

THE MINISTRY OF AGRICULTURE AND  
RURAL DEVELOPMENT

**Circular No. 78/2011/TT-BNNPTNN  
of November 11, 2011, guiding the  
implementation of the Government's  
Decree No. 117/2010/NĐ-CP of  
December 24, 2010, on organization  
and management of the special-use  
forest system**

*Pursuant to the Government's Decree No. 01/2008/ND-CP of January 3, 2008, defining the functions, tasks, powers and organizational structure of the Ministry of Agriculture and Rural Development, and Decree No. 75/2009/ND-CP September 10, 2009, amending Article 3 of Decree No. 01/2008/ND-CP of January 3, 2008;*

*Pursuant to the Government's Decree No. 117/2010/ND-CP of December 24, 2010, on the organization and management of the special-use forest system;*

*The Ministry of Agriculture and Rural Development stipulates in detail Decree No. 117/2010/ND-CP as follows:*

**Article 1.** Scope of regulation and subjects of application

**1. Scope of regulation**

This Circular guides and details a number of articles of the Government's Decree No. 117/

2010/ND-CP of December 24, 2010, on organization and management of the special-use forest system (below referred to as Decree No 117/2010/ND-CP).

## 2. Subjects of application

This Circular applies to state agencies, organizations, communities, households and individuals in the country; overseas Vietnamese; foreign organizations and individuals engaged in activities related to the organization and management of the special-use forest system.

**Article 2.** Planning on special-use forests stipulated in Article 7, Article 8 and Article 9 of Decree No. 117/2010/ND-CP

### 1. Plans on special-use forest zones

a/ Grounds for planning special-use forest zones are provided in Clause 1, Article 9 of Decree 117/2010/ND-CP;

b/ Special-use forest zone management units shall formulate plans on conservation and development of their special-use forest zones for every 10 years. Every time they formulate development plans, they shall review space plans, if necessary;

c/ For special-use forest zones which have not yet had plans up to 2020, in 2011 and 2012, their conservation and development plans shall be formulated for the 2011-2020 period. The time for completion and approval of these plans is no later than December 2012;

d/ For special-use forest zones which have no management unit yet, provincial-level

Departments of Agriculture and Rural Development shall assign provincial-level Forest Protection Departments to organize the formulation of plans for them;

e/ Name of the planning report: Planning report on conservation and sustainable development of special-use forest zones through 2020.

f/ Principal contents of a planning report:

- Evaluation of natural, economic, social, defense and security conditions, natural resources, characteristics of ecosystems, biodiversity, gene sources, historical-cultural relics and landscapes;

- Viewpoints, and objectives of the zone's organization, management, conservation and sustainable use;

- Planning of functional sub-zones: strictly protected sub-zone; ecological restoration sub-zone; and administrative and service sub-zone;

- Planning of works to protect forests, restore ecosystems and conserve biodiversity; protect and embellish natural landscapes as well as cultural, historical and environmental values; keep archives and database; rescue living creatures; and scientific research programs;

- Planning of development of infrastructure works for forest management, protection and fire prevention and fighting; the system of public roads and patrol roads; tourism and office buildings; the boundary of the special-use forest zone and its information system;

- Planning of eco-tourism development;

- Organization of activities to monitor forest resource developments; biodiversity; ecosystem

restoration; utilization of natural resources and special-use forest environmental services;

- Planning of training and development of human resources and skills of ecosystem and biodiversity conservation and community development;

- Planning of buffer zone development;

- General estimate of investment funds for each construction work, total investment fund, funding sources and investment phases.

g/ A dossier to be submitted for appraisal of a special-use forest zone planning report comprises:

- The report of the director of the special-use forest zone management unit or provincial-level Forest Protection Department (original);

- The planning report stipulated at Point f of this Clause (original);

- The map on the current status of forest resources (forest, wetland and marine) and land of the special-use forest zone; planning map on conservation and development of the zone; general planning map on construction of the zone's infrastructure works; planning map on development of ecotourism and environmental services; and map on the size, boundary and development investment planning of the buffer zone (copy).

Depending on the area of each special-use forest zone, its management unit may select an appropriate scale for the above maps, 1:5,000, 1:10,000 or 1:25,000 according to the VN2000 reference system.

The management unit shall submit one set

of the dossier directly or by post to the provincial-level Department of Agriculture and Rural Development (for locally managed special-use forest zones) or the General Department of Forestry (for centrally managed special-use forest zones).

h/ Agencies appraising dossiers and deciding to approve plans on locally managed special-use forest zones

- The provincial-level Department of Agriculture and Rural Development shall receive the planning dossier and submit it to the provincial-level People's Committee for establishing a council for appraisal of planning dossier composed of representatives of provincial-level departments and sectors, some scientific organizations and related units, with the director of the provincial-level Department of Agriculture and Rural Development as its chairman.

The time limit for completing the appraisal is twenty (20) working days after the provincial-level Department of Agriculture and Rural Development receives a valid dossier. In case of an incomplete dossier, within three (3) working days after receiving the dossier, the provincial-level Department of Agriculture and Rural Development shall notify such to the special-use forest zone management unit for completion.

- The provincial-level Department of Agriculture and Rural Development shall appraise the dossier and prepare another dossier and submit it to the Ministry of Agriculture and Rural Development for agreement. Such dossier

comprises the report of the provincial-level Department of Agriculture and Rural Development; the planning report of the special-use forest zone and related documents (if any). The time limit for completing a written reply is fifteen (15) working days from the date of receiving a valid dossier. In case of an incomplete dossier, within three (3) working days after receiving the dossier, the Ministry of Agriculture and Rural Development shall notify such to the provincial-level Department of Agriculture and Rural Development for completion.

- The provincial-level People's Committee shall decide to approve the plan on the special-use forest zone according to the appraisal result of the provincial-level Department of Agriculture and Rural Development and the written agreement of the Ministry of Agriculture and Rural Development.

The time limit for completing the approval of a plan on a special-use forest zone and issuance of results is fifteen (15) working days from the date of receiving a dossier;

i/ Agencies appraising dossiers and deciding to approve plans on centrally managed special-use forest zones

- The General Department of Forestry shall receive the planning dossier and submit it to the Ministry of Agriculture and Rural Development for establishing a council for appraisal of the plan, composed of representatives of agencies of the Ministry of Agriculture and Rural Development; and representatives of some scientific organizations and relevant units,

with a leader of the General Department of Forestry as its chairman.

The time limit for completing the appraisal is twenty (20) working days from the date the General Department of Forestry receives a valid dossier. In case of an incomplete dossier, within three (3) working days, the General Department of Forestry shall notify such to the special-use forest zone management unit for completion.

- The General Department of Forestry shall prepare another dossier after the appraisal, and submit it to the Ministry of Agriculture and Rural Development for approval of the plan on the special-use forest zone.

The time limit for completing the approval of a plan on a special-use forest zone and issuance of results is fifteen (15) working days from the date of receiving a report and dossier from the General Department of Forestry.

j/ In the course of formulating a plan, if there appear contents to be adjusted in comparison with the decision on establishment of the special-use forest zone issued by a competent authority, responsible agencies shall seek opinions of such competent authority before approving such plan;

k/ For special-use forest zones which have their plans approved before the effective date of this Circular, if adjusting such plans is unnecessary, no new plans are required to be made till the end of the approved planning period;

l/ Funds for formulating plans on special-use forest zones: Local budgets shall assure funds for formulating plans on locally managed

special-use forest zones; the central budget shall assure funds for formulating plans on centrally managed ones.

