

THE PRIME MINISTER

DECISION No. 192/2003/QĐ-TTg OF SEPTEMBER 17, 2003 APPROVING THE STRATEGY ON MANAGEMENT OF THE SYSTEM OF VIETNAM'S NATURE CONSERVATION ZONES TILL 2010

THE PRIME MINISTER

Pursuant to the December 25, 2001 Law on Organization of the Government;

Pursuant to the August 12, 1991 Law on Forest Protection and Development;

At the proposal of the Ministry of Agriculture and Rural Development in Report No. 1650/BN- KL of June 27, 2003 on the approval of the "strategy on management of the system of Vietnam's nature conservation zones till 2010", and opinions of the Ministries of Justice; Science and Technology; Home Affairs; Aquatic Resources; Culture and Information; Natural Resources and Environment; and Planning and Investment; and Vietnam National Administration of Tourism,

DECIDES:

Article 1.- To approve the strategy on management of the system of Vietnam's nature conservation zones till 2010 with the following principal contents:

I. OBJECTIVES:

1. To establish, organize and efficiently manage the system of nature conservation zones distributed in different ecological systems (including on-land nature conservation zones, submerged land's nature

conservation zones and marine nature conservation zones) in order to contribute to protecting Vietnam's natural resources, bio-diversity as well as rich and unique landscapes within the framework of sustainable development. To closely combine conservation and development activities, bring into full play the roles and functions of the system of nature conservation zones in order to actively contribute to implementing the strategy on comprehensive growth as well as hunger elimination and poverty alleviation in the period of national industrialization and modernization.

2. To raise the people's awareness of the importance and value of natural resources and bio-diversity, clearly determine their roles and responsibilities and enhance their participation in the protection of nature conservation zones.

3. To renovate institutions and policies of managing nature conservation zones, enhance the function of State management over the system of nature conservation zones. To raise the capability to manage natural resources and conserve bio-diversity of local administrations and nature conservation zones' management boards.

4. To enhance international cooperation, determine sources of financial assistance and ways to have access thereto.

II. PRINCIPLES AND METHODS OF APPROACH

1. Principles:

The fundamental principle is sustainable development: To ensure that the immediate development shall not be harmful to the future, and that the country's natural resources shall be well managed and protected, and bio-diversity conserved, concretely:

- The management of nature conservation zones and buffer zones requires the close and synchronous coordination among branches and authorities from the

central to local level through specific mechanisms and plans. To ensure the observance of the principles on the basis of synthesizing them, including the conservation of genetic sources, species and ecological system; to prevent and combat dangers which may cause damage to such values.

- The plans on management and organization of nature conservation activities must fully cover the economic aspirations and attract the participation of population communities living around the nature conservation zones. To raise the awareness of the economic, environmental and scientific values of nature conservation and bring into play the State management role of the People's Committees of all levels, especially the commune and district levels, in the management of natural resources and nature conservation zones within their respective administrative boundaries.

- In nature conservation zones, priority should be given to the elaboration of plans on management of, and expeditious and efficient action in, areas with high dangers such as the extinction of indigenous species or the damage to ecological system.

- To regularly update and refer to research results and new information in order to raise the management efficiency and monitor the results of implementation of new management solutions.

- To fully inquire into, and correctly apprehend, information on traditional use of land resources and bio-diversity by various ethnic minority groups and their special relationships therewith.

- The Government shall pay attention to, and efficiently support, the management of nature conservation zones by prioritizing the annual allocation of investment capital from the State budget and other appropriate support activities.

2. Methods of approach:

- To raise the inter-branch management on the basis of clearly defining the main bodies in strict accordance with the provisions of the Law on Organization of the Government and the Government's decrees defining

the functions, tasks, powers and responsibilities of the ministries in the field of State management.

- To closely link conservation to sustainable development in order to bring into full play the potential and advantages of the existing natural resources as well as bio-diversity, create new resources right in the established nature conservation zones for sustainable and long-term management.

- To socialize the work of protection of natural resources and bio-diversity.

III. THE STRATEGY'S ACTIONS:

1. Planning on the system of nature conservation zones:

- To perfect the planning, and rank and classify the system of Vietnam's nature conservation zones in different ecological systems (including dry-land, submerged land and marine nature conservation zones), submit to the Prime Minister for consideration, approval and decision the system of Vietnam's nature conservation zones in the new period.

- To determine the priority order for management of nature conservation zones, based on the principles of prioritizing the conservation of bio-diversity and the criteria approved by competent authorities.

2. Formulating a legal framework on management of the system of nature conservation zones:

- To formulate an uniform legal framework on protection of bio-diversity and management of nature conservation zones. To work out plans on propagating and enhancing the enforcement of the promulgated legal documents on protection of bio-diversity and management of nature conservation zones.

- To review and propose additional sub-law documents for the effective enforcement of the promulgated laws on protection of natural resources and environment. To simplify, and enhance the

effectiveness of, the regulations which were or shall be promulgated.

- To raise the capabilities of law enforcement organizations and closely coordinate with the ranger and aquatic resource protection forces in enforcing the promulgated laws on protection of natural resources.

- To review the regulations on administrative sanctioning in order to propose the amendment of levels of fines for violations of regulations on protection of various natural resources (such as forest, water, aquatic resources, environment), avoid irrational differences in the fine levels prescribed in different domains. To consider other appropriate sanctioning forms in replacement of pecuniary fines on poor people.

