

**UN-REDD**  
PROGRAMME



**Bộ Nông nghiệp và  
Phát triển nông thôn**

# **Viet Nam National REDD+ Program Discussion document**

[UN-REDD PROGRAMME](#)

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**INTERNATIONAL YEAR  
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# 1 Introduction

The issue of “Reducing Emissions from Deforestation and forest Degradation” (REDD) was put on the UNFCCC agenda by Papua New Guinea and Costa Rica in Montreal during the 11th Conference of the Parties (COP) in 2005. The most compelling argument to achieve REDD is that 17.4% of all greenhouse gas emissions, and about 20% of the global CO<sub>2</sub> emissions, result from deforestation. Therefore, there was striking agreement between parties to the UNFCCC that ideally the UNFCCC should embrace this source of emission as a concern of all parties and turn it into an opportunity to mitigate climate change, albeit with major challenges. Thereafter, REDD was included in the Bali Roadmap adopted by COP-13 of the UNFCCC.

It was formally expanded to “REDD-plus” at subsequent meetings. REDD+ stands for reduction of emissions through the reduction of deforestation and forest degradation and through forest conservation, sustainable management of forests, and the enhancement of forest carbon stocks. REDD+ was included at UNFCCC COP-15 in 2009 in the Copenhagen Accord; an Accord with which many parties have associated themselves with. Viet Nam has fully supported the Copenhagen Accord<sup>1</sup>. It is currently still being debated under the UNFCCC, but piloting of the subject has taken off with considerable interest and finances of the international community, both governmental as well as non-governmental and by civil society. The expectation is that rules, modalities and guidelines that govern REDD+ under a future climate change mitigation regime will be negotiated between now and the COP-17 in Johannesburg in December 2011 to sufficient detail that will allow for integration of the REDD+ in an agreed package deal that is hopefully going to emerge from the Johannesburg COP.

## 1.1 Outlook on relevant developments for REDD+ in Viet Nam

### 1.1.1 Demographic development

During the past 100 years, Viet Nam's population increased rapidly, from about 15 million in the early 19 hundreds to 25 million in 1940, and to 84 million in 2007, an average density of 254 persons/km<sup>2</sup>. That is more than five times the average population density of the world (GSO 2007). About 25 million of these people live in the mountainous and rural areas. Most mountain people depend in their living on farming, forest resources and forest-based activities. They are often poor due to difficult access to markets, poor infrastructure, poor land quality, subsistence farming, and a low educational level. The poor in mountainous and remote areas have to rely mainly on the harvesting and use of wood and non-wood forest products, and on forest land for agricultural cultivation. The high rate of population growth in these areas puts additional pressure on forests and forest land, thus exacerbating poverty.

With an anticipated growth rate of 1.3% for the period 2011 -2020 (for 2001- 2010 it was 1.5%), the population of Viet Nam is predicted to reach around 100 million people in 2020.

### 1.1.2 Climate change impacts

Viet Nam's National Climate Communication of 2009 provided detailed predictions regarding climate change impacts in Viet Nam<sup>2</sup>:

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<sup>1</sup> Letter of VN Ambassador to UN to Executive Secretary UNFCCC, dated 31-03-2010

<sup>2</sup> Institute of Strategy and Policy on Natural Resources and Environment (ISPONRE), 2009: Viet Nam Assessment Report on Climate Change, Hanoi.

- Increase of mean surface air temperature between 1.1 and 1.9° C in low and between 2.1 and 2.6° C in high emission scenario by 2070 with more significant increases probable in highland regions;
- Increase in annual maximum and minimum mean temperatures;
- Increase of number of days with temperatures lower than 20° C and higher than 25° C;
- Changes in rainfall patterns;
- Sea level rise between 15 and 90 cm;
- Increase in frequency and intensity of severe climatic events.

The changes in temperature and rainfall will impact agricultural crops and forest species, and lead to an increase in pests and diseases. Increased frequency and intensity of typhoons, floods and droughts will affect the agricultural production, and the latter will favour the development and spread of forest fires. Viet Nam's long coast line with its remaining mangrove forests, and the rice producing areas in the Mekong Delta are particularly vulnerable to climate change and its impacts<sup>3</sup>. ADB<sup>4</sup> reports that agricultural production and forests in Viet Nam are already affected by climate change in many ways. Sea level rise has already accelerated the speed of coastal erosion, threatening the destruction of mangrove forests, e.g. in the area of the Ca Mau cape (ADB 2009). Climate change impacts also pose the threat of salinization, and loss, of land for rice-producing coastal and delta lowlands, and water shortages during dry seasons. This would have a serious impact on people's livelihoods, on food security, and on the country's economy as a whole. The loss of agricultural land along the coast and rivers will also lead to an increased pressure on remaining forests.

Consequently, UNFCCC COP-13 in Bali recognized Viet Nam as one of the world's five countries most-affected by climate change.

Options to adapt to climate change impacts on agriculture include:

- Further improve flood forecast capacity;
- Stop deforestation of *Melaleuca spp* and mangrove forests;
- Increase mangrove cover;
- Maintain forests on acid sulphate soils. Studies<sup>5</sup> show that forests help to reduce pollution caused by acidity of soils. Disturbance of these soils, e.g. through forest conversion to other land uses, will increase the acidity discharge<sup>6</sup>;
- Stop deforestation and forest degradation on slopes and watersheds;
- Prevent and fight forest fires;
- Increase forest cover;
- Reduce the use of fertilizers, pesticides and herbicides to prevent water pollution;
- Enhance rice varieties, e.g. through varieties withstanding prolonged inundations, and being salt- tolerant;
- Raise dyke levels;
- Increase development of irrigation systems, including water reservoirs to cope with draughts;
- Develop non-farm income opportunities.

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<sup>3</sup> WB, 2003: Climate Change and Development in Viet Nam: Agriculture and adaptation for the Mekong Delta Region. Climate Protection Programme

<sup>4</sup> Asian Development Bank (ADB), 2009: The economics of climate change in Southeast Asia: a regional review, Manila.

<sup>5</sup> WB, 2003: Climate Change and Development in Viet Nam: Agriculture and adaptation for the Mekong Delta Region. Climate Protection Programme

<sup>6</sup> idem

## 1.2 Objectives

The National REDD+ Program (NRP)<sup>7</sup> will contribute to reducing emissions from deforestation and forest degradation (REDD), to promoting forest conservation, sustainable forest management and the enhancement of carbon stocks, jointly comprising REDD+, and at the same time improving the livelihoods of the rural population in Viet Nam<sup>8</sup>. In particular, the NRP will increase:

- Benefits to rural people living in and close to Viet Nam's forests;
- Sustainably managed forest area in Viet Nam;
- Interest of donors and investors to support or participate in the operationalisation of the NRP.

## 1.3 Legal mandate, rationale and scope

The mandate for a REDD+ program stems from various national legislations, strategies and programs as spelled out in Annex 1.4, 1.5. and 1.6., as well as from international agreements Viet Nam acceded to.

In December 2008, the National Target Program (NTP) to Respond to Climate Change was approved by the Prime Minister<sup>9</sup>. Based on this program, provinces and government agencies, including MARD, were tasked to develop their Action Plan framework for Adaptation<sup>10</sup> to Climate Change. The NTP requires that Government agencies need to decide on measures and integrate climate change issues into their sectoral strategic development plans. As the NTP/CC was largely prepared before REDD+ became a major international issue, most of the sections dealing with the forestry sector relate to adaptation, and the role forests can play in protection against the impacts of climate change, rather than with mitigation. Though REDD+ is not explicitly mentioned in the text, REDD+ related measures are described.

The NTP also foresees climate change issues to be integrated under the Viet Nam Forestry Development Strategy 2006- 2020<sup>11</sup>. One of this strategy's main principles is the introduction of sustainable forest management as the foundation for forestry development.

At the international level, Viet Nam is signatory to the UNFCCC, its Kyoto Protocol, and the Convention on Biodiversity (CBD). Viet Nam also embraced the "Non-legally binding Instrument on all Types of Forests" of the United Nations Forum on Forests (UNFF). Furthermore, at the regional level, Viet Nam has in 2009 adopted the ASEAN Multisectoral Framework on Climate Change, Agriculture and Forestry towards Food Security, which also contains REDD+ elements.

The Government of Viet Nam will, in consultation with relevant stakeholders develop the legal framework for REDD+ implementation. Given the nature and requirements of REDD+ and the shortcomings in the current legal framework for the administration<sup>12</sup> of Viet Nam's forests, this legal framework will cover all types of regulations of economic to social and administrative nature, avoid contradictions and solve outstanding issues, as described in the RPP document<sup>13</sup>.

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<sup>7</sup> The National REDD+ Program results from a Decision issued by the Prime Minister of Viet Nam overarching and governing any activity that will be undertaken – irrespective of what Ministry, Department or Institution (MDI) is undertaking it.

<sup>8</sup> See also Decision -/CP.16 (Outcome of the work of the AWGLCA)

<sup>9</sup> PM decision 158 on approval of NTP on climate change, December 2008

<sup>10</sup> The Action Plan Framework (APF) for Adaptation to Climate Change in the Agriculture and Rural Development Sector for the period 2008-2020 was also launched by MARD in 2008

<sup>11</sup> PM decision 18/2007/ QD-TTg dated February 05<sup>th</sup> 2007,

<sup>12</sup> MARD, August 2010; Vietnam R-PP to WB, 'the legal framework is still ambiguous, over-complex and contains loopholes that enable criminals to make easy financial gains with little risk of legal sanction. Prosecutions are minimal and fines for forest crimes are extremely low in relation to gains that can accrue'.

<sup>13</sup> idem

The causes and drivers for deforestation and forest degradation in Viet Nam are not only rooted in the forestry sector, but also in other sectors, e.g. agriculture and infrastructure. REDD+ therefore needs to cover different economic sectors and geographic regions with differing development levels and differences in social and geographical features.

Since the reduction of deforestation and forest degradation is a cross-sectoral topic affecting different actors and sectors, Viet Nam has to balance different development objectives and interests. Until recently forests were considered to be in the way of development, having to give way to agricultural expansion, urban sprawl, etc. to boost the GDP.

With the recent evolving interest in REDD+ however, an opportunity has presented itself for forests and forestry to significantly contribute to employment and income generation, and the GDP. To benefit from this opportunity, the outlook on the forestry sector requires a change, and Viet Nam' development objectives, strategies and policies to be realigned.

## 1.4 Guiding principles

- The National REDD+ Program (hereafter NRP) must respect national laws, including traditional, customary and indigenous peoples' rights, promote an equal gender balance; and, respect international treaties to which Viet Nam is a signatory;
- The legal framework shall support the implementation of the NRP and link it to associated processes, e.g. FLEGT. Due to the cross-sectoral character of the NRP, it will need to cover all types of regulations (economic, trade, rural development, administrative, infrastructure, agriculture, etc.), avoid inconsistencies, and balance different development objectives, mainstreaming REDD+ considerations into non-forestry sectors;
- The NRP shall be based on an appropriate land-use planning and zoning approach.
- Viet Nam shall not incur any debt in setting up the institutional system and building the capacity to implement and administer the NRP;
- The NRP must have a clear governance structure that includes an appropriate representation of stakeholder groups and resource owners;
- There shall be no political discretion for decisions made in relation to the NRP and full commitment to transparency, equity, fairness, elimination of corruption, equal gender balance and respect for individual and collective rights;
- The NRP shall be further developed in a participatory and transparent manner through the application of FPIC;
- The PFES system under the NRP shall be fair and transparent and the majority of the benefits shall contribute directly to the welfare, security and sustainable livelihood of local communities, whilst avoiding the full dependence and high expectations of the carbon component of the PFES as the sole source of income for the local communities;
- Agreements on PFES can only be made with legitimate resource owners and must respect the customary system of land ownership and use: at least 75% of the owners of the resource must have indicated their free and prior informed consent;
- Conversion of natural vegetation cover shall not be eligible for PFES and logging and/or forest management permits can only be eligible for PFES if principle 7 is adhered to and if domestic leakage is nullified;
- The NRP shall include a complaint and dispute resolution mechanism; and, activities to build capacities in local supporting/facilitating organizations;

- The NRP shall be supported by the taxation of industrial land uses and operations that diminish the capacity of the land to deliver environmental services recognized in Decree 99/2010/ND-CP; and,
- MRV shall provide estimates that are accurate, reduce uncertainties, are made transparently, and provide time-series consistency.

## 2 REDD requirements and other climate change-related issues

### 2.1 Status of current negotiations

The outcomes for REDD in Copenhagen were incomplete. Although some progress was made, significant weaknesses remain, especially in setting targets. The Copenhagen Accord did set one milestone: it is the first international agreement to recommend that financial resources be raised to support REDD+. Australia, France, Japan, Norway, the United Kingdom and the United States offered a US \$3.5 billion funding package for REDD readiness. Since then, additional pledges have been made. The Accord also clarified some technical points that will provide support for countries that are interested in getting experience immediately. But several issues have not been finalized, including reference emission levels and the role of subnational efforts and how to integrate them in national approaches. These are important issues for countries that have large and diverse types of forests subject to different types of pressure – including Viet Nam.

