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Causes of forest conflicts

Case study of three districts in Lam Dong province, Vietnam

Master's thesis in Natural Resources management
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Causes of forest conflicts: Case study of three districts in Lam Dong province, Vietnam

MSc Thesis

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Trondheim, June 2012

Declaration

I, Phuong Thi Nguyen solemnly declare that the work presented in this thesis was written by me and that it has never been presented to any institution for any academic award. Where other people's material has been used, due to acknowledgement and appreciation has been extended.

Phuong Thi Nguyen

June, 2012

Trondheim, Norway

Dedication

This thesis is dedicated with utmost love to my beloved mother who has always encourage me to overcome any difficulty and barrier when I live far away them.

Thank you to my Dad who always believed that I could make it this far although I had not thought of it.

Lastly to all my sisters and brothers, and your concern on me can be seen as source of inspiration and encouragement was one good reason for me to pursue these matters.

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June, 2012

Trondheim, Norway

List of abbreviations

ADB	Asian Development Bank
CPC	Communal People's Committee
CPRs	Common-pool resources
DARD	Department of Agriculture and Rural Development
DNRE	Department of Natural Resources and Environment
DoF	Department of Forestry
FAO	Food Agricultural Organization
FPD	Forest Protection Department
FPDL	Law in Forest Protection and Development 2004
FPU	Forest Protection Unit
GDP	Gross Domestic Product
GoV	Government of Vietnam
Ha	Hectare
IGES	Institute for Global Environmental Strategies
LL	Land Law
MARD	Ministry of Agriculture and Rural Development
MB-PFs	Management Boards of Protection Forests
MB-SUFs	Management Boards of Special-use Forests
MoNRE	Ministry of Natural Resources and Environment
NTFPs	Non – Timber Forest Products
NTNU	Norwegian University of Science and Technology
NWFPs	Non – Wood Forest Products
OSS	One-Stop Shop
PCs	People's Committees
PPC	Provincial People's Committee
PR	Property Right
RBC	Red Book Certificate
RBCs	Red Book Certificates
REDD	Reducing Emission from Deforestation and Forest Degradation
SOEs	State-Owned Enterprises
Sub-FPD	Sub Forest Protection Department

UN-REDD

United Nations Collaborative Programme on Reducing
Emission from Deforestation and Forest Degradation

USAID

The United States Agency for International Development

VND

Vietnam Dong

Table of Contents

Declaration	i
Dedication.....	ii
Acknowledgment	iii
List of abbreviations.....	iv
List of Figures.....	viii
List of Tables	viii
Abstract	ix
CHAPTER ONE: INTRODUCTION	1
1.1. Background of the Study	1
1.2. Research objectives	3
1.3. Significance of the Study	3
1.4. Justification for study area	4
1.5. Structure of the thesis	5
CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORKS.....	6
2.1. Introduction.....	6
2.2. Literature review	6
2.3.1. Forest conflicts theory.....	11
2.3.2. Common property rights in forest management	12
CHAPTER THREE: RESEARCH DESIGN AND METHODOLOGY	14
3.1. Introduction.....	14
3.2. Selection of a methodological approach	14
3.3. Case study approach	15
3.4. Planning the fieldwork.....	16
3.5. Study population and sampling method.....	18
3.6. Primary data	20
3.6.1 Semi-structured interview	20
3.6.2. Participant observation and photography	26
3.7. Secondary data	28
3.8. The limitation of the Research	28
3.8.1. Validity and Reliability	28
3.8.2. Challenge faced in fieldwork.....	29
3.8.3. Ethic conditions	29
CHAPTER FOUR: A DESCRIPTION OF STUDY AREA	31

4.1. Introduction	31
4.2. Forestry and roles of forest in Vietnam	31
4.3. Forest management policies in Vietnam.....	33
4.4. Description three districts in Lam Dong province: Case study	34
4.4.1. A brief of forestry and population of Lam Dong province.....	34
4.4.2. Forest ownership.....	37
4.4.3. Forest management system in Lam Dong province.....	39
4.5. Demographic characteristics and forestry in three districts	42
4.5.1. Population and forests	42
4.5.2. Demographic characteristics of the samples in three districts	44
4.6. Links: forest area reduction, violation, unequal distribution of benefit and conflicts	46
CHAPTER FIVE: CAUSES OF FOREST CONFLICT IN CASE OF STUDY	50
5.1. Introduction.....	50
5.2. Illegal forest operations as a fuel of forest conflict	50
5.2.1. Illegitimate forest operations: what are and who involved?.....	50
5.2.2. Factors driving to illegal forest resource operations	53
5.2.3. Links from illegal forest operations to forest conflicts	61
5.3. Unfair distributions of benefits derived from forests, fuelling conflicts.....	70
5.3.1. Imbalance of benefit sharing from the forest: what is and which context?	70
5.3.2. From unequal distributions to forest conflicts	76
CHAPTER SIX: CONCLUSION AND RECOMMENDATIONS	83
6.1. Conclusion	83
6.2. Recommendations	84
References	85
Appendix	89

List of Figures

Figure 2-1: Glasl's model of conflict (Glasl 1999)	11
Figure 3-1: zones interviewed in Lam Dong province	17
Figure 3-2 (a);(b): forest protection department' activities	22
Figure 3-3 (a);(b): meeting with leader of forest company	24
Figure 3-4: Activities of local people: (a) crop plantation (b) germination of pine seeding	25
Figure 3-5 (a);(b): forest fire and illegal forestland use.	28
Figure 4-1: forest distribution by district in Lam Dong province	36
Figure 4-2: Proportion of Forest managed by group of owners in Lam Dong province.	39
Figure 4-3: Structure of forest management institution in Lam Dong province	41
Figure 4-4: Three districts mapped in red circles	43
Figure 5-1 (a, b): illegal forest exploitation of local people	54
Figure 5-2 (a, b): pine forests logged down by forestry enterprises	60
Figure 5-3: situation of dispute between households and workers of forestry enterprise	66
Figure 5-4: short-term nourishing model of company (agroforestry model)	73

List of Tables

Table 3-1: the number of interviewees by groups of actors and date of interview	18
Table 4-1: population and forest areas in each region in 2009	44
Table 4-2: Demographic characteristics	45

Abstract

It is said that examining the cause of natural conflict is not easy because conflict is not only complex issue but also involves in various factors and actors. Determining reason of contestation over natural resources brings significance not only for researcher but also for natural resource managers. Therefore, purpose of this study is to determine main causes of forest conflicts in three districts of Lam Dong province, Vietnam. By involvement of unequal distribution of benefit sharing derived from the forests among forest stakeholders and illegal forest actions, this research analyzes these factors in relation to causes of forest conflicts.

The qualitative method in geography is utilized in this study. The qualitative research data consisted of semi-structured interviews by interview guides and participant observation. For whole thirty interviewees, they come from three different levels; which are forest management agencies, including forest protection department, authorities (e.g. district and communal levels); forestry companies (e.g. state-own, joint venture, and private companies); and households.

From interview to review, most of respondents indicated that the main actors related to contradictions are local households and forestry companies. The conflicts between the two expressed in both peaceful and open forms. “Illegal” activities could result from directly conflict between local households and forest companies because these illegalities disrupt the revenue of the forestry companies. Due to imbalance of access rights for local households to forest resources, the conflict happened when forestry companies take more right of access rather than the local households. Unequal distribution of benefit sharing derived from the forest resources is another main cause of forest conflict between local households and forest enterprises. Conversely, the conflicts between households/forest enterprises and forest managers seldom happen because of relative relationships and inconvenience.

This study is concluded that the contexts of forest conflicts in Lam Dong province are less common. Analyzing the impacts of forest conflict to livelihoods of forest-related people and seeking the resolution are recommended in further study.

Key words: forest conflict, illegality, and benefit sharing

CHAPTER ONE: INTRODUCTION

1.1. Background of the Study

Forests are important and valuable sources of life and human livelihood because the forests help to resist climate change, sustain biodiversity conservation, supply foods and stabilize fuel-wood supply for the humans. For instance, the forests supply survivals of humanity and livelihood of hundreds of millions of rural residents. In addition, forests provide the large range of economic opportunities and livelihoods for people, especially forest-dependent dwellers. Forest products consist of timbers, fuel woods, and other non-timber forest products (NTFPs) (Lund and Thorsten 2010).

According to World Bank (2002), it estimated that livelihoods of about 1.2 billion poor people living in and depending forests all over the world are improved thank to forests. In Vietnam, about 30-40% of households' income depends largely on forests (FAO 2009; Javie et al. 2003). Moreover, in Central Highlands of Vietnam, among of 4.4 million inhabitants, there were 2 million dwellers living dependently on the forest resources (Asian Development Bank 2005).

In a recent research, it pointed that about nine percent of the worlds' dense forest, prevalently in tropic worlds, was experiencing armed conflicts from 1990 to 2004. Otherwise, if African continent was the highest world in risks, the Asia contributed the highest number of people living in forest-based conflict zones (Koning et al. 2007).

In South and Southeast Asia, during a period of 15 years (1990-2004), about 63 million inhabitants lived in the forest-conflict regions, occupying about 41 percent of the global scale (Koning et al. 2007). In case of Indonesia, there were 20 million Indonesian people depended extremely forest for their daily demands and survivals. Among of 20 million dwellers, there were about 2.1 million Indonesians who were living in deforested regions for five-year periods (from 1998 to 2002) experienced conflicts due to forest reductions. Otherwise, The United State Agency for International Development (USAID) (2007) reported that there were 1.7 million Cambodian habitants who had been affected by forest conflicts because of logging during the mid-1990s.

Dispute related to forests is usually negative phenomenon because it can disrupt social structure, degradation of natural environment, and reduction of human livelihood. These negative phenomena result from increases in demand for timbers and land for plantations, greater physical access to the forest, and increasing populations of landless and land-poor rural people. Also, conflicts over natural resources, including forests, have become more prevalent. This pattern is not merely an illusion generated by more research. In addition, Koning et al. (2007:1) stated that *“no natural resource used and managed by humans is completely conflict-free. Besides, forest-related conflict is pervasive and widespread and it can be extremely destructive”*.

However, although forest-based disputes have received considerable attention in recent years, the most typical researches on causes and outcomes of these contradictions have been low-intensity. In some countries like Brazil, Russia, India, and China, population pressure and rapid economic development growth are main sources of grievances, leading to conflicts over forest resources. Meanwhile, livelihood changes of communities, tenure insecurity, and unfair benefit sharing cause conflicts in other tropic worlds (Koning et al. 2007; Yasmi et al. 2010c).

Nowadays, forest conflict has gradually become more considerable attentions in whole countries all over the world and Vietnam in particularly is no exception. Conflict is almost an inherent aspect of natural resources and forest management. The assumption of conflict is very complex because the conflict issues often involve in different actors. Hence, it is difficult to handle all cases of natural resources conflict without researching causes or initial factors led to those conflicts. Therefore, the researching on causes of conflict will provide the precondition for assumptions of conflict resolution.

In recent decades, natural resource conflict in Vietnam is a considerable attention because natural resource disputes are often devastating sustainability of livelihoods of forest-dependent dwellers. This contradiction is mostly as an outcome of lack of awareness of communities on forest protection and management and weak governance. Moreover, almost conflicts typically involve disputes such as those between forest holders and local communities over access to forest products and benefit sharing.

However, researching on causes of forest conflict is a large problem because this reason will be changing from one region to other regions. In Vietnam in generally struggles over

forest primarily come from illegal logging, sharing of the benefits, unclear forest allocation and lease policies, overlapping ownerships in both forest and forest lands. In addition, illegal logging and other illegitimate forest uses are common in Lam Dong province. These illegal extractions can be underlying causes of forest conflict in the regions. This notion is supported by Koning et al (2007). These authors stated that socio-political changes, illegal expanding of lands, and illegal exploitation and encroachment of forest and forest lands, have highlighted tension or competitions between humans in natural resource uses and management.

This thesis, therefore, studies causes of disputes over forest resources with regarding to distribution of benefits derived from the forests as well as forest access to the forests between forest stakeholders or forest beneficiaries. In addition, this study analyze in what way the illegality of forest actions is added for reason of forest conflict in three districts of Lam Dong province, Vietnam.

The major issues discussed in this chapter include the backgrounds of the study, research objectives, the significance and justification of the research, and an outline of the study.

1.2. Research objectives

Contexts of conflict over forests are addressed by different factors in relation to forest uses, interests, and forest governance. Therefore, seeking main causes of contradiction over forest is the main objective of this study. Based on this scientific objective, the following research questions are proposed:

- Why illegal actions based on forests are sources of causes leading to forest conflicts?
- In what way the unequal distribution of benefit derived from forest resources manifested cause of forest conflicts?

1.3. Significance of the Study

The study on dispute over the forest has a very profound reflection on economic, political, and social development of a country or region. To find out causes of conflict is seen as the first stage in studied process (from cause to solution). In addition, understanding causes of forest-related conflicts is very important because these issues are related

implicitly to government and forest management systems. In addition, conflicts affect to directly or indirectly to livelihood, socio-political and socio-environmental changes.

So far, there is no specific research and evaluation on the analysis of causes and conditions of forest-related disputes in Vietnam in general, and in Lam Dong province in particular. The forest conflict assessment as well as determination of causes of forest conflicts, therefore, provides a broad overview of destabilizing matters and trends in a society. Moreover, the research about causes of forest conflict can bring a significantly large success in protection and management of forest resources for government. In addition, this research is of significance to domain of management for natural resource as it extends the knowledge base and resolves the contexts of forest-related contradictions that currently exist in the field.

Therefore, my study focuses on causes of conflict issues related to forest resources in central highland, Vietnam because research on causes of conflict over forest helps to predict its impacts to socio-political environment and people's livelihood. In addition, finding causes will bring a suitable resolution to reduce conflict in regions in the future.

1.4. Justification for study area

In recent years, Lam Dong province is one of the provinces in Central Highlands, populated by more ethnic minorities and most of them depend extremely upon forests as a source of their livelihoods. All entire regions as well as districts of Lam Dong province are recorded that the statement of logging has lensed with context of conflict in this region.

Illegal forest use is a considerable attention in Lam Dong in recent years because these operations lead to disruption of people's livelihoods and imbalance of social structures. In addition, sharing of forest benefits and issues related to ownership and use of forest resources are another factors, creating latent causes of competition in study area.

Therefore, choosing three regions in Lam Dong province is as a representative of case study so that the study can find out causes of conflict over forests of Lam Dong province in particularly and in Central Highland in generally. These three regions include Lac Duong and Da Huoai districts, and Da Lat city. This does not mean that all other areas are less important in research and are not affected by the dispute.

1.5. Structure of the thesis

This thesis consists of seven chapters. In Chapter One I have introduced and presented general backgrounds of the study. In this chapter, I highlighted the research objectives, and the research questions. I concluded with significance of the Study and justification of the research.

Chapter Two presents literature reviews related to causes of forest conflicts and theoretical frameworks for research.

Underlying Chapter Three, it is a discussion of the methods used in data collection, analysis and presentation of research finding. A presentation of challenges faced to the field and how some of them were overcome.

In Chapter Four, a study is deduced from the general background about Lam Dong province and Vietnam. This chapter's description focuses upon forestry issues and demographic characteristics of case of study.

In Chapter Five, I present the research findings. I also discuss and give a personal interpretation to some of emerging issues. I finally conclude and suggest some conclusion and recommendations in Chapter Six.

CHAPTER TWO: LITERATURE REVIEW AND THEORETICAL FRAMEWORKS

2.1. Introduction

This chapter will present literature review related to my study's objectives and theoretical frameworks. The study focuses on two main theories, common property rights and conflict theory. Property theory aims at explaining how some natural resources like forest are being exploited by different actors and explain how ownership or tenure for these actors. Conflict theory explains about the degree and extent of conflict based on the situation within certain timeframe.

2.2. Literature review

It is difficult to determine the key factors that fuel conflicts because the conflict is a complex issue. Usually, the conflict exposes in different degrees and extents. Besides, the actors involved conflicts are often complicit with multi actors such as government, organizations, enterprises, and local communities. Literature reviews revealed reasons of conflict over natural resources in relation to the study. These causes come from illegal forest operations, unequal distribution of benefits derived from natural resources, and imbalance of interests and access to the natural resources.

Conflict over the use of natural resources at the community level occurs in different forms and various level of severity. The factors led to the conflict also change from one place to other places. In addition, the levels of conflicts range various forms, from quiet to open forms. According to Jasmi et al. (2010b), some authors stated that incompatible resource management policies and power imbalance are the main factors that fuel the conflict.

In a study conducted by the United States Agency for International Development (USAID) (2007), the main cause of conflict is rooted from the forest transformation processes because these processes are often incorporated with weak governance on forest allocation and forestland tenureship. In addition, dimensions of litigation over forest resources are exposed by various factors and under different certain conditions.

A conducted study on Cambodia illustrated that the prevalent conflicts between communities residing inside and outside the forest are because of improper resource

allocation and illegal forest resource extractions. In the case of Indonesia, furthermore, equivocal natural tenure right is one of the challenging problems, leading to conflict. In addition, unevenly distributed benefit sharing between government, private company and local community each other is another reason of litigation over the forests. For example, the local community is merely allowed to exploit a few of small-scale forests while most of large-scale forests are mined by State property (USAID 2007). Further, Thomson and Kanaan (2003) also found the same causes of forest conflict. They also asserted that ambiguous resource tenure is one of roots for struggle over timbers.

Wily et al. (2009) reported that natural resource conflicts are caused by poverty, inequality of interests, and political exclusion. In addition, the causes conflict between government and indigenous people are ignorance of the government on customary rights for indigenous people. This finding is consistent with the research done by the United State Agency for International Development (USAID) (2006). The authors found that contradiction between local communities and enterprises in Indonesia is due to protest of local people to firms' operations. In addition, causes of this protest were unreceived compensation on the seized lands and forests. Therefore, this phenomenon infers that there is limitation of claim rights for indigenous people. Besides, this finding also showed a bias of forest governance.

Moreover, the studies done by Kvitashvili (2005); and by Wildberg and Carius (2003) showed that the reasons of forest conflicts are illegal logging and poor governance. Logging is the context in which outside community operates illegally from another owners' forests. This case leads to conflict between indigenous people and people living outside of forest (e.g. forest destroyers). In addition, this finding is very closed with the indication of my case study.

