areas, their location and condition, present uses, bare lands, streams, roads etc. Thus the map provides a clear picture of the forest at a glance.
- When used as a point of discussion this map gives participants a common orientation towards the resources within the forest area, which will assist them in the design of forest regulations according to each area.
- This simple forest map could also be followed by a short walk through the forest to confirm representative forest features.
- In case that LUP/FLA has been implemented in a participatory way and if villagers are content with the results, the respective village forest map can be used to facilitate this step. In case that the forest management planning process has been concluded, a very detailed forest classification should be available at the village. It will thus be necessary to let the villagers review the results before moving on with the next session.

STEPS

- (1) Explain the objectives and the procedure of this exercise to the participants.
- (2) Ask villagers (in plenary or smaller sub-groups) to draw a sketch map of their forest and nearby features on a large piece of paper, or on the ground, indicating main forest boundaries, and reference points such as roads, rivers, springs, north/south, special places, and settlements (this will give them an initial orientation). If available use the 3D-model and the existing land use map or previously drawn LUPLA map instead. In such a case the map should be overlaid with a transparency and whiteboard markers used to identify various features and areas.



- (3) Ask the villagers:
 - to start by identifying and drawing features that are important for their orientation (such as streams, mountain ridges, trails). Ask them to indicate local names for each one of these features
 - to mark/draw the location of their forest on the map. For the identification of so-called forest blocks ask the farmers to identify areas which are of the same forest type (i.e. dry-dipterocarp, semi-evergreen) and status (matured, secondary, recovering after shifting cultivation, etc.). If farmers find it difficult to identify forest status ask about the main products that are available (such as timber suitable for construction, or merely fire wood, ...). Make sure that boundaries of the forest block coincide with natural boundaries. Make sure that all information is written down on the map.
 - now ask the farmers to give each forest block a local name (this can be the name of a nearby stream, mountain, ...). This is important for the later orientation of the entire village community.
 - continue to ask them to identify which areas are classified as “Production”, “Protection”, and “Special-use” and let them write it on the map (protection is not restricted to government classification but can also be in case that the village community uses certain forest areas as cemeteries, etc.)
 - While making the map promote group discussions the characteristics of each identified forest area to share individual perceptions and to reach a consensus on each area. Involve at least 6 or 7 people for making the map, including women.
- (4) While making the map promote group discussion on the characteristics of each identified forest area to share individual perceptions and to reach a consensus on each area. Involve at least 6 or 7 people in making the map, including women.
- (5) Then ask one person to present/explain the map to all. Add new descriptions or changes if villagers wish to.
- (6) If appropriate, after the completion of the map, suggest to the group to go for a short forest walk to visit the areas and confirm (or change) boundaries and descriptions.
- (7) Leave the map on the wall for all to see, and at completion of the meetings leave the map with the village for their future reference.
- (8) Often the map prepared includes many corrections. You may assign two or three persons to re-draw the map to make it clearer. The new map can be prepared in the evening (home work). Leave with them paper and colour pencil, markers.
- (9) Remember to make use of this map during the discussion on regulations.
- (10) Wrap-up, summarizing the main points discussed during this exercise.

Some suggestions to facilitate the group discussion

- Where is your village?
- Where are the main roads, rivers, springs, and cemetery?
- Where is north and south?
- Which are the areas for plantation, holy, production, and protection?



Forest Protection and Development Regulations Implementation Guideline

- Can you indicate them on the map? (Their location and boundary)
- Can you identify different forest conditions?
- Are you using different forest areas for different purposes?
- In which area is harvesting not allowed (timber and/or firewood, bamboo, others)?
- Which forest areas are considered to be better or poorly managed?
- What threats are occurring in what area?



SESSION 1.4 IDENTIFICATION OF PROBLEMS RELATED TO FOREST PROTECTION AND MANAGEMENT

OBJECTIVES	<ul style="list-style-type: none">□ Villagers will have exchanged the main problems they feel they have in forest management□ Villagers will have made a list of problems/issues they would like to discuss during the meeting
OUTPUT	<ul style="list-style-type: none">□ List of problems
LOCATION	<ul style="list-style-type: none">□ Indoor
MATERIALS	<ul style="list-style-type: none">□ Hat or basket, small paper, pens, tape or pins
TIME	<ul style="list-style-type: none">□ 45 minutes

FACILITATOR'S NOTES

- Within the community there might be issues, related to forest management and utilization, that are controversial and of more concern for all. At the beginning of the meeting it will be important for the village members to express these concerns for all to know and to make sure that during the discussion and the decisions that will follow, these points are taken into consideration. This will strengthen peoples' confidence and participation in the meeting.

STEPS

- (1) Explain the objectives and the procedure of this exercise to the participants.
- (2) Distribute to each villager a small piece of paper and ask them to write one main issue or problem they would like the meeting to consider, or to be taken into account. (*Allow 10 minute to write*)
- (3) Ask villager to put their card into a hat (or small basket).
- (4) Collect the hat and read the cards for all to know.
- (5) Group the cards according to problems (topic) avoiding duplications.
- (6) Make a final list of the main problems the villagers would like to consider during the meeting.
- (7) You may also decide to change the order of the topics to be discussed later in the meeting, starting from the one villagers have indicated they are more concerned about.
- (8) Discuss on the map where major threats are located and occur, including threats from outside the commune or district.
- (9) Wrap-up, summarising the main points discussed.

Note: This exercise can also be done in group of 2 (instead of individually), especially in case some of the participants does not feel confident in writing.