After Copenhagen the political momentum seemed lost for a while but the COP in Cancun did yield significant progress. Elements of the Cancun Agreements include<sup>14</sup>:

- “Industrialized country targets are officially recognized under the multilateral process and these countries are to develop low-carbon development plans and strategies and assess how best to meet them, including through market mechanisms, and to report their inventories annually.
- Developing country actions to reduce emissions are officially recognized under the multilateral process. A registry is to be set up to record and match developing country mitigation actions to finance and technology support from by industrialized countries. Developing countries are to publish progress reports every two years.
- Parties meeting under the Kyoto Protocol agree to continue negotiations with the aim of completing their work and ensuring there is no gap between the first and second commitment periods of the treaty.
- The Kyoto Protocol’s Clean Development Mechanisms has been strengthened to drive more major investments and technology into environmentally sound and sustainable emission reduction projects in the developing world.
- Parties launched a set of initiatives and institutions to protect the vulnerable from climate change and to deploy the money and technology that developing countries need to plan and build their own sustainable futures.
- A total of 30 billion \$ US in fast start finance from industrialized countries to support climate action in the developing world up to 2012 and the intention to raise 100 billion \$US in long-term funds by 2020 is included in the decisions.

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<sup>14</sup> UNFCCC Secretariat, 11, December 2010: official press release.

- In the field of climate finance, a process to design a Green Climate Fund under the Conference of the Parties, with a board with equal representation from developed and developing countries, is established.
- A new “Cancún Adaptation Framework” is established to allow better planning and implementation of adaptation projects in developing countries through increased financial and technical support, including a clear process for continuing work on loss and damage.
- Governments agree to boost action to curb emissions from deforestation and forest degradation in developing countries with technological and financial support.
- Parties have established a technology mechanism with a Technology Executive Committee and Climate Technology Centre and Network to increase technology cooperation to support action on adaptation and mitigation.”

The ‘plus’ in REDD+ is now secured and the five eligible activities are indeed confirmed to be: (a) Reducing emissions from deforestation; (b) Reducing emissions from forest degradation; (c) Conservation of forest carbon stocks; (d) Sustainable management of forest; and, (e) Enhancement of forest carbon stocks. These activities shall be implemented taking the following ‘safeguards’ into consideration:

- i. *Actions complement or are consistent with the objectives of national forest programmes and relevant international conventions and agreements;*
- ii. *Transparent and effective national forest governance structures, taking into account national legislation and sovereignty;*
- iii. *Respect for the knowledge and rights of indigenous peoples and members of local communities, by taking into account relevant international obligations, national circumstances and laws, and noting that the United Nations General Assembly has adopted the United Nations Declaration on the Rights of Indigenous Peoples;*
- iv. *The full and effective participation of relevant stakeholders, in particular, indigenous peoples and local communities;<sup>15</sup>*
- v. *Actions are consistent with the conservation of natural forests and biological diversity, ensuring that the five eligible activity categories are not used for the conversion of natural forests, but are instead used to incentivize the protection and conservation of natural forests and their ecosystem services, and to enhance other social and environmental benefits;<sup>16</sup>*
- vi. *Actions to address the risks of reversals;*
- vii. *Actions to reduce displacement of emissions.*

To expedite the implementation of the REDD+ activities, developing country Parties are requested to develop the following:

- (a) *A national strategy or action plan;*
- (b) *A national forest reference emission level and/or forest reference level<sup>17</sup> or, if appropriate, as an interim measure, subnational forest reference emission levels and/or forest reference levels, in accordance with national circumstances, and with provisions contained in decision 4/CP.15, and with any further elaboration of those provisions adopted by the Conference of the Parties;*

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<sup>15</sup> *Whilst implementing the activities, Parties are requested, when developing and implementing their national strategies or action plans, to address, inter alia, drivers of deforestation and forest degradation, land tenure issues, forest governance issues, gender considerations and the safeguards identified above, ensuring the full and effective participation of relevant stakeholders, inter alia, indigenous peoples and local communities;*

<sup>16</sup> *Taking into account the need for sustainable livelihoods of indigenous peoples and local communities and their interdependence on forests in most countries, reflected in the United Nations Declaration on the Rights of Indigenous Peoples, as well as the International Mother Earth Day.*

<sup>17</sup> *In accordance with national circumstances, national forest reference emission levels and/or forest reference levels could be a combination of subnational forest reference emissions levels and/or forest reference levels.*

- (c) *A robust and transparent national forest monitoring system for the monitoring and reporting of the activities referred to above, with, if appropriate, subnational monitoring and reporting as an interim measure,<sup>18</sup> in accordance with national circumstances, and with the provisions contained in decision 4/CP.15,<sup>19</sup> and with any further elaboration of those provisions agreed by the Conference of the Parties; and,*
- (d) *A system for providing information on how the safeguards referred to above are being addressed and respected throughout the implementation of the activities referred to above, while respecting sovereignty.*

It is clear from the text above that, as an interim, sub-national RELs and/or RLs are allowed too.

The Agreement also invites Parties, *when developing and implementing their national strategies or action plans, to address, inter alia, drivers of deforestation and forest degradation, land tenure issues, forest governance issues, gender considerations and the safeguards identified above, ensuring the full and effective participation of relevant stakeholders, inter alia, indigenous peoples and local communities.*

The AWG-LCA has been requested to explore financing options for result-based REDD+ activities and to report back in Durban in 2011 at COP-17. Finally, the COP requested the SBSTA to develop a work plan on the following issues and to report back in 2012 at COP-18:

1. *Methodological issues related to the estimation of emissions and removals related to the eligible REDD+ activities;*
2. *Modalities for (b) and (c) above;*
3. *Guidance for (d) above; and,*
4. *Modalities for measuring, reporting and verifying (MRV) human-induced emissions and removals, forest carbon stocks, and changes in forest carbon stock and forest area resulting from the eligible REDD+ activities.*

## **2.2 Implications for design of the National REDD+ Program**

Following from the previous section it is clear that the work plan requested from the SBSTA will address all issues related to REDD+ and MRV. This does not mean that Viet Nam is to sit back and wait for the work plan to be executed, but it is the intention to actively participate in this process to ascertain that any MRV system that will emerge from the work plan is apt to meet the needs of the country.

## **3 Measures to achieve REDD+**

REDD+ comprises 5 categories: reducing emissions from deforestation and forest degradation, forest conservation, sustainable management of forests, and enhancement of forest carbon stocks. As the negotiations are going now, it is likely that measuring, reporting and rewarding net emission reductions from these 5 categories under a probable future climate change mitigation regime will occur on a national level, against a single national reference emission level (REL). But zooming in, it is

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<sup>18</sup> Including monitoring and reporting of emissions displacement at the national level, if appropriate, and reporting on how displacement of emissions is being addressed, and on the means to integrate subnational monitoring systems into a national monitoring system.

<sup>19</sup> The provisions referred to here are monitoring systems that: (i) Use a combination of remote sensing and ground-based forest carbon inventory approaches for estimating, as appropriate, anthropogenic forest-related greenhouse gas emissions by sources and removals by sinks, forest carbon stocks and forest area changes; (ii) Provide estimates that are transparent, consistent, as far as possible accurate, and that reduce uncertainties, taking into account national capabilities and capacities; and, (iii) Are transparent and their results are available and suitable for review as agreed by the Conference of the Parties.

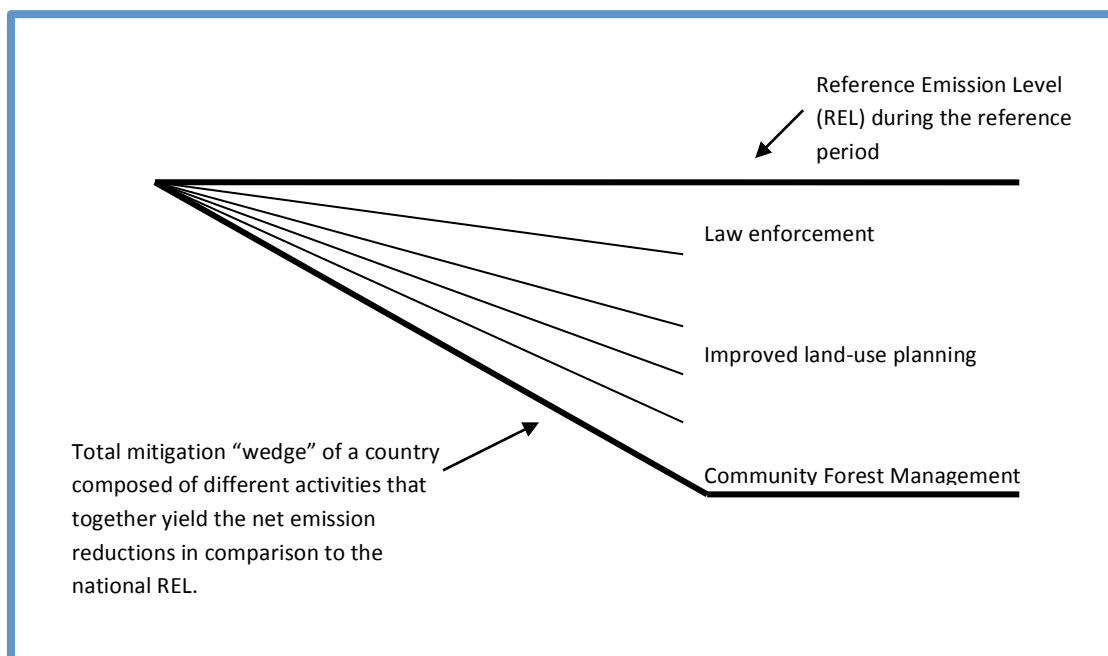


likely that countries in practice will have to achieve REDD+ through a package of both policies and measures, and at least in part on the basis of a set of domestic programs and projects. Policies and measures can include, but are certainly not necessarily limited to:

- a. Revision of land, agriculture and forest legislation;
- b. Development of an integrated land-use policy;
- c. Improved land-use planning and integrated conservation and development programs;
- d. Shift from traditional forestry practices to Sustainable Forest Management (SFM);
- e. Improved farming techniques (less new agricultural land required);
- f. Transfer of responsibility for open-access forest to community authorities;
- g. Taxation schemes and public awareness campaigns;
- h. Establishment of environmental trust funds at national or regional level to channel financial resources from different origins, share risks, and decentralize financial resources to the local level;
- i. Increased monitoring and data base capacity in MARD and increased staffing in local forest offices;
- j. Development of other income opportunities, e.g. through processing and marketing of non-wood forest products;
- k. Market-oriented instruments, including Payment for Environmental Services (PES) and CDM; and,
- l. Projects financed by NGOs, bilateral assistance, multi-lateral donor funds.

The net emission reductions achieved on the national level are a composite of the activities all “nested” under a national approach. This is schematically represented as the “mitigation wedges” in the figure below:

Figure: Suite of activities jointly reducing net emissions (Trines et al., 2006).<sup>20</sup>



Although by some it is argued that REDD+ can be divided in a) activities that reduce emissions (the original REDD activities); and b) activities that conserve and/or enhance carbon stocks (the ‘+’),

<sup>20</sup> Trines, E., Höhne, N., Jung, M., Skutsch, M., Petsonk, A., Silva-Chavez, G. Smith, P., Nabuurs, G.J., Verweij, P. and B. Schlamadinger, 2006 **Integrating Agriculture, Forestry and Other Land Use in Future Climate Regimes**. Report Number 500102002 under the “Climate Change Scientific Assessment and Policy Analysis” Research Fund.

the latter is often the measure to achieve of the former: for instance reducing emissions from forest degradation can be achieved by sustainable forest management which leads to the enhancement of carbon stocks. The divide is therefore, to some extent an arbitrary construct with transcendent boundaries between the categories.

Another approach to categorization of REDD+ measures is splitting them in a category of activities being undertaken a) in the field and, b) a category of emission reductions and enhancement of carbon stocks (hereafter referred to as net emission reductions) achieved through changes in policies and governance structures (e.g. demotion of the responsibility for forest management from a district administrative level to local communities). Again, to some extent this is an arbitrary construct as some changes in governance do lead to different behavior of actors, resulting in the net emission reductions and a hybrid between a) and b) occurs.

For the purpose of this document, the authors have therefore chosen to concentrate on REDD and assume the activities constituting the '+' in REDD+ to be the means to achieve REDD. This leads to an overview of the different drivers of deforestation and forest degradation.

#### Legislative measures:

- Improve (forest) legislation on various counts: e.g. protecting forest areas, proper land-use planning including the prioritization of areas for protection and rehabilitation, develop Integrated Conservation Development Programs (ICDPs);
- Enforce forest legislation;
- Determine serious national taxes and fines on forest land clearance and ungoverned acts of deforestation and/or forest degradation;
- Recognize local communities as legal entities;
- Implement a fast track land tenure reform;
- Introduce tax reforms whereby lower administrative levels benefit from environmental protection / receive rewards from national level;
- Restrict concessions allowing forest land conversion;
- Broad establishment of community tenure rights over forest.

