

LIVELIHOOD IMPROVEMENT LINKED TO FOREST PROTECTION AND DEVELOPMENT PRACTICES AND POLICY RECOMMENDATIONS



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PREFACE

Livelihood improvement linked to forest protection and development is not only a need and a goal, but also an important solution identified in legal documents, policies, and guidelines for forestry development in Viet Nam. This is particularly significant for remote and highland areas, where nearly 10% of the population are underprivileged communities or ethnic minorities living within or adjacent to natural forests, accounting for about 12 million hectares. As climate change becomes a more pressing issue and a negative impact on lifestyle and production, many local governments in our country have chosen a growth path that places forestry first, making forest protection and development one of the pillars of sustainable development.

During its 20 years of presence in Viet Nam, the UNDP Global Environment Facility Small Grants Programme (UNDP/GEF SGP) has supported local communities and administrations in responding to the impacts of climate change, conserving biodiversity, and sustainably utilizing natural resources via applications of community initiatives and solutions.

In tandem with communities in the implementation of the Forestry Law, UNDP/GEF SGP issues this report and policy recommendation on “Livelihoods Improvement linked to Forest Protection and Development”. The document aims to (i) supplement the practical basis contributing to the completion of the legal framework that will guide communities in managing, protecting and sustainably using forest resources in Viet Nam within the framework of the Forestry Law recently approved by the National Assembly; (ii) clarify the nature and reality of linking livelihoods to forest protection and development; (iii) analyze and evaluate some existing data and experiences on this issue; and (iv) propose policy recommendations to solve the problem of linking livelihood improvement to forest protection and development in enforcing the Forestry Law.

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Hanoi, 12/2017

ABSTRACT

This document contains several policy recommendations for improving livelihoods linked to sustainable forest protection and development. The primary policy beneficiaries are local citizens, households, and communities, as well as ethnic minority communities, who are allocated or leased forests or forest environments and contracted for forest protection, and whose livelihood depends on forests, especially natural forests. The paper seeks to clarify the nature and reality of linking “livelihood assets” to “forest assets”, and to provide data on and analysis of domestic and international experiences on linking livelihoods to forest protection and development. On this basis, the paper poses the challenge of “linking livelihoods to forest protection and development” and proposes a policy-based solution. Policy recommendations are expected to meet the requirements of the reality, and to be an opportunity to realize the Forestry Law in order to achieve the desired balance between sustaining income from forests for the people and community and maintaining and improving the quality and value of these same forests.

Keywords: *policy, community, household, natural forest, livelihood forest, livelihood assets, forest assets.*





Muong Khuong, Lao Cai
Photo: Thu Huyen

Livelihood improvement linked to forest protection and development is not only a need and a goal, but also an important solution identified in legal documents, policies, and guidelines for forestry development in our country. This is particularly significant for remote and highland areas, where nearly 10% of the population are underprivileged communities or ethnic minorities living within or adjacent to natural forests, accounting for about 12 million hectares. These forests - which can be special use forests, protection forests or production forests - must all be strictly protected or banned from logging in accordance with the Prime Minister's decision. As climate change becomes a more pressing issue and a negative impact on lifestyle and production, many local governments in our country have chosen a growth path that places forestry first, making forest protection and development one of the pillars of sustainable development for an economy that relies on sloping lands, coastal, and island areas, where there are potentials for forestry development and which face many risks from natural disasters.

Experience has shown that livelihood improvement linked to forest protection and development is a wise choice to achieve a “balance” between “people’s lives” and “forests’ survival and development”. From this point of view, the state responsibility is to set up high-incentive policies to encourage people to participate in social forestry, in order to improve and enhance the quality of life for the people, as well as protect and develop forests and effectively respond to natural disasters, risks and climate change. However, the current policies have not been perfected and do not motivate or attract people and communities toward natural forest protection and development. Specifically:

- ▶ Supports are not adequate for expanding the livelihoods of the people and communities in order to motivate and supplement resources for forest protection and development.
- ▶ There are many overlapping policies; many policies are not practicable.
- ▶ There is a lack of practical and effective policies to prevent and reverse the “new type of deforestation”, i.e. decrease in forest volume and forest quality and loss of forest assets, which is mainly due to the inability to mobilize “the people’s force” so as to bring “practical benefits” to the people while reducing the “budget burden” for the state.
- ▶ The Forestry Law (No.16/2017/QH14), effective from 01/01/2019, requires renovation of and supplement to approaches to policies linking livelihoods with forest protection and development.

This paper seeks to contribute to solving these issues. Its approach is to focus on clarifying the nature and reality of linking livelihoods to forest protection and development. This is followed by an analysis and assessment of some existing data and experiences in this area, as well as recommendations for policies in order to solve the problem of improving livelihoods linked to forest protection and development in implementing the Forestry Law.



Photo: Dang Lam

2.1 Livelihoods and livelihood assets

Livelihood is understood as a way of making a living to achieve one's goals and aspirations. Livelihoods are also necessary for generating income (Robert Chambers and Gordon Conway, 1992; Ellis et al., 2003).

The livelihood assets, also known as livelihood capitals, of an individual, household or community consist of five groups of factors:

- ▶ Human capital: mostly skills, knowledge, capacity for and efficiency at work, and education level.
- ▶ Natural capital: mostly forests and forested lands.
- ▶ Financial capital: mostly income, and accumulation of and access to credit.
- ▶ Physical capital: mostly housing, utilities, supplies, and production equipment.
- ▶ Social capital: mostly social relations and the level of participation in social organizations.

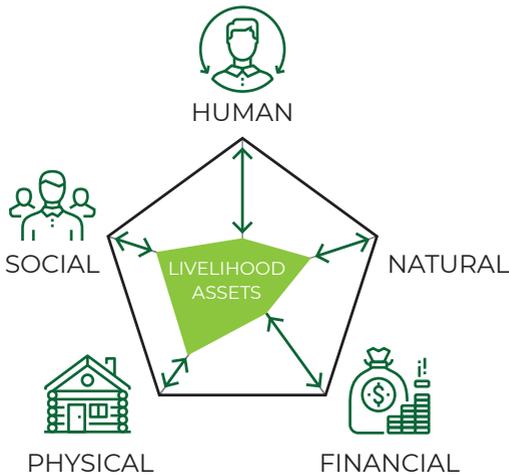


Figure 1.
Group of factors composing livelihood assets (DFID, 2000)

Livelihood is a universal concern. Livelihood assets reflect the capacity for livelihood. Livelihood assets can increase or decrease. We need to pay attention to “livelihood assets” because:

- ▶ The ability to escape poverty depends on access to livelihood assets.
- ▶ Livelihood depends on the diversity and quantity of livelihood assets, and the balance between these groups of assets.
- ▶ Livelihood assets are the basis for identifying livelihood options.
- ▶ Livelihood assets will translate into livelihood outputs or outcomes.