2. Planning of provincial-level special-use forests

a/ Planning of provincial-level special-use forests is only required for localities with two (2) or more special-use forest zones;

b/ Grounds for planning provincial-level special-use forests comply with Clause 1, Article 8 of Decree No. 117/2010/ND-CP; in case a master plan on the special-use forest system nationwide is not yet available, it should be based on the approved provincial-level master plan or strategy on forest protection and development and results of screening and re-planning of all 3 categories of forests;

c/ Provincial-level Departments of Agriculture and Rural Development shall organize formulation of provincial-level plans on special-use forests through 2020;

d/ The time for completing the formulation and approval of provincial-level plans is no later than June 2013;

e/ The name of the planning report: Planning report on conservation and development of provincial-level special-use forests through 2020;

f/ Contents and composition of a dossier to be appraised, submitted and approved comply with Clause 2 and Points c and d, Clause 3, Article 8 of Decree No.117/2010/ND-CP;

g/ Agencies appraising dossiers and deciding

to approve plans on provincial-level special-use forests

- The provincial-level Department of Agriculture and Rural Development shall receive the planning dossier and submit it to the provincial-level People's Committee for establishing a council for appraisal of planning dossier composed of representatives of provincial-level departments and sectors, some scientific organizations and related units, with the director of the provincial-level Department of Agriculture and Rural Development as its chairman.

- The time limit for completing the appraisal is twenty (20) working days from the date of receipt of a valid dossier. In case of an incomplete dossier, within three (3) working days after receiving the dossier, the provincial-level People's Committee shall notify such to the Department of Agriculture and Rural Development for completion.

- The time limit for the Ministry of Agriculture and Rural Development to consider and give written comments on plans on conservation and development of provincial-level special-use forests is fifteen (15) days after receiving a valid dossier from the provincial-level People's Committee. Such dossier comprises the report of the provincial-level People's Committee, the planning report and related documents. If the dossier is incomplete, within three (3) working days after receiving it, the Ministry of Agriculture and Rural Development shall notify such to the provincial-level People's Committee for

completion.

- The time limit for the provincial-level People's Committee to complete the approval of a plan is fifteen (15) working days from the date of receiving the written agreement of the Ministry of Agriculture and Rural Development

**3. National master plan on the special-use forest system**

a/ ~~Grounds~~ for planning the special-use forest system nationwide are defined in Clause 1, Article 7 of Decree 117/ 2010/ND-CP;

b/ ~~The~~ General Department of Forestry shall organize the formulation of the national master plan on the special-use forest system through 2020 with a vision toward 2030;

c/ ~~The~~ time for completing the formulation and approval of the master plan is no later than December 2013;

d/ ~~The~~ name of the planning report: Planning report on conservation and development of the special-use forest system nationwide through 2020, with a vision toward 2030;

e/ The contents, appraisal and approval of the master plan comply with Clause 2 and Points c and d, Clause 3, Article 7 of Decree No. 117/2010/ND-CP;

f/ Appraisal, submission and approval of the master plan

The Ministry of Agriculture and Rural Development shall establish a council for appraisal of the master plan, composed of representatives of ministries, sectors, scientific

organizations and related units, with a leader of the Ministry of Agriculture and Rural Development as its chairman.

The time limit for completing the appraisal and submission to the Prime Minister for consideration and approval of the master plan is twenty (20) working days from the date of receiving a valid dossier.

**Article 3.** Functional sub-zones stipulated in Article 9 of Decree No. 117/2010/ND-CP

1. Strictly protected sub-zones

a/ Strictly protected sub-zone is a component of a special-use forest zone with an area just sufficient for keeping natural ecosystems intact, meeting the primary requirement of maintaining the natural law of development of forests and natural ecosystems, which is strictly managed and protected for the purpose of intact conservation combined with the performance of other functions of special-use forest as provided by law;

b/ For a special-use forest zone having only terrestrial ecosystems in its entire area, the location, scope and scale of the strictly protected zone shall be defined on the basis of the present status of forests, natural ecosystems and endemic, precious, rare and endangered animal and plant species and under Point a of this Clause;

c/ For a special-use forest zone having wetland and marine ecosystems in part of its area, the location, scope and scale of the strictly protected sub-zone shall be defined on the basis

of the present status of forests and forest, wetland and marine ecosystems, topographic and hydrological conditions, water submergence regime and endemic, precious, rare and endangered animal and plant species and under Point a of this Clause.

2. Ecological restoration sub-zone

a/ Ecological restoration sub-zone is a component of a special-use forest zone, which is established to restore ecosystems aiming to meet the primary requirement of regenerating forests and natural ecosystems. This sub-zone shall be managed by a number of silvicultural measures and conserved in combination with the performance of other functions as provided by law;

b/ For a special-use forest zone with only terrestrial ecosystems in its entire area, the location, scope and scale of the ecological restoration sub-zone shall be defined on the basis of the present status of forests and natural ecosystems of forests and under Point a of this Clause;

c/ For a special-use forest zone having wetland and marine ecosystems in part of its area, the location, scope and scale of the ecological restoration sub-zone shall be determined on the basis of the present status of forests; forest, wetland and marine ecosystems; topographic and hydrological conditions and water submergence regime and under Point a of this Clause.

3. Administrative and service sub-zone

Administrative and service sub-zone is a

component of a special-use forest zone, which is established mainly for construction of working and living facilities for the special-use forest zone management unit, scientific research and experimentation, rescue and development of living creatures, infrastructure facilities to serve ecotourism and entertainment, and the performance of other functions as prescribed by law.

4. The functional sub-zones of a special-use forest zone defined in Clauses 1, 2 and 3 of this Article may be planned in different locations in the zone. Adjustment of plans of each functional sub-zone shall be based on the characteristics and present developments of forests and the purposes of forest management and use, and be carried out after each planning period or after each time of screening areas of forests of different categories at the request of the Prime Minister.

**Article 4.** Adjustment of special-use forest zones stipulated in Article 17 and Article 18 of Decree No. 117/2010/ND-CP

1. Adjustment of functional sub-zones without changing the area of the special-use forest zone

a/ Adjustment of the boundaries and areas of the functional sub-zones must be in line with conservation objectives and plans on conservation and sustainable development of the special-use forest zone, without changing the total area of such special-use forest zone;

b/ A dossier of adjustment comprises:

- The report requesting adjustment, made by the special-use forest zone management unit (original);

- The maps on the status of the zone before and after adjustment, clearly showing its scope, boundary and functional sub-zones (copies). Depending on the area of a special-use forest zone, its management unit may use maps of the same scale of 1:5,000, 1:10,000 or 1:25,000 according to the VN2000 reference system;

- The explanatory report on the adjustment of the zone (original).