#### Governance measures:

- Implement rules and regulations related to land-use planning;
- Design and introduce a PES system, possibly bundling various environmental services, including carbon with SFM certification and/or conditional concessions and/or land-use permits. Compensation could be either:
  - output based (tC); or,
  - area based (ha).
- Increase/improve on-the-ground monitoring;
- Demote responsibility for area management to rural communities organized as legal entities;
- Introduce financial incentives for communities to measure and monitor forest areas and to reduce forest clearance and degradation;
- Set up a national PES administrative system (also as part of REDD+ required MRV measures under the UNFCCC);
- Establish local level deforestation and degradation baselines and set-up an open access national database;

- Promote/introduce alternative income generating activities for deforestation and forest degradation agents;
- Provide/generate alternative employment opportunities in hotspot areas;
- Train and register local government and local organizations in particular in support of PES-related activities (including community involvement in carbon measurement and monitoring).

However, even when all of the above measures are properly implemented, there still remain many barriers that REDD+ faces. The barriers can be broken down into five categories <sup>21</sup>

1. Economic barriers (e.g. cost of land, competing land use, continued poverty, lack of existing capacity, (low) price of carbon, population growth, transaction and/or monitoring costs, etc.);
2. Risk-related barriers (e.g. delay on returns, slow system response, 'permanence' issues, leakage, fire, natural variation, etc.);
3. Political and/or bureaucratic barriers (e.g. lack of political will, slow land planning bureaucracy, complex MRV and/or accounting rules, unclear and/or perceived loopholes, etc.);
4. Logistical barriers (e.g. different or scattered owners/stakeholders, different interests, inaccessible areas, biological unsuitability, etc.); and,
5. Educational / societal barriers (e.g. stakeholder perception, traditional sector, lack of capacity, new/unknown legislation, etc.).

Most mitigation options are hindered by more than one of these barriers, some of which may also be interrelated. Barriers are generally more related to non-climate issues: e.g. poverty and/or lack of capacity. If these barriers persist no significant mitigation will be achieved, even if good policy and legislation is in place. Political will, for instance, may relate to fear that economic growth will be hindered when land-use change is halted; hence, creative solutions are needed which provide economic opportunities as well as conserve carbon. This requires novel ideas whereby the traditional non-paid for benefits of forests are internalized not only in decision making but also in the (monetary) reward/compensation schemes that are required to tip the scales from environmental and social unsustainable behavior to responsible land management that is cognizant of the environmental, social and holistic economic values of the natural resources. Therefore,

1. Policies must be developed that consider all land uses together;
2. Mitigation policies should be developed within the wider framework of sustainable development;
3. To ascertain that the benefits/rewards of good land management make their way to the stakeholders that rightfully are entitled to receive them, a successful PES systems is of paramount importance; and,
4. To achieve meaningful climate change mitigation through the land-use and forestry sectors, the removal of macro-economic barriers (e.g. related to fair trade, agricultural subsidies in industrialized countries and interests on loans and foreign debt) is a prerequisite.

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<sup>21</sup> Trines, E., Höhne, N., Jung, M., Skutsch, M. Petsonk, A., Silva-Chavez, G. Smith, P., Nabuurs, G.J., Verweij, P. and B. Schlamadinger, 2006: Integrating Agriculture, Forestry and Other Land Use in Future Climate Regimes. Report Number 500102002 under the "Climate Change Scientific Assessment and Policy Analysis" Research Fund.

## 4 Creating the right enabling conditions

### 4.1 Description of required changes to current practices to address drivers of deforestation and forest degradation

#### 4.1.1 Mainstreaming REDD+

##### *Objectives*

- REDD+ considerations are integrated in all relevant sectoral policy development and planning, including SEDPs, balancing the concerns of agriculture, forestry, infrastructure, aquaculture and of other sectors
- Roles and responsibilities of different actors regarding REDD+ are determined and properly regulated.

##### *Enabling conditions*

- a) Political will and commitment from the government
- b) The National REDD+ program and Action Plan for REDD+ become both part of the national forestry development plan and program; and are integrated in the national climate change mitigation program (or action plan).
- c) The national forest land is clearly assessed for land suitability and is zoned and delineated, especially special use forest and protection forest.
- d) Forestry land allocation related policies and laws are guided by clearly identified and defined land tenure (ownership and use rights) and utilization rights, and benefit distribution is agreed and implemented. The rights and responsibilities of both the State and the land owners/users are clearly defined.
- e) The right to transfer, lease, offer, and/or mortgage land is based upon land-use right certificates.
- f) Forest land allocation policy is combined with other land allocation policies and regulation related to the land users.
- g) The coordination framework within and between government ministries, especially MARD and MONRE, is clearly defined and functioning properly and roles and responsibilities are clearly established and allocated. Existence of the capacity to absorb the changes in all layers of administration and non-administrative levels.
- h) Long-term predictable finance to carry out some of the activities (mainstreaming and operationalising REDD+ will take years).

REDD+ needs to be mainstreamed at national planning and programming levels, including in the<sup>22</sup>:

- i) National Socio Economic Planning;
- ii) National Policies, Legislation, and Regulations;
- iii) National Programs and Development Proposals.

At sectoral levels through:

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<sup>22</sup> Other measures to mainstream Climate issues into the SEDP should be considered, such as: a) Recognize that mainstreaming climate change may receive some resistance from traditionally powerful agencies like finance and planning and use their own development paradigms to convince them of the need to mainstream climate change; b) Start with awareness raising and building a good understanding of the scientific underpinnings of climate change, especially among non-environmental agencies, the private sector, and parliamentarians; c) Conduct training programmes on climate change mainstreaming for key decision makers; d) Pilot mainstreaming activities and learn by doing, especially in central agencies like planning and finance; taken from the current analysis and the manual of King, P.N., 2010: The Mainstreaming Climate Change – a Guidance Manual for the Pacific Islands Countries and Territories (draft by May 2010).

- i) Cross-sectoral integration;
- ii) Integrated project assessment;
- ii) Regulatory and incentive- based strategies;
- iii) Development and implementation of REDD+ measures;

Into the national budgets, including in or through:

- i) National budgetary processes
- ii) Securing additional financial resources;
- iii) Public-private linkages;

Into Development Cooperation through:

- i) Institutional changes;
- ii) Community participation.

### *First Step Measures*<sup>23</sup>

- Build the capacity to mainstream REDD+ into SEDPs with all planners and technical officials at all levels, using a cross sectoral approach.
- Integrate forestry and REDD+ issues into land-use policies and decisions, SEDPs and other sector development plans.
- Balance the planning for agricultural development with other income opportunities in rural areas.
- Link REDD+ measures with livelihood and food security objectives and measures
- Clarify and regulate roles and responsibilities of government institution and offices in relation to REDD+ at central, province, district and commune levels.
- Decentralize the management of state forests to local governments.
- Foster intra- and intersectoral coordination.
- Clarify and regulate roles and responsibilities of civil society actors at different levels.
- Explore forest degradation and opportunities from REDD+.
- Examine the forest classification and approval processes to determine impacts on forest loss and make recommendations for a revision of the forest classification.
- Assess the ecological and social impacts of forest conversion, focusing on the impacts of conversion of natural forests in the Central Highlands and Southeast Agroecological zones to rubber estates and on the impacts mangrove forest conversion for shrimp farming.
- Assess the impacts of shifting cultivation on forest cover in North West, North Central and Central Highlands.
- Assess the environmental and socio economic impacts of the current plans for medium and small scale hydropower plants and make recommendations to reduce impacts on forests, with focus on North Central, North West and Central Highlands.
- Develop and agree upon a concerted action plan to prevent and control deforestation.

### *Medium Term Measures*

- Re-assess forests and forest land

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<sup>23</sup> Partially derived from an early version of the Readiness Preparation Proposal (R-PP), Socialist Republic of Viet Nam, Hanoi, 2010.

- Assess current sectoral plans (e.g. for agriculture, infrastructure, socio economic development) both at national and provincial levels to identify those likely leading to high forest cover loss.
- Revise criteria for land use classification, including climate change adaptation and mitigation (REDD+) and other environmental criteria.
- Review forest land classification.
- Revise land use planning and zoning based on revised land use criteria, weighing trade-offs between different land-use options.
- Clearly define land planned for forestry use on maps as well as on the ground
- Integrate REDD+ into land use planning (through the forest land use planning) at national level for 2011-2020, and into the future provincial land use plans which are currently under development for 2011-2015, as well as into district and commune plans.
- Develop land use zoning.
- Monitor the implementation of land use planning and zoning.
- Review, revise and complete forest and forest land allocation process.
- Establish a system to supervise and monitor land and forest allocation
- Accommodate traditional cultivation methods in and forest allocation
- Develop a REDD+ monitoring, reporting and evaluation system.

#### **4.1.2 Definition of long-term usufruct rights and a PES/cost-benefit-sharing system between government agencies and potential beneficiaries**

##### *Objectives*

- Carbon rights and their transfer are regulated.
- The distribution of benefits under REDD + is regulated.

The legal basis for a performance-based BDS in principal exists. However, REDD+, forest carbon and the ownership to forest carbon are new to Viet Nam and have so far not been provided for in the legal and regulatory national framework. To provide security and transparency, specific legal provisions and regulations carbon rights and their transfer, and for REDD+ beneficiaries and benefit distribution are therefore required.

##### *Measures required*

Since legal reforms require time, three options are proposed:

1. Implement REDD+ by interpreting only existing legal instruments, without legal reform;
2. Enact specific legal instruments to ensure clarity concerning REDD+ and administration of REDD+ revenues, without undertaking broader legal reform;
3. Undertake a broad legal reform which addresses all aspects of REDD+ governance and administration of REDD+ revenues.

##### *First Step Measures*<sup>24,25</sup>

- Assess present cost- and benefit system.

<sup>24</sup> Socialist Republic of Viet Nam, 2010: Readiness Preparation Proposal (R-PP), Hanoi.

<sup>25</sup> Legal measures are covered in chapter 5.2.

- Improve finance policy, management of revenues from REDD+, and REDD+ benefit sharing mechanisms.
- Ensure the participation of multiple parties in the management of REDD+ revenues, and ensure independent auditing.
- Strengthen the use of environmentally sound agroforestry and silvipastoral systems as well, as the sustainable harvesting and processing on non timber forest products to generate income.
- Explore alternatives to forest conversion and forest degradation as well as capacity needs.
- Support the land use rights allocation process to households and communities
- Enforce planning of environmental requirements.
- Build capacity for the development of alternative livelihood options.
- Plan and implement REDD+ pilot projects in a limited number of provinces and districts.
- Prepare a specific Decision by Prime Minister on REDD+, pending the clarification of the international REDD+ legal framework, addressing governance issues associated with international funding of REDD+, to ensure that REDD+ implementation is consistent with Vietnamese law. This Decision should be issued after a pilot phase (over at least 2 years) during which REDD+ modalities would be tested.
- Develop a detailed work plan for addressing the other required legal reforms.
- Develop implementation guidelines for REDD+ interventions and PES, including the relevant definitions, success and review criteria

*On the long run, the following measures are required*

- Strengthen existing mechanisms to encourage small-scale forestry and community-based forestry.
- Develop a mechanism for benefit sharing from REDD +.
- Ensure that all legitimate REDD+ beneficiaries are recognized, in particular addressing and resolving the legal status of local communities, ethnic minorities, and forest contractors.
- Establish a financial mechanism that allows REDD+ funds to reach the local beneficiaries, including its governance structure, its monitoring, and roles, rights, and responsibilities of major stakeholders.
- Define the roles and coordination of actions of the government authorities (in particular of MONRE and MARD) involved with REDD+.
- Accelerate legal reforms in other sectors with REDD+ relevance.

#### **4.1.3 Management culture, efficiency, responsiveness and “learning organisations”**

*Objectives*

- Planning and implementing procedures are decentralized and /or devolved to district and local levels.
- The investment climate for the forestry sector of Viet Nam is improved
- Local groups including ethnic minorities participate fully in planning and implementation of REDD+

### *Enabling conditions*

- A uniform and consistent approach towards sustainable forest management by the entire government administration.
- A working culture of coordination, collaboration and integration between all stakeholders, particularly between government agencies in horizontal and vertical directions, and between government agencies and civil society.
- Development and maintenance of an atmosphere that fosters inquiry and dialogue, making it safe for people to openly share ideas and information, and to take risks.
- Full and effective local and community participation in the SEDP and forest development and management planning and implementation exercises This requires the enhancement of the planning capacity at district and commune levels as well as the reform of planning procedures <sup>26</sup>, through the strengthening and implementation of a grassroots- democracy ordinance.
- Strong accountability of districts and communes via an effective decentralization of authority from provinces to district and to communes.
- Proper, transparent and accountable management of public finances in general and the REDD+ fund in particular. This requires capacity building and the strengthening of law enforcement of executive agencies and external oversight through the National Assembly and the State Auditors;
- Consideration of different social characteristics of ethnic minorities<sup>27</sup> and rights of indigenous people in the development of suitable policies in SEDPs as well in REDD+.