Both Yasmi et al. (2010b) and Yasmi et al. (2011) agreed that in many Asian cases, underlying causes of conflict over natural resources are rooted from inconsistent tenure, lack of coordination among state agencies, and difference in economic development and conservation purposes. In addition, the direct reasons of contradictions over resources rely on subsistence needs of local people and their economic conditions. All of these are implied that under certain conditions, the forest conflicts among various actors emerge owing to the unfair distributions of material benefits derived from the forests. In the case of Vietnam, the dispute has occurred when private companies begin mining sand from

fringe forests. This operation leads to shortage of water, especially agricultural irrigation. Nonetheless, the private company do not compensate for local people as they thought that sand is a common property. This causes disputes over compensation between private sand mining company and local people. Besides, the reason of this contestation is livelihoods' disruptions. In this case, the financial and social capitals of indigenous people are damaged due to the firms' operations.

Likewise, W. de Jong et al. (2005) studied on conflict amongst forest-based communities within Northern Bolivia. The authors pointed that causes of conflict over forests and forest lands are recorded from overlapping claim, unclear forest allocation policies, poor coordination among state, weak law enforcement, and destruction of livelihood opportunities of rural people. Among of these reasons, livelihoods' disruption is seen a primary factor led to dispute for my study.

On the one hand, Koning et al. (2007) asserted that the main reasons of conflicts over natural resources between forest concession holders and local communities are restriction of access to forest, inequity in division of forest benefits, and exclusion in decision making. In addition, a study about causes of conflicts in Northern Thailand shared that revenue's destruction, unclear compensation, and illegitimate natural resource extractions (e.g. illegal logging and farming clearance) are other key factors of forest conflicts among local communities, especially ethnic minorities and dispute between local communities and forest mining companies (Hares 2008).

Similarly, Phuc (2009) researched on the failure of forest conservation policy in the Vietnamese upland. The author depicted that dispute between local people living in/nearby forests and conservationists comes from lack of negotiation, unfair sharing of benefits, and poor power of local people. For instance, the conservationists exclude local people from decision making on setting up conservation zones. Besides, these conservationists also try to move indigenous inhabitants out of the forests where serve conservation because those want to increased wealthy accumulations. Specifically, to increase financial capitals, most of conservationists leased such forestlands for contractors than local communities because the contractors lease these forestland with high prices.

Furthermore, according to Warner and Jones (1998), they asserted that forest conflicts come from biased access to natural resources and fuzzy definition for ownership. This has been supported by the findings of Tinh (2010). He also claimed that competition between local community and local authority in Vietnam occurred due to illegal forest activities (e.g. cutting down and transportation) of local people. He also mentioned that illegal forest operations by local people, especially ethnic minorities are the result of insufficient experiences on patrolling and management of local authority (e.g. village authority). The author also identified the shortage of rangers is another condition of illegal forest actions. This is deduced that the loose forest management is potentially fueling factor of contestations among forest stakeholders in terms of management and utilizations.

In addition, there is a study done by Gerber (2010) researched on conflict over tree plantations in the South. The author depicted that causes of conflicts over plantation forests between forest plantation companies and rural inhabitants are unequal distribution of access to forest and inequality in power.

On the other hands, a research about causes of forest land conflict in Asian and the Pacific showed that the main reason led to disagreement comes from difference of notions. For example, most of local people depended on forests as a main source of their livelihoods while both government and companies often looked at forest under a term of finance. Therefore, due to aim of substantially economic source growth, most of private timber company extracts timber and non-timber products to generate their revenue. They do not care about the livelihood opportunities of forest-dependent indigenous communities. They merely want to grow their financial capitals through forest logging and trades. Because of these actions, tensions and competition between the two are manifested inevitably (Yong et al. 2011).

Further, a research on forest conflict-related issues through approaching company-led tool described that causes of dispute between forest operations and local communities were poor governance, unclear regulation, and lack of negotiation. Besides, this study also viewed about the different notions about roots of forest conflict among different actors like government, large scale operations, and local communities. To local people, the disruption of livelihood opportunities and income are the primary factors led to litigations between them and other actors. Meanwhile, financial damage is considerable issue of the

forestry companies because the financial capitals are the main source of their accumulations. (Wilson 2009).

Otherwise, the United State Agency for International Development (USAID) (2006) assumed that degree and severity of conflict over natural resources at community level in Nepal were linked to tenure issues, interests, and sustainably natural resource management. Moreover, forest conflicts were primarily caused by livelihood insecurity, destruction of access to forest, lack of control in decision making, and lack of awareness. These findings are also recognized by Yasmi (2007). He claimed that underlying causes of litigations between logging enterprises and local people in Malianu, Indonesia were rooted from disruption of access to forest and inappropriate compensation. For instance, local communities could not change their cultivation crop as freely as they expected because their access is limited by mining companies. Besides, local communities did not receive financial compensation for their polluted land areas. This study also indicated that access's limitation can be seen as a key bridge led to discontents of local communities. In addition, this limitation is seen as main factors, fuelling conflicts among the forest beneficiaries (Yasmi 2007).

Yasmi et al. (2007) stated that all of natural resource conflicts in West Kalimantan, Indonesia, are involved multi stakeholders in management or utilization. Main causes of these disputes are come from lack of cooperation between government and local community in forest management, and poor governance to control over the forests.

These authors also explained that the notions and perceptions on the forest management between the two are different. The government tries to use the forests without consultation of local people in making decision. In addition, almost local communities want to exploit the forest resources to supply their livelihoods while the government uses the forests for conservation and development aims. Therefore, when the government sets up conservation area, the government tries to move local people out of the forests in exclusion of decision making. By these differences, a tension between the two is erupted prevalently.

2.3. Theories

2.3.1. Forest conflicts theory

According to Glasl (1999), he said that fuels of dispute are caused by not only disruptions of stakes or interests as well as limitation of benefit sharing, but also differences of emotion and perception. Regards to forest resources, a conflict takes place when a forest-dependent inhabitant or organization damages or disrupts the interest and other benefits derived from the forest of another actor. This conflict is manifested under different behaviors and attitudes toward that resource uses and tenureship (as shown in figure 2-1)

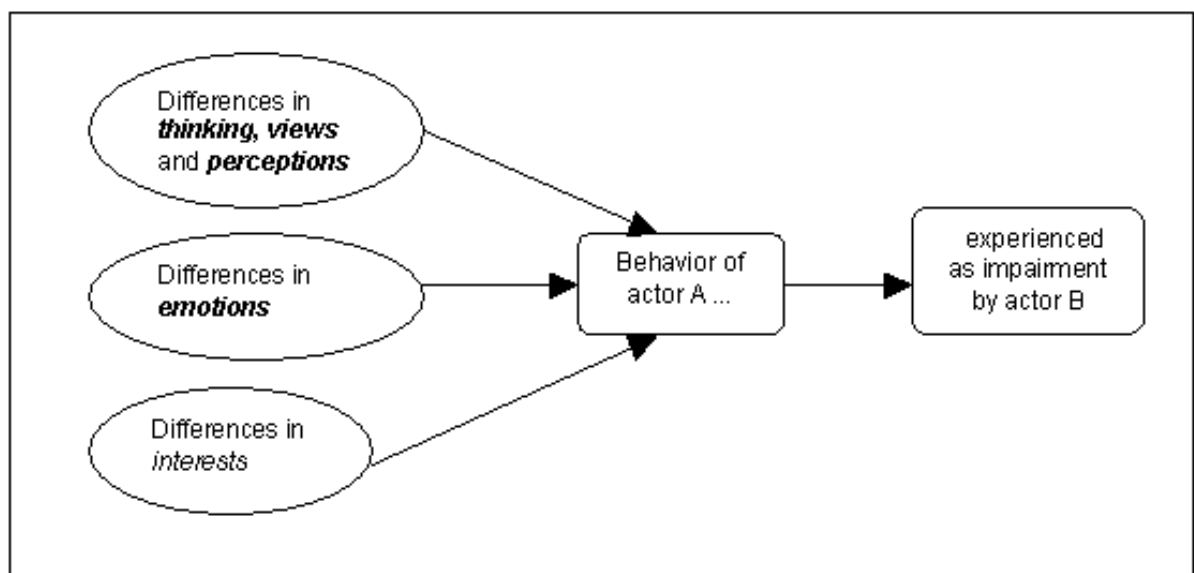


Figure 2-1: Glasl's model of conflict (Glasl 1999)

In addition, conflicts regarding to natural resource management occur when two or more forest-based dwellers compete for the same resources. Therefore, there are disputes and disagreements regarding access, control and management, and uses of natural resources (Yudego and Gritten 2010; Thomson and Kanaan 2003; USAID 2007; Joseph et al. 2005). Moreover, access and control are greatly influenced by property relations. Hence, property rights (PR) can be seen as a main reason of contradictions over natural resources. In addition, the property and access practices are usually conflictive. Property is as “*a right in the sense of an enforceable claim*” while access is defined as “*the ability to benefit from things*” (Ribot and Peluso 2003: 153). Besides, property rights are complex because it often involves in bundles of rights, including user rights, rights to transfer, rights to manage and rights to sell (Schlager and Ostrom 1992).

In relation to the study framework, conflicts may not be only restricted to rights to the forests but also the issues of benefits derived from the forest resources and conflicting notions of the forests. The actors involved conflicts can be multi stakeholder such as local households, forest enterprises, and authorities. In addition, the levels of conflict can manifest under both peaceful and protest forms. However, the key actors in this study are mainly manifested in involvement of local households and forest companies.

2.3.2. Common property rights in forest management

Benda-Beckmann et al. (2009:2) claimed that *“property regimes and property rights have been a central theme historically in law and philosophy. More recently, they have also become central to many other disciplines including sociology, anthropology, political science, economics, geography, and human ecology”*.

Researching on the advantage of the common property is very useful because it can provide the alternative opportunities for local communities. In addition, these local communities are often the actors who involve direct in almost natural resources management. Therefore, maintaining the common property for local people will support the helpful tool for managers in their forest management. However, creating and maintaining common property institutions is not easy because the property rights usually relate to economic, political and social circumstances (Ostrom 1992).

However, Ostrom (1992:293) also emphasized that *“no such thing as a common property resource; there are only resources controlled and managed as common property, or as state property, or as private property”*. On the one hand, according to Agrawal (2007), the author recognized that forest land tenure right is divided into three different ownerships like government, private, and common. On the other hands, there is unequal distribution of ownership among different actors. For example, most of the world's forests are owned by the state/government agency, accounting for nearly 80 percent while there are 12 percent for private tenure and approximately 8 percent for communal/indigenous people (Agrawal 2007; Wily et al. 2009).

Specifically, in Vietnam by 2005, there are 72.4% of total forest area is possessed by the State while there is only 4.4% of forest area owned by commons. For plantation forest, the state and private actors shared 54.6% and 42.9% of whole plantation forest areas, respectively. As regarding to natural forests, community ownerships constituted for 4.9%

of total ownerships of national natural forest areas. Meanwhile, 76.5% of natural forest is possessed by the state (Tan et al. 2008).

On the one hand, Hardin has another viewpoint on common property management. In his paper "the tragedy of common", he explained the case of overexploitation in common property resources. The author mentioned that in the mid-20th century pastures were seen as an open-access property and herders could raise or graze cattle on those pastures. He also clearly described how people who are dependent and use natural resource as a common property without restraint, which has led to overexploitation and overgrazing (Hardin 1968).

On the other hands, Ostrom (1992) stated that "*Common-pool resources (CPRs) are natural or man-made resources sufficiently large that it is costly to exclude users from obtaining subtractable resource-unit*". Ostrom emphasized that individuals who living in or near CPRs can manage resources more sustainably than the others, regarding to access and use rights because these individuals can approach direct and right all situations in their living area. This finding is consistent with other research on benefits of common management. However, the author also indicated that management of common property is only consistent in a small-scale common pool (Ostrom 1992; 1999).

Similarly, according to Lein and Tagseth (2009), they stated that local people who are able to make sustained claim to exclude others from access, rights and obligation on their resources, including water resource. This community management brings some significant success on improvement of livelihood and reduction of conflict.

Therefore, the current global trend gives higher priority in access and control of forest resources to local community. This trend is considered as a new stage in the forest management system in developing countries. Because it enables the local communities exploit their entitlement of rights on forest resources. This further brings a new success in forest management.

CHAPTER THREE: RESEARCH DESIGN AND METHODOLOGY

3.1. Introduction

This chapter presents methods that were used to carry out the study. It also discusses choosing a suitable methods and types of selected data for the study. The used data and methodologies based upon the study objectives focus on the causes of forest conflict. The chapter also highlights constrains and limitations that were encountered in the field.

3.2. Selection of a methodological approach

Kitchin and Tate (2000) stated that methodological approach in human geography is a process to explain the understanding of relationship among humans and other issues related to their living environment. Moreover, method is also a tool to clarify a phenomenon or situation. Therefore, choice of methodological approach often depends on the aims of the study. Qualitative method is a particular approach that is useful for researching in social science because it helps to emphasize on interaction and understanding behaviors through words, images, and sounds (Nichols 1991; Lim and Dwyer 2001; Willig 2001).

Regarding to social science, qualitative method helps to understand clearly about why one actor is affected by other actors' actions. Besides, this method also helps to identify the underlying causes and impacts of these actions. Therefore, this way help to seek a real narrative or picture about daily life and reflect the relationship among people (Hay 2000, 2010; Kitchin and Tate 2000; Lim and Dwyer 2001).

All methods have their strengths and weaknesses themselves. As no method alone can produce all knowledge needed. However, in my research, I only use qualitative method to collect data because this method enables me to have a deeper understanding of my research problems.

In addition, qualitative research implies that the data are in form of words as opposed to numbers and use in the "*generation of categories for understanding human phenomena and the investigation of the interpretation and meaning that people give to events they experience*" (Rudestam and Newton 2001:36).

Qualitative analysis method is carried out in this study to assess and explain research objectives as it exposes the images. Through exposing the results under images, stories or narratives and even debates related, it supplies a general picture that helps researcher to review and understand clearly on statement of researched issues. In my study, this method also enables to find out and understand stories about livelihoods, life experiences, and correlation between living activities. In addition, recording images has brought conviction and validity for a study. Therefore, this study uses qualitative research methods as a main methodology. Besides, semi-structured interviews and observations of participants are mainly applied in this study to find out the causes of conflicts over forests in study area.

3.3. Case study approach

Case study can be defined concisely as an intensive study of a single unit in chain of massive understandings. Case study research involves the study of a single instance in order to explore in-depth nuances of the phenomenon, contextual influences and explanations of that phenomenon (Hay 2010). Further, the case study provides detailed analysis of theoretical concept or explains the context of the case. Choosing a case study is important because it give an overall picture of patterns for a region or a country. Moreover, case study will reflect the reality of researched objectives.

In relation to case of study, in recent years, logging and forest transportation, “usually illegal”, are ongoing in almost provinces of the Central Highlands. In addition, these “illegalities” manifest discontent among stakeholders, being cause of conflict between forest stakeholders. Moreover, unfair distribution of benefits derived from natural resources erupt an intensive tension in a region. Therefore, approaching cases of study will help to resolve the assumption related to studied purposes. In addition, it brings the researcher’s own understanding into the light as well as provides a new perspective from the researching on the phenomena.

Therefore, choosing out a representative circumstance of five Central Highland provinces (e.g. Lam Dong, DakLak, DakNong, Gia Lai and Kom Tum provinces) to conduct research is needed initially. Establishment of a study in Lam Dong province is as representative province of the Central Highlands in Vietnam and finding the context of forest conflict in Lam Dong province can be seen as a specific case regarding to forest-rich province in Central Highlands.

3.4. Planning the fieldwork

Prior to field work, I assumed that forest conflict is complex problem because it involves different actors and manifests under different conditions. The actors involved in my study also come from authorities, forest companies, and households. Meanwhile, the factor led to conflict can root the illegality over natural resources. In addition, unequal distribution of benefits different actors derived from these natural resources is reflected as a fuel of conflict. Therefore, before arriving to case of study, I myself assume all issues and try to follow these ones as these ones relate closely my aims.

To get started, I collected two introduction letters to grant permission in carrying out my research in the study area as the topic handled was considered to be sensitive. The former letter was from Student advisor of Department of Geography in Faculty of Social Science and Technology Management and latter was from Rector of Dong Thap University who managed my work in my country.

Regarding to interview guides, I have composed a draft and sent to my supervisor (i.e. Associate Professor Päivi Lujala) so that I could get instruction and comments. In addition, I also get some helps from Associate Professor Jørund Aasetre in Department of Geography in Norwegian University of Science and Technology (NTNU). He also helped me to complete and develop questions related to the goals of research.

When I have revised completely my interview guides, I have translated all of them from English into my official language as Vietnamese language. Then, I sent all introduction letters to official of Department of Agriculture and Rural Development (DARD) and Department of Natural Resources and Environment (DNRE) in Lam Dong province to get some helps from them. For instance, I sent my introduction letter from the second letter above to an assistant from DNRE of Lam Dong province. Then, I contacted to him by email about some general issues such as at which date I would arrive to interview and how many interviewees I would like to interact and which groups of actors I would consult for my research.

Besides, before starting field trip, I prepared some necessary things. First of all, I had contacted to an assistant of DNRE of Lam Dong province since February, 2011 to talk and discuss about (i) date I would interview, (ii) which types of research questions I would use during my communication, and (iii) what main title of my thesis on forest in

Lam Dong province. Secondly, I got introduction letters from NTNU and university of my country and complete a final draft of my interview guides. Lastly, I prepared all necessary documents for my fieldwork. When I came back to my own country in June, I had contacted and called to an assistant whom I contacted before to receive some introductions from him. Then, I arrived to my fieldwork as case of study in mid-June of 2011. Here, I had chosen into three interviewed regions, which are Lac Duong and Da Huoai districts and Da Lat city.

As illustrated in figure 2-1, this figure presents the regions chosen for interview, which are Lac Duong and Da Huoai districts, and Da Lat city, have been drawing by yellow colors.