The special-use forest zone management unit shall submit 1 set of the dossier directly or by post to the provincial-level Department of Agriculture and Rural Development (for locally managed special-use forest zones) or the General Department of Forestry (for centrally managed special-use forest zones).

c/ Agencies appraising dossiers and deciding on approval

- For a locally managed special-use forest zone, the provincial-level Department of Agriculture and Rural Development shall receive a dossier of adjustment and submit it to the provincial-level People's Committee for establishing a council for appraisal of adjustment dossier composed of representatives of provincial-level departments and sectors, some scientific organizations and related units, with the director of the provincial-level Department of Agriculture and Rural Development as its chairman;

- For a centrally managed special use forest zone, the General Department of Forestry shall

receive a dossier of adjustment and submit it to the Ministry of Agriculture and Rural Development for establishing a council for appraisal of adjustment dossier composed of representatives of agencies of the Ministry of Agriculture and Rural Development and the General Department of Forestry and representatives of some scientific organizations and related units, with a leader of the General Department of Forestry as its chairman;

- The provincial-level People's Committee shall submit to the Prime Minister for approval decision the adjustment of a locally managed special-use forest zone established under the latter's decision at the proposal of the provincial-level Department of Agriculture and Rural Development and after obtaining a written agreement of the Ministry of Agriculture and Rural Development;

- The provincial-level People's Committee shall decide to approve the adjustment of a locally managed special-use forest zone established under its decision at the proposal of the provincial-level Department of Agriculture and Rural Development and after obtaining a written agreement of the Ministry of Agriculture and Rural Development;

- The Ministry of Agriculture and Rural Development shall submit to the Prime Minister for approval decision the adjustment of a centrally managed special-use forest zone established under the latter's decision at the proposal of the General Department of Forestry.

d/ Time limits for appraising dossiers and making approval decision



- The time limit for completing the appraisal of a dossier is twenty (20) working days from the date of receiving a valid dossier;

- The time limit for completing the making of decision to approve the adjustment of a special-use forest zone established under decision of a provincial-level People's Committee is fifteen (15) working days from the date of receiving a dossier;

- In case of an incomplete dossier, within three (3) working days after receiving the dossier, the dossier-receiving agency shall notify such to the dossier submitter for completion.

## 2. Adjustment to increase areas of special-use forest zones

a/ Adjustment of boundaries to increase areas of special-use forest zones to be in line with conservation objectives and plans on conservation and sustainable development of special-use forest zones;

b/ A dossier of adjustment comprises:

- The report requesting adjustment, made by the special-use forest zone management unit (original);

- The report on investigation and research results, made by a scientific organization or consultancy organization, stating the discovery of a new species and its level of endangeredness, preciousness and rarity, the scope of the biotat to be conserved and proposing conservation measures (original);

- The maps on the status of the special-use forest zone before and after adjustment, clearly

showing its scope, boundary and functional sub-zones (copies). Depending on the area of a special-use forest zone, its management unit may use maps of the same scale of 1:5,000, 1:10,000 or 1:25,000 according to the VN2000 reference system ;

- The explanatory report on the adjustment of the zone (original).

The special-use forest zone management unit shall submit 1 set of the dossier ~~directly~~ or by post to the provincial-level Department of Agriculture and Rural Development (for a locally managed special-use forest zone) or the General Department of Forestry (for a centrally managed special-use forest zone).

c/ Agencies appraising dossiers and deciding on approval

- For a locally managed special use forest zone, the provincial-level Department of Agriculture and Rural Development shall receive a dossier of adjustment and submit it to the provincial-level People's Committee for establishing a council for appraisal of adjustment dossier composed of representatives of provincial-level departments and sectors, some scientific organizations and related units, with the director of the provincial-level Department of Agriculture and Rural Development as its chairman;

- For a centrally managed special use forest zone, the General Department of Forestry shall receive a dossier of adjustment and submit it to the Ministry of Agriculture and Rural Development for establishing a council for appraisal of adjustment dossier composed of

representatives of agencies of the Ministry of Agriculture and Rural Development and the General Department of Forestry; representatives of some scientific organizations and related units, with a leader of the General Department of Forestry as its chairman;

- The provincial-level People's Committee shall submit to the Prime Minister for approval decision the adjustment of a locally managed special-use forest zone established under the latter's decision at the proposal of the provincial-level Department of Agriculture and Rural Development and after obtaining a written agreement of the Ministry of Agriculture and Rural Development;

- The provincial-level People's Committee shall decide to approve the adjustment of a locally managed special-use forest zone established under its decision at the proposal of the provincial-level Department of Agriculture and Rural Development and after obtaining a written agreement of the Ministry of Agriculture and Rural Development;

- The Ministry of Agriculture and Rural Development shall submit to the Prime Minister for approval decision the adjustment of a centrally managed special-use forest established under the latter's decision at the proposal of the General Department of Forestry.

d/ Time limits for appraising dossiers and making approval decision

- The time limit for completing the appraisal of a dossier is twenty (20) working days from the date of receiving a valid dossier;

- The time limit for completing the making

of decision to approve the adjustment of a special-use forest zone established under decision of a provincial-level People's Committee is fifteen (15) working days from the date of receiving a dossier;

- In case of an incomplete dossier, within three (3) working days after receiving the dossier, the dossier-receiving agency shall notify such to the dossier submitter for completion.

### 3. Adjustment to reduce areas of special-use forest zones

a/ Adjustment to change the use purpose of special-use forests to a non-forestry purpose can only be made when it is in line with the approved national master plan on the special-use forest system or when the Prime Minister has specifically permitted such change.

In addition to the above grounds, change of the use purpose of special-use forest land must also comply with Article 3 of Resolution No. 49/2010/QH-12 of June 19, 2010, of the XII<sup>th</sup> National Assembly regarding projects and works of national importance to be submitted to the National Assembly for consideration and decision on investment.

b/ A dossier to be submitted for appraisal of the change of the use purpose of a locally managed special-use forest comprises:

- The report made by the special-use forest zone management unit (original);

- Written agreement of the Ministry of Agriculture and Rural Development;

- The decision on approval of the

environmental impact assessment report as required by law (original);

- The investment project approved by a competent state agency (original);

- The ground clearance compensation plan approved by a competent state agency (original);

- The plan on planting new substitute forests approved by a competent state agency (original);

- The maps on the status of the special-use forest zone before and after the change of its use purpose, clearly showing its scope, boundary and functional sub-zones (copies). Depending on the area of a special-use forest zone, its management unit may use maps of the same scale of 1:5,000, 1:10,000 or 1:25,000 according to the VN2000 reference system.

The management unit of a locally managed special-use forest zone shall submit 1 set of the dossier directly or by post to the provincial-level Department of Agriculture and Rural Development.

c/ A dossier to be submitted for appraisal of the change of the use purpose of a centrally managed special-use forest comprises:

- The report made by the special-use forest zone management unit (original);

- Written request of the provincial-level People's Committee of the locality in which the special-use forest zone is located (original);

- The decision on approval of the environmental impact assessment report as required by law (original);

- The investment project approved by a competent state agency (original);

- The ground clearance compensation plan approved by a competent state agency (original);

- The plan on planting new substitute forests approved by a competent state agency (original);

- The maps on the status of the special-use forest zone before and after the change of its use purpose, clearly showing the scope, boundaries and functional sub-zones (copies). Depending on the area of a special-use forest zone, its management unit may use maps of the same scale 1:5,000, 1:10,000 or 1:25,000 according to the VN2000 reference system.