### *Measures required*

- Decentralize and devolve decision making to district and commune levels.
- Coordinate with and integrate stakeholders at all levels in REDD+ planning and implementation.
- Ensure full and equitable participation of local communities and actors in planning and implementation processes.
- Consider the specific characteristics and traditions of ethnic minorities when planning and implementing REDD+
- Develop and maintain a system to foster a continuous, open and transparent dialogue with all stakeholders.
- Build planning and implementation capacities at district and commune levels.
- Reform the financial management system,
- Make provisions to ensure accountability and transparency at all levels of technical and financial management.
- Fully implement and enforce Decision 30/QD-TTg;
- Simplify investment policies.
- Ensure and monitor accountability and transparency for public investment.
- Review administrative procedures and propose and implement their reduction and simplification

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<sup>26</sup> This reform is on-going with development of new planning degree by MPI.

<sup>27</sup> WB 2009, National Social Analysis- Minorities and Development in Vietnam



- Delegate/devolve administrative decisions from central to district and commune levels.
- Introduce incentives to attract private sector investment.

#### **4.1.4 Strengthening of EIAs and SEIAs**

##### *Objective*

- Social and environmental impacts of forestry-related activities are minimized

##### *The Issue*

Legal provisions are required on the preparation, appraisal and approval of environmental impact assessments and supplemental environment impact assessment reports, as well as on the implementation and monitoring of environment protection activities identified in said reports. Environmental experts, scientists with qualifications and expertise appropriate to the content and nature of the project should be invited to conduct the environmental assessment and strategic environmental assessment reporting and planning; and prepare appraisals on strategic environmental assessment reports. Environmental protection commitments should be made, registered and certified. Public consultation processes on the environmental impact assessment reports have to be introduced, as well as an evaluation process through appropriate forms such as an evaluation council and appraisal services organization (qualified under the provisions law).

Environmental issues need to be integrated into the forestry development plan for each area of specialization (reforestation, forest harvesting, forest products processing and forestry services).

Inspection, control, organizational management and supervision at community level should be enhanced for environmental management. Mechanisms have to be developed to enforce the regulations and procedures on forest products harvesting, especially from natural forests.

To minimize the arbitrary discharge of pollutants from production facilities, strict sanctions for non-compliance with the provisions of the Law on environmental protection have to be regulated and applied. The dissemination of information and education on environmental protection should be increased to raise awareness of the general public, as well as of the private sector.

##### *Measures required*

- Integrate EIA processes in REDD+ measures.
- Establish mechanisms to monitor and enforce the implementation of environmental provisions
- Introduce sanctions for EIA offences.
- Enforce EIAs and related sanctions.
- Educate and train public servants and stakeholders at district and community levels in environmental protection.

## **4.2 Legal framework for REDD+**

### *Objective*

- A comprehensive legal framework for REDD+ is developed

## *The Issue*

To accommodate the requirements of the NRP, the legal framework should be improved, amended, and supplemented addressing the following aspects: (1)-relationship between the rights to represent the ownership of the State and land-use rights, forests, land users, and forest owners; (2) financing policy, management of REDD+ revenues and mechanisms for REDD+ benefit sharing; (3) legal framework related to aspects of technical management of REDD+; (4) rights and obligations of the subjects benefiting from REDD+; (5) responsibilities, the coordination of public agencies at all levels and sectors for the implementation of REDD+; (6) Enhancement of international cooperation.

## *Measures required*

- Examine forest policy, legislative and administrative reform.
- Identify amendments and design the appropriate governance structure and legislation for REDD+, including increased flexibility in regulations.
- Review and revise legal framework, including sanctions on forest management and use, also at the commune level.
- Review laws and policies, and amend them, regarding their contribution to curbing illegal acts in forestry.
- Promulgate regulations on land use, forest use and land use change
- Modify the legal and enforcement framework to provide for REDD+ integration into SEDPs.
- Regulate and strengthen the process of environmental impact assessments through a legally binding process of EIAs, their participatory approval and monitoring.
- Regulate the roles and strengthen the capacities of forest rangers.
- Clarify the relationship between the State's ownership right and land-use and forest-use rights of land users and forest owners.
- Amend and supplement policies for the use of land and forest resources towards further empowering communities to land use and forest-use rights.
- Improve laws and policies on forest and forest land allocation to communities.
- Create and regulate a transparent and stable investment environment.
- Develop and test legislation for the allocation or lease of special use forests to various non-state actors in particular for ecotourism and recreation activities.
- Regulate and ensure clear intellectual property rights, land-use rights, property rights and long term forest-use rights.
- Regulate rules and rights to ownership of land and forests, particularly forest allocation and associated land-use rights and their transfer for all potential beneficiaries.
- Regulate rules governing ownership, transfer and trade of carbon rights and credits, as well as long-term usufruct rights for non-state entities.
- Clearly define and regulate the rights and obligations of REDD+ beneficiaries, including sanctions in case of non-compliance.
- Consider in the legal and enforcement framework the livelihoods of ethnic minorities.
- Recognize and legalize traditional land use rights of people and local communities living in and near forests.
- Create a legal framework for entering the voluntary and compliance carbon markets.
- Regulate the decentralization of forest management to district and local levels.

- Regulate the responsibilities and coordination mechanisms among public agencies at all levels and sectors for the implementation of REDD+.
- Establish a legal framework for the management of technical aspects related to REDD+.
- Continue to comply with international climate change-related agreements and conventions Viet Nam is party of.
- Modify existing national strategies and policies to take into account REDD+.
- Start a phased approach to legal reform, consistent with its commitment to international leadership on REDD+.
- Continuously test and update the legal framework.

### **4.3 Free prior and informed consent**

#### *Objective*

- Concerns and traditions of local people and communities are considered and respected in land and forest allocation process.

#### *The Issue*

The participation of local authorities, the linkages with local communities and non-governmental organizations, consultation with local people during the design and implementation of REDD+-related programs and projects, such as information exchanges on programs and projects should be strengthened. Further, a process on adequately informing the local population about REDD+ and related measures has to be established, which foresees their free prior and informed consent to those.

#### *Measures required*

- Start an awareness raising and education program to inform people and local communities about REDD+.
- Establish a process to gain free prior and informed consent from people involved on REDD+ measures.
- Ensure the participation of local authorities, communities and people, as well as of non-governmental organizations, in the process of designing and implementing REDD+-related programs and projects.
- Make best use of traditional and local knowledge when designing and implementing REDD+ measures.
- Accomplish village forest protection agreements and benefit sharing.
- Provide capacity building on REDD+ -related issues at village and community levels.
- Develop a process of law enforcement at the community level, involving local people.

The REDD+ program in Viet Nam is currently testing an eight-step process to seek free, prior and informed consent (FPIC) in two pilot districts as part of its overall outcome to increase capacity to manage REDD+ at provincial and district levels. The experiences from the pilots will help to develop further concrete measure as to strengthening local management.

## 4.4 Forest Law Enforcement, Governance and Trade

### *Objective*

- Illegal sourcing of forest products, both nationally and internationally is minimized.

### *The Issue*

Illegal acts in forests are a major contributor to forest degradation, and emissions, and thus a field of intervention for REDD+. However, to reduce illegal acts in forestry is also in the very interest of the private sector and the Vietnamese economy, if they want to maintain employment and income from the export of timber products. To deal with illegal acts in forestry, a number of measures both at legal and administrative levels have to be taken.

### *Measures required*<sup>28</sup>

- Address possible intra- national and international leakage in said policies and laws.
- Develop and test clear, transparent, consistent and simple guidelines and a national standard proving the environmental sustainability and legal origin of timber, both from national and international sources.
- Oblige forest users to apply the principles of sustainable forest management, and to have their operations certified
- Introduce a Viet Nam timber legality label and develop a procedure for its issuing.
- Develop and implement an independent monitoring system, including mechanisms to control the timber supply chain from the forest to the millgate, Introduce a verification system for legality of timber in the forest, and a supply chain control.
- Strengthen the process and mechanisms to prevent, detect, and sanction forest violations

### *First steps*

- Revitalize the joint REDD+-FLEGT platform with the FLEGT Working Group to link both approaches.
- Start an awareness raising campaign with forest industries and the general public on the necessity to curb illegal acts in forestry.

## 4.5 Human Resources Development and Communication

### *Objectives*

- A capacity building plan on climate change and REDD+ measures for public servants and civil society is developed and implemented.
- An information and awareness raising campaign for the general public is developed and implemented.

### *The Issue*

REDD+ activities will have to cover all 63 provinces/cities with forests, as well as all related stakeholders and REDD+ beneficiaries. To effectively implement REDD+ measures, a capacity building and information plan has to be developed and implemented, focussing on:

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<sup>28</sup> For further details see: Proforest, 2009: Joint FLEGT –Vietnam Scoping study, Oxford.

- changing the working culture to one driven by quality service delivery and a results based management, through experience with and exposure to modern management thinking and practices;
- strengthening systems and human resource capacities<sup>29</sup> to learn new work habits, mechanisms and skills for service delivery to beneficiaries;
- providing capacity building on climate change and REDD+ issues to public servants and civil society at all levels;
- developing and implementing an awareness and information campaign on REDD+ issues;
- ensuring an integrated approach, linking interventions at central and local levels within the framework of the national REDD+;and
- provision of appropriate training and an institutional environment for the implementation of the trained skills and knowledge acquired.

### *Measures required*

- Design a comprehensive capacity building system, which not only covers training, but also creates an environment for REDD+ implementation. The training component of such CB plan needs to be develop in connection with the institutional, organisational and management information system development for the REDD+ planning and implementation.
- Develop clear guidelines to empower provinces and districts to increase their absorption and implementation capacities.
- Develop and implement a capacity building plan on climate change and REDD+ measures for public servants at all levels, as well as for the rural population.
- Coordinate between MARD, MOHA, NAPA and others on the implementation of this plan.
- Pilot – test the capacity building plan in the five selected provinces.
- Design and implement an appropriate “train the trainers” program for different target groups (ethnic minorities, public servants, etc).
- Coordinate between MARD and MOET to develop an education and training system to build national in- house capacity, particularly through curricula development for universities, such as Xian Mai Forest University, the Hanoi UARD, and the potential new University on climate change.
- Develop strategic communication for REDD+ implementation using approaches to achieve social change.
- Coordinate between MARD, MOTC and provincial authorities to develop and implement communication and awareness campaigns with media and the general public as well as to design permanent communication mechanisms and channels with the land users.
- Allocate substantial resources to human resources development and communication.

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<sup>29</sup> It should be noted that challenges in improving human resource capacities in developing countries are well documented, and in particular, in Vietnam where resources and incentives are low and opportunities for advancement limited.

## 5 Governance for REDD+ Implementation

### 5.1 Governance issues

#### *Objectives*

- Effective Governance measures for REDD+ implementation developed, including the strengthening of the policy framework, the decentralization to local communities; the mainstreaming of REDD+ measures in Land-use planning and SEDPs; stakeholder participation, and an effective monitoring and evaluation system

#### *Measures required*

- Map out all initiatives of REDD+ and NTP-RCC to define responsibilities;
- Carefully assign responsibilities/tasks (including new ones) to specific agencies/departments of each ministry/locality based on their current responsibilities, their newly assigned responsibilities under the REDD+, and on the approach of learning organization.
- Apply the approach of results – based management (RBM) on the effective performance of assigned responsibilities.
- Link a REDD+ incentive system to MRV
- Set up an efficient formal mechanism for cross sectoral, horizontal and vertical (between administrative levels) coordination, well equipped with sufficient resources for its implementation.
- Set up a Steering Committee and a Coordinating Committees at national and province levels which ideally should be integrated with the NSC of NTP-CC.
- Include in SC members of the NSC and representatives from different groups, including provincial authorities and private sector
- Establish taskforces at district level and a Community Facilitator for each project/activity.
- Establish a policy dialogue between MARD, donors and investors, to agree on a common set of targets in a policy matrix, and a Joint-Progress Review mechanism.
- Reduce the involvement of central ministries to avoid a silo approach, strengthen their capacity in policy and legal framework development (particularly with the legal issues, policies, and a strategic development framework) while strengthening decentralization to local governance.
- Ensure effective participation of all relevant stakeholders, particularly local communities/beneficiaries in the process of decision making, planning, implementation and monitoring of REDD+.
- Provide guidelines and training to deepen the participatory and decentralized nature of the program implementation process
- Ensure that for any initiative responsibilities are clarified and defined, proper and simple guidelines are provided, human and financial resources are available, and a good action plan with a proper monitoring system is developed.

## 5.2 Organizational Structure for REDD+

### *Objective*

- A governance structure is established which creates horizontal and vertical coordination in REDD+ implementation

### *Measures*

In the **Steering Committee on UNFCCC and KP implementation**, chaired by MONRE, MARD is presented by an officer from its Irrigation Department. To stress the importance of REDD+ for climate change mitigation, it is suggested to have MARD also presented by a second officer from DOL.