Both the poor and the rich alike pursue livelihood. However, the poor are more vulnerable to the impacts of climate change or resource degradation. Therefore, we need to focus on sustaining the livelihoods of poor rural people (Lase Krantz, 2001). Their livelihoods will be sustainable when:

- ▶ They are able to adapt to or survive vulnerability contexts.
- ▶ They maintain or increase their livelihood assets.
- ▶ They do not destroy or degrade natural resources.

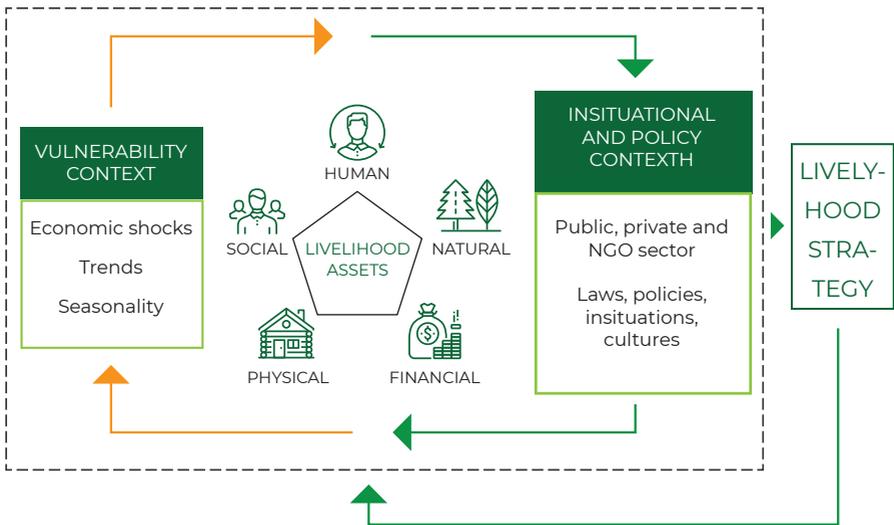


Figure 2. Sustainable livelihoods framework
 (Based on DFID (2000) and Stephen More et al. (2009))

Human livelihoods often occur in vulnerability contexts (e.g. shocks from the economy, health, natural disasters, pests, conflicts; trends of the population, resources, technology, government action; seasonality of price fluctuations, production, and employment opportunities). The livelihood assets are both the center and the starting point of each individual, household, or community. They must access these assets at a certain level. These assets will change through their interactions with the legal, policy, institutional and administrative environments. These environments will determine the people's livelihood strategy and generate livelihood outcomes (Kollmair et al., 2002).

2.2 Forest assets

The goal of forest protection and development is to maintain and improve the quantity, quality, value and other useful functions of the forest. The comprehensive indicator that reflects this is called forest resources capital or “forest assets”. Forest assets may be understood as the value of forest products (timber and non-timber forest products) and the value of the diversity, function, health and service of the forest ecosystem.

2.3 The balance between livelihood assets and forest assets

The purpose of linking livelihoods to forest protection and development in implementing the Forestry Law is to properly address the relationship between “livelihood assets” and “forest assets”. Specifically, the livelihood assets of individuals, households and communities are improved through the process of managing, protecting, developing, utilizing, and benefiting from forests and forested lands simultaneously with the process of increasing forest assets. The upward dynamic equilibrium between livelihood assets and forest assets is a goal and a need of sustainable forestry development, or more broadly, of a balanced, people-centered agriculture.

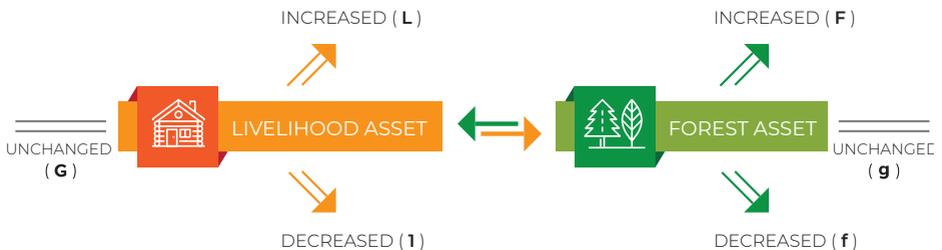


Figure 3. Balance between livelihood assets and forest assets

(Pham Van Dien, Nguyen Thi Thu Huyen, 2017).

The desired model is L - F, i.e. increase for both livelihood assets and forest assets. Such a situation would achieve an upward dynamic equilibrium between livelihood improvement and forest protection and development. Models L - g, G - F, G - g are also acceptable.

The remaining models: L - f, l - F, G - f, l - f are difficult to accept. Of these, L - f will cause degradation of forest resources and create unsustainable livelihoods. The model l - F does not achieve the goal of improving people’s livelihood, and is also infeasible. The l - f model is the worst, since it represents both poverty and degradation of natural resources; however, it seems to be most common in practice.



Photo: Project Quan Ba

In the above relationships, human beings are the goal and center. If forest assets are a part of livelihood assets, the probability of achieving either L - F or L - g increases significantly. At the same time, the balance among livelihood assets themselves is also crucial. It is necessary to improve and increase both livelihood assets and forest assets through production and business activities and the enrichment of forest resources, and not through the exploitation or overuse of forests. In other words, the “win-win” linkage between livelihood improvement and forest protection and development is achievable, but is so conditionally and restrictedly. These are the key points that need to requires careful consideration when developing or improving forestry policies in the coming time.

3.1 Livelihood and deforestation

The first question to pose is whether poor livelihood is the cause of deforestation and forest degradation.

International experiences have shown that once issues related to poverty and the imbalance in access to resources have been solved, local communities recognize their responsibility for protecting and developing their forests. Deforestation causes poverty, and poverty increases deforestation. The current reports in our country basically refer to the following four main causes of forest loss in recent times:

- ▶ Conversion of forests and forested lands into agriculture plantations of industrial crops such as rubber, coffee, pepper, and cashew; aquaculture; etc. (This accounts for about 20% of the cause.)
- ▶ Exploitation beyond the permitted level (about 50%).
- ▶ Shifting cultivation, and poverty (over 20%).
- ▶ Forest fires, natural disasters, and risks (about 10%).

Although there is no data specifically on deforestation due to poor livelihoods, it is possible to see from the data above that most of these causes are related to livelihoods. For example, the conversion of forests and forested lands to agriculture or rubber plantations, shifting cultivation, and forest fires are all linked to livelihoods. Thus, it can be seen that improving livelihoods plays a crucial role in forest protection and development.

On the national level, from 2005 to 2012, the total area of rich forests decreased by 10.2%, and the area of average forests decreased by 13.4%. There are 24 million people across the country whose livelihoods depend on forests, of which approximately 3 million are ethnic minorities, with a limited area of cultivated land (0.1 ha/person). Therefore, on the one hand, forests are an important livelihood for the people; on the other hand, if there are supplementary or alternative livelihoods, the human pressure on forests will decrease.