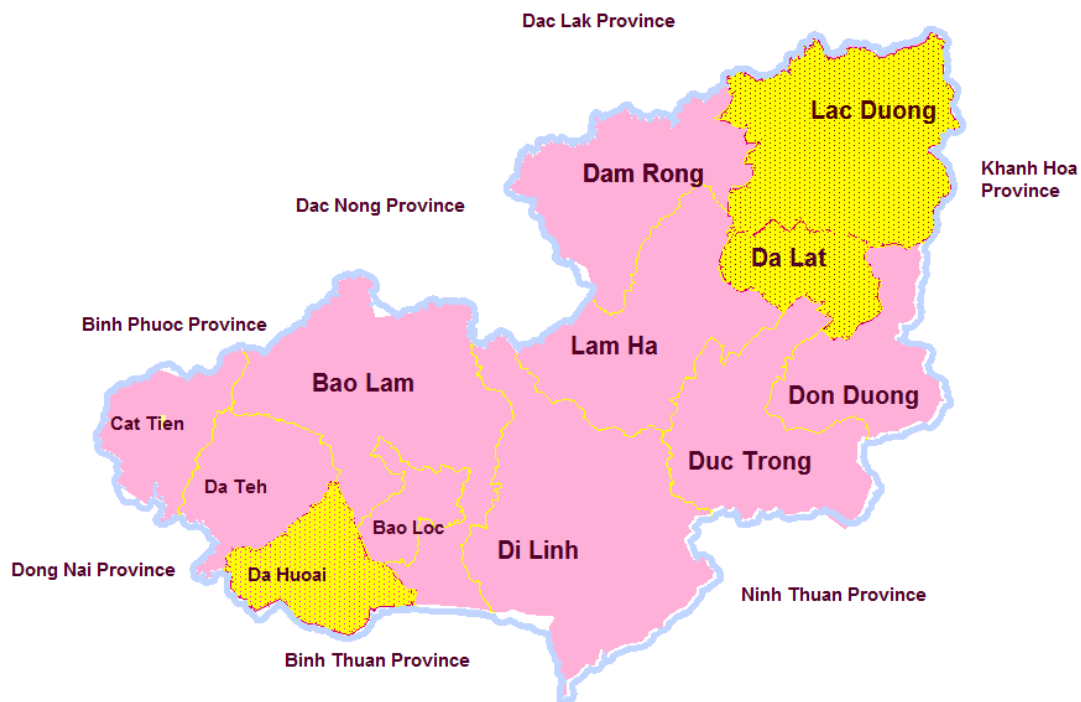


Figure 3-1: Zones interviewed in Lam Dong province (as drawn in yellow colors)

I chose these regions because one of them is Da lat city, a capital of province. Here, I would like to know about forest management system of province and ways to implement forest management of other regions on the province. Moreover, in Lac Duong and Da Huoai districts, I chose them because I got some relevant documents on disputes from reports of sub-forest protection department and some instruction from assistants.

Generally, I chose these regions because I got instructions from sub-FPD and assistant of DNRE. They supply me some relevant documents related to my objectives of study. Therefore, I chose these regions so that I could not only acknowledge these documents but also found out main reasons of these manifested issues.

3.5. Study population and sampling method

The research targeted a sample population of 30 interviewees including forest management agencies, forest enterprises, and households in study area. For forest management agencies, including authorities (e.g. communal and district levels) and sub-forest protection department (sub-FPD), this study chooses 10 respondents of whole interviewees. In addition, out of 10 interviewees from forest management agencies, this research is carried out about 3 persons in Lac Duong district, 4 people in Da Huoai district and 3 participants in Da Lat city (as shown in table 3-1). Regarding to forest companies, there are 3 persons of Lac Duong district, and 2 persons and 4 people of Da Huoai district and Da Lat city, respectively. The other interviewees is groups of households, constitutes for 11 repliers, with 4 persons in Lac Duong district, 3 people in Da Lat city and 4 interviewees in Da Huoai district. From mid of June to the third of July, I had interviewed in Lac Duong district. Next is Da Lat city, I took place a communication for 15 days. Lastly, I had interview in Da Huoai district for 20 days (from 20th July to 10th August, 2011 (as shown in table 3-1).

Table 3-1: the number of interviewees by groups of actors and date of interview

Region	Forest managers	Forest companies	Households	Date of interview
Lac Duong	3	3	4	15/6-3/7/2011
Da Lat	3	4	3	4/7-19/7/2011
Da Huoai	4	2	4	20/7-10/8/2011

In total 30 interviewees, there are 18 females and 12 males attended to interview because most of men are not satisfied and not to care an interview. In addition, this research is focus on the middle-aged people because they have more experiences and they settle in long duration with their farms or their habitat.

Among of total people selected, they were not representative of the whole samples but were sufficient enough to give different experiences of the conflict and its causes in term of relation to forest.

As regard to forest management agencies, I chose sub-forest protection department (sub-FPD) and authorities because they manage direct to forest resources under statutory law. To the interview, I met Mr. Hung, as an assistant of Department of Natural Resources and Environment (DNRE) of Lam Dong province, he instructed me about how to meet the sub-FPD and other competent agencies like communal and district authorities. Besides, to forest enterprises, Mr. Hung also introduced to me some leaders of forestry companies and then I chose out of them to get interview. Furthermore, to households living in forest, based upon the introduction of Mr. Hung about me, some houses allowed me to live in their home to save my living costs. Here, I got in touch with many people who are dependent entirely on forest. Besides, they shared a lot of their hope and wishes on future funding policies of government on forest, especially payment policies on their unfertile forests in order to support to their living conditions and their forest plantation as well as forest management activities. However, to households living out of the forest, I randomly approached any house and introduced myself to the owner the purpose of visit. If they accepted then he or she would be interviewed. This was mainly to generate different views of points faced with a similar problem but not staying in the forest.

Generally, the social status of local people in interviewed regions is still poor and lack of awareness on law, especially lack of insight on roles and obligations about forest protection and management actions. Some of they often avoided confrontation with statutory issues such as satisfaction on policies or regulations. In addition, most of households were still afraid of encounter with state agency, especially local authority because they claimed that they could not win in any court even though they were right.

3.6. Primary data

Primary data is information which is collected directly by researcher from the field. The data generated from primary research is more context-oriented to the study and is recorded by using the knowledge of the researcher. It makes a researcher know exactly how data was produced in the field. Lim and Dwyer (2001) identify observation and individual interview as useful techniques in collection of data. Data from this source of research centered on the conflict's situation and its causes in the study areas, talking about causes of conflicts. Most of primary data were collected by using semi-structured interview and participant observation and photography.

3.6.1 Semi-structured interview

Semi-structured interview is one of the getting information methods from the interviewees by using interview questions. The questions used on interview are often content-focused but flexible, depending on the researcher's aims and studied questions (Hay 2010; Nichols 1991).

This study was carried out by using semi-structure interviewing method for collecting data of research because semi-structure interview are suitable for work on attitudes or opinions and for dealing with sensitive topics. In addition, this methodology uses an interview guide to deal with issues relevant to research topics. This interview guide is prepared in both English and Vietnamese languages. Additionally, the people interviewed in this study were employed from three main groups. First of all, forest management agencies are participants involved in forest management and protection. These actors consist of authorities and sub-forest protection department. Secondly, forest companies comprise about state-owned enterprises (SOEs), joint venture and private firms. Lastly, households constitute for households living in forests and households live out/nearby forests.

For forest management agencies, before starting an interview, I could ensure that they understood that I was a student doing research and they also knew that I was not living in their area because I sent my proposal to assistant of Department of Natural Resources and Environment (DNRE) whom I contacted before my arriving. Hence, they were aware of the general information I would like to collect beforehand. Thus, when I came to office, they dominated Mr. Hung, assistant of DNRE to help me during my fieldwork. Here, I

sent my interview guides to Mr. Hung and depended on him for taking appointment of interview to sub Forest Protection Department (sub-FPD). And then, I came to sub-FPD by myself. In office of sub-FPD, I met Mr. Thach as deputy head of sub-FPD and I interviewed direct him about contexts and causes of forest conflicts in province. I also asked him about at which places where are arising severely in terms of contradictions related to forests. Fortunately, in office of sub-forest protection department, I met Mr. Nguyen Thanh Chuong, as deputy director of Central Highlands Region Forest Seed, I interacted face-to-face with him. I also asked him about reasons of forest conflicts in central highlands in general and in Lam Dong province in particular. Moreover, I also focused on my interview guides to ask him about which what causes led to disputes and how his opinions about these current problems.

For district and local authorities, based on introduction letter from Department of Natural Resources and Environment, I sent this letter to district authority. Then, I contacted directly with Chairman of district People's Committee. Similarly, when I came to district, the district Chairman continued to instruct me to communal authority so that I could interview them. When I met the authorities, I also asked them about the statement of forest conflicts in their regions and what causes led to these conflict statuses. And then, Mr. Hung helped me to contact with leaders of forest companies in other districts but hereby I did my works by myself.



Figure 3-2 (a);(b): sub forest protection department' activities

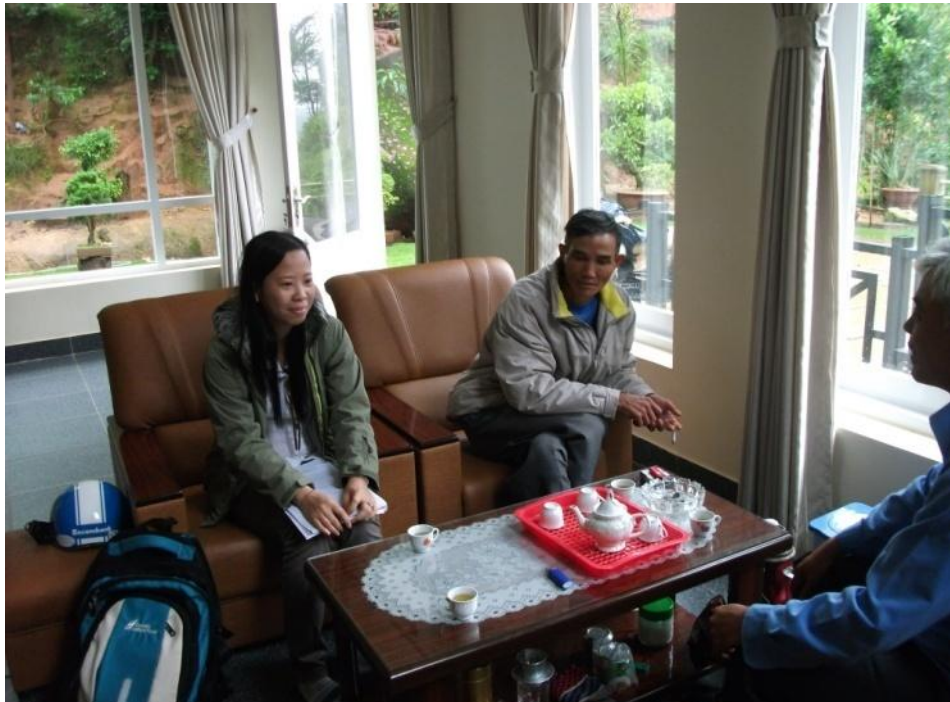
Photo: by Phuong, Nguyen Thi

The second group is forest enterprises. I needed some helps from assistant of Department of Agriculture and Rural Development and Department of Natural Resources and Environment. He instructed and took me to meet forest companies' leaders so that I could

contact and interact with leaders to get information for my project. Normally, the size of state-owned enterprises (SOEs) is bigger than each of joint-venture companies and private companies because the government allocates a large number of forest areas for SOEs. In addition, the government supports payment to SOEs in forest where they manage and plant because of their management and protection on the forests. Meanwhile, both joint venture and private companies often depend on their finance themselves to operate or develop forest activities of their companies.

For leaders of forest firms, I met Mr. Da as one of joint venture companies' representatives. For this group, I asked about the contexts of forest conflicts and main causes of these contradictions between them and other actors. In addition, I discussed with them about not only whether current forest management systems affected to circumstances of these disputes or not, but also talking about which actors resulted from contestations between the forest stakeholders. In addition, in communicating with these actors, I got some their notions on forests and shared about how forest distribution among forest beneficiaries such as who benefit the most and who benefit the least. Besides, I also asked them about why forest-related resources disagreement arisen between their firms and other actors, especially local households.





(b)

Figure 3-3 (a);(b): meeting with leader of forest company

Photo: by Phuong, Nguyen Thi (a), by Mr. Hung (b)

To local people, I came to house by house to interview. I used interview guides to ask them about what main causes of conflicts happening in their habitat and why there were these disputes there. In households where I lived in their home, I observed their activities on the farms and forest even their livelihoods dependent upon natural resources. I did not read all questions on interview guides to ask them, I solely concentrated on how their views and their attitudes toward the contexts of forest conflicts in which they live. However, to other households, I combined both interaction and observation each other during my interview because it was difficult to concentrate on their all answers due to using their local languages. Thus, sometimes, I used to record before taking place an interview and rewrote all them at the end of an interview.



(a)



(b)

Figure 3-4: Activities of local people: (a) crop plantation (b) germination of pine seeding

Photo: by Phuong, Nguyen Thi

Generally, research data were elicited from interaction with companies and households. This interview allowed me to discuss a range of central issues related to the researched objective. For instance, I asked via a question: “*why forest conflict is expressed due to imbalance of distribution derived from the forest resources among different actors?*” In addition, *how forest-dependent people experiences contradictions in their regions? And which levels of conflicts are manifested out?*

Most of my interview are informal and conversation style. I did not take too long time for writing notes so that the respondents could feel ease and free to speak and answer. My question, moreover, predominantly focus upon forest conflict which based on communities’ access, sharing benefits of forest resources, how forest conflict influence to livelihood, what main causes of forest conflicts and a bit of how to solve forest conflict in region (e.g. interviewees’ ideas on policies and law).

However, the results of all interviewees are not satisfied for me because in some cases, interviewees did not supply all information that I need for my goals of the research. For instance, especially to forest managers, they often avoided some questions related to forest law and forest management policies although there are current conflicts arisen in their regions. Not only forest manager, some objects from both forest enterprises and households, when I asked them about the impacts of current forest policies, they often avoid and did not give a final answer for me because they were afraid of encounter with legitimate issues.

3.6.2. Participant observation and photography

Qualitative observation identifies the presences or absence of something. Direct observation and photography can be used to observe social differences, and verify what has been gathered from other sources. As an effort to assess the reasons of conflict on forest, I found observation quite relevant. Through observation, I was able to verify the information collected during the interviews by checking household structures and situation in which people were living. I observed people’s activities about how they were engaged in the forest and outside the forest. I focused upon their everyday activities and how they can live in forest conflict areas and what they would be able to do for their forest land tenure even if forest conflict happened. For example, how and why they or their neighbors cut down illegally most neighboring forests and transport forests illegally.

In addition, how they could encroach illegitimately forest lands where are nearby their forest areas.

Furthermore, by staying in their house, I took a walk and critically observe all activities of communities, mostly on their farms and fallow or barren lands. I observed their livelihood assets such as roads, ways of life, living conditions, farmed or non-farmed income and their social interactions. For instance, I took some pictures about their illegal exploitation of other neighbors' forest and how they cultivated on unfertile forest areas. The purpose of this method is to look at the statement of forest conflict and human attitude toward the different kinds of forest conflicts. Furthermore, photographs were used to capture situations in which they existed in the study area and sometimes to cross check and confirm the information collected from interviews. For instance, I took some photos related to conflicts between groups of actors during conflicts and some pictures taken the illegal forest exploitation.



(a)



Figure 3-5 (a);(b): forest fire and illegal forestland use.

Photo: by Phuong, Nguyen Thi

3.7. Secondary data

Secondary data includes series of archival studies that can range from the formally recorded information such as historical inventory to more informal like letters and photographs (Kitchin and Tate 2000). Secondary data in this study was obtained from public and other relevant literature related to study area. The public documents consist of Laws and policies in both Land and Forest that could be accessed online and within different institutions like from Department of Natural Resources and Environment and Department of Agriculture and Rural Development. The other secondary documents which were used in this study were owned privately and these were obtained from books, journals, reports from organizations and thesis materials conducted by other people.

3.8. The limitation of the Research

3.8.1. Validity and Reliability

Kitchin and Tate (2000) stated that all good studies aim to be valid and reliable. It should be noted that qualitative or quantitative research handles issues of validity and reliability differently. If qualitative research is as the case of the study, reliability is as the degree for finding dependence of accidental circumstances in the research. Finding validity of data

will help to examine degree of correct interpretation for research objectives. To ensure validity and reliability, the purpose of the study was explained to interviewees in order to avoid any misunderstandings and interviewees were assured of confidentiality. Moreover, friendly, closely, sensitive, and intelligent communications promote relationships during interview over the long time period in conducted research. That is also increasing its validity and reliability of the study.

Because I asked the same questions to interviewees, I discovered that there was not much variation in the information given from people. In addition, observation generally verified what had been said.

3.8.2. Challenge faced in fieldwork

I faced with a number of challenges during my fieldwork. Firstly, Lam Dong province is mountainous area and complex topography, so it is little difficult to walk around the community. However, language barrier is main challenge for me during my data collection process. For instance, most of interviewees could understand what I said them because I used official language. However, when they talked together, I could not understand them because of using their local language. Therefore, I needed a translator. However, translation into the local language and vice versa was not easy even though the assistant could understand both languages.

The people; whom I interviewed such as forest management agencies, forest enterprises, and households; experienced forest resource conflict through lens of their personal experiences and professional responsibilities. However, those would not give details about specific incidence and not quantify the extent of conflict because of fear of endangering in their operations.

In addition, most of interviewees were females, so they were mostly lack of consideration to causes of conflicts. Besides, those were afraid of encounter to other actor even though they experienced a conflict over their forests. These reasons led to a bias of my results.

3.8.3. Ethic conditions

The complexity of natural resource conflicts often hides amongst the different perceptions of situations because of the potential reasons. These perceptions are based upon the interests, values and principles. Hence, analyzing the ethical conditions applied to forest

conflict is a way to clarify different notions of conflict issues involved in interests, values and principles. Besides, assessing ethical issue will supply an important element in examining the impact of validity to the research. For instance, research ethics are concerned within the extent where the researcher is ethically and morally responsible to participants, the general public and his or her own belief (Kitchin and Tate 2000; Gritten et al. 2009). Moreover, the researcher will be ensured that the results will not bring negative impacts for interviewees in data collection and writing. This means that the research have to ensure issues of privacy, confidentiality and anonymity. Private information and confidential information given by the respondents during data collection has been kept as security. This means that the participants who were involved in study and the information which they provided will remain confidential and privately and the researchers do not reveal without permission of these participants.

In this study, ethic problem is guarantee of privacy for my interviewees. Moreover, I will ensure confidentiality of the personal opinion. I promise with interviewees that my researched results do not affect their interests. Specifically, for companies and households, when I interviewed them about their satisfaction with forest management policies, I must ensure that I will not mention their answers in the interview with the forest managers.

In addition, the results of this research are exposed as a carefully researched report and it helps participants can see their voice and wishes in this study.