SESSION 1.5 DESIGNING REGULATIONS FOR HARVESTING OF FOREST PRODUCTS

- OBJECTIVES**
- Villagers will have identified the forest products they want to regulate;
 - Villagers will have discussed and agreed on regulations to be applied to each product and each area;
 - Villagers will have identified and agreed on the level of fine to be applied.
- LOCATION**
- Indoor
- MATERIALS**
- Flipchart, markers, pins, the village forest map, list of main problems, copies of table form in A4 format.
- TIME**
- 1 ½ hours

FACILITATOR'S NOTES

- As timber harvesting will be addressed in further detail during the PFRA and the forest management plan development the main focus in this section should be on how to regulate the extraction of other forest products like Rattan, resin, herbs, medicinal plants, honey etc.
- During this step villagers will identify and agree on which regulations villagers think are most appropriate to regulate the harvest of each forest product by each of the previously identified forest areas.
- The forest map previously prepared will help villagers to visualize each area.

Some suggestions to facilitate group discussion

- Which are the important forest products you want to include in the regulations?
- Which are the villagers/groups entitled to harvest forest products?
- By product:
 - * Where it can be harvested?
 - * Where it cannot be harvested?
 - * When is the appropriate time for harvesting?
 - * What quantity is each household or community allowed to harvest?
 - * How harvest should be done? (harvesting formalities)
 - * What compensation should the transgressor asked to pay?
 - * What fines should be applied to violators?



STEPS

- (1) Explain the objectives and the procedure of this exercise to the participants.
- (2) Facilitate a quick brainstorming to identify which forest products villagers would like to include in the regulations. At the end write the final list of products on a flipchart and fix it on the wall for all to see.
- (3) Copy the table on the next page on an A0-paper sheet and put it up for all participants to see (use the table provided on the next page).
- (4) Ask villagers to divide into three or four groups and ask each group to discuss and write on paper for each forest product:
 - What is allowed, location, when, quantities, by each forest area indicated on the map,
 - ways to measure/assess sustainable harvest level,
 - what is not allowed and where,
 - compensations to be paid,
 - the fine to be applied,
 - Alternatively you can also provide each group with the same table as drawn on the A0-paper on A4 format to facilitate the group discussion.
- (5) Hand over one table form on A4 paper to the secretary and explain to her/him that she/he will need to fill it out once the groups come to an agreement.
- (6) Mention that for timber harvesting, a reference will be made to the existing forest management plans (if forest management plans have not been elaborated yet, inform the participants about the methodology and ask them if they would like to establish such plans – refer to the notes below for further information !).
- (7) Ask a representative of each group to present her/his group finding to all. Promote and guide discussion if disagreements on regulations arise so that a consensus is reached.
- (8) Assign one participant to fill out the big table form by noting all issues agreed upon by the groups.
- (9) Meanwhile, the secretary should copy the points from the big table onto the small table (on the A4 paper). This final table will be attached to the approval document.
- (10) Wrap-up, summarising the main points discussed.
- (11) Finally ask all the participants to sign the table completed by the secretary.



Note: Often villagers concentrate only on the quantity of forest products. Depending on local situation there could be more important details that could be included in the regulations in particular the time and modality of the harvest.

After making the list of products to consider, to increase villagers' participation especially women, it is suggested to divide the participants into smaller groups (3 or 4) and then combine their findings in plenary session. The composition of the groups is very important and can vary according to situations.

As far regulations for the harvesting of timber are concerned, participants should make a reference to existing forest management plans (in the columns under "area allowed" – location, when, quantities). Areas where harvesting is not allowed (e.g. holy forests, watershed protection forests) should be identified and noted down in the table, as well as compensations and fines to be paid for timber harvesting.

Compensations are due in case that the village decides that a certain amount of money has to be paid for the use of timber - in this case they have to carefully determine which amount has to be paid per stem of various dimension (e.g. for house-construction, fence posts, fire wood, etc.). This will also be easier once forest management planning has been completed, since villagers will have a common understanding about the different dimensions of timber, as well as how much timber is needed to build various products (such as houses, stalls for livestock, fences, etc.). The compensation money can be used to finance forest patrolling or activities of forest rehabilitation (enrichment planting, afforestation, agroforestry, etc.) carried out by the community, as well as for compensation of the members of the village forest management board.

Fines will be due in case that villagers or outsiders violate the regulations (for example harvest timber without permission by the village forest management board or from forest blocks which have been placed under protection). Remind farmers about the right of the village head (and VFMB) to claim fines directly from the violator up to a limit of 50.000 VND per case.

Table of regulations for harvesting forest products

Product	Area allowed			Area not allowed (Location)	Compensations and Fines	Modality of harvest
	Location	When	Quantities			



SESSION 1.6 DESIGNING REGULATIONS FOR ILLEGAL TRANSPORT OF FOREST PRODUCTS

- OBJECTIVES**
- Farmers will have identified for which forest products transported they want to establish regulations;
 - Farmers will have identified and agreed on the level of fines to be applied in case of illegal transportation of forest products.
- LOCATION**
- Indoor
- MATERIALS**
- Flipchart, markers, pins, the village forest map, list of main problems
- TIME**
- 45 minutes

FACILITATOR'S NOTES

- In this step farmers will identify and agree on regulations for the illegal transportation of forest products through their village.

STEPS

- (1) Copy the table-form on A0-paper
- (2) Explain the objectives and the procedure of this exercise to the participants.
- (3) Ask farmers which forest products they know are usually transported illegally through their village. Mention that whenever they detect somebody while illegally transporting forest products, they have the right to stop him/her.
- (4) For each product mentioned, asked the villagers to determine a suitable compensation that the village can claim from the violator (refer to the notes below for details). Inform them about the maximum compensation to be claimed per violation case.
- (5) Inform the participants about their duty to hand over the violation means and forest products to the commune authorities.
- (6) Wrap-up, summarizing the main issues.