An example of deforestation in the Central Highlands between 2010 and 2015 (Viet Nam General Administration of Forestry, 2016) shows that the forest area decreased by 312,416 ha, the forest coverage decreased by 5.8%, and the forest volume decreased by 25.5 million m³, an equivalent to 7.8% of the total forest volume in Viet Nam. According to the statistics of the Forest Protection Department, in 2016, there were 5,367 cases of violation, with a total damaged area of 435 ha. In 2015, there were 6,525 cases, with a total damage of 817 ha. This indicates that this latter data accounts for only about 1% of the deforestation rate and therefore needs to be supplemented with more thorough statistics on forest assets; at the same time, it is of extreme importance and urgency to set as a new requirement in policies the management of outcomes in forest protection and development.

The inconsistency between policy and practice manifests in the continuing loss of forest while the people's livelihoods are not improving. The conversion of poor forests and deforested lands for industrial crops has led to forest loss while the livelihoods of the people fail to be improved. In the future, only the conversion of poor forests into livelihood forests should be encouraged.

3.2 Approaches to livelihood improvement

Approaches to livelihood improvement can be summarized into the following four groups (Lase Krantz, 2001):

a) UNDP (1990) focuses on poor and vulnerable groups. UNDP (1990) also argues that it is possible to expand options by expanding livelihood assets, for example through education and training. The notion of sustainable livelihoods emphasizes the balance between current and future generations, i.e. the interests of present and future individuals; the emphasized goal is that human interests are protected across generations.

The livelihood approach calls for a people-centered development. Human needs become the primary basis for policy development. The starting point for policymaking as well as for sustainable livelihoods is the classification of households by livelihood assets. There should be a way to guide people to make use of the five groups of livelihood assets. Often, forests compose the livelihood assets of one person, but not another. For many people, forests are an internal, and not external, factor. It would be more challenging to protect forests as an external factor; therefore, the state should give these people more rights.

b) CARE (1994) focuses on the poorest and most vulnerable groups. They have introduced the concept of household livelihood security (HLS), which emphasizes capacity building for the poor.

c) DFID (1997, 2000) has developed a sustainable livelihoods framework (SLF), which has been widely adopted in development practice. DFID emphasizes poverty reduction in poor countries and poverty reduction in poor areas, while also emphasizing that there are different ways to apply the livelihood approach. Although the application of the livelihood approach is flexible and adapted to local situations and has a goal defined by the participatory approach, it reflects the following fundamental principles: it must be people-centered and holistic--it must consider the livelihoods of those involved as a whole and put them in perspective; it must be adaptive--it must improve along with changes in order to minimize the negative effects while enhancing the positive effects; it must build on strengths--the core issue of the approach is to recognize everyone's inherent potential; it must contain a macro-micro link--the approach must bridge the gap between these two; and it must be sustainable and long-term.

The sustainable livelihoods approach has also identified four rounds of policy and institutional impacts on livelihoods:

1 Resolve the rights and principles concerning forests and forest assets.

? *The challenge to meet is how to improve the poor's access to forest based goods and services.*

2 Develop livelihood assets.

? *The challenge to meet is how to improve the poor's development with respect to forest-based goods and services.*

3 Develop the market for products.

? *The challenge to meet is how to improve market demands for products created by the poor.*

4 Develop a policy framework for the above three rounds.

? *The challenge to meet is how to improve the major policy frameworks for better involvement of forestry for sustainable livelihoods.*

d) SIDA (2000) points out that increasing the quality of life is not simply a matter of improving income for the poor. More than that, it involves building people's capacity for escaping poverty by their own efforts.

Another issue is whether it is possible to simultaneously use tropical forests for services such as food, timber, and fuel in a sustainable manner, and conserve biodiversity?

This is a matter of live debate among researchers on conservation and development. Some studies state that it is (conditionally) possible, especially when the locality is the subject of forest governance and policymaking.

The number of timber species as an index for forest wealth has been assessed by Lauren Persha (2011) in 84 villages in 6 countries. The percentage of households whose livelihoods depend on forests has been used as an index for forest economy and social participation. This research has shown that a sustainable forest system is one in which the level of biodiversity and people's contribution to the economy are both above average. It also identifies 27% as a good level to be at, mainly in the case where local forest users can become involved in forest governance. This is a lesson for making policies on managing and governing forests that belong to households. Some other cases have not seen the balance between conservation and development owing to:

- ▶ The needs of the community being underestimated. Communities also need to develop livelihood assets.
- ▶ The forest resource base not reaching the desired status.
- ▶ The activities being insufficient to achieve the balance between economy and ecology

Studying 360 villages in 26 countries, Belcher (2004) found that household income from forests accounts for 10-60% of total household income: most forest products are available to the poor due to their having low economic values. Forest products of higher economic values tend to require more work or more equipment for harvesting, which is therefore done by those with more economic resources. Studies also show that the effects of policies differ among different groups, regions, and ethnicities. Therefore, policies should be tailored to the region and the timeline. Experiences in India favor supporting forestry policies at the district level, since districts have their own strategies, solutions, and policies, which are then assigned to the individual communes for implementation.

Leissner evaluated more than 400 research papers and documents on projects that address biodiversity conservation and poverty reduction, and identified 150 examples proven to be beneficial to the poor, which included projects of tourism, conservation, mangrove rehabilitation and integrated agroforestry. The author also discovered many projects that did not benefit the poorest. Experiences in Nigeria show that the sustainable livelihoods approach will help reduce poverty rapidly and reduce dependence on the state. The sustainability of farmer livelihoods is based on the balance between livelihood assets and the degree of resilience to changes.

The Livelihood and Forestry Program in Nepal (2008-2013) supported the demands of forest governance, climate change, leadership, management, strategic vision, and poverty reduction. This program has built institutional capacity for forest-based livelihoods. The program began by assessing the needs of stakeholders, designing 14 items for capacity building, and providing advisory services for more than 150 state forestry staff members and community groups. The program generated income from forests by creating jobs for the poor with 2.8 million work days. The lessons to take home from this program are:

- ▶ A multi-stakeholder approach to support community forestry is feasible and can improve outcomes for both society and forestry.
- ▶ No single approach for the near-poor community based on forest management has been developed as the most live possibility, although some of these models had some prospects.
- ▶ Community forestry can be a major factor in reducing poverty in rural areas.
- ▶ Diversification of forest ownership of stakeholders in combination with the use of multiple sources of funding is promising direction.
- ▶ Documentation for the community has innovated the transfer of community forestry to the poor and women.
- ▶ A participatory monitoring system is very important

Experiences in sustainable livelihood improvement with forest management in Ethiopia were also impressive. They assessed the impacts of participatory forest management on the livelihoods of residents of the Gebradima forest in Southern Ethiopia. A total of 322



households were surveyed, including both those participating in and not participating in the forest management program. The results show that the capital assets value of participants (0.76) was higher than that of non-participants (0.63). The difference occurred mainly in financial capital and human capital. Only in physical capital was there no difference. Financial capital and human capital improved only slightly, whereas natural capital and social capital improved significantly. In Viet Nam, the approach which links livelihood improvement to forest protection and development is also becoming attractive. A number of recommendations have been put forward, as follows:

- ▶ Policies should be concerned with ethnic minorities. The 53 ethnic minorities in Viet Nam comprise only 15% of the population, while accounting for 47% of the poor and 68% of the extremely poor (WB, 2012).
- ▶ Policies to improve livelihoods linked to forest protection and development in our country should focus on the following four areas:
 - Northern Midlands and Mountains, with 13.8% of the poor.
 - North Central and Central Coast, with 8.0% of the poor.
 - Central Highlands, with 9.1% of the poor.
 - Borders and islands.
- ▶ Credit for the poor is a significant factor, with an influence coefficient of 0.526. That is, the increase of 1 unit of participation in preferential credit for the poor reduces 0.526 poor families. Education policy has an influence coefficient of 0.25. Employment support policy has an influence coefficient of 0.911.
- ▶ The causes of poverty are:
 - 1 Lack of capital for production: 51-53% of poor households (financial capital)
 - 2 Lack of land for cultivation: 20-27% of poor households (natural capital).
 - 3 Lack of means for production: 20-22% poor households (physical capital)
 - 4 Lack of skills in business management: 16-23% of poor households (human capital)
 - 5 Lack of labor or large number of dependents: 12% of poor households (Do Kim Chung & Kim Thi Dung, 2016).

- ▶ The loan period for agroforestry development is too short (maximum 3 years). There is no clear-cut distinction between support and relief. Many policies have overlapping beneficiaries. The policies are addressed at the national level and are thus neither appropriate for the grassroots level nor adapted to the different regions. Livelihood development and forest conservation should be the goal and the driving force. Forest conservation is the foundation for sustainable livelihoods; good livelihoods are a prerequisite for forest conservation.
- ▶ At present, poverty alleviation policies are issued on the basis of analyzing the causes of poverty, and not really based on the needs of those in need or on the characteristics of the areas in need, especially those of the communities. Policies on livelihood improvement should: recognize the needs of the people (the poor and poor communities); respect the unique cultural and social characteristics of the locality; ensure community participation; and discourage a dependence mindset.
- ▶ The focus should be on “poor areas”, “poverty centers”, and “priority natural forest areas”. There should be a shift from direct support to indirect support, and from input support to output support. The focus should be on supporting the value chain and conditional support.
- ▶ The three main pillars for solving livelihood issues are: empowerment, opportunity, and social security (Nguyen Ngoc Son, 2012). There should be a policy for replicating livelihood models.
- ▶ There should be calculations and detailed proposals of the costs for forest restoration for households in Bac Can as follows (Pham Van Dien et al., 2013):



- Forest restoration phase (6 years): the state needs to invest 100% of the costs for households. Specific levels of investment must be based on Table 2: zoning for natural regeneration 2,150,000 VND/ha, zoning for artificial regeneration 4,980,000 VND/ha, forest restoration 15,690,000 VND/ha.
- Forest care phase (from the 7th year onwards): the state needs to support households in developing activities in zoned restored forests, creating short-term income for long-term investment. The state can also support households with an investment norm equivalent to that for natural regeneration zoning (358,300 VND/year) or to the amount of the negative interest value at which NPV = 0 for zoned restored forests.
- Forest exploitation phase: the state needs to clearly define the people's benefits and taxes.

Households must register forest rehabilitation plans with the government in order to receive budget support in the first business cycle, and at the same time must follow through on their commitments.

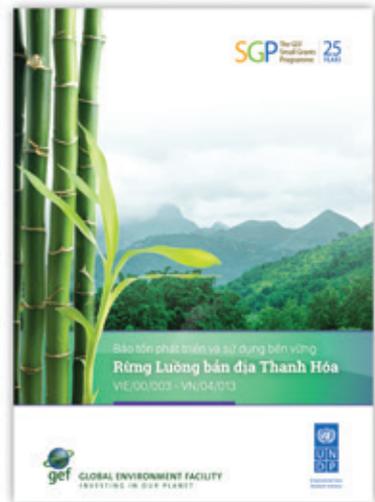
3.3 Experiences and lessons from the Small Grants Programme, United Nations Development Programme - Global Environment Facility (UNDP/GEF SGP)

Since 1992, UNDP/GEF SGP has completed 21,468 projects in 133 countries, providing a total of USD 577 million through global and national programs. From 6/2016 to 6/2017 (Annual Report), SGP has funded 1,120 new projects with a total funding of USD 35.9 million. There are currently 3,125 ongoing projects with a total budget of USD 107.8 million. During this period, 758 projects were completed. The projects fall under the following categories: biodiversity (38%), climate change (22%), land degradation (21%), international waters (3%), chemicals and waste (3%), capacity development (6%), and others (7%).

Livelihood improvement is the focus of SGP. In the reporting years, there were 598 livelihood improvement projects (79% of all projects), 84 projects on multiplication and diversification of livelihoods, 68 projects on food security and nutritional value, 63 projects on access to technologies, 56 projects on improvement of access to infrastructure, and 46 projects on market access.

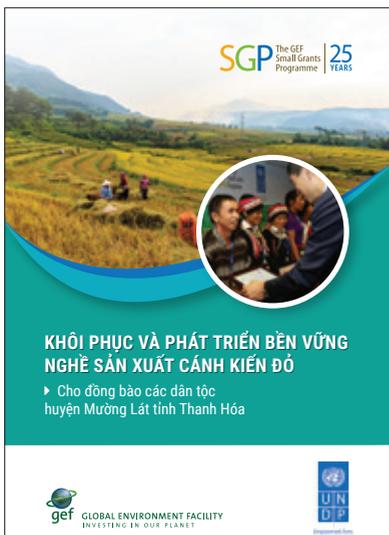
Project in Vietnam

Developing the Model Promoting Sustainable Use of Indigenous Bamboo Forest in Nguyet An Commune, Ngoc Lac District, Thanh Hoa Province (Project number: VIE/00/003, implementation: 2001-2004) and Sustainable use of indigenous bamboo forest resources of Ngoc Lac District, Thanh Hoa Province (Project number: VN/04/013, implementation: 2005-2008). These projects have been successful in building forests to provide non-timber forest products with annual yields of 25 million trees/year since 2004, earning VND 6.7 million/ha/year, many places reaching VND 15-20 million/ha/year. The projects serve as an example of a combination of selecting a tree species with a high economic value and an open market, using indigenous knowledge with modern farming science and technology, and focusing on breeding and intensive farming, with participation of and approval from the people. The projects have more than doubled the livelihoods for traders of the forest Luong and developed manuals and guidelines for the community. The result is the area expansion and quality improvement of the bamboo forest in the project areas, as well as expansion of categories of beneficiaries among the local people.