CHAPTER FOUR: A DESCRIPTION OF STUDY AREA

4.1. Introduction

This chapter will describe the forestry issues related to study areas. It presents the general information about the forest and forest management policies of Vietnam. This chapter also provides the brief of Lam Dong forestry and description about forest ownership as well. Additionally, the demographic characteristics in three districts of Lam Dong province are depicted. This chapter is also concluded by manifesting the links of forest and conflicts issues.

4.2. Forestry and roles of forest in Vietnam

The total forested area of Vietnam covered about 13.1 million hectares (approximately 38.7% of total land area) by the end of 2008. Among of these forested lands, there are 10.3 million hectares of natural forests and 2.8 million hectares of plantation forests. Moreover, forested area is categorized into three groups, namely special-use forest (2.2 million ha or approximately 15.7% of the total forest area), protection forest (4.7 million ha or 36.1% of the total forest area) and production forest (6.2 million ha or 48.2% of the total forest area) (United Nations Collaboration Programme on Reducing Emission from Deforestation and Forest Degradation 2009; 2010).

Forests in Vietnam play an important role in the national economy. For instance, forests supply timbers, non-wood forest products, firewood, bamboos, and rattan for domestic and export requirements. The annual timber exploitation from 1986 to 1995 varied from 8.8 million cubic meters to 4.5 million cubic meters, respectively. However, when the Government issued a law to prohibit the export of round wood and set up limits on the exploitation of natural forests, output of exploited timbers reduced gradually. The aim of this legislation is to conserve and protect natural forests, including protecting forest ecosystem (Sam 2000).

Furthermore, the contributions of different sectors to Gross Domestic Product (GDP) growth rate in 2006 were assigned with agriculture 16.0%, forestry 1.2%, industry and construction 41% and services 38% (FAO 2009). Forest product processing is not only to satisfy domestic demand but also contribute to the outputs of exports. In fact, a breakthrough period of Vietnam in timber and forest product export is five-year period (from 2002 to 2006). The export value of timber product reached almost US\$2 billion in

2006 and reached US\$2.5 billion in 2007. Further, Vietnam's forest product exports get profit of US\$3.7 billion by 2010, including US\$3.4 billion of timber products and US\$0.3 billion of Non-wood forest products (NWFPs). Along this trend, the aim of forest export in 2020 is reach over US\$7.8 billion, consisting of US\$7 billion of timber products and US\$0.8 billion of NWFPs (FAO 2009).

Moreover, socio-economic development and environmental improvement are linked closely to forests because forests are as sources of income and livelihood for forest-dependent people. For instance, non-timber forest products (NTFPs) provide 13.7% of the income from forestry activities for households in rural areas. Besides, in some areas where there are many natural forests and where there are many ethnic minorities living in, the proportion of the forestry-based income derived from NTFPs is high and more common because non-timber forest products have supplied firewood and bamboo shoots for their daily life conditions. Firewood is the most popularly economical type of non-timber forest product, normally accounting for two-thirds of the total non-timber forest product-related income of households. In addition, bamboo shoot brings an underlying source of income in some regions where the food availabilities have become scarcity (Tan 2006; Kusters et al. 2006).

Moreover, afforestation created more jobs for local people who had no jobs or more free time through activities such as investing in nurseries and plantations, patrolling the planted forests, and monitoring in wood exploitation and processing. These operations could also have an impact on the poverty alleviation and sustainability of rural livelihoods (Thuan 2005).

In addition, estimation indicates that almost 24 million forest-dependent people in mountainous regions, especially ethnic minorities who live in or nearby forest depend extremely upon forest because forest is as a primary source of their income and livelihoods (FAO 2009; Jarvie et al. 2003). A study on main source of income for mountainous ethnic minorities in some mountainous provinces of Vietnam reported that there are up to 30-40% income of local communities derived from forestry sector. Rather, in industrial forest zones, income of local people based upon timbers and NWFPs reached to 50-60% of the total income of rural households (FAO 2009).

4.3. Forest management policies in Vietnam

Until now, there are many forest and forestland management policies issued in Vietnam, but some of them were revised to be compatible for national progress. Most of these policies aim prevention of the depletion of forest resources such as reducing deforestation and illegal logging for timber products so that livelihoods of people in upland and forested regions can be improved. Most of forest management policies in Vietnam have focused on three main trends: (1) development of the benefits of forestland uses for local communities, (2) sustainable management and utilization of forest resources, and (3) increasing contribution of the forestry sectors to the country's economy and society (Tan 2008).

In fact, in 1991, the Tropical Forest Action Plan and the law on Forest Protection Development and Protection were issued. These policies emphasized the private management of forestland. The State allocated forestland and forest to households so that they could develop and manage forest as means of replacing centralized state control. Hence, household forestry had gradually taken the place of state forestry in forest management and became a primary unit in protecting forestlands and forests (Sikor 1998).

Furthermore, Land law passed in 1993 stipulated that land is the property of the entire people, and the State is ownership's representative. The State has rights to allocate land to organizations, households and individuals for sustainable and long-term utilization and management (Article 1 of Land law). Land users will receive land use certificates, called Red Book Certificates (RBCs) and they are responsible for the protection, improvement, fertilization, and the rational and effective use of land. Simultaneously, the State shall protect the legal rights and interest of the land users. Household and individuals who are allocated land for a period of 50 years by the State will be exploited entitlement of use rights that are stipulated in Land law (Article 2 and 3) via RBC. After the terminated period, if the households still want to use this land, the government will consider further allocation (Cai 1999; Sam and Trung 2001; Sikor 1998; Jong et al. 2006).

Additionally, the Prime Minister issued Decision No.661/QD/TTg, so-called Five Million Hectares Reforestation Program (program 661), dated 20 July 1998 on the forestry development objective by 2010. The purposes of this decision are (i) to establish five

million hectares of new forest in order to increase forest cover to 43 percent of the national territory, (ii) to provide materials for construction, and (iii) to use open land and bare hill efficiently so that it creates employment opportunities and poverty reduction as well as increases incomes of mountainous rural people (Sam and Trung 2001; FAO 2009).

Recently, the law called Land law (2003) which replaces the Land Law of 1993. In 2004, a new Law on Forest Protection and Development was also enacted. These particular laws highlighted the relevance of Community Forest Management (CFM), which emphasized the roles of local people and their traditional forest practices as important components in forest management (Quang 2006; Jong et al. 2006).

4.4. Description three districts in Lam Dong province: Case study

4.4.1. A brief of forestry and population of Lam Dong province

Lam Dong has 1.2 million inhabitants and population density of 122 persons per square kilometer. About 33.3 percent of population lives in urban areas. In addition, Lam Dong is populated with many multi-ethnic minorities in Central Highlands of Vietnam. The majority of the population belongs to Kinh ethnic group, occupying 77% of whole provincial population. The second populous group is K'Ho ethnic minority, constituting for 12% of total population of province. Moreover, there are 2.5% the Ma minority and 1,5% of each the M'Nong, the Churu, the Raglai and the Stieng. The other ethnic minority groups consist of the Tay, the Nung, the Thai, the Muong and the Tho, accounting for 2% for each and 1,5% of The Chinese (Department of Natural Resources and Environment 2010).

Because Lam Dong is chiefly industrial and tourism land in Central Highland, there are more inhabitants moving to this place over years to get employment and other businesses. According to Department of Resources and Environment (DNRE) (2010), there are between 3,000 and 6,000 people immigrated to Lam Dong in 2010. Due to the population pressure, economic development of province may face to more debates. For instance, natural resources can be overexploited in order to supply for new comers' various purposes such as settlement, employment, living conditions, and food demands.

Furthermore, due to this population pressure, living standards between urban and rural and between the poor and the rich can be distanced seriously. By those, the economic growth of province can be affected critically.

The total forestland of Lam Dong is 619,388 ha, covered about 70% of total provincial area. Moreover, forests are divided into three groups, namely protection forests (around 175,897 ha), special-use forests (constituting for 83,499 ha) and about 359,992 ha production forests (as shown in figure 4-1) (Department of Natural Resources and Environment 2010).

According to Law on Forest Protection and Development of 2004, the above forest types are responsible for different roles. First of all, protection forests are used (i) to protect water resources and land to prevent erosion and desertification, (ii) to minimize natural disasters, (iii) to regulate the climate, and (iv) to contribute to environmental protection. Rather, special-use forests are managed mainly to preserve nature, the national ecosystem and genetic diversity of forest plants and animals. Lastly, production forests are used primary for production of timbers and non-timber forest products in combination with environmental protection (Tan 2011).

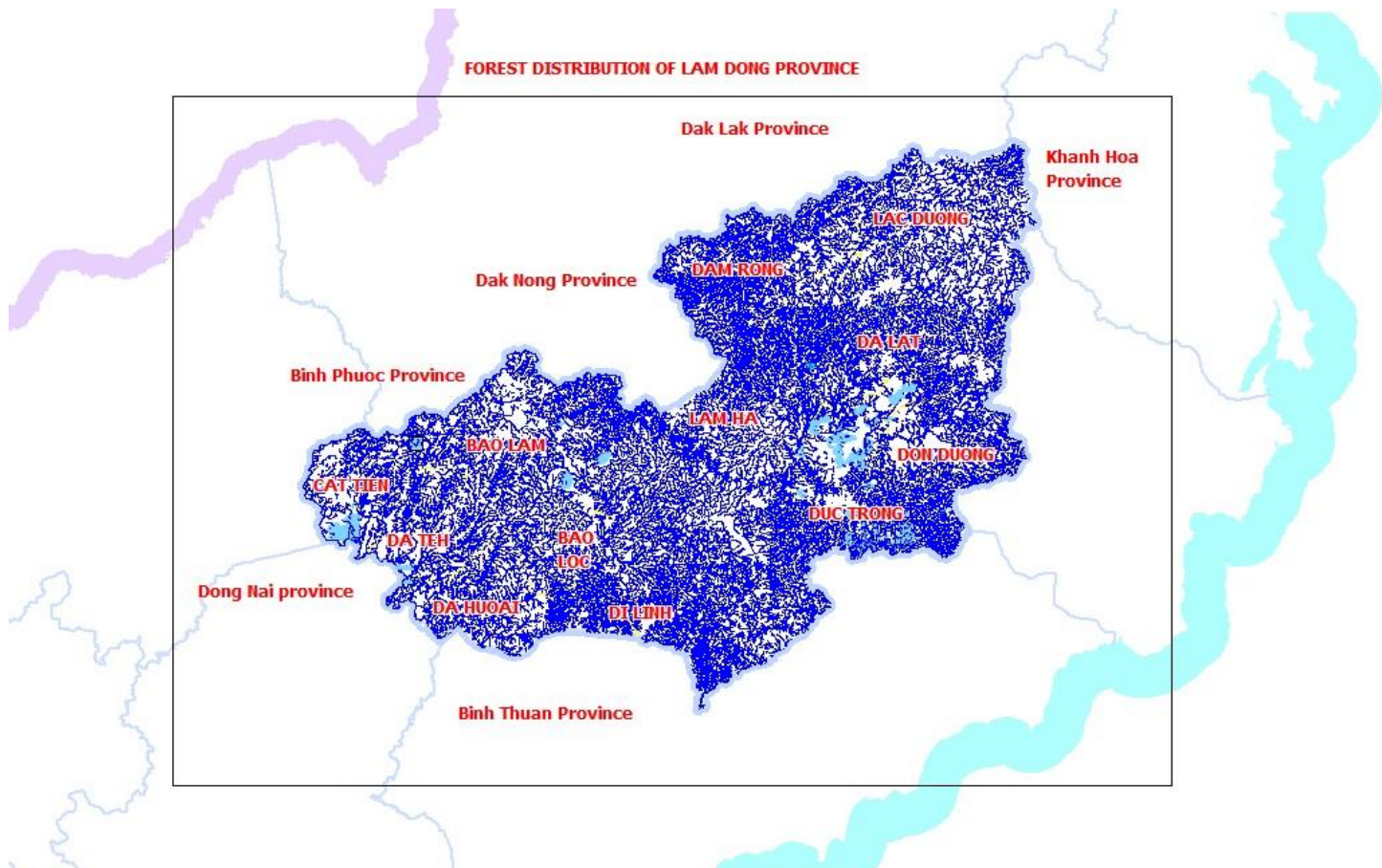


Figure 4-1: forest distribution by district in Lam Dong province

Source: Department of Natural Resources and Environment 2010

Moreover, contribution of different factors such as agriculture, forestry and fisheries; industry and construction; and service to GDP growth varies during the five year periods from 2006 to 2010. For instance, the contribution of industry and construction sectors to growth rate of GDP fluctuates over the time, ranging from 3.7% in 2006 to 4.3% in 2008. However, this rate also decreases in the next two years with 3.7% and 3.1%, respectively. In contrast, the contribution of agricultural sectors (e.g. agriculture, forestry, and fisheries) to GDP growth fell during the first four years (2006-2009) around 6% and escalated to 7.7% in 2010 (Department of Natural Resources and Environment 2010).

In addition, according to Lam Dong statistical yearbook (2010), the monthly average income per capita at the current prices is about one million Vietnam Dong (VND) or (US\$50) in urban region. Meanwhile, the monthly average income per capita by resident in rural is 812 thousand VND (US\$40) in 2008. Moreover, as regarding to different income sources, the monthly average revenue per capita is shared differently. For

instance, the income derived from the salary and wage varied dramatically for a period of ten years (between 1999 and 2008), which are from 63 thousand VND (US\$3) in 1999 to 222 thousand VND (US\$11) in 2008. In addition, the monthly average income by agricultural, forestry, and fishery sectors ranged significantly in the above similar periods. This average income varied from 134 VND (US\$7) in 1999 to 422 VND (US\$21) in 2008.

Generally, the monthly average income per capita of Lam Dong province is still low. This indication also reflects that the people's livelihoods as well as financial capitals are poor. In addition, this statistic showed that most of rural people depend heavily upon on forests as a main source of their livelihoods.

4.4.2. Forest ownership

According to Land Law 2003 (LL) and Law on Forest Protection and Development 2004 (FPDL), most forests in Lam Dong province are managed by three main properties: (i) state property, (ii) private property, and (iii) common property. Besides, groups of actors involved in these properties comprises eight main groups (groups 1 to 8), namely 1) households and community, 2) communal people's committees (CPCs), 3) protection forest management boards (MB-PFs), 4) management boards of special-use forest (MB-SUFs), 5) state-own enterprises (SOEs), 6) joint-venture enterprises, 7) army, and 8) private sectors or private companies¹ (as shown in figure 4-2) (Department of Natural Resources and Environment 2010).

First of all, the State assets include groups of actors such as People's Committees (PCs) (group 2); Management boards for Protection forests (MB-PFs) (groups 3); Management boards for special-use forests (MB-SUFs) (group 4); State-owned companies (SOCs) (group 5); and Army unit (group 7) . Based on land and forest allocation legislations stipulated in LL and FPDL, state actors manage and own whole of three types of forest, including special-use forests, protection and plantation forests. In addition, under this property arrangement, forests are allocated to the State with unspecific time. This unspecific time means that the State can manage, use, and protect forest without caring of return time. Besides, there is a difference between these actors under this arrangement

¹ Land Law 2003, Article 5 and Law on Forest Protection and Development (FPDL) 2004, Article 5

and other ones. That is the state actors under this property arrangement do not need to pay any taxes for the forest in which they manage.

Regarding to private property arrangement, the actors manifested under this condition include households (part of group 1 above), joint-venture enterprises (group 6) and private companies (group 8). Forest is allocated to its owners for long-term and stable utilization for forestry purposes. Besides, forest owners under this ownership are entirely exploited their use rights via land use certificate, called Red Book Certificate (RBC). RBC is the highest legitimate document to certify ownerships. It recognizes the all rights and obligations regulated in current land law (Land Law 2003). In addition, when owners hold this certificate, they have rights to exchange; transfer; lease; inherit; and mortgage to the natural resources. However, the owners under this arrangement need to pay taxes on forest in which they are allocated or leased from the State (Department of Natural Resources and Environment 2010).

The last but not least, the common property consist of group 1, individuals. These actors are allocated forest resources for stable long-term utilization and management. This group also has entitlement of rights which are stipulated in RBC but need to pay taxes on forests where they are allocated or leased (Department of Natural Resources and Environment 2010).

In addition, forest contract can be also accepted in forest management system of province. Forest contracting is defined as legal document that takes place when an owner of forest signs a contract with an organization, a household, and a group of household or a village to continue protecting and utilizing the forests (special use and protection forests). The lessor in this case is a state forest owner. Forest contracting is relatively common in Lam Dong. Owner's rights under this contracting remain with contractors and the contract's time of tenants is no more than five years (FAO 2009; Hieu 2004; Department of Natural Resources and Environment 2010).

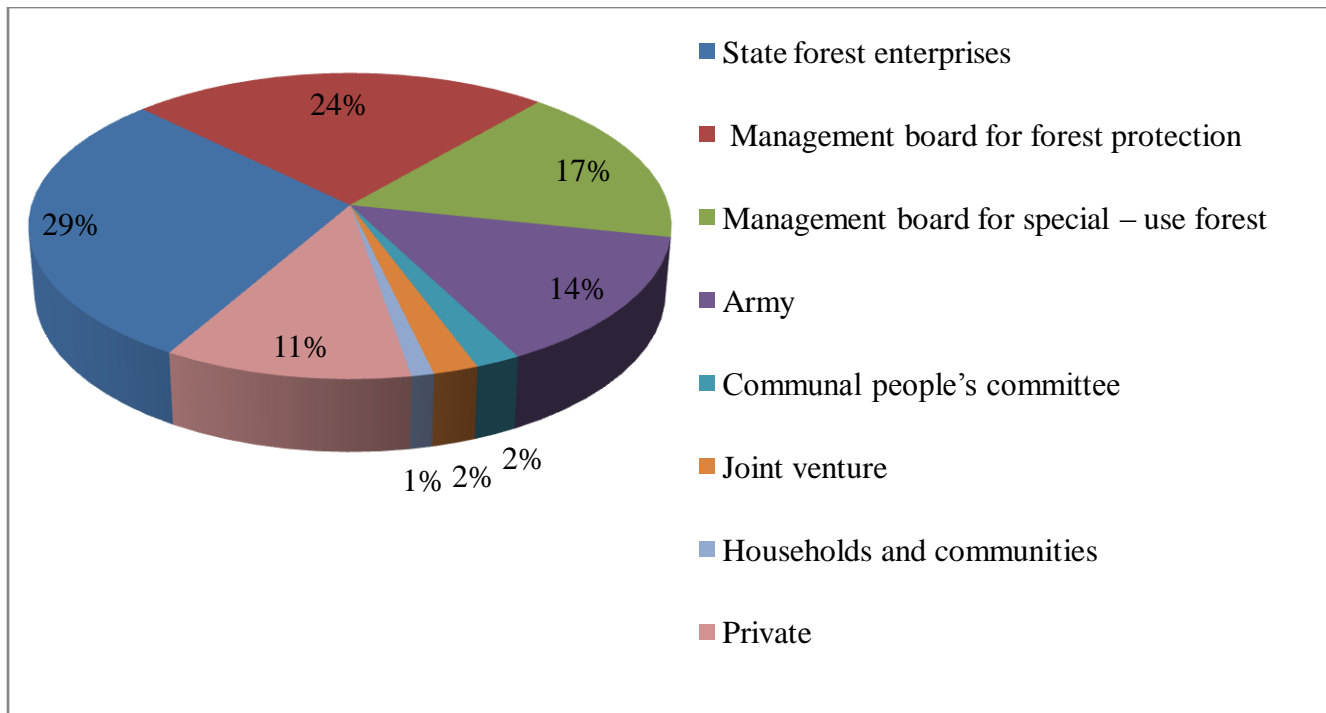


Figure 4-2: Proportion of Forest managed by group of owners in Lam Dong province.