Table on Regulations on illegal transportation of forest products through the village

Transported Forest Products	Compensations	Remarks

Note:

The compensation money serves as an incentive for villagers to stop and report people who are illegally transporting forest products through their village. The maximum amount that can be claimed directly from the violator as compensation is limited to 50.000 VND per case (according to Resolution No. 15/2002/NG-HDND). Moreover, all cases have to be reported to the commune, as forest products do not belong to the village forests (this has been regulated in the previous step).



SESSION 1.7 DESIGNING REGULATIONS FOR UPLAND CLEARING AND BURNING

- OBJECTIVES**
- Villagers will have discussed and agreed on clearing and burning regulations to be applied to each agricultural area surrounding their and others village forests;
 - Villagers will have agreed on modalities/techniques for uplands burning;
 - Villagers will have identified and agree on compensation and fine to be applied.
- LOCATION**
- Indoor
- MATERIALS**
- Flipchart, markers, pins, the village forest map, list of main problems
- TIME**
- 45 minutes

FACILITATOR'S NOTES

- The farmers will now decide which regulations are most appropriate to regulate the clearing and burning of upland fields for cultivation. Usually it is important that farmers clarify in which areas clearing and burning for cultivation will be allowed (bare forest land) and where it will not be allowed (existing natural forests). Depending on the previous LUP/FLA process, this information should already be available and be written down in the regulations table.
- The forest map previously prepared will help villagers to visualize the surrounding agricultural field of each forest area.

TERMINOLOGY: In order to avoid confusion, the expression “clearing and burning” refers to both, bare land as well as existing natural forests.

Some suggestions to facilitate group discussion

- Has land allocation been carried out?
- Has forestland been physically demarcated?
- Is there an area where land allocation has not been conducted?
- Which are the areas where burning and clearing is prohibited?
- Which are the areas where burning and clearing is allowed?
- What is the appropriate time for upland clearing and burning?
- What are the techniques that should be used by all for upland burning?



STEPS

- (1) Before start this exercise it will be important to find out whether the land allocation has been carried out or not and if land has been physically demarcated.
- (2) Copy the table form presented on the next page on an A0-paper and put it up for everyone to see. Also provide the secretary with a copy of the table form in A4-format.
- (3) Explain the objectives and the procedure of this exercise to the participants.
- (4) Assign one participant to write the main findings on the big table form.
- (5) Making use of the map ask farmers to indicate where clearing and burning should not be allowed. This is important when forest and agricultural areas have not been allocated/demarcated yet. An agreement/decision on boundaries should be reached. Farmers have to clarify if there are any additional forest areas that are to be cleared and burned for agriculture (only in cases where not enough bareland is available). Such areas should be specified in the table form (i.e. in forest block A, in a strip from 10 or 100 meters from the stream....).
- (6) Then guide the discussion by asking villagers to discuss on:
 - Where is burning allowed?
 - What should be the size of the fire prevention belt?
 - When is time for burning on agricultural fields?
 - How burning should be done (techniques/modalities)?
 - What compensation should be paid?
 - What fine should be paid?
- (7) Follow the discussion, ask questions to involve silent people, help the group to share ideas.
- (8) While the discussion is going on assist the respective participant to write the main decisions in the table form for all to see.
- (9) Provide assistance for the secretary, copying the main points noted on the big table into the table on A4 format.
- (10) Wrap-up, summarising the main points discussed and agreed.
- (11) Ask the participants to sign the table form completed by the secretary, as this document will be attached to the document for approval.

Note: According to Decision 178, forest owners are allowed to use up to 20% of the received forest land without forest, but falling under production forest planning, for agricultural production.

Table to be used to summarize villagers decisions

Activity	Area allowed			Area not allowed	Compensations and Fines
	Location	Time	Modality of burning		



SESSION 1.8 PREPARING THE FIRE PREVENTION PLAN

- OBJECTIVES**
- Villagers will have discussed and agreed on how forest fire should be prevented;
 - Villagers will have agreed on individual responsibilities to prevent forest fires;
 - Villagers will have agreed on the composition of the fire prevention group and its responsibilities;
 - Villagers will have identified and agree on compensation and fine to be applied.
- LOCATION**
- Indoor
- MATERIALS**
- Flipchart, markers, pins, the village forest map, list of main problems
- TIME**
- 45 minutes

FACILITATOR'S NOTES

STEPS

- (1) Copy the table form presented below on an A0-poster.
- (2) Explain the objectives and the procedure of this exercise to the participants.
- (3) Guide a plenary discussion by asking the farmers to discuss the issues presented in the table form. Ask one farmer to write down the main points.
- (4) Start with the first row of the table, namely regulations for fire prevention and ask the group to clarify the following questions:
 - What should be done immediately in case a forest fire has been detected?
 - What should be done immediately in case of forest fire?
 - Who is the main responsible for mobilizing the whole village in case of fire?
 - Should a fire prevention group be appointed? (often forest protection groups have also responsibilities for fire prevention)
 - Should the work of the fire prevention group be paid?
 - Is there any funding available for this? If not, how will the groups be paid?
 - How should we deal with households where only elderly people live?
- (5) Ask the farmers to determine what should be done to avoid the occurrence of forest fires by clarifying the following questions:



When burning the land for cultivation are fire breaks needed to avoid that the fire can spread into the forest?

What is suitable widths for such fire breaks and which technique is to be used for the establishment?

