

## **Minutes of 3<sup>rd</sup> STWG meeting on Governance**

*(Draft for comment)*

*Date: 14 June 2012*

*Time: 13:30 – 16:30*

*Venue: Room 102, B6 Building, MARD*

*Chaired by: Mr. Nguyen Huu Dzung – Director of Forest Protection Department (FPD)*

*Appendix: 1) Agenda*

*2) List of participants*

### **Objectives**

- ✓ Discussion on co-chairmanship
- ✓ Presentation and discussion on Piloting co-management in protected areas (SUFs) in Vietnam
- ✓ Presentation and discussion on TORs for the STWG on Governance

Mr. Nguyen Huu Dzung – FPD opened the meeting by raising a series of issues in the agenda and asked for comment and agreement. It was agreed to leave the work plan development for STWG in the next time and focus on the finalization of TORs for the STWG and proposal of key activities for the next meeting.

### **Operation of STWG on governance**

Mr. Dzung expressed his concern about the operation of the STWG on governance in the in-coming time when the UN-REDD Vietnam Programme – Phase I closes at the end of June 2012, meanwhile, the UN-REDD Phase II status is unknown.

Ms. Huyen had an idea to include and specify the budget for the operation of the STWG in the TORs. However, Mr. Tore explained that the UN-REDD Programme has funded some of the STWG meetings, REDD+ is more than just UN-REDD, and the STWG should find the ways to continue its work even if funding from UN-REDD is unavailable. Ms. Thu Ba reckoned the tasks in the TORs may not need budget but resources; for example the task “Identify international good governance practices”

requires person to take lead, inputs from particular stakeholders and resources to do research. These are in-kind contribution for the inputs of the STWG.

Ms. Huyen added the encouragement of NGOs to support local stakeholders to participate in this kind of meeting.

To conclude this section, Mr. Dzung - FPD affirmed the continuation of STWG meetings on Governance after the Phase I of UN-REDD VN Programme. FPD and other NGOs will provide in-kind supports for each meeting. The next meeting in September will be hosted by PanNature.

### **Co-chairmanship**

Mr. Nguyen Huu Dzung – FPD recalled the previous meetings, which he himself and Mr. John Parr – FFI Director were co-chairmen and explained the withdrawal of Mr. John Parr due to his personal duties. Then, he shared his talk with participants about a potential candidate, Dr. Tan – RECOFTC, for the position of co-chairman, and mentioned on the expectation of another candidate, Mr. Nguyen Viet Dzung – PanNature, to be a co-chairman as well.

Ms. Huyen – UN-REDD Vietnam Programm suggested to keep both candidates as co-chairmen.

It was agreed to keep Mr. Dzung – PanNature and Mr. Tan – RECOFTC a long side with Mr. Dzung – FPD to be co-chairmen of the STWG on Governance.

### **Presentation of PanNature, questions and answers**

Mr. Nguyen Viet Dzung – Vice director of PanNature presented a Piloting co-management in Special use forests of Vietnam through a EU-Ford Foundation funded project in Hoa Binh, Yen Bai and Son La provinces, and then it was open for discussion.

#### Questions:

Ms. Thu Ba did not agree with the fact that villagers are forest destroyers. She raised two questions on 1) how can you turn the community groups, considered as forest destroying agencies, to be forest managers?, and 2) Decision 07/2012 requests the

adoption of co-management in SUFs. Government decisions issued will have legal documents accompanied to instruct the implementation. So, is there any legal documents guiding the implementation of Decision 07 to adopt co-management in Vietnam?

Mr. Tore - UNDP commented that if the communities do not get any benefits, so what do local people feel about what they gain from the project?

Ms. Tillem – SRD asked a question relating to the Decision 07/2012 is that who are in the Management Council? In other words, is that the Management Board and members of communities in the Management Council or how is that mechanism worked? Another question relating to resources for law enforcement that requires Mr. Dzung – PanNature explain more about the challenges in law enforcement (mentioned on 3<sup>rd</sup> slide of his presentation).

Answers:

Mr. Luu – PanNature responded the question of Tore about the reason why local people do not have financial support from the co-management but they do patrol to protect the forest. He gave evidences of benefit sharing not only forest products but also the others incentives such as rights to the land and environmental services (PES and REDD) to have contracts with governments, protection of forest from the exploitation of outsiders for their children.

Mr. Dzung – PanNature added that within the project there is agreement between protected area management board and the community to show the forests before were ownership of the government only but now are belonging to both community and government. In this case, the community will have more rights to access to the forests and land existing there long time ago.

In terms of question of Thu Ba relation to Decision 07, Mr. Dzung – PanNature said that it's better if there is someone from FPD to answer this question; however, at the moment, there is only Decision 126 that allows local community to use natural forests in piloting sites of Xuan Thuy and Bach Ma national parks. The communities are not allowed to use forest in the other Special-use Forests.

Responded to the questions of Tillem, Mr. Dzung – PanNature said the Decision is general so he is not sure who is seating in the Management Council. There is a need

for having a Circular issued to guide the Decision 07, Dzung of PanNature emphasized. Relating to the challenges of law enforcement question, Dzung gave an example of bad law enforcement in the case of illegal logging in Phong Nha-Ke Bang that occurred recently. He said “the law enforcement is almost disappeared because of corruption and illegal networking between rangers, loggers and traders”. So, the law enforcement was kicked down on the ground. He also provided a publication of Thomas Sikora and Mr. To Xuan Phuc in 2011 about the research on illegal logging and transportation from Hoa Binh to Ha Noi. According to the research, illegal logs were alleged to have to pass over 23 barriers (Protection Stations) and lost 39% of its values for people in these stations. Dzung – PanNature concluded the law enforcement is challenging.