A **Steering Committee (SC) for the Implementation of the Initiative on REDD+** has been established on 7 January 2011<sup>30</sup>, and confirmed by Prime Minister on 13 January 2011<sup>31</sup> with the main tasks to:

- Propose relevant policies on, and solutions to REDD+ issues and carbon credits in Viet Nam's forestry sector to the Minister of Agriculture and Rural Development (MARD) and the Steering Committee for NTP-RCC<sup>32</sup>.
- Assist the Minister of MARD to steer relevant agencies and units under MARD; collaborate with relevant line ministries, localities and organizations on the management and coordination of, and dealing with inter-sector and inter-provincial major issues relating to REDD+ Initiative in Viet Nam.
- Direct the formulation and implementation of a Viet Nam REDD+ Program; development of relevant strategies and plans, and coordination of international cooperation activities to attract financial resources for implementing the REDD+ Initiative.
- Implement other REDD+ related tasks as designated by the Minister of MARD.

The latter would include provision for the monitoring, control and evaluation of the REDD process implementation.

The SC will be chaired by the Minister of MARD, with the Vice Minister MARD as a first and the DDG VN Forest as the second Vice Chair. Other SC members are the DG, Department of Planning, MARD; the Director, Department of Science, Technology and Environment, MARD; the DDG, International Cooperation Department, MARD; the Deputy Director, Department of Finance, MARD; the Director, Department of Science, Technology and International Cooperation, VNFOREST, MARD; the DDG, Forest Protection Department, VNFOREST, MARD, and the official, Department of Science, Technology and International Cooperation, VNFOREST, MARD. Other members to be invited will be representatives from the following ministries and ministerial level agencies: Office of the Government; Ministry of Natural Resources and the Environment (National Focal Point of UNFCCC and Kyoto Protocol); Ministry of Planning and Investment; Ministry of Finance; Ministry of Science and Technology; Ministry of Foreign Affairs; and National Ethnic Committee.

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<sup>30</sup> MARD Decision 39/QD-BNN-TCCB, 2011

<sup>31</sup> PM letter 282/VPCP-QHQT

<sup>32</sup> The recent Regional Conference on Sustainable Forest Development in a Changing Climate in Hanoi, 7-8 September 2010, suggested policy and institutional reform in Forest sector in order to address quite a number of issues among which is to "improve the effectiveness and efficiency of policy (through identifying priorities and resources, increasing the capacity of coordination among people, communities, private sector and civil society organizations in the forestry policy making and enforcement as well as forestry program formulation and implementation). Policy and institutional reforms in the forestry sector of Viet Nam should follow the multi-purpose forest management approach". A detailed description of this process can be found at: <http://tinyurl.com/Viet-Nam-UN-REDD-FPIC>

At the Steering Committee's meetings, the Minister of MARD, Chairperson of the Viet Nam REDD+ Steering Committee, shall invite relevant line ministries and localities to participate in and discuss necessary issues. It is further suggested to invite representatives from the private sector, e.g. investors, and from NGOs.

Tasks and entitlements of SC members:

1. Specific tasks of each of members of the Vietnam REDD+ Steering Committee shall be designated by the Chairperson; and all the members work on part-time basis;
2. The Chairperson and the first Vice-Chairperson shall be entitled to sign relevant business documents and use the seal of MARD; and the Vice Chairperson shall sign relevant business documents on designated works and use the seal of Viet Nam Administration of Forestry;
3. The Chairperson shall issue operational regulations of the Viet Nam REDD+ Steering Committee;
4. The Viet Nam REDD+ Steering Committee and a Viet Nam REDD+ Office shall be entitled to funds allocated from the State's budget through VNFOREST's operational budget, and from other financial resources through relevant programs and/or projects.

The Viet Nam REDD+ Office shall be designated to provide secretariat functions for the Vietnam REDD+ Steering Committee. The VNFOREST Director-General will establish the Viet Nam REDD+ Office and promulgate its operational regulations. The Viet Nam REDD+ Office will have the following functions:

- Conduct the day-to-day management of the National REDD+ Program;
- Assist the Viet Nam REDD+ Steering Committee in performing its tasks;
- Assist the DG VNFOREST in any other matter related to REDD+ in Viet Nam.

The Vietnam REDD+ Office will be placed at VNFOREST Head Office.

The **National Working Group (NWG)** reports to the SC. The NWG consists of different Vice Ministers from mentioned ministries and agencies including Heads of some provincial technical departments (selected on rotation basis). Chair of the NWG is the Vice Minister of MARD, vice chair the Director of DOF in MARD. There is an office supporting work of the NWG. The NWG is in charge of coordinating day by day REDD+ activities and will:

- Propose the legal framework, policies and coordinating guidelines for REDD+ implementation to SC;
- Organize, guide and manage the REDD+ implementation;
- Coordinate inter-ministerial (horizontal) and inter administrative (vertical) levels (one of the first tasks is a mapping of actors);
- Oversee the management of interagency- related projects;
- Support agencies (ministries, provinces) to develop their REDD+ action plans;
- Allocate resources to REDD+.

The NWG will be supported by different technical working groups and sub-national working groups which will act like administrative and technical agencies. Additionally, a scientific consultancy, technical committee of national and international experts may be created to provide scientific and technical advice on the REDD+ process.



At the provincial level, a similar structure should be established. At district level and at commune levels, the experience of the UN REDD+ program will help to design an appropriate structure at a later stage, however, commune facilitators for each commune could be considered.

The specific mandates, tasks and objectives of each administrative body are presented in the following table.

Organisation / Institute	Departments	Responsibilities / tasks	Objectives / roles
<b>Central agencies:</b>			
National Assembly	NA Standing Office	Adjust Vietnam's Constitution to approve the Law on community land right and tenure	Law on community land right and tenure to be accepted
	Council for Ethnic Minorities	Advise on approving REDD+ related regulations	Ensure ethnic minorities been taken into account in the new law / regulations / policies
Government and Prime Minister		Approve and modify relevant regulations, policies in response to REDD+ measures in time to approve appropriate decree for REDD implementation taking into account governance issues associated with international funding of REDD and to ensure that implementation of REDD+ is consistent with Vietnamese law. This decree should be issued after a pilot phase (over at least 2 years) during which REDD+ modalities would be tested.	Ascertain: i) uniformity and consistency of REDD+ policy framework ii) Smooth coordination between central and local agencies in REDD+ implementation iii) Appropriate degree on REDD+ implementation
OOG	Sectoral Department General Economic Department	<ul style="list-style-type: none"> <li>Facilitate discussion between different related ministries to REDD+</li> <li>Approve REDD+ decree</li> </ul>	To have final decision of the REDD+ Content
MARD	MARD	Act as focal point in coordinating with other central agencies in developing proposals / regulations, mechanism including new responsibilities for REDD+ implementation. More particularly: <ul style="list-style-type: none"> <li>Coordinate with MONRE on land and forest allocation, including water resources management</li> <li>Coordinate with MOF to propose mechanism for a REDD+ fund</li> <li>Coordinate with MPI and MPI on fund allocation (including the state budget) to REDD+</li> <li>Coordinate with MPI to mainstream REDD into SEDPs and its sectoral plans</li> <li>Modify strategies, policies effectively under REDD+</li> <li>Approve clear guidelines and comprehensive approaches for LUP, Forest land allocation, Benefit sharing accountability, forest management plan...</li> </ul>	Ascertain: 1) appropriate land use for forest; 2) Smooth coordination of REDD+ with others central related Ministries / Agencies; 3) ensure REDD+ measures are mainstreamed with land use planning and zoning
	Administration of Forestry	<ul style="list-style-type: none"> <li>Undertake land planning and zoning for forest</li> <li>Act as focal point in coordinating with the MONRE's GDLA in land planning and zoning and with other line ministries on land zoning and planning.</li> <li>Manage the process of RL/REL development (Department of Science, Technology and International Cooperation within the Directorate of Forestry (DoF).</li> </ul>	Ascertain appropriate land and forest area allocation
	Department of Planning	<ul style="list-style-type: none"> <li>Consider REDD+ measures when approving decision for Investments projects of the agriculture sector (Crops, Aquaculture, Irrigation...),</li> </ul>	Ensure that drivers and causes of Forest DD are taken into account in other sector investment projects and programs

Organisation / Institute	Departments	Responsibilities / tasks	Objectives / roles
		taking into account REDD+ measures and benefits with other projects costs.	
	Department of Irrigation and Water Resources Management	<ul style="list-style-type: none"> <li>Undertake EIAs and CBAs on existing policies and strategies</li> <li>Collaborate with MONRE's Department on Water Resources Management on the issues</li> <li>Represents MARD in the NSC of the NTP-RCC</li> </ul>	Existing policies and strategies in responding to REDD+ measures
	DOL	<ul style="list-style-type: none"> <li>Develop and oversee guidelines of new legislation pertaining to REDD+</li> <li>Coordinate with other line ministries in suggesting and drafting appropriate legal regulations for REDD+ implementation</li> </ul>	Ensure an appropriate legal system and policies supporting REDD+ Implementation, including Law/regulations on community land right and tenure
	DOF	<ul style="list-style-type: none"> <li>Coordinate with MOF and MARD-DOL for the development, supervision and guidance of financial mechanism/regulations in REDD+ Fund management and distribution</li> </ul>	Appropriate Financial mechanism and regulations for REDD+ Fund management with transparency effective distribution systems; Ensure the rights to carbon, land and forests, particularly forest allocation and associated land use rights and their transfer for all potential beneficiaries be regulated
	DOST		
	ICD	<ul style="list-style-type: none"> <li>Coordinate donors in REDD+</li> <li>Coordinate with Directorate of Forest on REDD+ issues</li> </ul>	
	Department of Crop Production		
MONRE		<ul style="list-style-type: none"> <li>Holds the offices of the DNA and is responsible for the implementation of the UNFCCC and the KP in Viet Nam</li> <li>Coordinate with MARD on issues of land tenure rights and communities land rights on CC mitigation effects of REDD+ measures.</li> <li>Coordinate with MARD and local authorities to mainstream REDD+ into land use planning and water resources management</li> <li>Modify its strategies, policies effectively taking into account of REDD+</li> </ul>	Ensure REDD+ measures are integrated in the land use planning and zoning and water resources management plan
	GDLA	<ul style="list-style-type: none"> <li>Coordinate with REDD+ measures in land use and planning</li> </ul>	Ascertain land use and planning taking into account of REDD+ measures
	Dept. of Meteorology, Hydrology and Climate Change	<ul style="list-style-type: none"> <li>Act as focal point in coordinating with MARD on international requirements for UNFCCC and KP including REDD+ measures</li> </ul>	Make sure REDD+ measures are in line with CC and others requirements/guidelines of UNFCCC and KP
	DEIAs	<ul style="list-style-type: none"> <li>Develop guidelines and new regulation of EIA and SEIAs taking into account REDD+ measures</li> </ul>	Ensure guidelines are applicable for concerned ministries (MOT, MOIT, MARD...)
MOF		<ul style="list-style-type: none"> <li>Coordinate with MARD and MPI in developing REDD+ fund mechanism</li> <li>Coordinate with MPI and MARD in fund allocation, overall fund (including state fund) for REDD+</li> <li>Modify existing mechanisms, policies and strategies taking into account REDD+ measures</li> <li>Deal with international agencies on payment issues regarding REDD+</li> <li>Modify existing policies and strategies in responding to REDD+ measures</li> </ul>	Ascertain appropriate financing mechanism/regulations for REDD+ fund distribution
	International and external debt	<ul style="list-style-type: none"> <li>Negotiate and, sign international finance treaties (bi- and multilateral)</li> </ul>	Ensure the transparency and accountability of the REDD+ fund