What are suitable times for burning?

Do we have to inform somebody (village head, village forest management board) prior to burning? How long before?

Will it be allowed to leave a fire unattended?

How should we deal with households who intentionally avoid participating in the fire prevention?

- (6) In the next step farmers need to determine what needs to be done in case of violations of these regulations and what fines and compensations apply. Start by asking the farmers to list the violations, then to determine suitable fines and compensations.

Some typical violations include:

Leaving a fire unattended.

Provoking that a fire spreads into the forest because of inappropriate burning technique (no fire break, wrong time of the day).

Deliberately burning of forest (outsider and insider)

Fire spreads into the land of the neighbour (what are compensations to be paid?)

- (7) Fines have to detail how much will have to be paid by the violator for the various violation cases. Here it should also be stated whether warnings will be issued first, and if the case gets reported to the commune (it can be suitable to report minor cases if it is the second or third time the violator has been caught). Compensations have to detail how much has to be paid by the violator for the damage done, e.g. for one "sao" of forest burned.
- (8) Wrap-up, summarising the main points discussed and agreed.

Note: To promote people's participation (and individual contributions), this exercise is better done in smaller groups asking each group to discuss on the list of questions and to share results with all.

Table on Regulations for fire prevention & extinguishing

1. Regulations for fire prevention	
2. Regulations for fire extinguishing (What is done in case of forest fire?)	
3. Fines and Compensations	
Type of violation	Fines and Compensation



SESSION 1.9 DESIGNING REGULATIONS FOR CATTLE GRAZING

- OBJECTIVES**
- Villagers will have discussed and agreed on regulations to be applied to regulate grazing in each forest area;
 - Villagers will have identified and agreed on compensations and fines to be applied.
- LOCATION**
- Indoor
- MATERIALS**
- Flipchart, markers, pins, the village forest map, list of main problems
- TIME**
- 45 minutes

FACILITATOR'S NOTES

- This meeting participants will decide which regulations are most appropriate to regulate cattle grazing in the forest.
- The forest map previously prepared will help villagers to visualize the different forest areas.

Some suggestions to facilitate group discussion

- In which forest area is cattle grazing prohibited?
- Which ones are designated areas for grazing?
- In case of damage how the cattle owner and the damaged owner should resolve?
- If they cannot resolve, who has the authority to intervene?

STEPS

- (1) Copy the table form presented on the next page on an A0-paper and put it up for everyone to see. Also provide the secretary with a copy of the table form in A4-format.
- (2) Explain the objectives and the procedure of this exercise to the participants.
- (3) Explain that according to government regulations¹ grazing is allowed in production forests.
- (4) Inform villagers thoroughly about the negative impacts cattle grazing has on the natural regeneration of forests. You can draw pictures of a forest before and after grazing to demonstrate the loss of saplings. Ask the villagers how their forest will look like in the future in case there are no small trees to replace the bigger ones. It is essential that you explain this issue careful, as villagers are usually focused on their cattle and are seldom aware on their negative impact on the forest.
- (5) Assign one participant to write the main findings on the big table form.

¹ Decision No. 178/2011/QD-TTg allows for cattle grazing in production forests



- (6) Guide a plenary discussion by asking villagers to discuss, one at the time, the following:
 - Which area is designated for grazing?
 - If there is no area designated, which land/areas could be used for grazing?
 - Modalities for grazing?
 - In the agricultural and forestland how to settle dispute between owner, protector and violator?
 - If they don't come to an agreement who should be involved? Who has the authority to intervene?
- (7) What compensation should be paid for grazing in the forest areas?
- (8) What fines should be paid for grazing in the forest areas? According to Decree 139/2004, Article 12, for the first time grazing is detected in a prohibited area, a warning or compensation for damage up to 100.000VND can be issued, if less than 25 trees have been damaged. In case that more than 25 trees have been damaged, a fine ranging from 4000 VND up to 6000 VND per tree can be issued. Additionally to that, the violator has to replant the damaged trees.
- (9) What compensations have to be paid by the violator, for example if his livestock has damaged agriculture crops of other villagers?
- (10) While the discussion is going on assist the respective participant to write the main decisions in big letters in the table form for all to see.
- (11) Provide assistance for the secretary, copying the main point noted on the big table into the table on A4 format.
- (12) Wrap-up, summarising the main points discussed.
- (13) Ask the participants to sign the table form completed by the secretary, as this document will be attached to the document for approval.

Table to be used to summarize villagers decisions

Type of domesticated animal	Who is allowed to graze	Area allowed		Area not allowed	Compensations and Fines
		Location	Time		



SESSION 1.10 DESIGNING REGULATIONS FOR HUNTING & HARVESTING OF WILDLIFE

- OBJECTIVES**
- Villagers will have discussed and agreed on regulations to be applied to wildlife hunting and harvesting in each forest area;
 - Villagers will have learned more about rare and protected species in their province;
 - Villagers will have identified and agreed on compensations and fines to be applied.
- LOCATION**
- Indoor
- MATERIALS**
- Flipchart, markers, pins, the village forest map, list of main problems
 - list of rare and protected species in the province.
- TIME**
- 30 min

FACILITATOR'S NOTES

- The farmers will now be informed about the current government regulations for hunting and harvesting of wildlife. They will furthermore determine appropriate compensations and fines to be applied.
- The forest map previously prepared will help villagers to visualize the different forest areas.