Source: Department of Natural Resources and Environment 2010

4.4.3. Forest management system in Lam Dong province

The structure of forest management system in Vietnam consists of four levels, from national to communal levels as top-down model with functional agencies and administrative bodies of the state (as shown in figure 4-3). However, this study only depicts the structure of forest management system at provincial level. In province, provincial level is level where takes two responsibilities: (i) report and be responsible to government about provincial protection and management on the forests, and (ii) oversee the statement of provincial forest management. In this level, Department of Agriculture and Rural Development is seen as representative agency of province within line agency of Ministry of Agriculture and Rural Development (MARD) and this agency is also a member of Provincial People's Committee (PPC). This department will be accountable for provincial forestry issues. Besides, there are two line agencies that can support for forest protective activities of province, namely the Sub-department of Forestry and Sub-department of Forest Protection (sub-FPD).

Similarly, at the district level, the economic division (or the agricultural division in some cases) is responsible for forest management, utilization and development. The district

Forest Protection Unit (FPU) is independent of the economic division and undertakes reports directly to sub-FPD at the provincial level.

Lastly, the lowest level in forest management system is commune level. In this level, there is an agricultural and forestry officer in Communal People's Committee (CPC) (Institute for Global Environmental Strategies 2011; United Nations Collaborative Programme on Reducing Emission from Deforestation and forest degradation 2010; Tan et al. 2008).

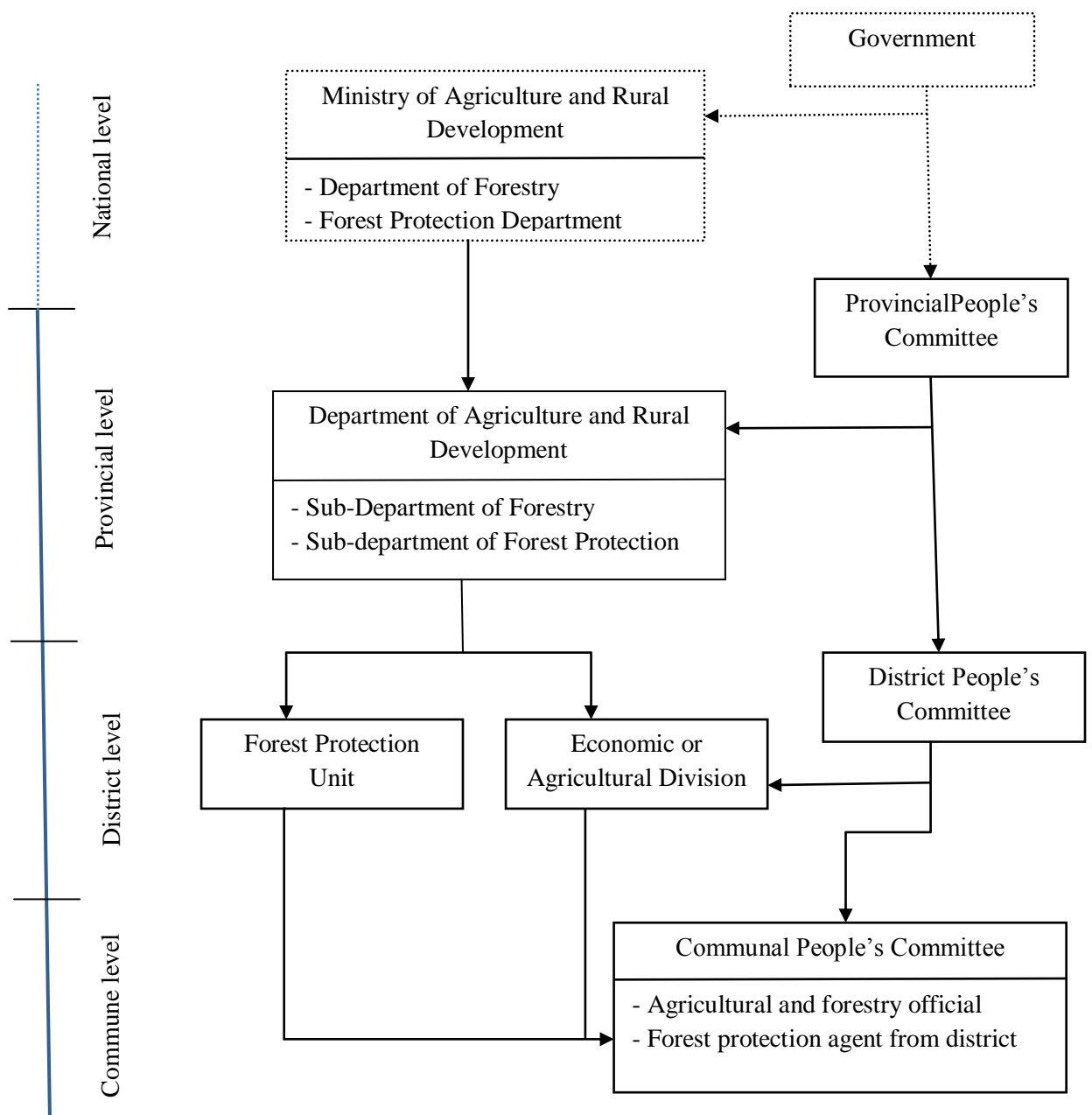


Figure 4-3: Structure of forest management institution in Lam Dong province

Source: United Nations Collaborative Programme on Reducing Emission from Deforestation and forest degradation 2010.

4.5. Demographic characteristics and forestry in three districts

4.5.1. Population and forests

As illustrated in figure 4-4, this figure presents the regions chosen for my field study, which are Lac Duong and Da Huoai districts, and Da Lat city. Both Lac Duong district and Da Lat city are located in the North of Lam Dong province while Da Huoai district is South of province.

Da Lat, a capital of Lam Dong province, is located in Langbiang highland of Lam Dong province with the average height above sea level of about 1,500m. The proportion of population in Da Lat outnumbers Lac Duong and Da Huoai districts for each. A large number of inhabitants in Da Lat city are 206 thousand dwellers while the population of Lac Duong and Da Huoai districts account for 19 thousand and 33 thousand people, respectively. Besides, the density of population in Da Lat city constituted for 524 persons per square kilometers while there were 15 inhabitants per square kilometer in Lac Duong district and 68 dwellers per square kilometers in Da Huoai district. Among of three districts, total land area of Lac Duong district is the highest, occupying 1,310km² while the total land area in Da Lat city is 393km², the lowest land area. The total land area in Da Huoai district is 494km². Moreover, the forested area in Lac Duong occupies about 1,162 km² (approximately 19% of total provincial forest area) while there are 262 km² in Da Lat city (namely 4% of total provincial forested area). In both Da Lat city and Da Huoai district, there are no special-use forests. In contrast, there are 554 km² special use forests in Lac Duong district (Lam Dong statistical yearbook 2010).

Moreover, as regarding to production forests, there are 225 km² in Da Huoai district. Meanwhile, the whole production forest in Lac Duong district and Da Lat city are shared 118 km² and 209 km², respectively. For protection forests, there are 490 km² protection forests in Lac Duong district while there are only 53 km² protection forests in Da Lat city (as shown in table 4-1).

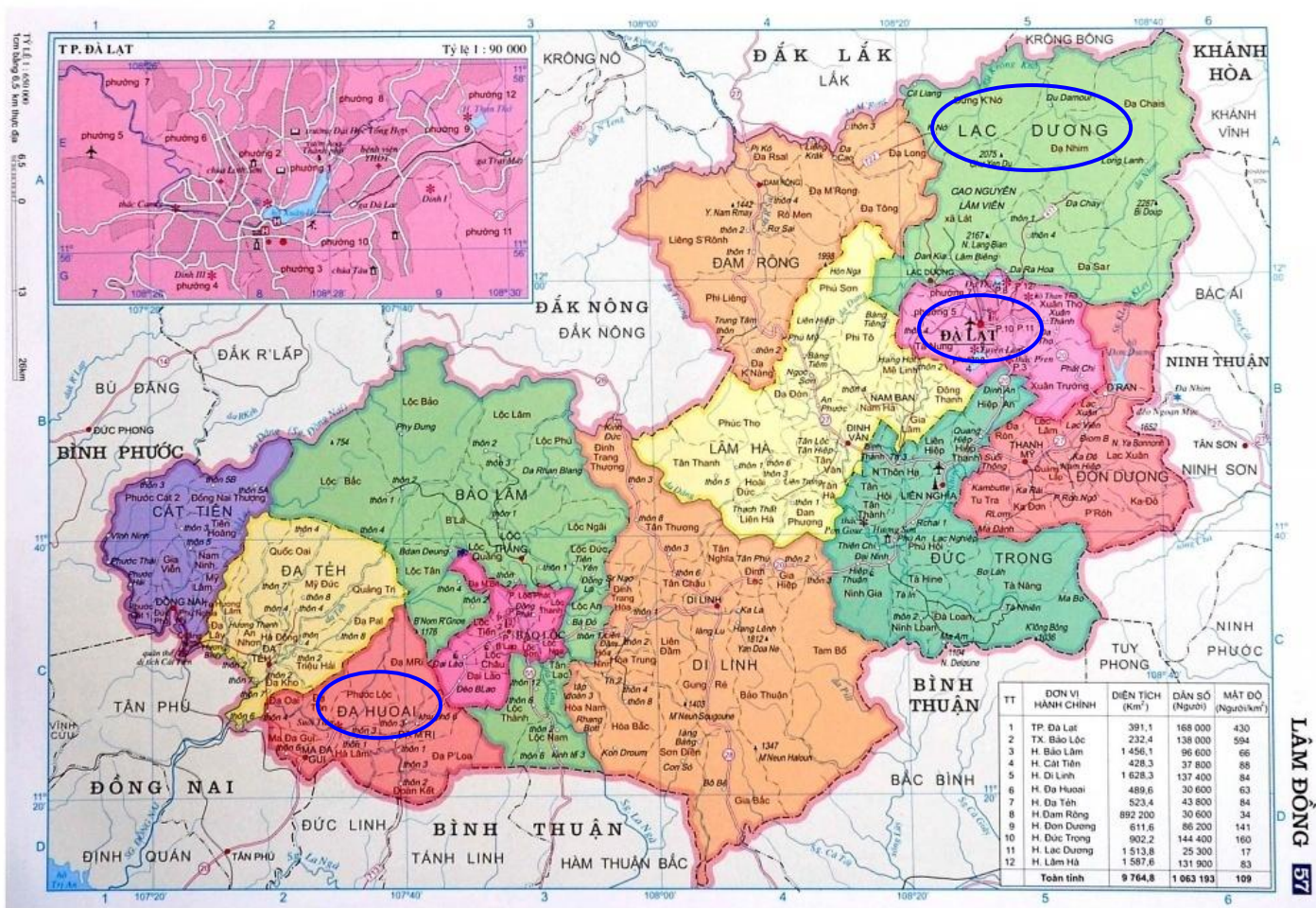


Figure 4-4: Location of three districts in Lam Dong province (as drawn in blue circles)

Source: <http://www.lamdong.gov.vn/en-US/home/about/Pages/Lam-Dong-map.aspx> (2012)

Table 4-1: Population and forest areas in each region in 2009

Source: Lam Dong statistical yearbook 2010

Region	Total area (km ²)	Population (person)	Population density (person/km ²)	Forest area(km ²)			Land area covered by forest (%)
				Productive forest	Protective forest	Special-use forest	
Lac Duong	1,310	19,350	15	118	490	554	89
Da Lat	393	206,105	524	209	53	0	67
Da Huoi	495	33,630	68	225	94	0	64

4.5.2. Demographic characteristics of the samples in three districts

As illustrated in table 4-2, in each selected region, there are ten interviewees attended to my interview. Among of these respondents, there are 18 women, occupying about 60% of total attendees interviewed. The proportion of the female interviewees was higher than the rate of males because most of men often disliked taking interview and they were busy with their work in farm and office. Moreover, about eighteen people aged between twenty and forty nine from those attendees were selected to interact with me because they have more experiences and settle in long duration. By this way, I could get more information from them and their answers are really useful for validity of my study. In addition, average monthly income per capita vary from 3 million Vietnam Dong (VND) (US\$150) for groups of people in involvement of farmer, workers and some new-recruited staffs; and to upper than 10 million VND (US\$500) for individuals or groups worked in forestry enterprises or longtime employees in state administration.

Table 4-2: Demographic characteristics

Demographic characteristics (n=30)		Lac Duong	Da Huoai	Da Lat
Sex	Male	3	4	5
	Female	7	6	5
Age	Below 20	2	2	2
	20 – 49	6	5	7
	Over 50	2	3	1
Educational level	Primary school	6	7	5
	University or higher	4	3	5
Owner	Household	4	4	3
	Company	3	2	4
	Officer	3	3	4
Settlement duration	lower 10 years	4	4	5
	Over 10 years	6	6	5
Income	lower 3 mill VND	4	4	3
	3 – 10 mill	3	4	3
	Over 10 mill	3	2	4

As be following this table, the large number of interviewees from households and companies, with accounting for 66% of total interviewees because they can be direct victims or actors driving to mostly competition. These actors may almost encounter explicitly in cases of conflicts. Of the 11 households, this study interviewed 7 people lived in forested area and 4 persons lived nearby forest. Also, out of 9 firms, three persons worked for farms and six people worked for forestry.

Moreover, regarding to forest management agencies (e.g. authorities and sub-forest protection department), of 10 powerful actors, there are 3 for sub-forest protection departments (sub-FPD), three district authorities and three communal authorities. Among of sub-FPD, there are one for each at Da Huoai and Lac Duong districts, and Da Lat city.

Besides, groups of forest enterprise (e.g. state-own, joint-venture and private companies), there are all 9 people worked for forestry sector and farms. Of nine persons, there are three in Lac Duong district, two in Da Huoai district, and four in Da Lat city. In Lac Duong district, there are one for each of state-own, joint venture, and private enterprise while two are gone share with joint-venture and private companies in Da Huoai district.

In addition, the size of households of these interviewees is enough structure including parents, children, and sometimes relatives. At the present, on average each house would accommodate about four people, so they had enough spatial and temporal to educate their children and improve their living standards. According to the Vietnamese culture, the head of a household was father.

Generally, most of the family structure in Lam Dong has a good structure. For example, for state management agencies, often both husband and wife have worked in not only for business but also for state agencies. The traditional structure, in the past, was that almost wives were housewife while husbands were workers. In addition, husband was person who had usually created mainly economic income for family. Particularly for rural households, most income was dependent on the husband. The role of women was as homemaker and taking care of children. However, nowadays due to the high living standards, both husband and wife have a stable career to promote their life and development in society. As regards of the enterprise, normally, large companies or small and medium companies, the husband is the manager and his wife continued to manage an array of company. However, for small businesses, often wife may also participate in working for another company or even they share duties with husband in their own company's business.

4.6. Links: forest area reduction, violation, unequal distribution of benefit and conflicts

The most currently challenging problems; which are able to lead to the types of disputes related to natural resources; come from forest area reduction, increasing population pressure, and unclear forest allocation as well as unfair benefit sharing.

First of all, with the expectation that Vietnam will become an industrialized country by 2020, the government narrows agricultural land areas, including forest lands to support for industrial-zoned development. Besides forest land reduction policies of the State, the war, deforestation, illegal logging, and forest fires are also the reasons for the reduction of forest area (Hieu 2004).

In fact, Vietnam had been heavily deforested over during the Second Indochina War. The United States Air Force had a deliberate policy of destroying forest cover for the communist forces in the South with toxic chemicals called dioxin “Agent Orange”. This

led to the destruction of at least two million hectares of forest in the Central Highlands and of mangrove forests along the Southern coasts (Ministry of Agriculture and Rural Development 2004; Hirsch 2000; Hoa 2008).

In addition, during mid-1970s, a migration flow of several million lowland dwellers moved from lowlands to New Economic Zone based upon policy of rice self-sufficiency. Because of this great migration flow, it creates a pressure on the shelters and livelihood sources for new comers. As a result, a large number of forests were logged and some forested lands had become barren lands because of conversion from forests into agricultural lands. Besides, rebuilding policy of Government is also passed. This policy aimed to resettle people's lives disrupted due to the war over the last decade. This rebuilding policy allowed communities use and exploit forest resources property as an open-access property, leading to a further forest overexploitation statements. Besides, forest fire is also another driver, leading to forest area reduction. In fact, between 1963 and 2002, there were over 47,000 forest fire cases and they destroyed severely over 633,000 hectares of total national forest areas (Ministry of Agriculture and Rural Development 2004).

These situations greatly influence the lives of people because their forest areas are decreased, bringing loss of their income. Moreover, in Lam Dong province, most of local communities are the ethnic minorities who depend extremely on the forest products. Therefore, the more forest areas are reduced, the more local people become the poor. Consequently, to improve their life, most people start illegal mining and transportation of forest products. Although timber logging is considered as illegal by the state, it is practiced by almost all households in Lam Dong province.