The management unit of a centrally managed special-use forest zone shall submit 1 set of the dossier directly or by post to the General Department of Forestry.

d/ Agencies appraising dossiers and deciding on approval

- For a locally managed special-use forest zone, the provincial-level Department of Agriculture and Rural Development shall receive a dossier of adjustment and submit it to the provincial-level People's Committee for establishing a council for appraisal of adjustment dossier composed of representatives of provincial-level departments and sectors, some scientific organizations and related units, with the director of the provincial-level Department of Agriculture and Rural Development as its chairman;

- For a centrally managed special use forest zone, the General Department of Forestry shall receive a dossier of adjustment and submit it to the Ministry of Agriculture and Rural Development for establishing a council of

appraisal of adjustment dossier composed of representatives of agencies of the Ministry of Agriculture and Rural Development and the General Department of Forestry; representatives of some scientific organizations and related units, with a leader of the General Department of Forestry as its chairman;

- The Prime Minister shall decide on the change of the use purpose of special-use forest zones established under his/her decision;

- The chairperson of a provincial-level People's Committee shall decide on the change of the use purpose of other special-use forest zones.

e/ Time limits for appraising dossiers and making approval decision

- The time limit for completing the appraisal of a dossier is twenty (20) working days from the date of receiving a valid dossier;

- The time limit for a provincial-level People's Committee to complete the making of decision to approve the change of the use purpose of a special-use forest zone is fifteen (15) working days from the date of receiving a dossier;

- In case of an incomplete dossier, within three (3) working days after receiving the dossier, the dossier-receiving agency shall notify such to the dossier submitter for completion.

**Article 5.** Foreign-involved scientific research, teaching and practice in special-use forest zones stipulated in Article 20 of Decree No. 117/2010/ND-CP

1. Foreign scientific research organizations, training institutions, scientists or students or Vietnamese ones with foreign involvement shall, before organizing scientific research, teaching and practicing activities in special-use forest zones, send scientific research, teaching and practicing programs, projects or topics to the General Department of Forestry for consideration and approval in writing.

2. A topic on scientific research, teaching or practice in a special-use forest zone must clearly state the necessity, purpose, content and method of collecting specimens and genetic sources of species with specific quantities and time for scientific research, teaching or practice of each program, project or topic.

3. A scientific research dossier comprises:

a/ The written request of the scientific research, teaching or practice unit (original)

b/ The scientific research program, project or topic approved by a competent authority (at school or university or higher level), meeting the requirements stated in Clause 2 of this Article (original);

c/ The scientific cooperation agreement document approved by a competent authority (certified copy);

d/ Copies of passports of foreign members of the scientific research team and other accompanying foreign affairs papers (if any).

Organizations and individuals may submit 1 set of the dossier directly or by post to the General Department of Forestry.

4. Time limit for processing dossiers

The General Department of Forestry shall consider and complete the written agreement within five (5) working days from the date of receiving a valid dossier. In case of an incomplete dossier, within three (3) working days, the General Department of Forestry shall notify such to the unit concerned for completion.

5. Within two weeks after concluding scientific research, teaching or practicing activities in a special-use forest zone, organizations or individuals managing research programs, projects or topics shall send reports on scientific research, teaching or practicing results to the special-use forest zone management unit and the General Department of Forestry.

6. Service charges for scientific research, teaching or practicing activities shall be agreed upon in the contracts between the special-use forest zone management units and organizations or individuals carrying out scientific research, teaching or practicing activities in the special-use forest zones. Collected charge amounts shall be managed and used under state regulations on financial management applicable to revenue-generating non-business units.

**Article 6.** Sustainable use of resources stipulated in Article 21 of Decree No. 117/2010/ND-CP

1. The special-use forest zone management unit shall make a plan for sustainable use of resources of the special-use forest zone.

2. Natural resources to be sustainably used include:

- Different categories of forest resources specified in Article 21 of Decree No. 117/2010/ND-CP;

- Wetland and marine resources as provided by law;

- Aesthetic values of the natural landscape, typical values of ecosystems and biodiversity in the special-use forest zone to implement the policy on payment for forest environmental services under the Government's Decree No. 99/2010/ND-CP of September 24, 2010.

3. Principles of sustainable use of special-use forest resources: To ensure the objectives of conservation and sustainable development of natural resources and values of biodiversity, landscape and environment and other functions of special-use forests.

4. Major contents of a plan on sustainable use of natural resources include:

a/ The present status, distribution, quantity or size of populations and the utility of various natural resources;

b/ Purposes and methods of sustainable use of natural resources;

c/ The list of sustainably used natural resources;

d/ Management and supervision of the sustainable use of natural resources;

e/ Effectiveness, organization of implementation and sharing of benefits from the sustainable use of natural resources.

5. A dossier to be submitted for appraisal of a plan on sustainable use of natural resources comprises:

- The Prime Minister's document on the policy on sustainable use of natural resources (if any);

- The report of the special-use forest zone management unit (if any);

- The written request of the provincial-level Department of Agriculture and Rural Development;

- The written agreement of the Ministry of Agriculture and Rural Development;

- The plan on sustainable use of natural resources as stated in Clause 4 of this Article.

The special-use forest zone management unit shall submit 1 set of the dossier directly or by post to the provincial-level Department of Agriculture and Rural Development (for a locally managed special-use forest zone) or the General Department of Forestry (for a centrally managed special-use forest zone).

6. Agencies appraising dossiers and deciding on approval:

a/ Agencies appraising dossiers:

- For a locally managed special-use forest zone, the provincial-level Department of Agriculture and Rural Development shall receive a dossier for appraisal of a plan on sustainable use of forest resources and other natural resources of the forest zone and submit it to the provincial-level People's Committee for establishing a council for appraisal

composed of representatives of provincial-level departments and sectors, some scientific organizations and related units, with the director of the provincial-level Department of Agriculture and Rural Development as its chairman;

- For a centrally managed special-use forest zone, the General Department of Forestry shall receive a dossier for appraisal of a plan on sustainable use of forest resources and other natural resources of the forest zone and submit it to the Ministry of Agriculture and Rural Development for establishing a council for appraisal composed of representatives of agencies of the Ministry of Agriculture and Rural Development and the General Department of Forestry; representatives of some scientific organizations and related units, with a leader of the General Department of Forestry as its chairman;

b/ Agencies deciding on approval

- The provincial-level Department of Agriculture and Rural Development shall prepare a dossier after the appraisal and submit the plan on sustainable use of forest resources and other natural resources of a locally managed special-use forest zone to the provincial-level People's Committee for approval;

- The General Department of Forestry shall prepare a dossier after the appraisal and submit the plan on sustainable use of forest resources and other natural resources of a centrally managed special-use forest zone to the Ministry of Agriculture and Rural Development for approval.

c/ Time limit for dossier appraisal and approval decision:

- The time limit for completing the appraisal of a dossier is twenty (20) working days from the date of receiving a valid dossier;

- The time limit for completing the making of decision to approve a plan is fifteen (15) working days from the date of receiving a dossier;

- In case of an incomplete dossier, within three (3) working days after receiving the dossier, the dossier-receiving agency shall notify such to the dossier submitter for completion.

7. State agencies competent to approve plans on sustainable use of natural resources referred to in Clause 6 of this Article shall organize examination and supervision to ensure strict implementation of the approved plans and legal provisions.

8. Funds for elaborating plans on sustainable use of natural resources of special-use forest zones shall be included in annual financial plans according to current state regulations.