Some suggestions to facilitate group discussion

- Which animal do you remember you have seen in the past (20-30 years ago)?
- Which animal did you see last and this year (present)?
- What do you think are the reasons for the change?
- Do you know which one are rare and protected species in the province?
- What should we do to improve the situation?
- Which animal can be hunted and in which area?
- Which plants can be harvested and where?
- Where animals and plants cannot be hunted and harvested?
- Where hunting and harvesting is prohibited?
- What fine should be applied?

STEPS

- (1) Copy the table-form on *protection status and fines for hunting of wildlife* (displayed on the next page) on an A0-poster.
- (2) Explain the objectives and the procedure of this exercise.
- (3) Continue explaining that due to government legislation (as stipulated in Decree No.139/2004) the hunting and harvesting of any wildlife is prohibited. Ask them to make a list of all animals which are still found in their forest. Ask one farmer to write the answers on the left side of the prepared table-form.



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- (4) Clarify the local names and add the scientific ones to avoid later confusion (in case of in clarity pictures or photos can be a valuable tools to display the respective animals).
- (5) Proceed for every animal that has been mentioned as follows:
 - a) Ask the farmers whether the abundance of this animal has been declining over the past years. Ask for reasons why.
 - b) Take the list of endangered wildlife of Dak Lak province and inform the farmers about the current protection status of the particular animal species. Let a farmer add the information in the respective column of the table-form.
 - c) Take the list containing administrative fines and inform the farmers about fines to be applied by the government for the hunting of the particular animal species. Let a farmer add the information in the table-form.
 - d) Ask participants to determine a suitable fine to be claimed instantly from the violator detected while hunting in their forest.
- (6) After the first page of the table form has been completed, ask villagers about compensations in case that somebody is laying out traps in the forest or any other violation they can think of that can occur in regard to hunting of wildlife.
- (7) Wrap-up summarizing the main issues.

Page 1 Protection status, fines and compensation for wild animals

Wildlife species		Protection Status	Fines and Compensations	
Local Name	Scientific Name		Authority	Village

Page 2 Fines and compensations for other violations

Type of violation	Fines and compensations
<i>Setting traps in the forest</i>	
<i>Bringing weapons into the forest</i>	
...	

To be added:

- List of rare and endangered wildlife of Dak Lak province
- List of administrative fines for wildlife hunting



SESSION 1.11 IDENTIFYING PROCEDURES FOR COMPENSATIONS, AND AWARDING

- OBJECTIVES**
- Rights of village heads identified;
 - Amount of compensation and awards are identified;
 - identified punishments and fines;
 - identified the amount of compensation and awards;
 - Via clarification of the procedure of how to deal with violation cases farmers will have gained confidence in stopping violators and to report them
- LOCATION**
- Indoor
- TIME**
- 1-2 hours

FACILITATOR'S NOTES

➤ **Hints for discussion:**

- How can disputes be solved?
- Which level of fines should be reported to higher authorities?
- Is it necessary to make records? if yes, who do it ?
- What about the first warning? the second warning ?
- Is it necessary to file of all violations?

STEPS

- (1) Explain villagers that they should identify awards and compensations.
- (2) Discuss on village head's rights: village head has authority to make fines of 5,000 VND to 50,000 VND per case of violation if the value of violated forest products does not exceed 50,000 VND. If the value exceeds 50,000 VND, it must be transferred to higher authority for handling (according to Resolution 15/2002/NG-HDND, Chapter 2, Article 8, Point 9 on monetarial punishment). Discuss the rights of village head in mobilizing villagers to take patrols, check and seize illegal forest products.
- (3) Repeat previously identified compensations. Discuss carefully on these issues in order to make it socially acceptable.
- (4) Discuss with villagers on awards for people who identify violators and solve violation cases. They should identify clearly who will be awarded (forest owners, people identifying violators and solving violation cases etc.) and which percentage of fines will be used for awards, gets into village's and/or commune's budgets. For example:: the total money of punishments and compensations can be divided as follows: Person detecting violations will receive from 20 to 30 % per case. Person arresting violators and solving violations will receive from 20 to 30 % per case. The remain will be kept in village budgets/funds.



- (5) Now draw a sketch of a forest and a person offending against the village forest regulations (e.g. somebody cutting a big tree – tell the participants that he is an outsider to make the violation clear). Now draw another person who spots the violation and tell the people that this person would be them. Now ask what they would do in such a case.

Questions to be asked are should include:

- What is immediately done in such a case?
- Whom can you get to help you?
- What do you do in case the violator is armed?
- Who can make the compensation claim?
- Who fills out the violation case report?
- Which information is needed?

(refer to Annex 2 for a violation case form containing all the important information).

- (6) Appoint one villager to note the main points on an A0-paper for all to see.
- (7) If necessary make another example and let the villagers discuss by themselves for ten minutes before presenting their results. Also give them the previously made list of regulations to check on compensations etc.
- (8) Wrap-up, summarising the main points discussed.
- (9) Ask the secretary to write the minutes of the meeting by copying the main points agreed upon from the A0-paper. An example of a table is presented on the next page.

Notes: As villagers often lack knowledge about the procedures of how to handle violation cases, enough time should be allowed for this exercise in order to make sure that this exercise is carried out thoroughly, making frequent use of examples

Example of table to be used to summarize villagers decisions

RIGHTS, COMPENSATION PROCEDURES, OBLIGATIONS AND BENEFITS
1. Right to claim compensation
2. Procedures
3. Obligations
4. Awarding



SESSION 1.12 IDENTIFYING BENEFITS AND DUTIES OF FOREST USERS AND AUTHORITY

OBJECTIVES	<ul style="list-style-type: none">□ Villagers will have identified the benefits and duties of forest owners and forest protection/fire prevention group;□ Villagers will have identified who has the authority to fine violators;□ Villagers will have identified the amount and source of funding to pay for the work of the village protection group;
LOCATION	<ul style="list-style-type: none">□ Indoor
MATERIALS	<ul style="list-style-type: none">□ Flipchart, markers, pins, list of main problems
TIME	<ul style="list-style-type: none">□ 1 hour

FACILITATOR'S NOTES

- In order to be able to implement the forest protection and development regulations effectively, villagers need to know what their responsibilities are and what benefits they can expect from the management and protection of their forests.
- This session can be carried out as:
 - a plenary discussion or
 - a small group (6 to 10 people) comprised of representatives of village's main mass organizations. Assign them tasks to propose benefits and duties, reimbursements, compensations to be presented in the following village meeting for comments and approvals.