The projects have more than doubled the livelihoods for traders of the forest Luong

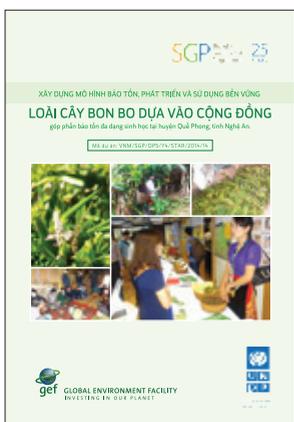
Contributing to biodiversity conservation in Thai Phin Tung Commune, Dong Van District, Ha Giang Province (Project number: VN/06/011, implementation: 01/2007-6/2009): This project approved loans to 50 households to support production that supplemented incomes, thereby reducing the exploitation pressure on 17 species of rare plants. The project also trained and supported 20 households to grow and care for 11,961 rare trees growing on limestone during the first two years. The project also integrated with Program 661 to implement measures of zoning forest regeneration. The project has significantly impacted the livelihoods of households, through human, financial and natural capitals. The project was developed in a sustainable manner, not only in terms of conservation but also in terms of improving quality of life for the community (Le Tran Chan, 2009).



Revitalising traditional lac production for indigenous people in Muong Lat District, Thanh Hoa province (implementation:2007-2013): The project successfully supported the people and community in planting 220 ha of host trees and implemented 16 production seasons. *The project is an example of livelihoods improvement linked to forest conservation and development.* The project is an example of livelihoods improvement linked to forest conservation and development based on a sound people-based approach, correctly identifying the needs of the beneficiary groups and the equality in sharing the funds from the project between these groups (Pham Ngoc Lan, 2017).

Building a community-based conservation, management and sustainable development model of the Bon Bo trees in biodiversity conservation in Que Phong district, Nghe An province (Project number: VNM/SGP/OP5/Y4/STAR/2014/14, implementation: 10/2014-02/2017): Bon Bo - a species of non-timber forest products of high economic value which provide fruits for pharmaceutical use-- was developed in the natural forest. Bon Bo had a major role in indirectly limiting illegal logging and directly enriching the forest (Nguyen Thanh Nham, 2017). The project improved the livelihoods of the people and community in terms of human, financial, natural and social capitals.

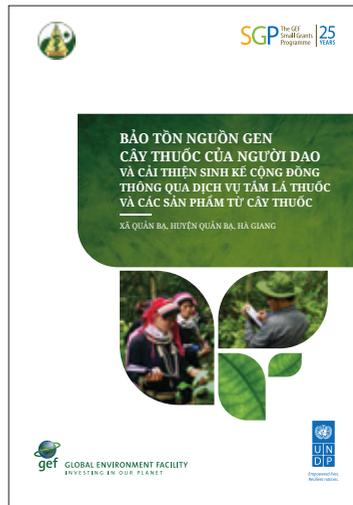
Rehabilitation and conservation of Nyapalms at Cam Thanh Commune, Hoi An City, Quang Nam (Project number: VN/SGP/UNEP-SCS/09/02, implementation: 2010-2013): The project played a meaningful role in proposing policies on organizing the community for an ecotourism that benefited from forest conservation and development (Chu Manh Trinh, 2017).



Conservation and development of medicinal plants of Cham community in Ninh Thuan Province (Project number: VN/SGP/OP4/Y2/RAF/08/005, implementation: 2010-2013): The project had impacts on the people's livelihoods in terms of human capital (raising awareness and providing technical guidance), natural capital (building gardens for conservation of medicinal plants of traditional Vietnamese medicine), and financial capital (generating income for the people practicing the traditional medicine at VND 30-40 million/household/year). The project is another example of livelihood improvement linked to gene source and biodiversity conservation.

Contributing to conserve herbal gen and improve livelihood of Dao ethnic minority through developing herbal bath service for community-tourism in Quan Ba commune, Quan Ba district. (Project number: VNM/SGP/OP5/Y4/STAR/2015/05, implementation: 11/2015-01/2018): The project generated good results in terms of policy proposals concerning organizing communities of ethnic minorities to start business on valuable local medicinal plants (Tran Cong Khanh&Tran Van On, 2017).

Improving the community capacity in developing and demonstrate sustainable livelihood model to less depend on Bach Ma National Park: This project has been implemented in Thuong Nhat and Huong Loc Communes (Thua Thie Hue Province) since 03/2016. One of the important components of this project is the development of a livelihood fund for Co Tu and Kinh groups, who are heavily dependent on harvesting forest products from natural forests. The livelihood fund is supported by the GEF. Up to now, VND 340 million has been disbursed to 36 households, including 17 Co Tu households and 19 Kinh households. Three households have paid back their loans, which has enabled other households to take out new loans, forming a revolving loan. Capital loans are used to create alternative sources of livelihoods, such as poultry, pigs and cattle; planting gac (*Momordica cochinchinensis*), flowers and sugarcane. The project has reduced the number of illegal logging in the project area (3-5 cases/year/commune). The operation of the “revolving livelihood fund” model has proved to be superior to the payment model of forest environment services, although the livelihood fund is smaller and was established later.



The project has reduced the number of illegal logging in the project area (3-5 cases/year/commune).

3.4 Experiences insolving the question of rights to access to and benefits from forests

3.4.1 Abroad

The mechanism for forest benefit sharing is the mechanism for distribution or payment for forest ecosystem services.

- ▶ Recognize sustainable forest management as both a goal and a solution to benefit sharing.
- ▶ Clearly identify conflict types in forest resource management.
- ▶ Better manage conflicts in forest resource management so that all parties can benefit in the long term.
- ▶ Form a partnership in forest resource management: A partnership is the relationship between the parties agreeing to share efforts and common assets toward a common cause, such as the management and sustainable use of resources for sustainable development.
- ▶ Select the appropriate resource ownership (Ostrom, E. 1990):
 - Open access: Loss of resources is unavoidable.
 - Private regime: High economic efficiency in a perfectly competitive market economy, but environmental and social issues may be ignored.
 - State regime: Effective when the state is sufficiently strong and not corrupt. Without adequate management, resource management can become open access or transformed into another regime. Costly.
 - Community regime: Can be managed effectively. Requires collective action.
- ▶ Clearly identify the source of benefits, focusing on the people's interests and the role of the forestry agency (Table 1).

Table 1. Benefits from forests in some Asian countries

	NEPAL	INDIA	THAILAND
Benefits of the people	All revenues from the resources according to the approved plan	<ul style="list-style-type: none"> ▶ All non-timber forest products ▶ About 25-30% of the timber value 	Benefit based on investment in forest restoration and agreement with companies
The role of the forestry agency	Support the planning process and the technical components, and monitor the plan with the key role of the district forestry agency	As a party in direct management, and simultaneously as the supervising office	Provide guidance in technical matters and forestry extension

3.4.2 In Vietnam

a) Decision No. 178/2001/QD-TTg

Unforested protection forest lands: The contracted party receives the fund for planting and caring; benefits 100% of thinning products from supportive trees and 90-95% of exploitation from main products (selective cutting at less than 20%); is permitted to use less than 20% of the land area for agricultural production (if self-funded by the contracted party, they may benefit 100% of exploitation from main products, but are allowed to exploit less than 10% of the forest area every year).