Further questions and responses:

Ms. Huyen asked a question on the most valuable to local people in the project at the moment?

Mr. Luu – PanNature thought that keeping forest from outsider intrusion is the most valuable to local people

Mr. Alex – VIFEP had general comments and shared the experience on co-management of fishery that the forestry sector can learn from. He impressed with the long history of fishery co-management in Vietnam. He told that a lot of money, efforts and works have come into the fishery co-management and many projects were successful. However, there is a concern with the sustainability of co-management after the project. There is not much continuation from communities when the project finished. That is the main problem of community, he stressed. The other problem is actors involved in the process; whether it is just communities or just private sector. It much depends on prioritization, Alex said.

Mr. Than who used to work on fishery co-management supplemented to Alex’s points that the model would not work if stakeholders would not be treated equally.

In addition, there was one more question of Ms. Huyen relating to Decree 99, a question of Madam Van – CENEV about skills to assist the community in ...and the question of Mr. Than – RECOFTC on how the model fits into this definition.

## **Terms of Reference for the STWG on Governance**

Mr. Trung La – VRO officer presented the TORs developed based on the first draft one. Then, it was open for discussion.

Ms. Huyen said the operation of STWG on governance will contribute to the implementation of National REDD Programme, which will be approved by the Prime Minister soon.

Both Mr. Dzung – PanNature and Ms. Huyen assumed the ambition of TORs.

Ms. Huyen and Mr. Tore questioned the concept of good governance. If such a thing as good governance exists, then absence of good governance quickly get labeled as bad governance, which often is not very productive, Tore added. He also noted that UNDP is moving away from using the term “good governance” and instead use the term “democratic governance”.

At the other points, Mr. Than – RECOFTC and Ms. Huyen – UN-REDD VN Programme reckoned the capacity building on governance for governmental officials is the huge job and not possible for the STWG on governance, because members of STWG on Governance are now not capable for building capacity. They suggested the removal of this task. Both Tore and Huyen recommended the invitation of governance specialists/experts to come to the in-coming meetings to deliver speeches on governance issues to build capacity for members of STWG. The governance theme should be broken down into small topics to make it easier to find relevant specialists. Tore said he can find a specialist on “Gender and governance” topic

Scope of the STWG on governance should be included in the TORs, Huyen and Dzung – PanNature said.

*Note: Mr. Nguyet Viet Dzung – PanNature chaired the lower part of agenda due to the temporary absence of Mr. Nguyen Huu Dzung – FPD for his office’s important meeting. Unfortunately, Mr. Hieu – FPD could not deliver his presentation on “Legislation for Community Forest Management Committees” in the last minutes due to his office’s immediate mission.*

**Conclusion:**

Mr. Dzung – FPD concluded the meeting by saying that all comments of participants will be reflected in a draft minutes circulated to participants for comments. The TORs is the subject attached with the draft minutes for comments too;

He stressed that governance is a very broad issue as it relates to legislations and policies, their inforcement and the way policies and legistaltion are formulated and enforced. In this regards, the involvement of stakeholders is imptant.

Particular issues will be identified at least one week before the next meeting;

As agreed previously, the regular meeting of the group is organized in every three months but the ad-hoc meeting may be called for in between.

## APPENDIX 1: AGENDA

Time	Activities	Responsibilities
13:30 – 13:40	Welcome and Opening remarks	Mr. Nguyen Huu Dzung, FPD
13:40 – 13:55	Piloting Co-management in Special-use forests (Protected Areas) in Vietnam	Mr. Nguyen Viet Dzung, Program Director of PanNature
13:55 – 14:25	Discussion	All participants
14:25 – 14:40	Legislation for Community Forest Management Committees	Mr. Nguyen Quoc Hieu, FPD
14:40 – 15:15	Discussion	All participants
15:15 – 15:30	Tea break	
15:30 – 15:45	Presentation on Draft TORs for STWG on Governance	Mr. Tore Langhelle, UNDP
15:45 – 16:15	Discussion and Finalization	All participants
16:15 – 16:40	Development of a work plan and setting up priorities for next steps	All participants
16:40 – 16:50	Discussion on Co-chairing	Mr. Nguyen Huu Dzung, FPD
16:50 – 17:00	Conclusion & closing	Mr. Nguyen Huu Dzung, FPD

## APPENDIX 2: LIST OF PARTICIPANTS

No.	Name	Title	Organization
1	Nguyen Huu Dzung	Director	FPD/VNFOREST
2	Nguyen Quoc Hieu	FPD Staff	FPD
3	Tore Langhelle	P.O.	UNDP VN
4	Alex Campbell	C.D.O.	Vietnam Institute of Fishery Economy and Planning (VIFEP)
5	Tillem Burlace	Climate Change Officer	SRD
6	Nguyen Thi Van	Director	CENEV
7	Nguyen Dinh Trung		CENEV
8	Nguyen Viet Dzung	Vice Director	PanNature
9	Nguyen Duc To Luu	Program Manager	PanNature
10	Akane Hanai	Program Specialist	UN-REDD VN
11	Nguyen Thi Thu Huyen	Program Manager	UN-REDD VN
12	Vu Huu Than	Training Coordinator	RECOFTC
13	Hoang Van Lam	Project Manager	FFI Viet Nam
14	Huynh Thu Ba	Research Fellow	CIFOR
15	La Quang Trung	National Technical Officer for Stakeholder Consultation	VRO (minutes writer)
16	Tran Thi Bich Thao	Administrator	VRO
17	Nguyen Thi Nguyet	Program Officer	VRO
18	Lam Quynh Nhung	Field Technical Officer	VRO