STEPS

- (1) Explain that in order to clarify rights and duties, it should distinguish types of ownerships and management responsibilities:
 - a) Natural forest allocated to the community/groups of households with red book certificates
 - b) Natural forest managed under protection contracts.
 - c) Forestry land where households or individuals invest to plant forest themselves.
- (2) Explain to villagers that as for b) and c) rights and duties are clearly stipulated in protection contracts and Red books. (*Discuss on benefits and duties if necessary*)
- (3) Explain that as for a), the red book holders have rights to gain benefits from forest in the time of harvesting. They must pay tax for Government. They are in charge of protecting and managing forest according to FPDRs.
 - Discuss with the villagers on responsibilities/duties of a) natural forests allocated the community/groups of households with red books.
- (4) Start asking about the responsibilities/duties of every household. Tell participants that they should think about the previous steps to define the duties of each household. Some examples for responsibilities and benefits are provided in the table.



- (5) Continue in a similar way for the forest protection/fire prevention groups as well as the village forest management board.
- (6) Now discuss on **benefits** from forest products and identify rules on benefits and obligations for the use of specific forest products.
- (7) This should be best discussed after villager has already been introduced to the benefit sharing mechanisms under the options for self-consumption and commercial timber harvest.
- (8) Develop a list of forest products with three columns for 1) forest product, 2) benefits and 3) obligations and place it at the wall for all to see.
- (9) Suggested categories are: construction timber for housing, grave houses; dry dead, fallen and broken trees; firewood; confiscated timber, thinning products...
- (10) Invite participants to discuss for each category on specific benefits and rights to consume or sell these products.
- (11) Link to the specific form of land allocation that has already taken place in the village (individual household, user group or community) when defining rights and benefits.
- (12) Continue by discussing on required obligations for individuals, user groups or the entire community (reporting procedures, required activities, levels of compensation...).
- (13) At the end the completed table form should contain all required information to regulate village-internal regulations on consumption and benefit sharing of forest products.
- (14) Wrap-up, summarising the main points discussed.

Note: The discussion of responsibilities and rights of the village forest management board will be much easier and comprehensive if forest management plans have been elaborated already. If this is the case, the information required will be part of the 5-year forest development plan.

As far as benefits from forest management are concerned, i.e. the right to sell timber commercially in order to get revenues, villagers have to be informed that this will currently not be possible due to the unclear benefit sharing policy. However, this shortcoming is believed to be overcome in the near future.



Table of responsibilities and benefits

Each villager
<p>Responsibilities/Rights:</p> <ul style="list-style-type: none"> <i>Act in accordance to village forest protection regulations</i> <i>Participate in forest protection/fire prevention groups</i> <i>Stop violators in the forest, as well as to report violation cases to the village forest management board</i> <i>Extinguish forest fires or inform village forest management board/fire prevention group if the fire is too big</i> <i>Have to apply to the village forest management board for the harvesting of timber</i> <p>Benefits:</p> <ul style="list-style-type: none"> <i>Allowed to satisfy demand for forest products from the allocated natural forest (according to the forest management plan)</i> <i>Get compensated for the reporting of violation cases as well as when helping to stop violators.</i> <i>Entitled to certain share of revenues at times timber can be sold commercially</i>
Responsibility of forest protection/fire prevention groups
<p>Responsibilities/Rights</p> <ul style="list-style-type: none"> <i>To patrol the forest regularly</i> <i>To stop violators, confiscate their violation means and bring both back to the village forest management board</i> <i>Extinguish forest fires, mobilize village in case that forest fire is too big</i> <p>Benefits:</p> <ul style="list-style-type: none"> <i>Get compensated for their protection work – or if funds are lacking get prioritised for the use of forest products</i>
Responsibility of village forest management board
<p>Responsibilities/Rights</p> <ul style="list-style-type: none"> <i>To organise forest protection activities (scheduling of forest protection groups)</i> <i>Right to confiscate and store violation means and respective forest products</i> <i>Responsibility to make violation case reports and pass them on to the commune for further handling</i> <i>Organise forest management (as regulated in the 5-year forest development plan)</i> <p>Benefits:</p> <ul style="list-style-type: none"> <i>Get compensated for their labour and responsibilities (as stated in the 5-year forest development plan).</i>



SESSION 1.13 DECIDING HOW FOREST REGULATIONS WILL BE DISSEMINATED WITHIN THE COMMUNITY

- OBJECTIVES**
- Villagers will have shared ideas and decided on how forest regulation should be made easily known to all.
 - Villagers will have agreed on who will be responsible to disseminate the approved regulations.

- LOCATION**
- Indoor

- MATERIALS**
- Paper for sub-groups, pens, flipchart, markers, pin and tape

- TIME**
- 1 hour

FACILITATOR'S NOTES

- It has been often pointed out that villagers are not always well aware of the forest regulations. Considering that there are several forest regulations it will be important for the community members to decide how regulations should be made known to everyone.
- During this step villagers are assisted to identify the best way village regulations (and relevant government regulations) could be properly make available and known to all.