Forested protection forests: The contracted party is permitted to intercrop and benefit intercropped products; is allocated funds according to the current regulations; is permitted to collect secondary forest products and exploit bamboo (less than 30% when the forest reaches coverage level of 80%); and may selectively cut less than 20% with approval

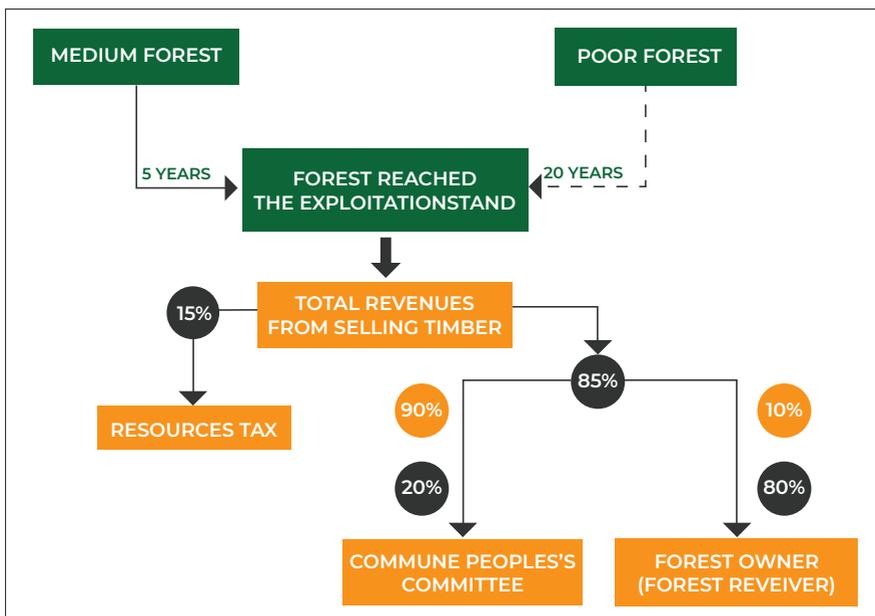


Figure 4. Mechanism for forest benefit sharing according to Decision No.178/2001/QD-TTg

The limitations of the benefit sharing mechanism in Viet Nam are:

- ▶ Inadequate identification of stakeholders.
- ▶ Inadequate identification of sources of benefits from the forest or mere mention of only one certain source of benefit.
- ▶ Little or unclear mention of the form, focal points, and procedures that benefits are permitted to.
- ▶ Contradictions in the regulations.
- ▶ Little attention to forest restoration budget (or allocation to the contracted household to replant forest after harvest).
- ▶ Insufficient connection to forest protection contracts.

b) Some other regulations on benefit sharing

Table 2. Some regulations on benefit sharing from forests in Viet Nam

LEGAL DOCUMENTS	BENEFIT SHARING POLICY
Law on Forest Protection and Development 2004	<ul style="list-style-type: none"> • Recognition of the work done, providing capital and technical support. • The forests are not to be subdivided, leased, or mortgaged, and may not compose capitals.
Decision No.304/2005/QĐ-TTĐ on piloting the allocation of community forests in the Central Highlands	<ul style="list-style-type: none"> • Contracted forest: VND 50,000/ha/year is supported for contracted forest protection, received seedling support, poor households are provided with 10 kg of rice/month/person for hunger relief, VND 5 million per poor household to build a house and VND 400,000 for a water tank. • Allocated forests: Benefit all the products harvested on the allocated area, are supported with the seedling and other benefits as mentioned above.
Circular No.17/2006/TT-BNN (guiding Decision No.304)	<ul style="list-style-type: none"> • Contracted forest: Same as Decision No.304. Overcollection is applied according to Decision No.200 and the benefit rate is applied as stipulated in Decision No.178. If the forest meets the conditions for harvest, it is allowed to harvest no more than 10 m³/household in accordance with Decision No.03/2005. • Allocated forests: Same as Decision No. 304. If the forest meets the conditions for harvest, it is allowed to harvest no more than 10 m³/household in accordance with Decision No. 03/2005. Seedlings support (VND 1.5 million/ha, or VND 2.5 million/ha for large timber trees).
Decision No.106/2006/QĐ-BNN guiding the management of community forests (for 40 pilot communes)	<ul style="list-style-type: none"> • Use of <20% of bare land for agricultural crops. • Organization of tourist service activities. • Support of materials as stipulated by Program 661. • Policies of Decision No. 304.
Document No.2324/BNN-LN (2007) guiding community forest exploitation	<ul style="list-style-type: none"> • Trees to be harvested (50, 60, and 70 m³/ha). Harvest diameter: 5 trees with Dkt (26, 30 cm). • Exploitation volume: <2% of total volume/year and Ic <10% of 1-5 years
Decree No.99/2010/NĐ-CP on payment for forest environment services	<p>Organizations and individuals benefiting from PFES pay PFES to forest owners (community is an entity): VND 20/Kwh; VND 40/m³ of water: provincial mechanism (A: 10% for fund management + B: 5% for backup + C: 85% for individual/community; if the forest owners are state entities, keep 10% of C and assign 90% of C to the contracted households)</p>

Benefit sharing is an important component of long-term forest protection contracts between protection forest management boards and local households, individuals, and organizations. Therefore, it is important to facilitate and encourage participation in forest protection.