**Article 7.** Forest environmental services stipulated in Article 22 of Decree No. 117/2010/ND-CP

1. Forest environmental services provided in the Government's Decree No. 99/2010/ND-CP of September 24, 2010, comply with current guidelines and regulations of the Ministry of Agriculture and Rural Development and the Ministry of Finance.

2. Special-use forest zone management units shall strictly observe the regime of financial management of payment for forest environmental services provided in Article 36 of the Government's Decree No. 117/2010/ND-CP of December 24, 2010, and Decree No. 43/2006/ND-CP of April 25, 2006, on autonomy and self-responsibility of public non-business units for task performance, organizational apparatus, payrolls and finance and documents superseding this Decree, in which charge amounts collected from the provision of forest environmental services shall be primarily used for forest protection and nature conservation activities.

3. For the provision of other forest environmental services (not contrary to the provisions of Decree No. 99/2010/ND-CP), such as lease of forest environment for other scientific research and business activities, the special-use forest zone management unit shall elaborate a plan and submit it to the provincial-level People's Committee for approval (for a locally managed special-use forest zone) or to the General Department of Forestry for approval (for a centrally managed special-use forest zone).

4. Major contents of a forest environmental service plan include:

a/ The present status of forests, land, functional sub-zones and characteristics related to forest environmental services; potential of payment for forest environmental services;

b/ Types of environmental services to be

directly paid for; sources of revenue from payment for forest environmental services;

c/ Modes of association, benefit sharing, and management and use of charge amounts paid for forest environmental services;

d/ Payers of charges for forest environmental services;

e/ Beneficiaries of forest environmental services and methods of payment for forest environmental services.

5. Agencies appraising dossiers and deciding on approval

a/ The provincial-level Department of Agriculture and Rural Development shall appraise forest environmental service plans for locally managed special-use forest zones and submit them to the provincial-level People's Committee for approval;

b/ The General Department of Forestry shall appraise forest environmental service plans for centrally managed special-use forest zones and submit them to the Ministry of Agriculture and Rural Development for approval.

6. Time limits for dossier appraisal and approval decision

a/ The time limit for completing the appraisal of a dossier is twenty (20) working days from the date of receiving a valid dossier;

b/ The time limit for completing the making of decision to approve a plan is fifteen (15) working days from the date of receiving a dossier.

In case of an incomplete dossier, within three (3) working days after receiving the dossier, the dossier-receiving agency shall notify such to the dossier submitter for completion.

7. Funds for elaborating forest environmental service plans for special-use forest zones shall be included in annual financial plans according to current state regulations. For associated activities with other organizations and individuals, funds for elaborating forest environmental service plans shall be agreed upon by the two parties.

**Article 8.** Ecotourism activities stipulated in Article 23 of Decree No. 117/2010/ND-CP

1. Ecotourism activities in special-use forest zones shall be carried out in accordance with Article 55 of the Government's Decree No. 23/2006/ND-CP of March 3, 2006, on the implementation of the Law on Forest Protection and Development and Article 23 of Decree 117/2010/ND-CP; and regulations of the Ministry of Agriculture and Rural Development on management of ecotourism activities in special-use forest zones, and approved plans on protection and sustainable development of special-use forest zones.

2. Special-use forest zone management units shall organize by themselves or associate with other organizations and individuals in providing resort, eco-tourism and entertainment services, or they may enter into joint ventures with other organizations and individuals in providing resort, eco-tourism and



entertainment services under business cooperation contracts without establishing a legal entity under Article 23 of the 2005 Investment Law and Article 9 of the Government's Decree No. 108/2006/ND-CP of September 22, 2006, detailing and guiding a number of articles of the Investment Law. In these cases the management units shall formulate ecotourism projects in line with approved plans on conservation and development of special-use forest zones.

a/ A project must clearly indicate the following major contents:

- The present status of various tourism resources and tourism products;
- Detailed explanation of tourist routes and sites; locations and sizes of to-be-constructed architectural buildings and infrastructure facilities for tourism services;
- Measures to protect and develop forests and conserve the nature and biodiversity, and to assess environmental impacts;
- Method of organizing eco-tourism or association or joint venture, specifying the involvement of the local community associated with indigenous culture;
- Supervision of ecotourism activities;
- Investment capital, capital sources, investment phases; methods of profit and benefit sharing; management and use of revenues from ecotourism; and obligations and powers of stakeholders;
- Eco-tourism maps of the same scale of 1:5,000, 1:10,000 or 1:25,000 according to the

VN2000 reference system, including a map of the present status of natural and tourism resources of the special-use forest zone; a map of planning of tour routes, tour destinations, architectural space organization and infrastructure facilities for tourism in the zone.

b/ A dossier to be submitted for appraisal of the project comprises:

- The report of the special-use forest zone management unit (original);
- The project report stated at Point a of this Clause (original);
- Other relevant documents (if any).

The special-use forest zone management unit shall submit 1 set of the dossier directly or by post to the provincial-level Department of Agriculture and Rural Development (for a locally managed special-use forest zone) or the General Department of Forestry (for a centrally managed special-use forest zone).

c/ Agencies appraising dossiers and deciding on approval

- The provincial-level Department of Agriculture and Rural Development shall appraise dossiers of ecotourism projects for locally managed special-use forest zones;
- The General Department of Forestry shall appraise dossiers of ecotourism projects for centrally managed special-use forest zones;
- The provincial-level People's Committee shall decide to approve dossiers of ecotourism projects for locally managed special-use forest zones at the proposal of the provincial-level

Departments of Agriculture and Rural Development;

- The Ministry of Agriculture and Rural Development shall decide to approve dossiers of ecotourism projects for centrally managed special-use forest zones at the proposal of the General Department of Forestry.

d/ Time limits for dossier appraisal and approval decision

- The time limit for completing the appraisal of a project on development of ecotourism in a special-use forest zone is twenty (20) working days from the date of receiving a valid dossier;

- The time limit for completing the making of decision to approve a project on development of ecotourism in a special-use forest zone is fifteen (15) working days from the date of receiving a dossier;

- In case of an incomplete dossier, within three (3) working days after receiving the dossier, the dossier-receiving agency shall notify such to the dossier submitter for completion.

e/ Funds for formulating ecotourism projects shall be included in annual financial plans according to current state regulations. For associated activities with other organizations and individuals, funds for ecotourism projects shall be agreed upon by the two parties;

f/ In case of association to do ecotourism business, after the project is approved, the special-use forest zone management unit shall sign an association contract or joint venture contract in the form of business cooperation contract with other organizations or individuals strictly according to the approved project and

applicable laws.

3. Special-use forest zone management units lease forest environment to organizations and individuals for providing ecotourism services

a/ The special-use forest zone management unit shall organize the elaboration of and submit to a competent state agency for approval a plan on lease of special-use forest environment for ecotourism business as stipulated at Point c of this Clause and in line with the approved plan on conservation and development of the special-use forest zone.

b/ Change of the purpose of special-use forest land areas with works serving ecotourism in a special-use forest zone is not permitted;

c/ A plan on lease of forest environment for ecotourism development must have the following major contents:

- The present status of natural resources, tourism resources and tourist products;

- Detailed explanation on the plan to develop tourist routes, sites for tour organization, the area and location of the forest zone, purpose and duration of the lease;

- Locations and scale of construction of architectural buildings and technical infrastructure facilities for tourism;

- Measures to protect and develop forests, conserve the nature and biodiversity, and assess environmental impacts;

- Supervision of ecotourism activities;

- Ecotourism maps of the same scale of 1:5000, 1:10,000 or 1:25,000 according to the VN2000 reference system, including a map of

the present status of natural resources and tourism resources of the special-use forest zone; a map of planning of tour routes and tour destinations, architectural space organization and technical infrastructure for tourism in the special-use forest zone.

d/ A dossier to be submitted for appraisal of the plan comprises:

- The report of the special-use forest zone management unit (original);
- The report on the plan as stated at Point c of this Clause (original);
- Other relevant documents (if any).