Organisation / Institute	Departments	Responsibilities / tasks	Objectives / roles
	management Department		implementation for review by UNFCC and international forum
	The department of administrative and services delivery unit	<ul style="list-style-type: none"> <li>Apply performance- based payment system for REDD+ fund distribution (retention payment in particular)</li> </ul>	Appropriate payment system for the officer involved in REDD+ implementation
MPI	General National Economy Department	<ul style="list-style-type: none"> <li>Integrate REDD+ measures in the planning system and in the SEDP;</li> <li>Ensure that policies and strategies take into account of REDD+</li> </ul>	Modification of existing policies and strategies in responding to REDD+ measures. Mainstream REDD+ into National SEDPs and related investment strategies /policies
	Department of Infrastructure	<ul style="list-style-type: none"> <li>Coordinate with MARD/DOF in development of regulations/policies considering the opportunity cost of infrastructure projects (Transport (Road, Seaports...)) versus REDD+ benefits for investment decision making</li> <li>Coordinate with MARD</li> </ul>	Ensure that approved investments eliminate causes and drivers of Forest DD; ensure REDD+ measures to be mainstreamed with investment decision and approvals
	Department of Industry	<ul style="list-style-type: none"> <li>Consider the opportunity costs of Hydro Plant Investment Project versus REDD+ benefits in investment decisions</li> </ul>	Ensure that approved investments eliminate causes and Drivers of Forest DD
	Department of Agriculture Economics	<ul style="list-style-type: none"> <li>Consider the opportunity costs of Irrigation Investment Projects versus REDD+ Benefits in investment decisions</li> <li>Coordinate with Department of Industry in Development Policies for off-farm job opportunities</li> </ul>	Ensure Investment Planning of Agriculture taking into account REDD+ measures
	Department of Foreign Investment	<ul style="list-style-type: none"> <li>Develop favourable policies for Forest Investment/Investors in coordination with MARD</li> </ul>	Ensure enabling environment and policies for attracting Forest Investors to the country
	Department of Local Governments	<ul style="list-style-type: none"> <li>Coordinate with MARD in providing local issues for REDD+ measure implementation</li> </ul>	
CEMA			Ensure to contribute to uniformity and consistency of REDD+ legal framework and policies
	Department of Policy	<ul style="list-style-type: none"> <li>Advocate Ethnic Minorities' Policies and issues in REDD+ development and implementation</li> <li>Modify existing policies and strategies in response to REDD+ measures</li> </ul>	Make sure rights and characteristics of Ethnic Minorities be ensured in the REDD+ development and implementation
MOT	Planning and Investment Department	<ul style="list-style-type: none"> <li>Modify existing policies and strategies in response to REDD+ measures</li> </ul>	Ensure to contribute to uniformity and consistency of REDD+ legal framework and policies
	DOE	<ul style="list-style-type: none"> <li>Introduce SEIAs and EIA for new development and transport infrastructure</li> </ul>	Drivers and causes of DD in infrastructure eliminated
	General Department of Road Administration and Vinamarine	<ul style="list-style-type: none"> <li>Modify existing policies and strategies in response to REDD+ measures (road and seaport network development)</li> </ul>	Ensure investment planning of Road sector is responding to REDD+ measures
MOIT .... ....	Local Industry and Commerce;	<ul style="list-style-type: none"> <li>Modify existing policies and strategies in response to REDD+ measures (wood production industry).</li> </ul>	
	Export/ Import	<ul style="list-style-type: none"> <li>Modify existing policies and strategies in response to REDD+ measures (timber im- and export)</li> </ul>	Drivers and causes of FDD in infrastructure eliminated
	Departments of Energy		
	Regulating Electricity		
MOLISA			Ensure to contribute to uniformity and consistency of REDD+ legal framework and policies

Organisation / Institute	Departments	Responsibilities / tasks	Objectives / roles
	Gender Department	<ul style="list-style-type: none"> <li>Modify existing policies and strategies in response to REDD+ measures.</li> </ul>	Ensure to provide appropriate advice, and policies for gender participation in REDD+ measures implementation
MOET		<ul style="list-style-type: none"> <li>Modify existing policies and strategies in response to REDD+ measures.</li> </ul>	Ensure to contribute to uniformity and consistency of REDD+ legal framework and policies
	Departments of Primary, High School Educations, University and Education for Ethnic Minorities	<ul style="list-style-type: none"> <li>Develop training and education curricula to promote REDD+ measure</li> </ul>	
MOTI		<ul style="list-style-type: none"> <li>Develop in coordination with MARD communication strategies for REDD+ including setting up permanent communication channels and mechanism with land users</li> <li>Modify existing policies and strategies in response to REDD+ measures.</li> </ul>	Ensure to contribute to uniformity and consistency of REDD+ legal framework and policies
MOH		<ul style="list-style-type: none"> <li>Modify existing policies and strategies in response to REDD+ measures.</li> </ul>	Ensure to contribute to uniformity and consistency of REDD+ legal framework and policies
<b>Provincial level</b>			
PPCs		<ul style="list-style-type: none"> <li>Develop appropriate conditions for REDD+ implementation, including organisational structure, institutional mechanism, HRD, and resources including finances.</li> <li>Create an environment for active and effective participation of stakeholders including beneficiaries in the process of monitoring REDD+ implementation</li> </ul>	Ascertain smooth coordination between ministries and provincial departments Ascertain to integrate/mainstream REDD+ measures in the SEDPs, land use planning and zoning Create favourable policies and environment for investment to the forest sector Strengthen strong environment approvals process
FPD		<ul style="list-style-type: none"> <li>Coordinate with Military, and Police in forest law enforcement</li> </ul>	Ensure forest law enforcement
FIPI		<ul style="list-style-type: none"> <li>Regularly conduct National Forest Inventories</li> <li>NFIMAP- Monitor emissions in coordination with DOF</li> </ul>	Make sure the emission levels are correct accordingly as the time requires
DOF			
State Owned Companies <sup>33</sup>		<ul style="list-style-type: none"> <li>Actively participate in implementing REDD+ specific projects/activities</li> <li>Actively participate in monitoring of REL/RE and REDD+ fund distribution</li> </ul>	Ascertain to implement effective measures of REDD+ of the forest areas under their management Participate in law enforcement
Individual Households		<ul style="list-style-type: none"> <li>Actively participate in implementing REDD+ specific projects/activities</li> <li>Actively participate in monitoring of REL/RE and REDD+ fund distribution</li> </ul>	
Management Boards for Protection Forest (PFMB) <sup>2</sup>		<ul style="list-style-type: none"> <li>Actively participate in implementing REDD+ specific projects/activities</li> <li>Actively participate in monitoring of REL/RE and REDD+ fund distribution</li> </ul>	
Management Boards for SUF (PAMB) <sup>2</sup>		<ul style="list-style-type: none"> <li>Actively participate in implementing REDD+ specific projects/activities</li> <li>Actively participate in monitoring of REL/RE and REDD+ fund distribution</li> </ul>	
People's Committees (PC), mostly at community level (CPC) <sup>2</sup>		<ul style="list-style-type: none"> <li>Participate directly and actively in implementing REDD+ measures and requirements, including formulation of specific projects and activities</li> <li>Create an environment for effective participation of all relevant</li> </ul>	

<sup>33</sup> Source: "Design of a REDD-Compliant Benefit Distribution System for Viet Nam": UN-REDD Programme, January, 2010. First five account for >90% of all forest areas.

Organisation / Institute	Departments	Responsibilities / tasks	Objectives / roles
		stakeholders and transparency of information as well as for commune / villages to carry out REDD+ successfully	
Village communities		<ul style="list-style-type: none"> <li>Actively participate in implementing REDD+ specific projects/activities</li> <li>Actively participate in monitoring of REL/RE and REDD+ fund distribution</li> </ul>	<p>Ensure REDD+ measures are implemented effectively</p> <p>Ensure transparency and equitable distribution of REDD+ fund</p>
Joint venture enterprises			
Army and Police units		<ul style="list-style-type: none"> <li>Coordinate with related technical departments (Department of Forest Protection) to producing policies, measures to ensure law enforcement</li> </ul>	Ensure that illegal logging, forest fires among other REDD+ drivers are eliminated
Civil societies (Fatherland Front, WU, YU, FU, VUSTA)		<ul style="list-style-type: none"> <li>Promote and encourage REDD+ policies, regulations, measures implementation</li> <li>Actively participate in the implementation of the REDD+ specific projects/activities</li> </ul>	Ensure that REDD+ measures, policies and regulations are understood and applicable by communities, households

### 5.3 Strengthening decentralization of management tasks to lower administrative levels

#### *Objective*

- Decentralized structures for REDD+ governance are developed and functional

#### *The Issue*

Decentralization in Vietnam challenges the uniformity and consistency of the central policy framework. The strengthening of the policy framework in the REDD+ context globally and nationally also means a strengthening of central agencies' responsiveness and flexibility (learning organization approached) to the changing environment and beneficiaries needs and interests. Moreover, the policy and legal framework for REDD+ needs to focus on the essential measures with highest benefits for the society.

The strengthening of local management needs more than increasing the local capacity in REDD+ management. In the Vietnamese context, it is to be ensured that i) there is uniformity and consistency of the central policy framework and its commitment, ii) the intervention of central agencies at local levels is limited ii) the enabling environment is created for local entities to participate effectively in the process, for example by applying the FPIC<sup>34</sup>.

Public sector reforms in other countries and Viet Nam's closed working culture also call for a need of setting up indicators which could measure/monitor the level of decentralization (from Ministry to province, from province to district, from district to communes). These indicators should be used as key performance indicators in the payment system for public servants involved. Given a misalignment of accountability with the new arrangement<sup>35</sup>, the institutional arrangements need to be strengthened at district and communes levels, for the Government sector as well for mass organisations. For the public sector, more human resources for forestry activities at district and commune levels need to be deployed, and a reform in the planning procedures at macro and

<sup>34</sup> A detailed description of this process can be found at: <http://tinyurl.com/Viet-Nam-UN-REDD-FPIC>

<sup>35</sup> As mentioned in most of the new mechanisms of downward accountability—responsiveness directly to citizens through participation and enhanced transparency—have taken place at the commune level, while much of the devolved power has gone to the provinces. One challenge, therefore, is the misalignment of accountability with new arrangements.

provincial levels needs to be introduced. It is necessary to mention the important roles of the village heads in the context of rural culture, particularly that of ethnic minorities, in the REDD+ implementation. Experience has shown that village heads have considerable influence on rural communities, have great optimism in applying new ideas and policies<sup>36</sup>, and do play crucial roles of “middle men” and “compromisers” (for mass organization and others civil society) of activities between the local government system and the rural communities.<sup>37</sup>

The strengthening of decentralization will be supported by the effective participation of the local communities.

### *Measures required*

- Deal only with strategic issues and policies at the central government level, and leave the implementation to the local actors;
- Set up key performance indicators to measure the level of decentralization and to use those indicators in the performance payment system for public servants involved.
- Reform planning process at central and local levels.
- Strengthen institutional arrangements at district and commune levels (e.g., increasing staff for planning and forest activities).

## **5.4 Participation by all stakeholder groups**

### *Objectives*

- Stakeholders at all levels actively participate in planning and implementation of REDD+ measures

### *The Issue*

Active and effective participation of relevant stakeholders in all aspects of planning and implementing REDD+ programs is crucial to their success. In Viet Nam, it is agreed that in order to have full participation of stakeholders it is necessary to integrate their interests and needs into the Government system.<sup>38</sup> In order to achieve that, “participation needs to be broad and genuine, in particular ensuring that space is provided for vulnerable and marginalized groups. Transparency of and access to information, and the provision of information in a timely manner, are important to ensure effective participation. The need for sufficient capacity to implement genuine multi-stakeholder processes was noted”.

Piloting activities in the five selected provinces will provide some lesson learnt in strengthening decentralization and effective participation of most relevant stakeholders, particularly local communities. Their direct and transparent involvement is essential to build trust and confidence, and thus is an essential prerequisite for REDD+ to succeed<sup>39</sup>. In addition, their active participation will help to ensure that social and environmental safeguards for REDD+ are realized.

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<sup>36</sup> According to Frizen. S (2003), the ones influenced most are the ones constrained to anti-corruption and are the ones having decided roles in successful implementation of polices and program; and Frizen. S. 2000, Institutionalizing participation: attentive lessons learned and issues need to be strengthened for Vietnam's National Program, UNDP; and the most disturbing problems in implementing: governance, institutions and corruptions in Vietnam, Conferences of Governance, Institutions and Anti-Corruption in Asia, Asian Research Institute of New Zealand, 2003.

<sup>37</sup> Additionally, Viet Nam is consider a country with a success for the community development driven approach

<sup>38</sup> WB and Counterpart support to poor communes: MPI, 2003- Development with Communities orientation in Vietnam

<sup>39</sup> Nguyen Quang Tan, Sikor, T., Vickers, B. and Enters,T, 2010: - People, Forest, and Climate change mitigation- Vietnam: Why REDD+ needs local people, RECOFT, Bangkok.

## *Measures required*

- Take into account stakeholders particularly the beneficiaries' interests, needs and socio-economic characteristics in the designing of the REDD+ legal and policy framework.
- Strengthen the decentralization, particularly from province to district, district to commune.
- Support capacities at commune levels by different means, like providing a commune facilitator for each commune in REDD+ activities, as well as through human resources development and communication activities.
- Ensure that the feedback from consultations reaches the decision makers in communities and villages- often not identical with the commune governments.
- Ensure transparency and accountability in REDD implementation;
- Report the outcomes of the consultations and supervisions back to the people.
- Provide time for and build planning capacities at local levels.
- Provide a system with transparency of and access to information (especially with REDD+ fund), and provide information in a timely manner;
- Ensure full community participation in REDD+<sup>40</sup>.
- Provide participation space for rural poor and ethnic minorities<sup>41</sup>:

## **5.5 Evaluation of REDD+ implementation**

The National Coordination REDD+ Network and the Technical Working Group will establish an Evaluation Plan which ensures that all activities planned under the REDD+ strategy will undergo midterm and final evaluations, which will assess the relevance and effectiveness of the intervention, and measure the impacts of the results achieved on the basis of the initial analysis and selected process indicators. For each activity within the components its relevance and success of performance will be questioned and improvements taken up in the evaluation. Obviously this is an iterative process, as continuously new information will be evaluated and, consequently, activities and related indicators amended<sup>42</sup>.