At three districts of Lam Dong province, according to report of department of Lam Dong provincial forest protection (2010), there are about 137 cases of legitimate violations in Lac Duong district, 171 cases in Da Huoai and 65 cases in Da Lat city. This report also shows that the large amount of cases of violations related to forest, chiefly for deforestation with total 211 cases in all three regions, occupying 57% of all cases of law violation. Among of total 211 cases of deforestation, there are total 183 cases in both Lac Duong and Da Huoai districts while there are the only 28 cases in Da Lat city. Besides deforestation, law violations in all three regions are also shared for illegal wood transportation and violation of forestland uses, accounting for about 117 cases in all three

areas. In addition, about 31 cases of violations in all three regions are considered by illegal forestland enlargements.

In addition, chain of illegal actions involves a large number of actors. At commune and district, the actors involved in illegal actions consist of local households as well as poor households and forest companies. For instance, my extended stay in commune enabled me to explore an abundance of actors who directly involved in the illegal timber logging. Usually, almost middle-aged men engaged in these illegal activities. The wives also helped their husbands and sons by using buffaloes to haul off the timbers from forest to their living shelters. Moreover, some local households also hired woodcutters from another commune to help them logging or sawing. Especially, when I was in their house during fieldwork, I observed that there is an dozen of woodcutter hired by my host. These woodcutters could be the ones who live in the commune or migrant woodcutters.

Therefore, under certain conditions, the revenue of forest owners is vulnerable due to the dismantlement of other actors. This leads to the confrontation between the forest destroyers and forest owners. This contestation can express in various levels, from quiet to open forms. At peaceful level, the forest owners manifest the conflict through using the bad words to describe the forest destroyer or illegal forest exploiters. Meanwhile, the conflict is seen as an open form when the exploiters attack to other actor when they are detected. However, generally, most of key factors led to forest conflicts are income, livelihood source, and refugees or settlement (Department of Natural Resources and Environment 2010).

Furthermore, the limitation of access to forest resources is another factor manifested conflicts among forest stakeholders. The access's reductions can result from financial powerful relation. The more financial powers people have, the higher benefits the people receive from the forests. It means that if the actors are rich, they can receive more forest lands. For instance, most of forest is managed by the state organization while there is a small one managed by the households or local community. This creates an imbalance of access to forest among forest-dependent dwellers, leading to a potential discontent between local community and state organizations. The state organization can include the state agencies and forest state companies. The phenomena of conflict can erupt when the differences of access between the two is marginalized.

In addition, the different notion can be another factor driven the phenomena of conflict. For instance, almost forest companies claim that forests are as sources of wealthy accumulation while the forests are main source of the livelihoods of the local households. The conflicts manifest when the forest companies want to move local households out the forests so that the firms can widen their access to the forests.

As an example, the establishment of forest conservation areas leads to many disputes between indigenous peoples and conservationists. Causes of this conflict root from compensation policy for indigenous people. It means that when setting up a conservation area, the government often moves people out conserved zones. However, although the locals' forestlands are seized, they merely get a little support from compensation policy. A research done by Bateman (2010) showed that most clearly preserved forests are managed under state ownership, so the local people are vulnerable on disruption of income. Therefore, in a conservation regions or buffer zone, the most conflict is arising due to unfair distribution of access and revenue reduction because it impoverishes people's livelihoods. Therefore, there are competitions when these local people protest the local forces because these forces choose their forest land area to set up for conservation.

Moreover, contradictory issues are also relation to skew forest land allocation policy among owners. For example, the majority of the indigenous people or communities are often allocated poor forests. This is lead to grievance on the rights and interests of the forest owners.

CHAPTER FIVE: CAUSES OF FOREST CONFLICT IN CASE OF STUDY

5.1. Introduction

This chapter examines the relationships of distributions of benefits derived from forests and illegal forest operation to contexts of conflict in three districts of Lam Dong province, Vietnam. My main results and discussions of this chapter are that under certain conditions of which the unequal benefit sharing derived from the forests has become cause of forest-related conflicts. Simultaneously, illegalities of forest uses are also discussed in relation to additional causes of conflicts over forest resources. These discussions are highlighted or experienced by various forest users and managers.

5.2. Illegal forest operations as a fuel of forest conflict

5.2.1. Illegitimate forest operations: what are and who involved?

Accordance in law, only licence holders for logging can have *de facto* right for harvest or transactions of timbers. Logging must be permitted by competent authorities. It means that if holders are state or organizations, department of natural resources and environment (DNRE) or department of agricultural and rural development (DARD) is agency to allow logging transactions. Meanwhile, local people like households and individuals will be allowed by district authority (Institute for Global Environmental Strategy 2011). Therefore, all cases of logging transaction without the permission of the competent agencies are seen as an illegal action and the actors related to these illegalities would be fined in legitimate accordance. However, during fieldwork, the illegal actions have become common in cases of study. In this research, illegal forest uses were identified into illegal logging and forestland encroachment.

However, the determining the exact actors involved in these illegal forest extractions, especially timbers logging, is complex issue in three cases of study. Because most of actors in relation to these illegalities often consist of multi forest stakeholders such as forest management agencies, forest companies, and households or individuals.

In many cases of study area, actors involved in illegitimate forest operations consist of households (e.g. forest and forestless households) and forestry enterprises. In a few of cases, timber harvesting, sometimes illegally, are complicit local authority and rangers. From the results of interview, most of forest management agencies like sub Forest

Protection Department, forest protection units, and authorities (e.g. communal and district levels) shared the same answers about actors involved the illegal forest product uses.

As regarding to these forest management agencies, when I questioned a Deputy Head of sub-Forest Protection Department (sub-FPD) in Lam Dong province about which actors related to illegitimate forest logging and enlargement, he lamented:

“Most of actors related to illegal forest exploitation and forestland enlargement are locals. All of them are not only people who live in or nearby forests but also forest enterprises.” said Mr. Thach as Deputy Head of sub-FPD

Likewise, contacting to the Chairman of Da Huoai district People’s Committee, Mr. Loi gave a coincident opinion with Deputy of sub-FPD about cases and actors related to illegalities in region. He complained:

“The protection and management of forests in the district are still dealing with many difficulties because deforestation has increasingly occurred for many years. In addition, the violators are mostly indigenous people or/and ethnic minority groups living in forests. They use forest products illegally because they are poor”.

Similarly, when I met Chairman of the People's Committee in communal level, her name is Pham Minh Chien. When I asked her about the illegal forestland encroachment, she shared with a sighing tone:

“Most illegal loggers were local residents. In my commune, a few of households have voluntarily encroached forestland of neighbors to camp temporary houses. In addition, these enlargers freely cultivated agriculture in forest lands where are encroached by them”.

She also stressed that few local people who not only expanded voluntarily lands but also exploited the forest-related products of others. She emphasized that although they were not landless and forestless-*‘they did have all’*, they would still like to seize asset of other people. By these ways, the locals destroyed the neighboring relationship and behaviors between them and other forest owners. In addition, *“about how the relationship and*

behaviors between local communities” I questioned. She answered *“they often use the ‘bad’ words to describe each other”*. Moreover, she also mentioned that if these discontents are not handled or mediated between the two, under concrete conditions the conflict between the two will be able to happen in the near future.

In addition, when I came to a state-owned forest enterprise in Da Huoai district to confirm the information, representatives of these ones still acknowledged that:

“Most of my timbers are cut down and transported by neighboring forest destroyers. These forest destroyers are usually local households who lived in and nearly boundary position of my forest”

In contrast, during the interview with me, Mr. Thong as a representative of household urgently shared that:

“I do not believe that why most of firms claimed that we (my neighbors and my house) have exploited and encroached illegal their timbers and forest lands”

He also affirmed that both locals and rangers were often implicitly complicit in these illegalities.

“Most of groups of actors in terms of illegal forest expansion and exploitation are not only local minorities but also involvement of regional rangers and local authority”. Said Thong

Summarily, illegal forest and forestland uses are generally complicit with more than one forest users and managers. These illegal forest resource actions consist of illegal logging and illegitimate enlargement. In addition, all of illegal forest actions can be seen as violations. Therefore, most of violations related to forest are recorded as a challenging problem for not merely forest owners and forest management agencies. However, in three cases of study, including Da Lat city, Da Huoai and Lac Duong districts, illegal loggings are common and relevant to more actors in terms of forest uses and management.

Seeking a potential reason for these illegal actions and the relationships between these illegalities and causes of contestations would be followed in the next sections.

5.2.2. Factors driving to illegal forest resource operations

During fieldwork in three districts of Lam Dong province, reasons led to illegitimate forest operations are rooted from demands of increasing the property/cash, lack of awareness on customary rights, poverty or ethnic minority issues, and unequal distribution of benefits in relation to access to the forests.

First of all, according to Institute for Global Environmental Strategies (IGES) (2011), in 1992, the government of Vietnam enacted the logging ban regulation. This one aims to limit the harvest and transaction of timbers. Then, this regulation was revised in 1997. In addition, when the global demands for timber products, especially valuable timber have been recognized, the timber price is higher. Therefore, illegal logging is as a major driving force to attract financial rewards behind the process of forest transformations.

More recently, demands of forest products for export and the demands of livelihood of forest-dependent dwellers in Lam Dong province are increasing in high level. Due to these demands, many communities exploit the timbers illegally to supply different commodity's requirements (Department of Natural Resources and Environment 2010).

To be evident for this issue, a specific case of illegitimate tree exploitation shown in figure 5-1 (a;b) I captured this picture when I came to a forest area of forest company. Some of trees were logged down by local residents even though these trees were not harvestable. In addition, when I came close them to communicate with them, I oversaw their logging. I asked "*why you log these forests even though these ones are young?*" They coolly gave me an answer: "*I do not know. We just see that all of them can help me to take cash*". Furthermore, they also explained me that at the current prices, the timber price is high. Thereby, if they wait until the wood can be harvestable²; the price of wood is not as such current high price as. In addition, they merely find out the big timbers and saw them because this forest is not theirs, so they do not care whether this timber is mature or not.

² The average growth time of timber is 30 to 40 years



(a)



(b)

Figure 5-1 (a, b): illegal forest exploitation of local people

Photo: Phuong, Nguyen Thi

Secondly, due to poverty, some poor households who had few of forests and forestlands had transferred their forest lands to other forest owners. Some years later, they could be able to become landless and unemployment with an unexpected trend because most of their forestlands are sold or leased back to other forest owners. Therefore, due to unemployment, occasionally, they came back to exploit forest illegally and encroach forest land from households whom they were transferred before.

As a critical example, some local people built a temporary house (as unsettle houses)³ in forest companies' lands and they could cultivate crops, especially short-term crops like cabbages, carrots, amaranth, and sweet potatoes.

For explanation associated to this phenomenon, I went to a private forest companies to ask for clarification, I questioned them about “*which conditions a few of local households can use your forestland easily? “Do you know that labor power and weak patrolling are main issues in my country?”*” The leader of this company answered.

This response means that under conditions of lack of labor for monitoring and inspecting of forestry companies, local people could enlarge unprompted the forest lands of the companies. This action also indicates that a few of locals take these advantages to log the timbers of forest firms. In addition, almost areas where were encroached by locals were often fringe areas because the companies could not control and access to all their forest areas. Consequently, some forest areas of forestry companies were reduced by illegal land expansions of the local residents.

In addition, this illegal phenomenon happened at the initial time when forests were managed by village. At that time, local authority had also no experience in patrolling and management. Some forest protection units did not recognize their governance and responsibilities. For example, the forest protection units did not know that they could fine the forest destroyer if they detected these forest destroyers. In addition, because of the initial time, they did not recognize the boundary of forest areas in scope of their management. Therefore, these had created an advantageous condition for local people to enlarge forest lands from other neighboring people.

³Unsettle house is as a temporary or small cottage where some people (1 or 2 persons) can stay in the short time

In a sharing with me, a farmer in village of Da Huoai district remembered that at that short space of time, he and his neighbors were not unflinchingly for their forest operations. He said that:

“I or even other households can enlarge a small land area nearby my house to cultivate crops. Besides, we can exploit some timbers nearby my forest area without whether care of presences of forest management team in my village or not. My family and other neighbors can harvest surreptitiously coffees from other villages [...]. Then, we can sell all these products to other places in the same province or other province to get cash”

Therefore, these circumstances indicate that the illegal forest actions are done under different conditions. For instance, the local households use forest illegally because they are poor. Meanwhile, for forest companies, lack of labors and lack of experience on monitoring are main factors, creating conditions for local households who do these illegalities.

Moreover, although the current forest and forest land allocation policies of the State are direction to local communities, especially ethnic minorities, they have no finance to reforest and manage forest areas allocated or leased with regarding to the provincial forest development purposes. Thereby, they usually sell their leased or allocated forest lands to other owners or to neighboring companies. As a result, the companies expand their scope and scales of their operations while local communities become landless (Department of natural resources and environment 2010).

For clear instance, according to report of Department of Agriculture and Rural Development (2010), such ethnic minority groups cut down and logged forest illegally, especially pine forests, to plant coffee trees for their profitable purposes without permission of local authority or forest owners.

Therefore, due to demand of increasing of financial capitals on the one hand; and because of poverty on the other hand, the local households log the forests whether these forests are theirs or not. However, by anyway or any reason, these actions lead to a confrontation between forest destroyer and forest owners.

On the other sides, thirdly, most of local people were poor and lack of insight. Therefore, because of the poor level of awareness, they did not know the importance of protection and conservation of natural resources. Besides, these illegal exploiters could not see the disadvantage or penalties that they could get when they were detected and handled in accordance with law.

“Some actors take advantage of the poor to exploit illegal timbers to serve their interests. In addition, in my district, rangers/forest protection units are limited while forest destroyers are very aggressive. These ones are ready to fight when rangers discover them”. Said Mr. Loi as Chairman of district People's Committees Da Huoai

For instance, rural households from the interviewees claimed that due to lack of awareness on forest protection and conservation, they continue to cut the tree in the forests regardless of the legal regulation prohibiting them from doing so. From their viewpoints, timber logging is not only “legal” but also a way to maintain their livelihoods. Hence, many of them are in fact involved in illegal as it brings them attractive financial rewards.

Moreover, according to the provincial state agency indicated that forest enterprises were also not aware of their rights and access to forest. In addition, not only households lack awareness of their access and regulations on forest tenure and claims, but also some private companies do still not recognize their rights and obligations on forest utilization and protections.

For instance, I met Mr. Hung, representative of a private forest company in Lac Duong district to ask the information associated to rights and regulations. When I questioned him about how to approach on the rights and obligations on his assigned forests, he indecisively shared:

“Mostly ideas between local authorities and companies are not coincident in the roles and obligations of forest management and protection because the firms lack awareness of their access and do not understand clearly the documents of stipulation in rights, management, protections, and afforestation”. He also said that *“I often relied on local authority for procedures of my forestland lease because all legal documents are*

addressed by local government under One-Stop Shop (OSS)⁴ or “One-Door” mechanism. Hence, I just followed the instructions from the state management and do not care about how to be done it by myself?” said Hung.

As the same situation of Hung’s company, other companies in Da Huoai district and Da Lat city also perceived skew of their rights and obligation on forest. They often depended upon local government for their forest and forest land allocation or lease activities.

Besides, data I obtained from the fieldwork illustrates that actors related to forests have different notions of the forests. Most of rural people depend on the forests as a primary source of their livelihoods. Therefore, most of local households in case of study simply look at forests as a source of living condition while the forest companies maintain forests as a source of capital accumulation.

Nonetheless, from interview with forest management agencies, some of them complained that although the local authorities and competent agencies try to instruct the local communities about advantages of forest protections and negative impacts of forest reductions, forest destruction was still rampant due to a general lack of awareness.

“Because of immediately economic value benefits, loggers select a wood with a dark-brown core to cut down without caring of its growth and benefits for environment”. An officer said

Nguyen Thanh Chuong, deputy director of Central Highlands Region Forest Seed admitted that:

“Although local authorities have trained local communities about the importance of protecting forests, due to immediate profit they still proceed with logging. Moreover, these people can attack rangers if they interfere their logging. In addition, to the forest companies, they hire the people who can keep track of rangers to inform to them about presence of these rangers in the forest where the companies are logging”.

⁴ OSS mechanism is on the implementation of administration procedures. It helps to handle requests of people and organizations under the jurisdiction of state administrative agencies. This mechanism will implement in the following procedure from receiving the request to return results, so-called "Division receive and return the results".

His identification indicated that the illegal forest uses of companies sophisticated in comparison to the poor, including ethnic minorities. Therefore, the detection of violations of forest enterprises was very difficult and more challenging for forest rangers. In addition, he shared that solving definitely dispute took place between forest firms and local authorities needed a long time.





Figure 5-2 (a, b): pine forests logged down by forestry enterprises

Photo: Phuong, Nguyen Thi

Lastly, unequal distribution of access to forests among forest stakeholders is another factor led to the illegal forest resource uses. For instance, only some of households actually have forestlands even though Lam Dong is the region with the large forest cover area. Critically to ethnic minorities, although almost Lam Dong ethnic minority groups are extremely dependent on forestry lands and forest resources as a source of their livelihoods, they merely have a few of forest resource areas (Asian Development Bank 2005; Department of Natural Resources and Environment 2010).

Specifically, most of forest resources were legally managed by State actors, namely 86% while local community were in control of only 1% of total forest area (fig. 4-2) (Institute for Global Environmental Strategy 2011). This created a considerable imbalance in legal access to forests between forest beneficiaries. Because of this lack of access right to the forest resources, local people especially ethnic minorities were not able to develop adequate alternative livelihoods.

This reflects that unbalanced holding of forest resources among different actors are roots of illegal forest and forestland issues in Lam Dong province. This indication also presents

ignorance of the state on access rights to forestland of these ethnics, leading to manifested conflict in small scale.

In generally, the unclear definitions of interests and access to forest among forest stakeholders are fuels of illegalities associated with forest resources. In addition, weakness of state policy in the forest management and protection; high demands of forest products; and socio-economic issues like ethnic issues and poverty are additional factors, potentially led to illegal forest uses in cases of study. However, the poverty is the primary cause of illegal forest uses.

5.2.3. Links from illegal forest operations to forest conflicts

Forest conflict not only reflects a feature of forest management regimes, but also manifests differences notions between forest stakeholders. In addition, forest conflict is a manifestation of imbalances of interests and access to forests. Bitter conflicts often erupt in situations where the interests of stakeholders are not clearly defined. In such circumstances, determining causes of forest conflict might deal with some difficulties because most of forest contradictions are often involvement of various actors and different factors.

In relation to this study, obtained results indicated that illegitimate forest use is one of the most challenging problems experienced by local communities (e.g. households and forest companies) because these actions damage their livelihoods.