STEPS

- (1) Explain the objectives and the procedure of this exercise to the participants and ask villagers to divide into organization groups.
- (2) Ask each group to discuss on the following questions:
 - Which ones do you think are the best methods that can be used by the village to disseminate both village and government forest regulations?
 - Which one are the village organizations and/or people that can best accomplish this task.
 - What resources are needed for effective dissemination?
- (3) Ask each group representative to present their finding to all.
- (4) Through plenary discussion assist villagers to finalize the best methods for dissemination and who will do it.
- (5) If not already mentioned by the participants, emphasise on the necessity to adequately inform women. This can be done for example by organizing a meeting of the women's union.
- (6) Wrap-up, summarising the main points discussed.

Note: this exercise can also be done through brainstorming (with flipchart)



SESSION 1.14 REVIEW OF THE PREVIOUS MEETING

- OBJECTIVES** ☐ Participants will refresh their memories of what has been discussed, achieved, and agreed during the previous meeting.
- LOCATION** ☐ Indoor
- MATERIALS** ☐ Notes from previous meeting, charts prepared by participants, the chart showing the overall meeting steps and topics
- TIME** ☐ 15 minutes

FACILITATOR'S NOTES

- The time needed to prepare the village forest protection and development regulations varies from one to three days (or half-days) according to local situation. It will therefore be necessary that each meeting starts with a summary of what has occurred during the previous meeting. This will help to bring attention back to the topics, and to refresh memories on what has been discussed, achieved, and agreed during the previous meeting.

Some suggestions to facilitate the review/summary

- ☐ Which were the main topics discussed?
- ☐ What were the participants' main observations/comments?
- ☐ Which were the main group conclusions or agreement?

STEPS

- (1) Ask a selected villager to summarize what was achieved and discussed during the previous meeting.
- (2) Extend and explain the summary when needed.
- (3) Before the end of the day's meeting identify the villager who will summarize findings at the next meeting (if any) so that they can prepare notes.



SESSION 1.15 BRIEFING ON THE DAY'S ACTIVITIES / TODAY'S AGENDA

- OBJECTIVES**
- Villagers will know the programme, activities for today's meeting.
 - Villagers will be reminded about the process to design forest regulations

- LOCATION**
- Indoor

- MATERIALS**
- flipchart with the process

- TIME**
- 15 minutes

FACILITATOR'S NOTES

- At the beginning of each meeting it is important for villagers to know what is today agenda and which activities have been planned. This helps the group to settle in and focus on the meeting.
- **Some suggestions for presenting today agenda**
 - What are the main objectives of today meeting?
 - Which are the topics that will be discussed; in chronological order?
 - How long the meeting will be?
 - What are the participating villagers expected to contribute most?
 - What will be their and others role?

STEPS

- (1) Present to the participants the activities that have been planned for today and adjust them if required.
- (2) Briefly discuss the objective of each activities and expected outputs.
- (3) If there is a visit to the forest, make participants know about it.
- (4) Review the steps of the methodology so as to make villagers clear about the process and at what step we are today.



Chapter 3 – DOCUMENTING REGULATIONS; APPROVAL AND DISSEMINATION OF REGULATIONS

Finalizing FPRs:

Enclosed in Annex 1 is the format of FPDRs to be submitted for approval. This document attached with village meeting's minutes is submitted to commune and then forwarded to district authorities for approval. If requested, villagers might want to organize a plenary meeting, informing the entire village about the preliminary regulations and give them the chance to revise the protection regulations prior to submission to the commune. Assistance should be provided to the village if such a meeting is to be organized. Because it can sometimes be problematic for women to voice their concerns in a big group, discussions should be held in order to find out a suitable way to enable that women get the chance to participate.

People responsible for aggregating and submitting the FPDR for approval are: the village head and the Village Management Board. The minutes of the village meeting's need to be signed by all representative households.

The role of the facilitator is to support the village head, secretary and members of the Village Management Board to finalize the document.

Approving FPRs:

The approving authorities are the commune people's council and the commune people's committee. The District PC will refer to comments and opinions of the forest protection station, the district Justice office will be responsible for approval.

The role of facilitator is a focal point to connect competent authority agencies in order to have the document approved in suitable time (including modifications, if necessary).

Disseminating FPRs:

After regulations are approved a meeting is organized by the forest protection staff, the cadastral unit of commune and commune agroforestry extension staff, to inform villagers of the approval including modifications made by the commune/district. This is the starting point of the enforcement of the regulations.

During this meeting the village head identifies clearly:

- responsibilities of each villager.
- A seasonal monitoring and evaluation plan.
- How to disseminate FPDRs made in previous meetings.

The role of forest protection officer is to participate and to support further village meetings.

In addition, forest protection officer also support the community to disseminate FPDRs effectively based on ideas of women and men in the village meetings.

The format of the regulations should pay attention to illiterate people or those who can not read computer character's fonts. Especial attention should also be paid on how to identify the best way to disseminate information to women.



Chapter 4 - MONITORING AND PERIODICAL REVIEW OF FOREST PROTECTION REGULATIONS

This chapter refers to responsibilities of different authority levels in implementing and monitoring FPDRs as well as evaluating them regularly.

Implementing and monitoring FPDRs:

District level:

The district Agricultural and Development section co-ordinate to guide the commune and village levels in enforcing the regulations. The district forest protection station is the core assisting body to the district people's committee in monitoring the enforcement of the regulations and at the same time disseminating.