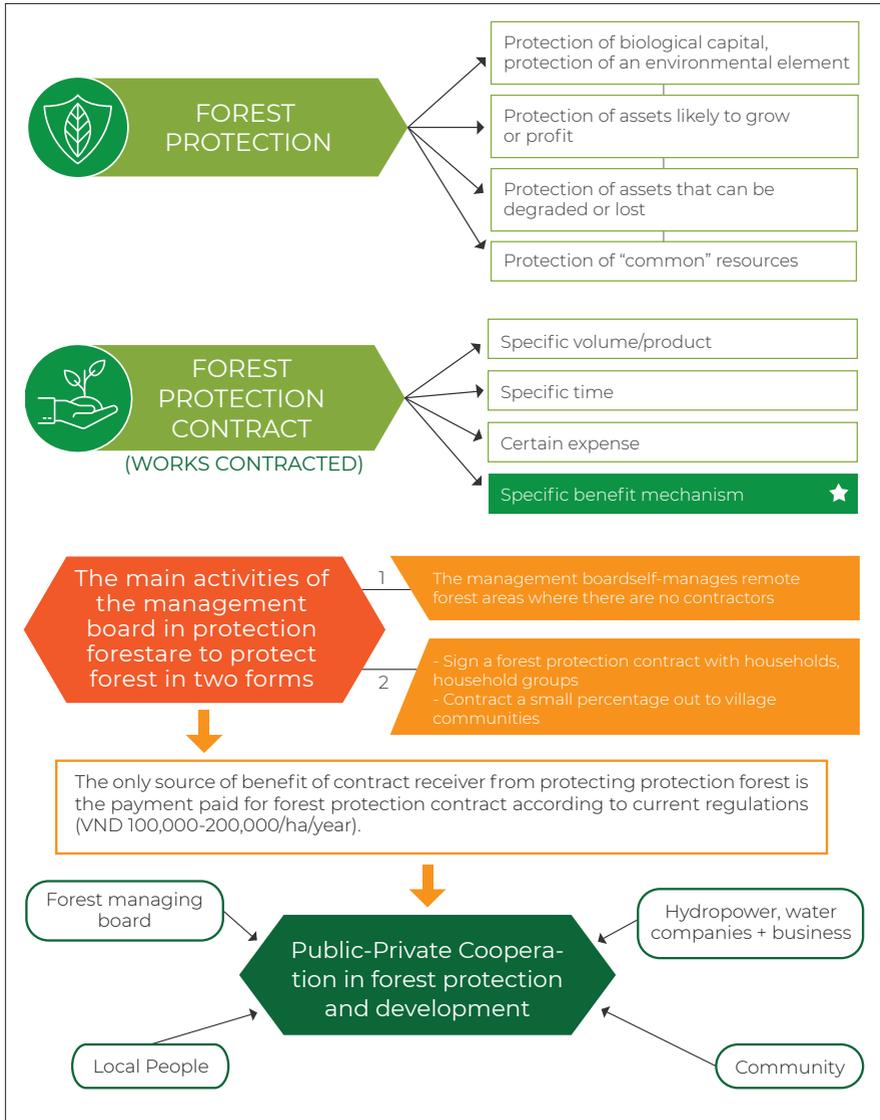


Figure 5. Change in forms of forest protection: from the protection of forest areas to the protection of forest assets; from the main responsibility from forest management boards to public-private cooperation (PPC)

Forest protection contracts with local people along with technical assistance to generate income from forests should be included in regulations about forest protection contracts.

c) Forestry Law 2017

- ▶ The Forestry Law employs the right concept of forest owners. Forest owners are organizations, households, individuals, communities that are assigned or leased forest or land by the state for afforestation; that rehabilitate and develop forests on their own; that legally receive forest transfer, donation or inheritance (Article 2).
- ▶ The Forestry Law socializes forestry activities, ensuring the participation of organizations, individuals, households, and communities (Article 3).
- ▶ The Forestry Law guarantees the legitimate rights and interests of organizations, households, individuals, and communities (Article 4).
- ▶ The state makes sure that ethnic minority people and communities that are forest dependants are allocated forests and lands for integrated forestry, agroforestry, and fishery; that they are able to cooperate with forest owners in forest protection and development, and share benefits from forests; that they are able to practice their own cultures and beliefs associated with forests.
- ▶ The Forestry Law is clear on issues of forest ownership (Article 2) and forest owners (Article 8). Although the state is the representative of natural forest ownership (Article 7), but the State can still designate other entities as forest owners (Chapter 3 - Forest Management). Regulations on the rights and obligations of forest owners are transparent and satisfy practical requirements (Chapter 8)



Photo: Dang Lam

4

POLICY RECOMMENDATIONS FOR LINKING LIVELIHOOD IMPROVEMENT TO FOREST PROTECTION AND DEVELOPMENT IN ENFORCING THE FORESTRY LAW



As presented, in the framework of the Workshop, the paper only mentions a number of policies to help local people and communities improve their livelihoods linked to forest protection and development.

From the above analysis and summary, it is possible to add four new perspectives to crafting and improving policy:

- 1 It is necessary to create conditions so that the forest becomes a part of the “livelihood assets” of the people and the community. This is very important for forming “genuine owners” to bring about “practical benefits”.
- 2 The poor regions and poor people should be placed at the center of policies of improving livelihoods linked to forest protection and development; the balance between improving livelihoods and protecting and developing forest assets should become the measure of the effectiveness of forestry policy.
- 3 The process of socializing forestry needs to place trust on individuals, households, communities and businesses to make policies on the model “two increases, one decrease”, i.e. increase in people’s livelihood assets, increase in forest assets, and decrease in state budget.
- 4 There should be full consultation with beneficiary communities or communities impacted by the policy. Policies related to international financial sources, such as REDD+, require their consensus beginning from the policy-making process.

4.1. Policy on “livelihood forest”

The Forestry Law (No.16/2017/QH14) has clear stipulations regarding the forest owner (Article 8) and state forestry policies (Article 4, Article 14). To institutionalize these regulations requires introducing a “livelihood forest” policy. The basic content of this policy is:

To ensure that each individual or household has land and forest to supplement their “livelihood assets”. Consider this their beneficiary regime. To do this, it is necessary:

- ▶ To review and amend the policies on land and forest allocation in accordance with Decree No.02/1994/ND-CP in order to ensure that all people have lands and forests for production and business, and benefit in accordance with the law. Ensure that each highland household has at least 1-2 ha of “livelihood forest”.
- ▶ Not only to allocate lands and forests, but also to add rights to ethnic minorities to access and use land in the national land use policy. In particular, focus on small holder groups or ethnic minority women. During the process of policy formulation, community consultations should be held and considered as a forum for people to contribute to the change in land resource use. Allow ethnic minorities to speak out their problems and confidently raise issues related to them.
- ▶ To add new provisions to the Forest Protection and Development Law, that people living in special-use forests and protection forests can share benefits from forests, such as by participating in forest protection and receiving benefits from forest protection and development policies, having rights to access forests, exploiting non-timber forest products, intercropping products under forest canopies, etc., while not affecting forest biodiversity conservation (accompanied by monitoring mechanisms).
- ▶ To support the poor to buy forestland to supplement livelihood assets and develop the forest economy.
- ▶ To support individuals, households, and communities in leasing unforested forestry lands for forestry production and business, allowing them to exploit forests and benefit fully from these activities.
- ▶ To transfer two million hectares of forest and forestry land managed by the Commune People's Committees to individuals, households, or communities for management, protection, development, and benefit.
- ▶ To issue certificates of land use and forest use rights to those who have been allocated land and forest.

To have beneficiary mechanisms attached with responsibilities and obligations of forest owners:

- ▶ To clearly define “forest assets” when contracting forest protection or leasing forest or renting forest environments. Complete dossiers and contracts on forest protection and lease. Specify forest beneficiary mechanisms in contracts for forest protection and forest lease.
- ▶ Revise Decision No.178/2001/QĐ-TTg regarding the beneficiary mechanism from forests.



To support individuals, households, and communities in the management, protection and development of their livelihood forests:

- ▶ To raise awareness of forest ownership for communities and households.
- ▶ To provide technical, managerial and business support.
- ▶ To help people self-teach using popular learning materials. Materials should be compiled bilingually (in the language of the ethnic minority and in the Kinh language), adapted to each locality, and should not consist of a fixed set of titles.
- ▶ To encourage individuals and households to increase their livelihood assets through beneficiary mechanisms (in cash for increased forest assets, in products for those they have invested in, and in forest environmental services, if any).

4.2. Policy on “extractive conservation forest”

The basic content of this policy is to create a mechanism for the development and exploitation of non-timber forest products (NTFPs) from forests. Developing NTFPs to take advantage of the biodiversity of forest ecosystems and product diversification will create a balance on the basis of extractive conservation. The economic strength and potential ecological advantages of NTFPs, if realized, will motivate people to actively engage in NTFP development activities for their own and their community livelihoods. It is an effective part of the forest resource complete development strategy, contributing to the improvement of the local economy, and encouraging long-term and sustainable resource management. This is also the reason for the necessity of exploiting the potentials and economic benefits of NTFPs to maximally satisfy the needs of socioeconomic development, and is a practical direction of the “extractive conservation forest” policy.