However, from interviewed results, most of people interviewed in all three areas, including Lac Duong and Da Huoai districts and Da Lat city claimed that forest-based resource conflicts have rarely occurred between local communities and forest management institutions. It is evident that out of 30 interviewees, only few respondents had relieved that there are forest-based resources disputes arising between forested people and forest management agency. Almost cases of forest conflicts in this case were happening between local forest and forestless households and forest companies.

This section discusses the forest conflict between local households and forest companies in relation to illegal forest uses. Moreover, determining causes of conflict over forest is identified through examining on negative impacts of these illegal forest operations on

interests (e.g. reduction of revenue), loss of forest and forestlands area, and legal rights' disruption of forest-dependent people.

To clarify which role of illegal forest operation has in forest conflict at three districts, this study will discuss some main points which draw causes of contradictions. The reasons led to contestations among forest stakeholders in this case comprise about illegal forest extractions and illegitimate forestland encroachment. Moreover, difference of notions and imbalances of access to the forest resources are also discussed because they are potential causes of these illegalities.

In the first place, illegal forest extractions result in the income's reduction among forest-related dwellers because it affects to financial capital of forest owners. The actors related to this case consist of local households and forest enterprises.

To evidence why illegal forest logging cause conflict between the forest companies and forest destroyer (e.g. local households), I went to joint-venture companies to ask leader for clarification. The leader shared that:

“Can you believe that I was once a bit rich in forest? I have about 150ha of forests, including 5ha of agricultural crops like rose flowers, cabbages and carrots. Among of forest area, I have about 10ha of harvestable plantation forest. But some timbers are exploited by ethnic minority groups”. A forest joint-venture company leader

Likewise, a representative of state-own forest firm in Da Huoai district gave a similar opinion. He shared that:

“Most causes of forest conflicts around or neighboring my forest areas are due to deforestation of forest destroyers who live in forest edge. The causes of their actions are that they want to reap some coffee forests and sell for other neighbors. Moreover, few local people dispute with my own workers because of their forest land encroachment illegally. Furthermore, when forest destroyers encounter with my company, these actors take disappear and come back to cut or exploit in other coffee areas.” said leader of company.

From these responses, it is said that this “illegal” action affects to the efficient progress of the firms because illegal logging has diminished the quantity of financial capital. Further discussion is implied that improvement livelihood is a main pursuit that attracts local forest-dependent people, especially local households, to improve financial reward of their life. However, these “illegal” actions can damage the others’ livelihoods. For instance, illegalities of local households disrupt revenues of forest firms. This leads to a potential fuel of litigations because the livelihood of local households can be improved thank to their logging. Meanwhile, the financial capitals of the forest firms are vulnerable because of these illegalities of local households.

According to statistics of the World Bank, it estimated that in a few of poorest countries, illegal logging consumed about billions of dollars of because of income’s loss. In addition, illegal activities are seen as a fuel of a prevalent conflict in these countries.⁵

However, according to a local household in Da Lat city, he affirmed that illegal logging brings benefits for his family because he could get some cash from their forest product sale. Through this action (e.g. logging), he can improve their living standard by buying other equipment for his house. In addition, he shared that:

“We (my neighbors and my family) get cash immediately because we can sell pines directly when these ones are cut down in the forest. In addition, at the present price, the price of timbers is high. We can get more money because as you know that we can sell about 4 million VND (US\$200) per one cubic meter of big timber and 2.3 million VND (US\$115) for middle-aged timbers.” he said smilingly

This finding discussed that illegal exploitation of forest brings directly benefits for exploiters or forest destroyers because they get profits from it. However, for forest owners (e.g. forest operations), they are affected because of their assets’ limitation. Through this issue, it can be deduced that reduction of income can bring a latent confrontation between forest destroyer and forest owners. In this case, this competition is arising between forest companies and local households.

⁵http://www.illegal-logging.info/approach.php?a_id=55 (accessed 1st May 2012)

This case of forest conflict was similar with case of Northern Thailand. The main causes of disputes between indigenous communities and forest operating enterprises are limitation of income (Hares 2007). This is also acknowledged by Tinh (2010) when he studied causes of conflict in Central of Vietnam. However, in his case, there are contradictions due to illegal forest operations but the actors involved in his case are local authority (e.g. communal/village level) and local communities.

Further explanation associated to this finding showed that main reasons of contradiction between forest destroyers and forest owners can come from the neglectfulness of government to livelihoods of forested inhabitants. For instance, the government do not nurse and care about livelihoods of local people, especially indigenous households. This creates dissatisfaction among local communities because they think that the government does not sustain their livelihoods. In addition, due to this neglectfulness of the government, this makes advantageous conditions for some actors (e.g. forest destroyers) to exploit forest products in terms of illegalities. Thereby, local population, forest companies, and administrative authorities are often in conflict with each other.

In another place, encroachment, often “illegally”, competes for access to the resource with households living in forests. Therefore, researching on causes of forest conflict due to illegal forestland encroachment is finding out the causes led to the unequal distributions of access to the forests and conflict level that expresses between the forest beneficiaries.

Reviews of result from interview, these results concluded that restrictions of access to forests for local people manifest main reasons of litigation between local households and forest enterprises. Conflict emerged between the two is when local households do not have more rights of access to forestland. The local households transgress forestlands of forest companies in fringe areas so that they can improve their livelihoods through out settling temporary house.

Besides, the different notion of forest development pursuit is another cause led to marginalization between the two. For instance, the state-owned forest companies try to move local households out of the forest where is neighboring with their forests so that they can spread their forest areas. Otherwise, local households try to gain access to forestland and forest resources for their livelihood.

In relation to the study area, data I obtained in fieldwork indicated that the relationship between illegal forestland expansion and causes of conflict is manifested in term of access rights. As following to the results, most of indigenous households feel that they are not ensured access right to the forests. Because most of forests in study area are managed by state and private (namely 99%) (fig. 4-2). Therefore, most of forest companies, including state-own and private companies asserted that forests all belong to them.

For evidences, when I met households who live in forest and forest edges in order to ask why locals in Lac Duong district confronted to forestry enterprises, a female shared that:

“We have some problem with local forest companies because they do not acknowledge our rights to forests as they often said that all forest belong to government and their own”

Critically, some local private forest companies seduce indigenous households to exchange forestlands each other so that these companies can get benefits for their companies. Talking to me about this situation, a representative of household tells to me that:

“At the time when the prices of land are high, the forest enterprises take our advantages to sell their land. And then, these companies promised with us that, we can get use right certificate with regarding to selling contracts between us and leader of the companies. However, we have waited for more than one year, but we do not receive any certificate from the forest enterprises. By contrast, these companies also claimed that we have being encroached their lands”. Complained household in Lac Duong district

A similar story is a circumstance of Dang Phuoc Loi as an indigenous household in Ward 12, DaLat city, when he told me about his situation, he said bitterly:

“Particularly to my family, I have 8.5 ha of forested land located at sub-district 144, but Duy Ha private enterprise insists that this land area is the project's land of his firm. Thus, the company, voluntarily, settle up his boundary. None stop there; this company takes a petition to local government to sue me. The company claimed that I have settled upon the land of his project. Thus, I have personally come knocking many

authorities to ask for intervention, but so far I have not been satisfactorily resolved”.

As the same idea, Mr. YoShol shared angrily:

"If our land has been granted to this project, so why is the project not done step compensation, site clearance in accordance with?"

A specific situation of dispute captured in Da Huoai district is contestation between local household and workers who are tenants of joint-venture companies. The conflict is arising when workers of company widen border lines in boundary forest regions. The neighboring dwellers do not allow workers' action on nearby their forest areas. Therefore, they protest and attack workers of companies (as shown in figure 5-3).



Figure 5-3: situation of dispute between households and workers of forestry enterprise

Photo: Mr. Hung, assistant of Department of natural resources and environment

All above mentioned narratives reflect that conflicts are not only manifested by using “bad” language, but also involved concrete action of local companies.

In peaceful level, the conflict between the firms and the local households merely is expressed in language. For example, when I was in household, I observed that my host did not like state forest enterprises. Talking to me about them, my host often used words

with negative connotations like “greedy” and “selfish” to describe about the state forest enterprises.

However, this conflict, sometimes, heats up. Local households protesting against workers of the forest companies express their strong discontent with the operations on the forestland uses (as shown in figure 5-3). This contestation indicated that households’ protest occur if the forest firms threatened households’ livelihoods.

For example, conflict between indigenous residents and forest operations over forest lands were manifested in concrete actions. As a specific example, a few of local households protest new comers who rented the forest lands from the firms for cultivations. They secretly destroy agricultural crops (e.g. cassava, rose flowers, carrots) of the new comers by uprooting actions. More considerably, they, sometimes, burned camps of the new comers. Eventually, the new comers can not stand and had to return the forest land to the companies. Furthermore, local households deliberately damaged the trees of the state forest operations. Through these excessive actions of the local households, a manifestation of intensive conflict between the two is inevitable.

This case is similar with an example case in Indonesia. The conflict between local communities and new comers is exposed when the government allotted forestland for new comers. This conflict is also manifested under protest actions. For instance, the local communities burn the camps of these new ones (Kvitashvili 2005).

This is similar situation of forest conflict in Kampong Speu (in Cambodia). Cause of dispute came from asset destruction. Moreover, as the same with my case of study, the conflict in Cambodia is also erupted under open form. This is manifested when community against the exploitations of the local forest mining companies. Reason of this protest is because the forest of local communities is reduced by clearance of the forest mining firms (Yasmi et al. 2010a).

Nonetheless, the state forest companies were undefeated. They warned the households and prohibited these illegal actions of local households in their forestlands. They also hired some workers to protest the local households. In addition, they allowed their workers attacked these households if they destroy their forest lands. They also commanded their workers displaced landmarks of local households for revenge by illegal

encroaching. Besides, the company also claimed that all households' actions would be considered law violations and these violations would be fined in legitimate accordance.

However, when I visited head of the district authority to ask for clarification, I was surprised that authority did not acknowledge the conflict or current dissatisfaction between local households and local forest company. Because authority claimed that most of forestlands were assigned for real users and owners, so there was no conflict with each other in the region. This matter, on the one hand, can be inferred that the conflicts between local households and forest enterprises often appear within a small scale region. Therefore, the local authority does not concern and ignore this dispute. On the other hands, this situation also indicated that the local authority lacks responsibilities on conflict management and resolution in his or her regions.

Moreover, some companies involved these statements also blinded an encounter with local households. In sharing with me a situation of conflict in company, no one admitted that his company disputes with local households. This response can deduce that forest companies want to avoid a confrontation with local households because they do not want to get troubles in their forest operations. Besides, these phenomena also evidenced that forestry companies have more power in access to forestland rather than local people because most of their mistakes are ignored by sometimes local authority.

This case is also inferred that once access to forestland is strictly denied, conflict is ignited among forest-dependent dwellers. Moreover, the access rights are often linked to financial power. Thereby, the more financial capital forest-related inhabitants have, the more access they derive from the forests. In this case, the forest companies have more access rights rather than local households.

However, optimistically, not all parts of the study area have conflict between companies and local households. As a specific story towards a private company in Da Lat city, the 49 year-old man, Mr. Da is living the Da Lat city, Lam Dong province. When he shared to me about the context of forest conflict in his company, he told friendly and smilingly to me:

“Dispute based on forest resources does not have significantly happened in my company. There is only a forestland invasion phenomenon of ethnic

minorities but it was handled then by local government mediation” shared he.

However, for his enterprise, he noted that the main cause of conflict was because of voluntary forest land encroachment and exploitation of people living in edge. Further explanation associated to these illegalities is lack of labors in his forest management and observation.

This answer indicates that most disputes take place in the fringe forests where it is easy for local people to encroach or log the forest. Because in these positions, companies still have gaps in patrols at border regions and in the position closed with forests. Hence, most of people living nearby forest take advantages to exploit and expand forest resources illegitimately.

This contradiction based on forest resources was also acknowledged by Hares’s study (2008). The author researched about the context of forest conflicts in Northern minority of Thailand. This author claimed that the conflict related to forest in Thailand results in illegal logging and forestland encroachment of local communities as ethnic minorities.

This finding is also supported by Tinh (2010). He studied on assessment and analysis of conflicts in village-based forest management in Thua Thien Hue province of Vietnam. The author stated that when forests are assigned under management of village, there were contradictions between local people and local authority. Because local communities widened their forest lands voluntarily without permission of local authority, so forest owners whose forest land were encroached sent complaints to state agencies, specifically the local government. At this time local authority did not solve thoroughly, leading to the discontent of the forest owners with local government. However, this is not considerable tension in regional study because this situation has been improved early by local government to prevent and reduce conflict in this region.

In conclusion, conflict between the forest firms and the local households over the forests was manifested in peaceful level by using languages because this contestation merely reflected the different notions of forest between the two. On the one word, the forest companies considered forestlands and forest products as a source of wealth accumulation. On the other words, local households considered the forest resources as a source of their livelihoods.

At the present, dispute has not yet been seen significant attention between forest companies and local households even though the scope of dispute is arising on a large scale. “Illegal” activities could cause conflict directly between local households and forest companies because these illegalities disrupt the revenue of the companies. In addition, these “illegitimate” operations affect potentially to the relationship between local communities and local authority because most of these illegitimacies depicted the weak governance on access of local people. In a few of cases, the result indicated that the social and customary governance was still weak in case of study, being a root cause of ongoing community conflict.

In the large number of cases, due to imbalance of access rights for local people to forest resources, the conflict happened when forestry companies take more right of access rather than local communities such as households. However, although conflict with companies is very serious even further potentially to get worse, conflict remains low-intensive attention in case of study.

5.3. Unfair distributions of benefits derived from forests, fuelling conflicts

5.3.1. Imbalance of benefit sharing from the forest: what is and which context?

According to Tan et al. (2008), the benefit sharing from forest resources is a phrase of legitimate chains in forest protection and development. In Vietnam, the regulation of benefit sharing has been followed the common principles. These principles are ranges of agreements. Firstly, interests of both the State and forest owners in interests have been harmoniously. Secondly, it is necessary to unify between economic benefit and natural conservation purposes. And lastly, there is an ensuring agreement between the immediate and long-term interests⁶.

Therefore, if there are lack of clarity and unfairness to local people, this situation can be seen as illegalities of benefit sharing. Besides, under different certain conditions, unequal distributions of benefits derived from the natural resources among beneficiaries are also seen as a fuel of disagreement amongst the ones.

Moreover, understanding how forest and forest lands regulated by Vietnamese laws is necessary to obtain a sense of what the conflict is about. According to Vietnamese Constitution, all natural resources belong to the state. Consequently, most forests are kept

⁶ Decision 178/2001/QĐ-TTg.

by the state owned actors. In principle, after the state allocates and leases forest land and forest resources to other actors, these actors will conduct afforestation and forest protection. They also receive payments from the government for their works in forest protection and development (Department of Natural Resources and Environment 2010).

However, although the land law 2003 stipulated that the government encourages delivery of forest resources to communities, the community still did not possess entirely formal powers over these lands. For instance, although they could receive forest land certificates, usually they could exclude in making decisions about use and assignment of land within communities. This indication can infer that Vietnam's land legislation continued to ignore the roles of communities in forest and forestland management. This goes to counter to the customary role of community, especially ethnic minority in villages.

In relation to the results of fieldwork, the unequal distribution of benefits related to the forests is shown under the bias of the forest management system and the directly unfair benefit sharing from the forests among forest beneficiaries.

In the first place, at the present, the forest management ways of Vietnam in generally and in Lam Dong province in particularly still exist skews. Therefore, the forest management mechanism is underlying factor that creates the biased distributions among forest owners.

As regarding to fieldwork, I asked a chairman of Communal People's Committee about the skew forest management. In responses, she felt that she herself also met a lot of hassles related to forests and forest lands. Because whole forest lease documents delivered to the forest owners must have the consistency of both forms of management agencies such as DNRE and DARD. Therefore, local authorities themselves also confused about actor who will sign decisions of these papers. As a result, it takes long time to grant allocation and leasing contracts, leading to minor discontent between forest management agencies and forest owners. In addition, she shared that the current forestland allocation policies also deal with some difficulties. '*What is trouble related to this allocation policy?*' I questioned. Then, '*overlapping assignment among forest owners*' she answered. Moreover, she also explained me that at communal level, the main challenge of this bias comes from the lack of clear boundary's definition.

Furthermore, as sharing with me about the context of unclear forestland definitions, she remembered a specific situation in her commune. She told me that:

“I remembered that I faced to a situation that made me so confusion. This situation was expressed when a private company leased forestland to cultivate. The confusion was manifested at the time when the company had received this leased forestland. There are a few of indigenous households living in and farming on a boundary of region where would be allocated for the company. Nevertheless, at that time, the local authorities may not assign into specific areas such as where forestlands, where the assigned area for people. Therefore, the land disputes between local people and forest enterprises occur inevitably”.

This result indicates that due to the unclear assigned distributions, it makes a potential factor led to the bias in relationship among forest stakeholders. For instance, the social behavior is damaged because of the unclear assignment.

In addition, according to forest enterprises, when I visited some leaders of forest companies for clarification, I questioned some of the leaders about their view of points on current forest management. A representative of the company complained:

“When I was leased forest, simply, I merely have use rights. For instance, I can plant trees in accordance with provincial plans. However, I cannot mortgage or loan from my leased forestlands. Additionally, I do not get any support from state agency for my protection. Thereby, it is really difficult for me to manage and reforest in initial allottees leased from the State”.

Similarly, another private forest company in Lac Duong district also has coincides. When I asked him about his statement on his forest areas where are allocated and leased from the state. He endured sadly:

“The total of my leased forest area are mostly poor forest and the time to waiting for harvesting timbers is about 30 to 40 years. I do not know at which time I was alive or not. Therefore, in the initial time of being assigned or leased forestry land, my family cultivated agricultural crops as a main source of livelihoods”.

He also emphasized that not only his company, almost other companies have the same situations. He also complained that:

“Afforestation of the company deals with a lot of difficulties. Most of these current barriers are finance. Therefore, in the initial time when timbers are not harvestable, we have to implement ourselves policy, called short-term nourishing model⁷ so that we can continue waiting for until the forests can be exploited” said Mr. Tung as leader of private company in Lac Duong district.