Commune level:

Commune Forest Protection and - Cadastral officers take responsibilities to provide feedback of the approved FPDRs to the commune. The Commune needs to file all copies of FPDRs.

They organize a village meeting to inform villagers of the regulations they have themselves made and about adjustment by the district and the commune in the approving process.

The commune assigns a person to check and monitor the collection of fines at the village level and handle commune level violations.

The commune should receive a copy of all village regulations.

Village level:

The Village Management Board assigns one of its members to be responsible for enforcing, monitoring and evaluation of the regulation. It is also responsible to disseminate the regulations to all households of the village.

In the meeting held for starting the enforcement on the regulation, the village head makes clear each villager's responsibility, make the seasonal forest checking plan and set up the fire prevention and forest protection groups.

It is advisable to make a commitment paper bearing the villagers signatures signifying their agreement with the regulation.

The regulations should be written on A0 paper or on a sign board with large letters and posted where many people regularly meet or pass as remainder.

In the annual village conference it is necessary to review and evaluate the enforcement of the regulations.

In an annual meeting, the following issues should be discussed:

- What are villagers' perception of FPDRs?
- How useful are the regulation for the community?
- Encountered problems and proposed solutions, and ideas?
- If regulation need to be adjusted
- How many violation cases have been settled?
- How much money left of fines has not treated/shared?
- How much money have been collected and used for what?



Forest protection officers should participate in these village meetings and support villagers to handle constraints and difficulties encountered.

Regular evaluation of FPDRs:

FPDRs need to be reviewed and adjusted every 3 or 5 year or in case some policy changes requires FPDR to be adjusted earlier.

After 3 or 5 year implementation, the village may gain experience in forest protection and FPDR's application. Therefore, villagers should review their FPDRs and decide how to readjust them to the new situation.

The Village Management Board and the Forest Protection Officers organize a village meeting to determine whether it is necessary to adjust the FPDRs.

Following the same procedure as during the establishment of the FPDRs, a village meeting will be held to discuss and if necessary adjust, rewrite and submit the new FPDRs for approval.

The role of the forest protection officer is to support this process, facilitate VMB to finalize the document, follow the approval procedures as well as disseminate the new FPDRs.



ANNEXES



ANNEX 1 Format of the regulations document to be submitted for approval

(this format can be used to make photocopy from this guide and distribute to farmers)

REGULATION ON FOREST PROTECTION AND DEVELOPMENT

Activity	To be allowed			Not to be allowed	Compensations
	Location	Quantity	Time	Location	
1 – Timber exploitation					
(With a letter of approval)					
- Wood					
- Bamboo					
- Bamboo shoots					
- Other NTFPs					
2 - Burning forest for upland cultivation					
3 - Animal grazing					
4 - Wildlife animal hunting					
5 - Forest fire prevention					
6 – Benefits					
7 – Duties					
8 – Responsibilities					
- Village head					
	- Fines for the first time of violation: from 5,000 VND to 30,000 VND per case				
	- Making reports/minutes to higher authorities when over responsibilities				
- Forest protector(s)					

Village head

Commune People Committee

Dak Lak, date

District People Committee



ANNEX 2 Violation Case Report

People' Committee of
Village:.....
No:...../200.....

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

MINUTES OF VIOLATING FOREST PROTECTION AND MANAGEMENT REGULATIONS

Today at date
in (location where the violation takes place).....

Representatives of Forest management and protection group including:

Mr.:.....

Mr.:.....

Mr.:.....

and

The detector (or the witness):.....

make this minutes of violation of forest protection and management regulation to the following persons:

Name	Age	Occupation	Current residence

for.....

.....

Violation exhibits are:

.....

.....

Means of action are:

.....

.....

This is to proclaim that all the violation exhibits and means of action are taken to the village for settlement as per village forest protection and management regulation.

The minutes is made into three copies, read in plenum, and jointly signed.

Violator

Detector (witness)

For the FMPG



ANNEX 3 Minutes of Compensation

People' Committee of
Village:.....
No:...../200.....

SOCIALIST REPUBLIC OF VIETNAM
Independence - Freedom - Happiness

Date.....

MINUTES OF COMPENSATION

VIOLATION OF FOREST PROTECTION AND DEVELOPMENT REGULATION

- Based on the FPDR of Approved by DPC, dated
- Based on the minutes of violation No. ..., dated

made to Mr. (Mrs.):

.....
.....
.....
.....

for violation of:.....

.....

Representatives of Forest Management Board including:

Mr. (Mrs.):.....

Mr. (Mrs.):.....

Mr. (Mrs.):.....

claim the above-mentioned persons a compensation for the damage worth:...VND....

Exhibits are:.....

.....

Means of actions:.....

.....

.....

The amends must be made to the village forest management board within 10 days since this minutes is made. In case of failure of obedience, higher compensation will be claimed or higher administration involved to solve the case as stipulated by law.

VIOLATOR

.....

REPRESENTATIVE OF VFMB

.....

DARD **Dak Lak**

Department of Agriculture and Rural
Development
47 Nguyen Tat Thanh St,
Buon Ma Thuot City
Dak Lak Province / SR Vietnam
Tel. +84-(0)50-956.286
Fax +84-(0)50-952.091

DPI **Dak Lak**

Rural Development Dak Lak (DPI / GTZ)
Department of Planning & Investment
17 Le Duan St, Buon Ma Thuot City
Dak Lak Province / SR Vietnam

tel. +84-(0)50-858.431/.476/.504
fax +84-(0)50-850.236
E-mail info@gtz-rddl.org
website www.rddl-daklak.org
www.gtz.de/vietnam