The special-use forest zone management unit shall submit 1 set of the dossier directly or by post to the provincial-level Department of Agriculture and Rural Development (for a locally managed special-use forest zone) or the General Department of Forestry (for a centrally managed special-use forest zone).

e/ Agencies appraising dossiers and deciding on approval

- The provincial-level Department of Agriculture and Rural Development shall appraise dossiers of plans on lease of forest environment for locally managed special-use forest zones;
- The General Department of Forestry shall appraise dossiers of plans on lease of forest environment for centrally managed special-use forest zones;
- The provincial-level People's Committee shall decide to approve dossiers of plans on lease of forest environment for locally managed

special-use forest zones at the proposal of provincial-level Department of Agriculture and Rural Development;

- The Ministry of Agriculture and Rural Development shall decide to approve dossiers of plans on lease of forest environment for centrally managed special-use forest zones at the proposal of the General Department of Forestry.

f/ Time limits for dossier appraisal and approval decision:

- The time limit for completing the appraisal of a dossier is twenty (20) working days from the date of receiving a valid dossier;
- The time limit for completing the making of decision to approve a dossier is ~~five~~ fifteen (15) working days from the date of receiving a dossier;
- In case of an incomplete dossier, within three (3) working days after receiving the dossier, the dossier-receiving agency shall notify such to the dossier submitter for completion.

g/ After the plan on lease of forest environment for ecotourism development is approved, the lessor shall coordinate with the special-use forest zone management unit in elaborating an ecotourism investment project in line with the approved plan on conservation and development of the special-use forest zone and under of Point c, Clause 3 of this Article.

The special-use forest zone management unit shall guide, examine and supervise the lessor of forest environment to implement the project according to the plan on lease of forest environment and applicable laws.

h/ Funds for elaborating plans on lease of

forest environment for ecotourism development shall be included in annual financial plans according to current state regulations. Funds for elaborating ecotourism investment projects shall be assured by lessors.

**Article 9.** Organization and management of special-use forests stipulated in Articles 14, 26 and 28 of Decree No.117/2010/ND-CP

**1. Special-use forest zone management**

a/ The Ministry of Agriculture and Rural Development shall perform the state management of the special-use forest system nationwide, and decentralize the General Department of Forestry to directly manage special-use forest zones located in two or more provinces and centrally run cities and scientific research and experiment forests.

b/ Provincial-level People's Committees shall perform the state management of special-use forest zones in their respective localities, directly manage national parks and decentralize provincial-level Departments of Agriculture and Rural Development to directly manage other special-use forests in their respective localities.

**2. Appointment and relief from office of directors, deputy directors, heads and deputy heads of special-use forest ranger units**

a/ The Minister of Agriculture and Rural Development shall appoint and relieve from office directors of centrally managed special-use forest zones;

b/ The General Director of the General Department of Forestry shall appoint and relieve

from office deputy directors and heads of ranger units of centrally managed special-use forest zones; and appoint and relieve from office deputy heads of forest ranger units at the proposal of the director of the Forest Protection Department or the directors of centrally managed special-use forest zones.

c/ The chairpersons of provincial-level People's Committees shall appoint and relieve from office directors cum heads of forest ranger units and deputy directors of locally managed special-use forest zones;

d/ Directors of provincial-level Forest Protection Departments shall appoint or relieve from office deputy heads of ranger units of locally managed special-use forests at the proposal of the heads of the ranger units of special-use forest zones;

e/ Heads of ranger units of special-use forest zones shall appoint and relieve from office heads and deputy heads of sections in the organizational apparatus of their ranger units.

**3. Establishment of special-use forest ranger units**

a/ The special-use forest management unit shall prepare a plan on establishment of special-use forest zone ranger units and submit it to a competent state agency;

b/ Competence to decide on establishment of special-use forest zone ranger units:

- The Minister of Agriculture and Rural Development shall decide on establishment of ranger units for centrally managed special-use forest zones;

- Chairpersons of provincial-level People's Committees shall decide on establishment of ranger units for locally managed special-use forest zones after receiving a written agreement of the Ministry of Agriculture and Rural Development.

4. The organization of ranger units in special-use forest zones must be in line with the approved plans on conservation and development of special-use forest zones; in special cases, the organization of ranger units shall be decided by the Ministry of Agriculture and Rural Development, for centrally managed special-use forest zones, or by chairpersons of provincial-level People's Committees, for locally managed ones.

5. For special-use forest zones with wetland and sea areas, their ranger units shall also manage and protect these areas.

**Article 10.** Centers for rescue, conservation and development of living creatures stipulated in Article 31 of Decree No. 117/2010/ND-CP

1. Establishment of centers for rescue, conservation and development of living creatures

a/ A new center for rescue, conservation and development of living creatures may be established only in special-use forest zones with high biodiversity value to perform the task of conserving the entire area or zone in line with the national master plan on the system of rescue, conservation and development of living creatures;

b/ The special-use forest zone management unit shall elaborate a plan on establishment of a center for rescue, conservation and development of living creatures;

c/ Major contents of a plan on establishment of a center for rescue, conservation and development of living creatures

- The necessity to rescue, conserve and develop living creatures in the entire area or zone;

- Need for and sources of investment capital, staff and technical equipment necessary for the rescue, conservation and development of living creatures;

- The organizational structure of the center for rescue, conservation and development of living creatures;

- The operation regulation;

- Organization of implementation.

2. Appraisal and approval of a plan on establishment of a center for rescue, conservation and development of living creatures.

a/ A dossier to be submitted for appraisal of a plan comprises:

- The report of the special-use forest zone management unit (original);

- A report on the plan stated at Point c, Clause 1 of this Article (original);

- Other relevant documents (if any).

The special-use forest zone management unit shall submit 1 set of the dossier directly or by post to the provincial-level Department of Agriculture and Rural Development (for a locally managed special-use forest zone) or the

**General Department of Forestry** (for a centrally managed special-use forest zone).

b/ Agencies appraising dossiers and deciding on approval

- For a locally managed special-use forest zone, the provincial-level Department of Agriculture and Rural Development shall appraise a dossier of a plan on establishment of a center for rescue, conservation and development of living creatures. A council for appraisal is composed of representatives of provincial level departments and sectors, some scientific organizations and related units, with the director of the provincial-level Department of Agriculture and Rural Development as its chairman;

- The provincial-level People's Committee shall approve a plan on establishment of a center for rescue, conservation and development of living creatures based on the result of appraisal by the provincial-level Department of Agriculture and Rural Development and the written agreement of the Ministry of Agriculture and Rural Development;

- For a centrally managed special use forest zone, the General Department of Forestry shall appraise a dossier of a plan on establishment of a center for rescue, conservation and development of living creatures and submit it to the Ministry of Agriculture and Rural Development for approval decision. A council for appraisal is composed of representatives of agencies of the Ministry of Agriculture and Rural Development and the General Department of Forestry; representatives of some

scientific organizations and related units, with a leader of the General Department of Forestry as its chairman;

c/ Time limits for appraising dossiers and making approval decision

- The time limit for completing the appraisal of a plan is fifteen (15) working days from the date of receiving a valid dossier;

- The time limit for completing the approval of a plan is thirty (30) working days from the date of receiving a dossier;

- In case of an incomplete dossier, within three (3) working days after receiving the dossier, the dossier-receiving agency shall notify such to the dossier submitter for completion.