Figure 5-4: short-term nourishing model of company (agroforestry model)

Photo: Phuong, Nguyen Thi

Moreover, almost the above opinions of the companies deduced the results I obtained in the interviews. The results indicated that there is a small difference between a term of allocation and lease. For instance, when the state allocates forests and forest land to

⁷ Short-term nourishing model is a measure that owners use agricultural crop in their forestland to supply their daily activities.

recipients, the state would grant land use right certificates, called red book certificates (RBCs). These certificates are as proof of full legal rights so that the owners can exploit and use these forest resources. However, when forests were leased back to local people (e.g. private companies and households), they would not exploit all the rights of certificates of land use rights because they only get forest lease contracting. The term “contract” is a legal document that is assigned between lessor and tenant. The tenant who keeps this contract can have rights for protecting activities. Besides, the one can receive compensation for this work from the state.

However, although there are the above complaints, when I asked all interviewees for the same question about whether they satisfied on current forest management policies? Most of forest management institutions and forest firms felt satisfied with policies and forest legislations. In fact, among of total nineteen of both forest management institutions and representative of firms, eleven stated that they are satisfied with forest legislation because they understood and exploited their entitlement of rights over forests. In addition, only a few of interviewees from forest owners, including forest management institution, forest enterprises, and households asserted that current policies and rule on forestry overlap. In contrast, local households stated that the current forest policies and regulations are unuseful for them.

In another place, the main issue fuelling the disagreements is a benefit sharing derived from the forests. This competition is manifested when households lease forestlands from forest enterprises (e.g. state-own enterprises). There are competitions involved in unequally distributed benefits sharing from the forest resources and forest lands because economic interests often have incorporated to sharing of benefit from the forest. The competition is also based on the different perception/notions and unclear access definitions among forest stakeholder.

In relation to results of my study, the forest firms often hold more power in interests and right, so they sometimes repressed the local households’ interests on forest resources. Because in society, most of state owned companies are latently ensured right and power by authority rather than local communities. Often, a few of local authorities covered up the mistakes of companies’ operation because they could receive some bribe from forest enterprises. This phenomenon deduces that most of forest companies use financial power to hide their confrontation with local households. It also means that the forest firms are

richer than local households. Therefore, the companies can cover up their mistakes in unfair benefit sharing from the forest with local households.

Besides, primary statement in case of study is that because of the large size of allotments, some of forest operations do not have enough labors to plant trees and protect their forest areas. Hence, some give smaller allotment to households under term of lease so that these tenants share obligation on protection of their forest areas. Nevertheless, the potential issues of conflicts based on forest resources are that after households leased from the forest firms, the companies, instead of the households, receive government payments for planting and protection of forest trees.

In addition, the forest enterprises can sell the trees when they become harvestable. For instance, in forest harvesting periods, these lessors will exploit and reap directly most of the benefits from timbers and non-timber forest products (NTFPs) while households not only receive no money from their protection and reforestation under contract but also pay rent for enterprises. Therefore, along the forest harvesting chain, benefits derived from timbers are unequally distributed among these actors. Often, households who leased forest from the firms are the ones who benefit the least. Meanwhile, the forest enterprises are the ones benefit the most.

To be evident for this situation, when I interviewed the households who are tenant for forest companies, they felt urgent with forest companies. They complained that:

“You can believe that we have protected the forests for forest state-owned company. We protect these forests from the young forests until the forests can be harvestable. However, when the companies exploit these timbers, we do not receive any cash from these timbers’ sold”.

Besides, these households also told me that:

“We are really angry with this action of the company, so we come in front of the door of the firms to expect a negotiation from the companies. However, no one gives us the final answers”. Shared local households

However, when I came to the company to ask for making clearly, disappointedly the leader of the company did not want to meet me. I just met a worker who is tenant for the

company. Answering my question about “*why local household did not receive any cash even though they protect the forests of the companies*”, the worker gave an answer: “*most of these forests belonged to ours, so we did not share our wealthy accumulation to another one*”.

Therefore, tensions are happening when they do not share any money from their sales with households who planted the trees. Thereby, the dispute related to interests on forest between tenants and lessors arises.

Generally, the unfair distributions of benefits come from the skew forest allocation policy of the government and unequal benefit sharing derived from the forest resources. For the first term, the biased forest allocation is inferred by limitation of access to the forest among forest beneficiaries. The second one is due to financial interests. The forest companies want to increase their wealthy accumulation, so they ignore the role of local households who protect directly the forests.

Determining the relationships between these uneven distributions of benefits and causes of forest conflicts will be discussed in the next section.

5.3.2. From unequal distributions to forest conflicts

From interviewed data and observation, disputes over unequal distributions of benefit derived from the forests were recorded in study areas. These unequal distributions of benefits are manifested by unfair forest allocation among forest stakeholders and unfair benefit sharing from the forest products between local households and forest companies. Therefore, these conflicts are expressed being involvement of authorities, forestry companies and households. To be evident to these conflicts, some narratives of forest companies and household are analyzed in order to find out the links between these factors and causes of conflicts over the forest resources.

First of all, the unequal distributions of benefits derived from the forest resources in cases of study are rooted from the unfair forest allocation. As mentioned earlier (shown in 5.3.1 section), most of forests delivered to local people are poor or unfertile forests. This uneven forest allocation brings discontents of local people who are allocated forestlands. However, the forest conflict in this situation only reflects conflicting notions of access rights to forest between forest stakeholders, including local authority, forest enterprises,

and households. This conflict is often manifested under the quiet form by using language with bad connotations as well as a small-scale level of forest conflicts.

In the small scale level of conflict, the forest conflict in three districts of Lam Dong province has resulted in an unevenly distributed forestland holding among households and forest companies, especially state-owned forest companies in the districts. For instance, the most of forestlands are allocated to state-owned forest firms while the local households can get a few of access to the forest resources (fig. 4-2). Therefore, the conflict explores in involvement of authorities, forest enterprises, and local households each other due to limitation of access to forest resources for local households.

This argument is supported by research of Warner and Jones (1998) and Gerber (2010). These authors stated that the biased access is a manifest factor led to potential conflict between local community and forestry enterprises. Because forestry enterprises manipulated all forest protection contracts and access to forests, they were able to capture virtually all benefit derived from the forests.

Types of disputes over forest resources are also confirmed by Koning et al. (2007), he and his colleagues studied about the underlying causes of forest-based resource disputes in developing countries. The authors also confirmed that all lands are belonging to the state and disputes are occurred due to not recognizing the role of communities in forest management and overlapping tenure rights. Moreover, insecure access and ownerships are roots of conflicts within community properties. Besides, inequality of land distribution is also correlated with insecurity of property right. This leads to the reduction of local people's incentive. All of these are main factors, fuelling the conflicts among forest stakeholders (Koning et al. 2007).

However, in the commune, there is often no confrontation between communal authority and local households because of some reasons. First of all, for the local authority, he is a representative of the commune and is elected by local people, so the local official usually avoids confrontation with local households. If he dispute to them, he may not be elected by these locals in the next term of office. In addition, almost local official and local households often share the same social and cultural characteristics because usually the local authority is friend or relative with local households. Therefore, it is difficult for local official to pursue explicit confrontation with local households. However, for local

households, they also avoid to contestation with local authority because they are afraid of giving revenge back from the communal official. For instance, they may not be received any support from the government for their forest protection if they dispute directly with local authority.

Nevertheless, the cause of conflict between community and district authority over forest resources is reflected by unfair forest-related resource allocation. Communities in this case are the ones who are leased or allocated forest/forestlands from the state. These actors consist of forest enterprises (including joint venture and private companies) and households.

For explanation associated to reasons of conflict, most of natural forests areas high in quality were concentrated under the ownership of forest management institutions, state-own forestry companies. Poor people/local households and even private companies are usually allocated mostly barren lands or unfertile or poor forest areas. Consequently, a few of the ones feel unhappy with land allocation policies of state management agencies. Therefore, they are not only non-participant in the management and protection but also illegal exploitation of fertile adjacent forests to finance for life services, leading to conflicts over forest-related resources between locals and district authority.

To be evident for this pattern, I visited Deputy of forest protection unit in Da Huoai district to ask for clarification. Surprisingly, in his response, he explained me that because the province's goal is try to use and exploit the poor forests, so some of unfertile forests are delivered to community, including households and private companies. Furthermore, the forest development goal of district in specifically and of province in generally is greening the forest on a large scale. He also emphasized the causes of conflict in the region is due to financial problems of their own household or company.

"When the state allocated forest and forest lands to households but they, especially the poor, do not have funding for afforestation. Thereby, they are often discontent and neglect afforestation work. Long time later, because of their neglecting forest plantation, the state reclaim the forest areas where are allocated before. Therefore, these households become landless and forestless ". Said forest protection unit in Da Huoai district

The district authority also mentioned that although the government allocated the unfertile forests, the government will pay the money for their forest protections and conservations.

However, when I questioned to locals who leased forest from the state, they said sadly:

"Although most of forest lands allocated by the state are bad or unfertile, they do not have any initial support from the state in order to fund for their efforts in forest protection and management".

These responses indicated that the differences of perceptions on forest use purposes bring the disagreement between local people who are allocated forests and district authority who allocates the forest to the locals. In this case, it is clear that district authority looks at the forest resources under the terms of protections and conservation. Otherwise, the local people concern forests as a main source of their livelihoods. Therefore, when the government/authority allocates the poor forests for the locals, the local people always think that the government does neglect the sustainability of their life. This leads to a potential disagreement of local people to the forest management agency.

Moreover, this issue is also deduced that there is a conflicting notion on the forest under peaceful level of conflict. The reason of this pattern is that the benefit sharing policy is not clearly defined yet in district. This leads to misunderstandings between the local people and the district authority, creating a small-scale intensive conflict between the two.

Generally, although this biased forest management policy leads to disadvantages for forest-dependent people, erupting potential detriment to forest resources. However, conflicts between communities and the authorities happened less likely although the current forest management is still very biased. In addition, most of conflict often manifests under the quiet level. Most of private companies and households are also afraid of the confrontation with district authority because these communities think that if they conflict with forest managers, they will get disadvantages in process of forest lease and allocation contracts.

Another context led to the conflict is unfair benefit sharing from the forests between local households and state-owned forest company. This conflict is exposed under the large

extent. The reason of this conflict comes from unevenly distribution of benefits different actors derived from the forest resources. In this case, the conflict also manifests when the state-owned forest companies derive more benefits on interests than local households. Therefore, these unequal distributions of benefits have fuelled the contestations among the two. The forest conflict between the two is manifested under different forms, ranging from quiet to concrete actions.

In communal level, although many indigenous households extremely depend upon the forests as a primary source of their livelihoods, there are a few of the forestland which are allocated to the local households. Therefore, to earn a living, some households leased forest land from the forest enterprises via a lease contract. The conflict is arising when these forest companies deny the access to forestland of local households. For instance, the forest company ignored some interests derived from forest protection activities of local households. These companies received the support money from the government for forest protection and management because they claimed that these forestland areas belong to them. This created a quiet conflict between the forest companies and the households.

For instance, the local households often use the words with negative connotations like “*damned*” or “*bitch*” when they refer to the forest companies. Because the local households think that the forest companies have seized their access to the forests. However, these local households dare not direct encounter with the forest companies because these ones are afraid of that if they dispute with the firms, the forest firms may not rent them one more times.

Moreover, this finding refers that in the commune, the access to the forestlands is often biased. Usually, the ones who hold financial power have more access to the forests. In this case, the forest operations are the ones who have more powerful in finance than local households because the forest companies are often richer than local households. This discussion also indicates that there is a skew distribution of access to the forests between the two. This biased distribution leads to the unequal benefit sharing from the forest resources among the two. Therefore, the conflicts between the two are inevitably manifested.

Nevertheless, an open form of contestation between local households and forest firms is manifested when livelihoods of local households are seriously threatened. The difference

in benefit derived from forest products brings the main conflict in these districts of study area. For instance, when local households worked for forest enterprises, they will be got money for their protection. However, the forest operations accumulate wealthy from timber exploitation without interest sharing for these local households who protected directly forests in the same area. This standpoint indicated that access to financial power serves as a key mechanism facilitating benefit derivation. The tenants or local poor households do not have more financial capital, so they are excluded from the benefit stream. In addition, this finding is inferred that the cause of forest conflicts comes from the financial damage. In this case the financial capitals of local households are disrupted by forest enterprises.

This view of point is argued by Phuc (2009); Wilson (2009); Yasmi (2007); and the United State Agency for International Development (2007). These authors also stated that financial damage of local community is main reason of contestation. These researchers also emphasized that potential factors led to access disruption of local communities came from the weak governance on allocation policies and access rights. Further, this means that the government ignores the rule of local community on forest protection, creating a latent tension or competition among forest beneficiaries.

Therefore, generally, the conflict involved in the unequal distribution of benefits is often linked to the access rights and the biased forest management systems. Regarding to the results of the study and the results from other researches, they can affirm that the distributions of benefit derived from the forest products affect strongly to the livelihoods of forest stakeholders, especially indigenous people because these actors often extremely depend on the forest as a main sources of their life. Therefore, if they can not have access to the forests, their livelihoods may be disrupted, leading to the inevitably potential conflict over the access to the forest resources.

In summary, conflict emerges if access to certain forest products and benefit sharing are not clearly defined. In addition, unclear definition of forest/forestlands assignation is also additional factor led to the conflict. However, this conflict only expresses under quiet form. It means that although there is disagreement as above, most of the household or firms assigned or leased forests little dispute directly with the forest management agencies because they think that they can have more troubles in the implementation

process of the license or lease assignment in the future. Thus, there is a peaceful conflict by using the bad words for description each other.

Moreover, unequal distribution of benefit sharing derived from the forest resources is the main cause of forest conflict between local households and state-owned forest enterprises. The conflicts between the two express in both peaceful and open forms.

CHAPTER SIX: CONCLUSION AND RECOMMENDATIONS

6.1. Conclusion

Forests are valuable resources in improvement of livelihoods of forest-dependent people. The forests support for economic development not only for national but also for region. However, forest conflict is often a prevalent issue in social constructions. The forest conflict can also be viewed and interpreted from various angles. As the case study demonstrated the conflict was arising when owners underwent social and powerful inequalities.

Forest conflict in cases of study have expressed in both quiet and open forms. In the peaceful level, most of conflicts are manifested by using the words with bad connotations while the conflict manifests at open forms, expressed in terms of concrete actions like fights and protests.

Underlying cause of forest conflict in study areas includes unfair distribution of material benefits and illegal actions.

Conflict between local households and the state-owned forest companies come about conflicting interests between the two. Reasons of this conflict emerge as results of illegal actions on forest resources. In addition, uneven distribution of benefits these actors derived from the forests and imbalances of access to forests are reflected as a source of causes led to conflict between the two.

In addition, there are no forest conflicts between local households and forest managers because the local people are afraid of encounter with state agencies. Moreover, especially, local authorities are often the relatives with local households, so they often cover mistakes each other.

Generally, the forest conflicts are not much critical issues of my case of study. Most of conflicts are solely manifested under quiet forms. In addition, although there is a common conflict between local households and state-owned forest enterprises, this conflict does not often lead to a violent conflict. Besides, disputes manifest implicitly underlying nature, being not specifically expressed out.

6.2. Recommendations

As following discussed issues, some recommendations are proposed in the further study:

- To limit forest conflict at local level, I suggest that the government should define clearly about devolution polity to local community. Besides, examining the role of local people in the policy implementation in particular and of commune in general is necessary.
- Facilitating more access to forest for local households so that they can derive benefits from the forest resources.
- Further research into the impacts of conflicts and measures to reduce conflict issues in the other places in Vietnam general and in Lam Dong in particular is necessary.

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- http://www.taybacuniversity.edu.vn/fhg/index.php?view=article&id=255%3Arung-viet-nam-xua-va-nay&option=com_content&Itemid=101

Laws

- Land Law 2003: date issued on 26th November, 2003 by National Assembly
- Law on Forest Protection and Development 2004: date issued on 3rd December, 2004 by National Assembly
- Decision 178/2001/QD-TTg: date issued on 12 November, 2001 by Prime Minister

Appendix

I. Personal Information (application for whole three groups of interviewees)

Sex: Male Female

Date of Birth:

Occupation:

Income/ Salary:

Living place

Settling time

Number of members in the family:

II. Research questions (application for forest managers)

1. Could you please tell me some general information about forestry in your province?

a. forest cover area?

b. what are types of forest in your province?

c. who are actors or groups use the forest?

d. which are main actors or groups who participate in decision making for forest uses and rights?

e. how are awareness of users on forest utilization and management regulations and rights?

2. Is there any problem faced with the local people as regarding to the use of forest resources? How and why?

3. What type of forest conflict exists in Lam Dong currently? Why?

4. In your opinion, who are main actors involving to forest conflict? Why?

5. What are the main causes of forest conflict? How?

a. what main reasons of conflict related to forest between communities?

b. what main causes of forest conflict between communities and forest managers?

c. what main reasons of forest conflict between local people and forest companies?

7. Can you tell me something of the history of uses and conflicts regarding to forest?

a. history of forest uses and rights?

b. history of forest and forestland allocation?

c. Forest conflict?

8. Whether you have experienced to forest conflict? Please give reasons?

9. Who share directly profits from exploitation of forest? Why?

10. Are there fair about forest and forestland allocation between users or between people living in and out forest?(explain)

11. Which are necessary policies to reduce of forest conflict as regard to different participants?

a. To use rights?

b. To sharing benefits?

c. To exploitation and protection?

III. Research questions (application for households and forest companies)

1. How do you and your household use the forest? What benefits and grants of the forest?
2. What forest use rights do you or your households have?
3. Are there fair about allocation between users or between people living in and out forest? Why?
4. Whether you and your family are experienced or involved by forest conflict?
5. What kinds of actors you or your family used to compete about forest?
6. Can you tell me something of the history of uses and conflicts regarding to forest? How?
 - a. history of forest uses and rights?
 - b. history of forest and forestland allocation?
 - c. Forest conflict?
7. What are the main causes of forest conflict? How?
 - a. what main reasons of conflict related to forest between communities?
 - b. what main causes of forest conflict between communities and forest managers?
 - c. what main reasons of forest conflict between indigenous residents and new comers/outside people?
 - d. what main reasons of forest conflict between local people and forest companies?
8. Whether are you and your household affected by forest conflict? Why?
9. Who share directly profits from exploitation of forest? Why?
10. According to you, which policy that government should enact to reduce forest conflict? Why?
 - a. To use rights and access?
 - b. To fair treatments of forest and forestland allocation?
 - c. To illegal forest exploitation?
11. Are you or your families satisfied with the regulation about forest resources currently? Why?