## **6 Financing REDD+**

### **6.1 Development of National REDD Fund, including performance indicators**

#### *Objective*

- A fund for the management and disbursement of REDD- revenues is established and functional
- Performance indicators for fund disbursement developed

#### *The Issue*

The REDD+ concept foresees compensations to individuals or entities who undertake measures that reduce emissions or enhance removals in any of the five categories identified as eligible under

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<sup>40</sup> For more details pls see Recoftc, Vietnam: Why REDD+ needs local people

<sup>41</sup> The suggestion are based on the current analysis and the manual of "The Mainstreaming Climate Change – a Guidance Manual for the Pacific Islands Countries and Territories by Peter N.King (draft by May 2010)".

<sup>42</sup> Viet Nam's RPP, August 2010

REDD+. Such compensation is to offset their costs incurred, and/or to offset their opportunity costs. Financial resources for these “payments for environmental services” may come from the international donor community, from existing national or international funds, or could be generated through market mechanisms. To manage and disburse these REDD+ revenues to sub national and local levels and to provide confidence to investors and donors, a fund needs to be set up that is compatible with international requirements regarding transparency, equity and performance, follows strict monitoring protocols and is third-party audited.

There are as yet no specific legal provision for such payments and such fund. However, it could principally operate under the *Forest Protection and Development Law*, which regulates payments for environmental services. Still, it is considered preferable to have a specific legal provision regulating the management of REDD+ revenues and their disbursement. Further, a condition for such a fund to become operational would be the regulation of carbon rights and their transfer.

To comply with the international requirements mentioned above, it would be important to create an “off-budget” mechanism and ensure that REDD+ revenues are “firewalled” to prevent their mingling with other sources of funding for forestry activities. In Viet Nam two off-budget mechanisms managing financial inputs into the forestry sector already exist, namely the:

- Forest Protection and Development Fund (FPDF), established under the sake-named Law (2004), which was in part created to manage PES; and the
- Trust Fund for Forests (TFF).

For the management of REDD+ revenues, two options are considered, namely a:

- Subfund under the FPDF; or a
- Specific REDD+ Fund

Weighing the options, a recently conducted study on the *Design of a REDD-compliant Benefit Distribution System for Viet Nam*<sup>43</sup> recommended a targeted REDD+ Fund.

A multi-stakeholder board and a transparent decision making process would provide checks and balances against possible corruption and waste. The principle of transparent governance of REDD+ revenues implies the need for broad participation in the governance of the revenues, broader than foreseen under the provisions of the FPDF<sup>44</sup>. While REDD+ payments are obviously a type of PES, it is therefore still suggested to create a dedicated, legally independent national REDD+ Fund outside the Government structure<sup>45</sup> with its own governance and procedures. This would i.) enhance its participatory approach and transparency, ii.) reduce the danger of mingling its resources, e.g. with other PES, iii) permit the establishing of its own *Benefit Distribution System*, and iv.), thus complying with the recommendations made in the UNREDD study<sup>46</sup>

An important feature of such a fund and its benefit disbursement system has to be that it provides clear, consistent and enforceable rules and processes to enable the equitable, fair and efficient distribution of REDD+ benefits. Hence, the REDD+ Fund has to be designed hand in hand

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<sup>43</sup> UNREDD, 2010: Design of a REDD-compliant Benefit Distribution System for Viet Nam, Hanoi: p.91

<sup>44</sup> Readiness Preparation Proposal, 2010.

<sup>45</sup> Spergel, Barry and Michael Wells, 2009: Conservation Trust Funds as a model for REDD+ national financing. In: Realising REDD+- National Strategy and Policy Options, CIFOR, Bogor.

<sup>46</sup> UNREDD, 2010: Design of a REDD-compliant Benefit Distribution System for Viet Nam, Hanoi:



with the development of the Viet Nam REDD+ Benefit Distribution System (BDS)<sup>47</sup>. The monitoring of the functioning of the REDD+ Fund and its BDS should be part of the general REDD+ MRV.

The REDD+ funding received at the national level will need to be disbursed to individuals and entities at local levels, particularly people living in and around forest areas, who have undertaken measures that reduce emissions or enhance removals in any of the five REDD+ categories. There are trade-offs to be considered in this regard. The greater the numbers of hierarchical levels at which revenues are managed, the less cost-effective the mechanism is likely to be. It will incur higher implementation costs and a higher risk of rent-seeking and corruption.

It is recommended that for the piloting of REDD+, revenues should be managed at national and provincial levels. However, once experience has been developed, provided the additional transaction costs are not prohibitive, and especially when appropriate capacity has been built at the province and district level, REDD+ revenues should be managed at district levels, i.e. as close as possible to the ultimate beneficiaries.

Over at least two years REDD+ revenue management structures are planned to be piloted and capacities built at province and district levels in 5 provinces<sup>48</sup>. The lessons learnt concerning the costs, efficiency and effectiveness of management of REDD+ revenues at multiple levels help to craft the final REDD+ mechanism and its BDS.

The degree of independence and the well-functioning of the Viet Nam REDD+ Fund will depend on the composition and power of its board. Experiences with Conservation Trust Funds (CTF) established in other countries, revealed that to make the REDD+ Fund really functional it would require a high level of national ownership and highest-level political support<sup>49</sup>. Spergel et al. (2009) also gathered from CTFs in other countries, that the REDD+ Fund's administrative costs, dependent on its size, could run up to between 10 and 15% of its budget, and that its establishment would take about two years<sup>50</sup>. This time frame would allow to accommodate first experiences gathered in the pilot provinces.

### *Measures required*

- Establish a REDD+ Fund and its Benefit Distribution System.
- Design the governance structure, rules and procedures for the management and the disbursement of revenues.
- Pilot the management and disbursement of REDD+ revenues in 5 provinces.
- Develop the final REDD+ Fund structure and its BDS taking into account lessons learnt from the pilot provinces and other relevant initiatives also abroad.
- Establish performance indicators for revenue disbursement.
- Determine maximum allowable shares from the REDD+ Fund for the various administrative levels (province, district) and the community level.

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<sup>47</sup> idem

<sup>48</sup> UNREDD, 2010: UNREDD Viet Nam Program Phase II: Operationalising REDD+ in Viet Nam. Hanoi

<sup>49</sup> Spergel, Barry and Michael Wells, 2009: Conservation Trust Funds as a model for REDD+ national financing. In: Realising REDD+- National Strategy and Policy Options, CIFOR, Bogor.

<sup>50</sup> idem

## 6.2 Development and management of a transparent and equitable benefit distribution system

### *Objective*

- A transparent and equitable benefit distribution system is further developed building on decree 99/2010/ND-CP
- A management system has been designed to administer the benefit distribution system based on the provisions in decree 99/2010/ND-CP

### *The issue*

Decree number 99/2010/ND-CP was issued on 24 September 2010 and regulates the policy for payment for forest environmental services in Viet Nam, including:

1. “Types of environmental service that the users pay to the suppliers subject to this Decree.
2. Suppliers and users of forest environmental services.
3. Management and use of the payment from forest environmental services.
4. Rights and obligations of suppliers and users of forest environmental services.
5. Responsibilities of state management agencies at various levels and of different sectors in implementing payment for forest environmental services.”<sup>51</sup>

Environmental services that are recognized include:

1. “Soil protection, reduction of erosion and sedimentation of reservoirs, rivers, and streams.
2. Regulation and maintenance of water sources for production and living activities of the society.
3. Forest carbon sequestration and retention, reduction of emissions of green house gases through measures for preventing forest degradation and loss of forest area, and for forest sustainable development.
4. Protection of natural landscape and conservation of biodiversity of forest ecosystems for tourism services.”<sup>52</sup>
5. Provision of spawning grounds, sources of feeds, and natural seeds, use of water from forest for aquaculture.

In its article 4.3, the decree determines that: MARD has “to take the lead and collaborate with relevant Ministries and agencies to submit to the Prime Minister for promulgation of the statute governing: target of application, level of payment, method of payment for carbon sequestration and retention services of forest and services for providing spawning grounds, sources of feeds and natural seeds, use of water from forest for aquaculture, for implementation in line with the regulations in this Decree.”<sup>53</sup>

The decree also stipulates that payments are entrusted into a “Forest Protection and Development Fund” (FPDF: article 5.3) and that the payments are a “factor of the production costs of products that use forest environmental services” (article 5.4).<sup>54</sup>

Direct payments are based on levels regulated by the GoV but parties are free to negotiate on a voluntary basis other payments provided they are higher than the level set by the GoV. (article 6.1)

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<sup>51</sup> Article 1 of Decree number 99/2010/ND-CP.

<sup>52</sup> Article 4.2 of Decree number 99/2010/ND-CP.

<sup>53</sup> Article 4.3 of decree number 99/2010/ND-CP.

<sup>54</sup> See also section 3.6, 7 and 10 in Annex I for some more context of the Fund.

For activities for which the GoV has not determined a payment level yet, suppliers and users are free to negotiate their own deal, which is encouraged by the GoV. (article 9.1, last sentence). This implies that the private sector can engage directly with suppliers of environmental services when they are not yet regulated. Indirect payments are made into the FPDF through intermediary organizations and at a level as determined by the GoV. (article 6.2)

Payments are mandatory (through article 7) for hydropower production facilities, clean water production and supply facilities, industrial production facilities, and organizations and individuals doing tourism services that benefit from forest environmental services. There is an additional sub-article 7.5 that determines that another category of mandatory payers is: "Those having to pay for forest environmental services for carbon sequestration and retention of forest; services for provision of spawning grounds, sources of feeds and natural seeds, use of water from forest for aquaculture are stipulated in clause 3, Article 4 of this Decree" where it is stated that MARD as a focal agency in coordination with relevant line ministries and agencies will propose to Prime Minister to issue a regulation on: subject for the payment, payment level, payment modality for the levels of carbon sequestration and retention of forest; services for provision of spawning grounds, sources of feeds and natural seeds, use of water from forest for aquaculture, in accordance with this decree.

Beneficiaries of the payments include forest owners who are allocated forest or leased forest (this can include households and individual forest owners); forest owners who plant forest on allocated land; and, organizations, households, individuals, village communities that have been contracted for long-term forest protection by state organizations. (Article 8)

Revenues of payments for forest environmental services can be spent by the suppliers as they see fit. If the supplier is a government organization, revenues, after costs are covered, are accounted for as income and can be spent in accordance with the normal financial regulations. (Article 10)

Article 11 of the decree determines the payment levels for hydropower production facilities, clean water production and supply facilities, and organizations and individuals doing tourism services that benefit from forest environmental services. In the latter case, Provincial People's Committees have to determine which organizations and individuals are obliged to pay under this provision. MARD is assigned to take the lead to formulate a proposal for adoption by the Prime Minister for industrial production facilities. The category related to carbon sequestration is not specified in this article.

Articles 13 and 14 administer which organizations are entrusted with the payments and how the allocation of funds from the FPDF to those organizations is determined. Article 15 continues with a description how the revenues can be used and central and provincial levels. This article (15.1.a) for instance determines that at central government level 0.5% of the total can be used for professional operations of the Fund, including: "administrative costs according to entrusting mechanism; activities to receive payment and other activities relating to financial management." The remaining amount is paid to the suppliers of the forest environmental services.

To determine the payment per hectare, Article 16 determines the "K Coefficient". This coefficient is based on four things (Article 16.3):

- a) Forest status (the capacity to generate forest environmental services).
- b) Type of forest (special use forest, production forest, protection forest).
- c) Origin of forest (natural forest, planted forest).
- d) The level of difficulty or easiness in forest management (social and geographic factors).

In the case of forest owners, the Provincial People's Committees decide what the K-Coefficient is. If it concerns households contracted for forest protection, the K-Coefficient needs to be calculated on the basis of "regulations of the competent agency" (Article 16.3). The exact calculation of the average payment per hectare is further elaborate in respectively sub-articles 16.1 and 16.2.

In the case of forest owners, the payment per hectare is based on the total revenues (payments minus costs) resulting from a particular service, collected on the total area of a particular forest type and particular forest owner type that has generated the revenues, divided by the number of hectares of the total area multiplied by the K-Coefficient (interpretation of Article 16.1.b)). The article further determines that "a forest supplying many forest environmental services is entitled to the payments for all such forest environmental services." (Article 16.1.a)) In case of households contracted for forest protection the amount received is equal to the number of hectares times the payment per hectare times the K-Coefficient.

Article 17 determines the responsibilities of the Provincial FPDF which include: interacting users of forest environmental services (FES); act as intermediary between users and suppliers of; to receive entrusted money from the national FPDF and users; make payments to forest owners and/or households; act as focal point for state agency that checks delivery of service and payments to FES suppliers and from FES users; and report annually to the PPC and the National FPDF on income and expenditure of PFES. If no Provincial FPDF exists, acting agencies or organizations have to take up these tasks.

Article 18 determines the responsibilities of the National FPDF which include: identification of payers of FES and determination of amount due to be paid; receive the payments and transfer the appropriate sum to the provincial FPDF; allocate revenues collected from users to the provincial FPDF; assist the Forestry Directorate to check payments from users and the use of funds; and, report annually to MARD on the status of the income and expenditure of PFES.