3. Functions and tasks of a center for rescue, conservation and development of living creatures

a/ Rescue and release

- To receive individual living creatures confiscated from cases of violation or voluntarily handed over by organizations and individuals for treatment and post-treatment functional rehabilitation.

- To release rescued living creatures back to their natural habitat.

b/ Conservation

- To store and conserve genetic sources of endangered, rare and precious species;

- To research and collect data and information on biology and physiology of conserved species;

- To conduct propaganda and law education

on forest protection and nature and biodiversity conservation.

c/ Sustainable development of species and provision of breeding sources for sustainable breeding development

- To conduct information and propaganda work and distribute technical guidelines to organizations and individuals to raise wildlife lawfully;

- To provide biologic seed sources and veterinary services for organizations and individuals for captive breeding and development on a sustainable basis as provided by law.

d/ Organization of scientific researches according to research topics and projects and technical and scientific experiments on rescue and development of living creatures and biodiversity conservation.

e/ International cooperation on rescue, conservation and development of living creatures.

4. The organizational structure of a center for rescue, conservation and development of living creatures

Depending on the actual needs of rescue work and resources of special-use forest zones, a center for rescue, conservation and development of living creatures may have no more than the following sections:

a/ Section for scientific research on rescue, conservation and development of living creatures;

b/ Section for quarantine of newly received individual living creatures and animal health;

c/ Section for functional rehabilitation and semi-wild breeding after rescue and before releasing to natural habitats;

d/ Section for research, feeding, reproduction and supply of breeding stocks;

e/ Section for logistics and feed processing.

5. Funds for the elaboration of plans for operation and operations of centers for rescue, conservation and development of living creatures

- Funds for the elaboration of plans on establishment and operations of centers for rescue, conservation and development of living creatures shall be allocated from the central budget, revenues from services provided by the centers and support from organizations and individuals at home and abroad in accordance with law.

- Local budgets assure funds for the elaboration of plans on establishment and operations of centers for rescue, conservation and development of living creatures of locally managed special-use forest zones. The central budget shall assure funds for the operations of centers for rescue, conservation and development of living creatures of centrally managed special-use forest zones.

**Article 11.** Determination of buffer zones, buffer zone investment projects and buffer zone management responsibilities stipulated in Articles 32, 33 and 34 of Decree No. 117/2010/ND-CP

1. Determination of buffer zones of special-

use forest zones

a/ Buffer zone is a forest or wetland area adjacent to a special-use forest zone, functioning to prevent or stop encroachment upon the special-use forest zone;

b/ A buffer zones aims to prevent negative impacts exerted by inhabitants on the special-use forest zone through coordinated management of natural ecosystems and development between the special-use forest zone management unit, local administration and inhabitants living in the buffer zone;

c/ A buffer zone has the major functions of contributing to conserving the special-use forest area, promoting the conservation value in the buffer zone itself, improving the livelihood of local inhabitants under the motto of co-management in order to attract them in the conservation of the special-use forest zone;

d/ A buffer zone covers areas outside the boundary of a special-use forest zone (outside buffer zone) and areas inside the boundary of a special-forest zone where households lawfully live (inside buffer zone).

- The buffer zone located inside the boundary of a special-use forest zone is the land area inside a special-use forest zone where households lawfully live, which is defined for the application of a special mechanism of management aimed at stabilizing and improving the livelihood of the people, mitigating and preventing encroachment upon and destruction of the special-use forest, and attracting people to participate in the activities of the forest zone.

The special-use forest zone management

unit shall define the scope, boundary and size of the buffer area inside the boundary of the special-use forest zone in line with the above requirements; residential land area, arable land, fixed cultivation land of the households shall be shown on a map with clear demarcation in the field.

- The buffer zone located outside the boundary of a special-use forest zone is the land area outside a special-use forest zone, including forest land, barren land or water surfaces in close proximity to the special-use forest zone established for implementing a special mechanism of management aimed at protecting forests and natural ecosystems and linking conservation corridors between special-use forest zones; stabilizing and improving the livelihood of local inhabitants, mitigating and preventing impacts of encroachment on special-use forests, while attracting people to participate in the activities of the forests.

The special-use forest zone management unit shall coordinate with local administrations in defining the scope, boundary and size of the buffer zone outside the special-use forest zone to meet the above requirements, including the whole or part of areas of communes, wards and townships adjacent to the boundary of the special-use forest zone, which are clearly shown on a map and demarcated in the field.

## 2. Buffer zone investment projects

Major contents of a buffer zone investment project include:

a/ Organization of measures to protect forests and conserve natural ecosystems and



biodiversity;

b/ Support for the community in the buffer zone on agriculture, forestry and fishery activities to bring about economic, social and environment benefits in accordance with local customs;

c/ Organization of activities for sustainable use and sharing of benefits from natural resources of special-use forest zones;

d/ Publicity work and education to raise awareness about laws on forest protection and ecosystem and biodiversity conservation;

e/ Support for investment in infrastructure facilities to serve socio-economic development to reduce pressure on conservation work in the buffer zone according to investment policies and financial mechanism applicable to the special-use forest system;

f/ The need for investment capital, capital investment sources and investment phases;

g/ Management of the buffer zone, specifically defining the obligations, responsibilities and powers of the commune-level People's Committee, village leaders and households in the buffer zone and the special-use forest zone management unit in carrying out the buffer zone investment project.

3. A dossier to be submitted for appraisal of a buffer zone investment project comprises:

- The report of the special-use forest zone management unit (original);

- An explanatory report on the buffer zone investment project stated in Clause 2 of this Article (original);

- The written agreement of the Ministry of Agriculture and Rural Development;

- Other relevant documents (if any).

The special-use forest zone management unit shall submit 1 set of the dossier directly or by post to the provincial-level Department of Agriculture and Rural Development (for a locally managed special-use forest zone) or the General Department of Forestry (for a centrally managed special-use forest zone).

4. Agencies appraising dossiers and deciding on approval

a/ For a locally managed special-use forest zone, the provincial-level Department of Agriculture and Rural Development shall appraise a buffer zone investment project and submit it to the provincial-level People's Committee for approval decision after obtaining a written agreement of the Ministry of Agriculture and Rural Development. A council for appraisal is composed of representatives of provincial-level departments and sectors, some scientific organizations and related units, with the director of the provincial-level Department of Agriculture and Rural Development as its chairman;

b/ For a centrally managed special use forest zone, the General Department of Forestry shall appraise a buffer zone investment project and submit it to the Ministry of Agriculture and Rural Development for approval decision. A council for appraisal is composed of representatives of agencies of the Ministry of Agriculture and Rural Development and the General Department of Forestry; representatives

of some scientific organizations and related units, with a leader of the General Department of Forestry as its chairman;

c/ Time limits for appraising dossiers and making approval decision

- The time limit for completing the appraisal of a plan is twenty (20) working days from the date of receiving a valid dossier;

- The time limit for completing the approval of a plan is fifteen (15) working days from the date of receiving a dossier;

- In case of an incomplete dossier, within three (3) working days after receiving the dossier, the dossier-receiving agency shall notify such to the dossier submitter for completion.