- ▶ For special use forests: It is permissible to develop and trade NTFPs in the ecological rehabilitation sub-zone and the service-administrative sub-zone.
- ▶ For protection forests: It is permissible to enrich the forest with the non-timber tree species, to exploit NTFPs in a sustainable manner.
- ▶ For production forests: NTFPs can be grown under forest canopies and NTFPs can be exploited.
- ▶ Assist forest owners in planning, designing, and executing the development and trading of NTFPs linked to conserving forest ecosystems:
 - *Planning and design: expenditures may be the same as for the afforestation or enrichment of natural forests.*
 - *For households and communities: one-time support of the plantation of perennial medicinal trees. The unit of support is VND10 million/ha, in accordance with Decree No.75/2015/ND-CP dated 09/9/2015 of the Government on providing support for NTFP cultivation.*
 - *For enterprises: It is necessary to apply preferential credit policies to encourage the development of commodity agricultural production in each mountainous province.*
- ▶ Encourage the development of integrated agroforestry systems that provide NTFPs.
- ▶ Encourage product processing, create mainly community-based value chains (similarly to the project on Huang Bai tree planting and incense making; the project on Bon Bo development under forest canopies in Nghe An; the project on cochineal raising in Thanh Hoa and the project on Luong bamboo forest conservation in Ngoc Lac, Thanh Hoa).
- ▶ Develop NTFP processing in highland areas: processing of NTFPs creates highland products for food processing and dietary supplements in combination with eco-tourism strategies to create a value chain. This is a feasible policy as it is developed in areas containing the raw materials.



- ▶ The policy on forest protection contracting is specified in the Government's Decree No.75/2015/ND-CP dated 09/9/2015; in Resolution No.30a/NQ-CP it is proposed to allow the Provincial People's Committees to decide on payment modalities for forest protection (VND 300,000/ha/year) suitable to each type of beneficiary: this includes supporting NTFP business under forest canopies, supporting measurement of forest assets so as to lease forest environments, creating funds for village communities to provide disaster relief or providing loans for production, establishing forest protection teams, etc.

4.3. Policy on “community forestry”

This policy aims to support the different forms and variations of community forestry, including: community forestry, social forestry, community-based forestry, management of associated forest, co-management of forest, public-private cooperation in community forest management. In essence, it should respect the community's and the people's participation, rights to forest access, and rights to benefit from forests in their forestry activities.

- ▶ Further promote community ownership. The state only directly protects the forest in the core zone of special-use forest or key protection areas. The area of contracted forest protection should be further expanded for the remaining forest areas.
- ▶ Do not consider ethnic minorities as vulnerable groups; they are central to the period of climate change because they are born in the forest and have a life attached to the forest.
- ▶ Build specific models for replication. First of all, support should be provided to the community for experimenting, in order to assist ethnic minorities in gaining confidence and assurance about forest development and protection.
- ▶ Assist in building organizational capacity for the community. Develop a financial mechanism for the organization of activities for community forestry.
- ▶ Assist the community in surveying and measuring forest assets, and disseminate information on forest survey results.



- ▶ Invest in research, announce species of plants and animals that are advantageous to each site's conditions, and transfer these to the community.
- ▶ Support the community in product consumption.
- ▶ Invest in good breeding selection and good seed supplies for the community.
- ▶ Invest in the development of learning centers in community clusters.
- ▶ Provide training courses to improve the capacity of the relevant target groups and promote cooperation among themselves: site forest rangers, commune leaders, village management boards, representatives of community forest owners, cooperatives members, and key farmers.
- ▶ Encourage people who have contributed to patrolling and detecting illegal loggers, harvesting forest products and specialties, and report to local administrations and forest ranger offices for timely prevention and treatment in accordance with the provisions of the law.
- ▶ Create job opportunities, provide training and other services to the community in order to meet the criterion 4.1 on sustainable forest management: "Communities living in or near the managed forest area are offered job opportunities, training and other services."
- ▶ Develop a PPC (public-private cooperation) model in the forestry, in which the community is the center.
- ▶ Create appropriate mechanisms for social organizations and community organizations to participate in forestry development.
- ▶ Develop a suitable mechanism for incorporating PPC investment regulations into silviculture investment and forest protection.

4.4. Policy on "environmental and cultural forestry"

Environmental and cultural forestry is a necessary tendency to generate income for forest owners and to keep forests based on the environmental value of forests and human cultural behavior. It consists of two main categories: forest environmental services and tourism services

- ▶ The development of various types of forest environmental services should be encouraged, including the use of forest space for economic, cultural, and educational development.
- ▶ Payment for forest environmental services: A fund from payment for forest environmental services should be established. Local communities and the association of forest owners can use part of the payment for forest environmental services to integrate livelihood improvement with forest protection and development.
- ▶ REDD+ should be implemented at the national level as well. The government should act as the intermediary between payers and the different levels of local administration.
- ▶ Increase the level of payment for forest environment services in terms of real value (for example, the value of forest hydrological services ranges from VND 500,000-700,000/ha/year).

Good implementation of the policy of "extractive conservation forest" and "environmental and cultural forestry" will help the government in the transition from "contracting forest protection" to "leasing forests", which motivates and creates resources for forest protection and development, while reducing the state budget to make "two increases - one decrease" as mentioned above.

4.5. Policy on “revolving livelihood fund”

A revolving livelihood fund is self-managed by the community, with the support of agricultural extension workers, consultants, or the local government's supervision, and the supervision of the community itself.

The livelihood fund can be formed from current payments for forest environmental services or from development projects including REDD+ and from state programs. The revolving livelihood fund is the initial basis for mobilizing other sources of funding; it is also a factor to improve management capacity, the economic activities of the community, as well as to encourage proactiveness and cohesion among members in the community.

The livelihood fund can be transformed into a model in which the community contributes capitals and operates voluntarily and not under public finance.



The new Forestry Law has reached a new step, paving the way for livelihood improvement policies linked to forest protection and development in our country.

The success and experience of the UNDP/GEF SGP projects and the field data have helped build confidence in the improvement of the above policies.

In the framework of the conference, this paper focused on clarifying the nature and reality of linking livelihood improvement to forest protection and development. On this basis, it has proposed a number of policy recommendations to address the above issues in the implementation of the Forestry Law. There are five recommended policy issues: livelihood forests, extractive conservation forests, community forestry, environmental and cultural forestry, and revolving livelihood fund. These are crucial policies, which not only reflect the reality of forestry in our country and meet the requirements of concretizing the spirit of the Forestry Law, but are also a novel fit with our country's trend toward internationalization, opening and deep integration. These recommendations may be considered as initial ideas to help concretize and institutionalize the provisions of the Forestry Law in order to bring the Law into practice with expected outcomes



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