Article 19 determines the rights and responsibilities of users of FES. In terms of rights users have the right to be informed on the activities undertaken in terms of quality and quantity but also about the results of the payments made to forest owners. In addition, they have the right to participate in the checking and monitoring activities and can request the adjustment of payments in case the supplier does not protect the forest or causes forest degradation. In terms of responsibilities, the user has to declare the amount it makes available, and make the payment in time. If that doesn't happen; "appropriate punishment measures shall be applied according to law" (art.19.2.c).

Article 19 determines the rights and responsibilities of suppliers of FES. In terms of rights suppliers have the right to request users to pay for the use of FES, be informed about the value of FES, and participate in checking and monitoring activities related to implementing payments for FES. In terms of obligations, forest owners and/or households must protect the forest area and implement appropriate forest development measures. Payments must be used appropriately and forest destruction and illegal conversion is prohibited. If these rules are violated "punishment measures shall be applied according to law" (Art.20.2.e).

Chapter 4 of the decree outlines the implementation arrangement, stipulating obligations of relevant Ministries and Agencies. For instance, in article 21:

1. MARD, MONRE and MOF are assigned tasks, including the obligation “To submit to the Prime Minister for approval a Proposal<sup>55</sup> on implementing the Decree of the Government on the policy for payment for forest environmental services” and “To take the lead and collaborate with relevant Ministries and agencies to mobilize financial, scientific, and technical resources from organizations and individuals within the country and foreign ones for implementing this Decree.”; and,
2. MONRE is assigned the task “To take the lead and collaborate with MARD and other relevant Ministries and agencies to submit to the Prime Minister for issuance of mechanisms, policies on land allocation, forestry land lease to accelerate the implementation of the policy for payment for forest environmental services”.

In article 22 the responsibilities of the PPCs are outlined and instructed to direct the provincial department of Agriculture and RD to submit projects and programs to the PPCs to implement the policy for PFES. The PPCs, through sub-article 6, are given the responsibility “for approving to ensure the stability of areas and functions of forests supplying forest environmental services in the land use planning schemes and forest protection and development planning schemes”. Through sub-article 9 the PPCs are instructed to direct the District People’s Committees to carry out tasks, including: to assign agencies to act as focal points to conduct handover checks, assess quantity and quality of forest, certify forest owners to form the basis for periodic payments for FES, check and supervise them, and others tasks.

Article 23 determines that funding related to the implementation of the Decree “is ensured according to the current budget allocation mechanism”, “aids and support from organizations and individuals within and outside of the country”, and “other funding sources”.

Article 24 determines that the decree has come into force on 1-1-2011 and that Lam Dong and Son La – subject to the implementation of pilot activities as determined by decision 380/QD-TTg (April 10, 2008) – will shift to the implementation of this decree henceforth.

The final article 25 determines that the implementation responsibility for this decree rests with: “The Minister of Agriculture and Rural Development and the relevant Ministries and agencies; the Chairs of the Provincial People’s Committees of provinces and cities under the national government”.

### *Measures required*

- MARD has “to take the lead and collaborate with relevant Ministries and agencies to submit to the Prime Minister for promulgation of the statute governing: target of application, level of payment, method of payment for carbon sequestration and retention services of forest and services for providing spawning grounds, sources of feeds and natural seeds, use of water from forest for aquaculture, for implementation in line with the regulations in this Decree.”<sup>56</sup>
- MARD, MONRE and MOF “to mobilize financial, scientific, and technical resources from organizations and individuals within the country and foreign ones for implementing” Decree 99/2010/ND-CP (art.21)

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<sup>55</sup> By December 13/2010, proposal/project on implementation of Government Decree 99/2010 on Policies on payment for forest environment services are approved by the PM decision N. 2284. The decision consists of : i) Objective and requirement; ii) Main tasks ; iii) Implementation Measures ( Organization- MARD is main implementer of this proposal; Communication, raising awareness; Resources; Technology and Science; International cooperation); iv) Main Activities and v) Working schedule.

<sup>56</sup> Article 4.3 of decree number 99/2010/ND-CP.

- MONRE “to submit to the Prime Minister for issuance of mechanisms, policies on land allocation, forestry land lease to accelerate the implementation of the policy for payment for forest environmental services” (art.21)
- Further detail provisions for the payments for FES for carbon sequestration and retention of forest in accordance with article 7.5
- Determination of the K Coefficient in collaboration with appropriate institutions, organizations and/or Committees, for Lam Dong and Son La provinces, and possible other provinces/areas where REDD+ pilots will emerge in the near future.

### 6.3 Stacking of Payments for Environmental Services (PES)

#### *Objective*

- An arrangement is in place that enables payments for multiple FES provided by one forest.
- An approach for the determination of the level of payment for the recognized FES is defined.

#### *The issue*

In line with article 16.1.a that determines that “a forest supplying many forest environmental services is entitled to the payments for all such forest environmental services” an arrangement needs to be developed that enables the “stacking of Payments for Forest Environmental Services”. Only for the carbon sequestration aspect the decree outlines what the level of payment is, namely through the determination of the K Coefficient. For the other FES no approach is yet outlined.

#### *Measures required*

- Determine an approach to set the level of payment for the recognized FES aside from the K-Coefficient for carbon.
- Design an arrangement that enables the payment for multiple FES provided by one forest.

### 6.4 Private sector involvement in REDD

#### *Objective*

- Private sector actors are actively participating in REDD+ planning and implementation

#### *The Issue*

Private sector stakeholders are involved in REDD+ relevant activities, in particular as concessionaires in natural forests and as companies processing and trading forest products, which affect the REDD+ elements *reduction of deforestation, reduction of forest degradation, SFM and forest conservation*. They should also be involved in REDD+ relevant FLEGT measures; as investors in and managers of planted forests, which affect the REDD+ element *enhancing forest carbon stocks*; and as investors and managers in protected areas and ecotourism, affecting *forest conservation*. Private sector stakeholders can also become REDD+ beneficiaries through generating and trading forest carbon certificates on the compliance and voluntary carbon markets. Finally, the entire voluntary carbon market is a private sector activity.

Private sector also plays an important role in other REDD+ relevant sectors such as agriculture, aquaculture, infrastructure, and mining. Thus private sector can play a positive role as REDD+ promoter and implementer, but can also play a negative role as originator of forest carbon emissions, or in abusing carbon market – related opportunities (“carbon cowboys”).

To minimize private sector's potential negative role and induce and strengthen its positive roles, it is obvious that any REDD+ approach can only be successful if private sector actors are from the very beginning involved in strategizing, planning and implementing REDD+ and its measures, and participates in the Technical Working Group (TWG) on REDD+ and its Sub-Working Groups. An awareness raising program with private sector has to be implemented, with the aim to identify possible "conflicts of interest" with private sector, and to win private sector "REDD+ champions".

### *Measures required*

- Raise awareness and inform private sector about REDD+.
- Identify REDD-relevant private sector stakeholders, both within and outside the forestry sector.
- Identify and recruit private sector "REDD+ champions".
- Invite identified private sector stakeholders to TWG and subgroups.
- Review and amend legal framework for private sector's role in forestry, and in particular REDD+.
- Regulate REDD+ benefits for eligible private sector actors.
- Regulate carbon ownership and transfer also for private sector actors.
- Define and regulate private sector involvement in MRV.
- Agree with private sector on mechanisms, including a monitoring system, for environmentally sound and legal raw material sourcing.
- Introduce effective conflict resolution mechanisms.

## **6.5 Financial planning and REDD+ management**

### *Objective*

- REDD+ planning and budgeting are linked

### *The Issue*

These constraints are i) an extremely short time horizon of the planning cycle particularly for the local participation; ii) limited skills and low capacity of planners and PC<sup>57</sup>. As a result, planning and budgeting are still top-down impositions, particularly to districts and communes; and the planning and budgeting process is complex, overlapping, cumbersome and weakly linked to budget allocation. Planning is seen as the sole responsibilities of the planning sections and units rather than tasks for all officials.<sup>58</sup> This results in minimum inputs from technical units who could play important roles in setting up more realistic plans.

### *Measures required*

- Commission additional staff for REDD+ issues within forest planning at district and commune levels.
- Define a clear mandate and a clear formal mechanism for planners and PC at all levels to cooperate and coordinate with budgeting and other technical agencies on REDD+ issues.

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<sup>57</sup> WB, VDR, 2010 noted that limited skills of Departments of Planning & Investment and People's Committee that are mandated to coordinate developmental works at the local level is another constraint towards establishing inter-sectoral linkages.

<sup>58</sup> A case study focusing on Dien Bien, Dong Thap and Ninh Thuan provinces carried by UNICEF

## 7 Main actors and their responsibilities in REDD+ governance and implementation

*At central level, there are five main groups*

1. **Core Government institutions, central ministries and others agencies.** This core group will address cross-cutting and fundamental issues directly related to the implementation of and requirements for REDD+ measures (e.g. land tenure, monitoring, fund mechanism, carbon right transfer)<sup>59</sup>. This group consists of the National Assembly, Prime Minister (PM), Office of Government (OOG), Ministry of Agriculture and Rural Development (MARD), Ministry of Natural Resources and the Environment (MONRE), Ministry of Planning and Investment (MPI), Ministry of Finance (MOF), Ministry of Justice (MOJ) and Committee for Ethnic Minorities Affair (CEMA) at central level and respective technical department at provincial levels. Other ministries which indirectly provide support to REDD+ implementation need to adapt their relevant strategies, policies, planning in responding to REDD+ and need to coordinate the development of guidelines in implementing REDD+ in their respective fields of responsibility. Ministry of Industry and Trade (MOIT), Ministry of Transportation (MOT), Ministry of Education and Training (MOET), Ministry of Labor, Invalid and Social Affairs (MOLISA), Ministry of Construction (MOC), Ministry of Home Affairs (MOHA), Ministry of Health (MOH), Ministry of Culture, Tourism and Sport (MOCTS), Ministry of Telecommunication and Information (MOTI), Ministry of Defense (MOD), Ministry of Interior (MOI), and the Government Inspectorate (GI).
2. **Other governmental organizations:** There are a number of committees focusing on issues related to REDD+ (e.g. Central Committee for Flood and Storm Control, National Water Resource Council, Committee for Intangible Cultural Heritage, Viet Nam National Administration of Tourism).
3. **International organizations and donor agencies** have already funded projects closely related to REDD+ and/or will directly provide funding for REDD+ preparation and/or implementation. In particular UN-REDD, the World Bank, FAO, JICA, GTZ, the Royal Norwegian Embassy, Embassy of Finland, who are all supporting present and future REDD+ related activities in Viet Nam, and perhaps others in future.
4. **Non-governmental organizations (NGOs):** Both international and national NGOs are directly involved in REDD+ activities (several of them are members of the National REDD Network) as they directly focus on the REDD+ or on related social and environmental issues.
5. **Mass Organizations:** Viet Nam Union of Science and Technology Association, Women's Union (WU), Youth Union (YU) and the Farmer's Union (FU) of the Fatherland Front (FF). Most of them have good networks from central to grassroots levels and therefore should be involved in the implementation of specific projects and activities. Together with NGOs they can also effectively provide services for ensuring communication with the local communities as well as play an important role in the promoting REDD+ measures.

*Levels in the provinces*

6. **Provincial People's Committees and their related departments** play a crucial role and make decisions pertaining to activities within the provinces. They should play a critical co-ordination function between ministries and departments.
7. **Private and State Operating Companies (previously State Forestry Enterprises)** directly focusing on the forests, as well those working in the other sectors, which might create a pressure on the

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<sup>59</sup> Vietnam's RPP, August 2010: Three specific legal issues need to be addressed as a priority in Viet Nam: (1) the rights to carbon, land and forests, particularly forest allocation and associated land use rights; (2) coordination of the action of the government authorities involved with REDD, in particular MARD and MONRE; and (3) ensuring that all legitimate beneficiaries are recognized, in particular addressing the legal status of local communities.



forests (agriculture, shrimp farming etc.) can be potentially influenced by the REDD+ implementation.

8. **District People's Committees** will be directly involved in administration of specific projects and activities, and their involvement will be important for successful implementation. They will closely coordinate with lower tiers of administration at the district and commune levels.
9. **Commune People's Committees** will be directly involved in administration and implementation of specific projects and activities, so their involvement is important for successful implementation. They will closely coordinate with lower tiers of administration – at the commune and village levels / communities.
10. **Local communities:** This group includes land users, forest dwellers, and ethnic minorities. These will be directly affected by the REDD+ implementation and must be involved in formulation and implementation of the specific projects and activities, as well as in monitoring their implementation. Without the support of local communities any efforts are unlikely to have a long-lasting impact.
11. **NGOs and Civil-Society Organizations (CSOs) and Mass organizations** are part of the local communities and can also effectively provide services for ensuring communication with the local communities as well as play an important role in coordination of the involvement of indigenous people, ethnic minorities, land users etc. (see also above for mass organizations)
12. **Private and state companies:** Both directly focusing on the forests, as well those working in the other sectors, which might create a pressure on forests (agriculture, shrimp farming etc.) can be potentially influenced by the REDD+ implementation