5. State agencies competent to approve buffer zone investment projects defined in Clause 4 of this Article shall conduct examination and supervision to ensure strict implementation of the contents of the approved projects and legal provisions.

6. The special-use forest zone management unit shall prepare and publicize the draft of the buffer zone investment project to collect opinions and seek consensus of the community in the project area and obtain the written agreement of the commune-level People's Committees in the buffer zone before submitting the project for approval.

7. The special-use forest zone management units are investors of the buffer zone investment projects and shall coordinate with commune-level People's Committees in the project areas

to implement the investment projects.

8. Funds for elaborating buffer zone investment projects are included in annual financial plans according to current state regulations.

**Article 12.** Activity plans of special-use forest zones stipulated in Article 35 of Decree No. 117/2010/ND-CP

1. Contents of an activity plan of a special-use forest zone

a/ Based on the approved plan on protection and development of a special-use forest zone, the special-use forest zone management unit shall prepare 5-year and annual plans for the special-use forest zone under current state regulations;

b/ An activity plan of a special-use forest zone must clearly state the objectives, solutions for organizing effective protection and conservation of the forest, forest, marine and wetland ecosystems; forest fire prevention and fighting; biodiversity conservation and monitoring; scientific research and international cooperation; rescue and sustainable development of living creatures; provision of forest environmental services; development of ecotourism; training and development of human resources; information, storage and management of database; propaganda, education and awareness raising; and investment and development of the buffer zone.

2. Assurance of resources and responsibility to implement the plan

a/ The agency approving the activity plan of a special-use forest zone shall assure human resources and finance for activities of the special-use forest, monitor and supervise the implementation of the plan by the special-use forest zone management unit.

b/ The special-use forest zone management unit shall organize effective implementation of the assigned plan and concurrently organizing monitoring, supervision and evaluation of the outcomes of the implementation of the plan as provided by law.

**Article 13.** Screening and classification of special-use forest zones; law propaganda and awareness raising; establishment of the system of information, archive and database of special-use forest management stipulated in Article 38 of Decree No. 117/2010/ND-CP

1. Screening and classification of special-use forests

a/ Provincial-level People's Committees shall organize screening and classification of locally managed special-use forest zones according to the criteria stated in Article 5 of Decree No. 117/2010/ND-CP;

b/ The General Department of Forestry shall organize screening and classification of special-use forest zones in the whole country and directly organize screening and classification of centrally managed special-use forest zones;

c/ Special-use forest zone management units shall screen and classify special-use forest zones according to the criteria specified in Article 5 of Decree No. 117/2010/ND-CP, screen

functional sub-zones under the guidance in Article 3 of this Circular, and adjust the names of special-use forest zones according to their categories;

d/ In case the results of screening and classification of special-use forest zones are divergent at different levels, the Minister of Agriculture and Rural Development shall consider and make final decision.

2. Determination of the boundary and area of each special-use forest zone on the map and in the field

a/ Special-use forest zone management units shall clearly determine the boundaries of special-use forest zones on the map and in the field.

b/ Contents of determination of the boundary of a special-use forest zone include.

- Screening documents and maps of the boundary of the special-use forest zone;

- Comparing the special-use forest zone boundary between the maps and in the field, if there is any difference but no dispute, making adjustment according to the field; if there is a dispute, a competent agency shall base itself on the location, area and boundary of the special-use forest zone recorded in the decision on the establishment of the forest zone and relevant land records to settle such dispute;

- Reporting on the screening of the boundary of the zone, including explanations and detailed description on how to recognize the boundary in the field; and the positions of boundary markers of the zone;

- Making a boundary map of the special-use forest zone of the same scale of 1:5,000, 1:25,000 or 1:50,000 according to the VN2000 reference system.

c/ The special-use forest zone management unit shall organize the planting of boundary markers under the Regulation on determination of boundaries and planting of boundary markers of forests of all categories issued together with the Ministry of Agriculture and Rural Development's Decision No. 3013/1997/QĐ-BNN of November 20, 1997.

d/ The Ministry of Agriculture and Rural Development shall assure funds for the determination and planting of boundary markers of centrally managed special-use forest zones. Provincial-level People's Committees shall assure funds for the determination and planting of boundary markers of locally managed special-use forest zones.

3. The time and competence to screen and classify special-use forest zones together with planning, conservation and sustainable development of special-use forest zones are stipulated in Clause 1, Article 2 of this Circular.

4. Propaganda and raising of awareness about laws on nature and biodiversity conservation and sustainable development of special-use forest zones

a/ Special-use forest zone management units shall organize law popularization and dissemination in special-use forest zones and buffer zones.

b/ Contents of popularization of and raising

of awareness about laws

- The values and functions of special-use forest zones for environmental protection, biodiversity conservation and socio-economic development;

- The typical characteristics of ecosystems, rare, precious and endangered species in special-use forest zones;

- Policies, laws and regulations relating to the protection, conservation and management of special-use forests and biodiversity;

- Planning and plan of special-use forest zone; buffer zone investment projects;

- Experience and advanced models of protection and conservation of special-use forests.

c/ Special-use forest zone management units shall organizing propaganda campaigns for people residing in special-use forests and buffer zones at least twice a year at appropriate time and in appropriate forms and through the mass media; organizing extracurricular programs for students of local schools; providing public information for tourists and visitors; other forms suitable to the specific conditions of special-use forest zones.

5. Organization of information systems, storage and database for management of special-use forest zones

a/ The General Department of Forestry shall organize an information system, storage and a database for management of dossiers of special-use forest zones nationwide. This information system shall be connected from the General

Department of Forestry to all special-use forest zones nationwide for dissemination of guidelines, policies and laws on management of the special-use forest system; managing dossiers of special-use forest zones nationwide; and receiving information on the situation of activities of special-use forest zones.

b/ Special-use forest zone management units shall organize information systems and databases for management of dossiers of their special-use forest zones and connect them to the information system, storage and database for management of dossiers of special-use forest zones nationwide under the guidance of the General Department of Forestry.

The information system, storage and database for management of dossiers of special-use forest zones must contain data on legal documentation about special-use forest zones; scientific and technical materials of special-use forest zones; documentation on baseline surveys, monitoring and supervision of natural resources, ecosystems, biodiversity and endangered, precious and rare species,

documents relating to management and operation of special-use forests; and other relevant data;

c/ Funds for the establishment, operation and management of the information system, storage and database on special-use forest zones shall be included in annual financial plans according to current state regulations.

#### Article 14. Effect

This Circular takes effect 45 days after the date of its signing.

All previous regulations of the Ministry of Agriculture and Rural Development contrary to the provisions of this Circular are annulled.

Any difficulties and problems arising in the course of implementation should be reported to the Ministry of Agriculture and Rural Development for timely amendment and supplement.-

*For the Minister of  
Agriculture and Rural Development*  
Deputy Minister  
HUA DUC NHI