- To strengthen and enhance the effectiveness and efficiency of the ranger, aquatic resource protection and customs forces, including the coordination with law enforcement bodies such as police, customs, court and procuracy.

- To study and reform the salary regime and mechanism of casualty compensations for the forces enforcing the legislation on protection of natural resources, especially in areas meeting with great difficulties.

- To perfect and systemize the promulgated legal documents and monitor the enforcement thereof.

3. Enhancing the management of natural resources and conservation of bio-diversity

- To clarify the relationship between buffer zones and nature conservation zones by way of working out the Regulation on operation of, and principles for coordination between, the buffer zones and nature conservation zones. To prescribe the interests and obligations of parties involved in the management of buffer zones, especially various ethnic communities in each locality where exist nature conservation zones. To draw up long-term plans on investment in the buffer zones.

- To elaborate the conventions on protection of

natural resources and conservation of bio-diversity of village/hamlet population community; to formulate the model of sustainable development of household economy in the buffer zones.

- To enhance the work of conserving and moving endangered wild fauna and flora species by ways of building botanical gardens, consolidating and developing centers for rescue of wild animals.

- To elaborate and promulgate legal documents on principles for cooperation and determination of responsibilities in ecological tourist activities in nature conservation zones; reach agreement on the mechanism for sharing benefits from tourism and prescribe reinvestment in the management and conservation of bio-diversity in nature conservation zones.

- To supplement and perfect the system of mechanisms and policies and formulate models for development of the buffer zones. To elaborate and widely apply the demonstration projects on using non-timber products and planting medicinal herbs as well as models on the scattered and concentrated planting of firewood trees.

- To limit the exploitation of firewood for fuel and ensure the sustainable use of non-timber forest products; to preclude the illegal hunting, storage and trading of sea creatures as well as wild animals and plants; to control imported fauna and flora species.

- To prevent and control pollution, minimize environmental impacts caused by economic development on submerged land and marine ecological systems; to raise the capability to control forest flames and prevent and fight forest fires; reduce the encroachment on forestry land.

- To detect loopholes in the management of natural resources and conservation of bio-diversity in order to find effective solutions on the basis of analyzing and selecting comments of scientists, managers, conservationists and population communities in localities.

4. Renovating the organizational system for management of nature conservation zones:

The ministries and branches, which are tasked to manage natural resources, shall have to review their respective tasks in conserving bio-diversity and organizing the management of nature conservation zones; to study and propose a rational organizational structure (branch or inter-branch, specialized or coordinated) in accordance with the Government's Decree No. 86/2002/ND-CP of November 5, 2002 defining the functions, tasks and powers of the ministries and ministerial-level agencies:

- To clearly determine State management responsibilities of the ministries, central branches and People's Committees of various levels for natural resources in nature conservation zones, clearly stipulating matters which must be submitted by provincial People's Committees to the managing ministries before making decisions thereon. To enhance the capabilities of the People's Committees of various levels to better perform the task of State management over special-use forests in their respective localities in strict accordance with the provisions in the Prime Minister's Decision No. 245/TTg of December 21, 1998 on the performance of responsibilities of State management over forests and forestry land by various levels.

- To enhance the capabilities and renovate the managerial organization of agencies and specialized management departments under the ministries assigned to manage the system of nature conservation zones, such as the Ranger Department (the Ministry of Agriculture and Rural Development), the Environment Protection Department (the Ministry of Natural Resources and Environment), and the Department for Protection of Aquatic Resources (the Ministry of Aquatic Resources). To create conditions for such agencies to well perform the task of assisting the ministers in performing the State management over nature conservation zones assigned by the Government and coordinate with one another for more efficient inter-

branch management.

- To renovate organization and management mechanism of nature conservation zones' management boards into non-business units qualified to perform the grassroots-level task of managing natural resources, conserving bio-diversity and building nature conservation zones according to the current regulations.

5. Renovating the mechanism for establishing, investing in and providing finance for, nature conservation zones:

- On the basis of reviewing the planning of each nature conservation zone, it is necessary to delimit the boundaries and clearly define the tasks and powers of the nature conservation zones' management boards in the protection of natural resources within the boundaries assigned by the State for management.

- To fully allocate necessary resources to meet the requirements of the approved operation plans in order to manage all nature conservation zones already determined in the system of nature conservation zones till 2010.

- To expeditiously submit for approval the plannings on nature conservation zones and create conditions for the establishment and organization of management of such nature conservation zones.

- To review and promulgate new legal documents, re-prescribe the procedures and order for establishing nature conservation zones in order to reduce overlappings.

- To elaborate and promulgate the multi-branch regulations on organizational structure and management of species and classes, and classification of nature conservation zones, define the tasks of the nature conservation zones' management boards regarding bio-diversity conservation, scientific research, capital construction and eco-tourism development.

- To study and prescribe specific tasks of the nature conservation zones' management boards for socio-economic development programs in localities within the

buffer zones.

- To study the organizational model and mechanism for managing nature conservation zones stretching over many provinces or districts in order to enhance the coordination among localities in the efforts to protect nature conservation zones with inter-provincial ecological system.

- To direct the consolidation of organization of the nature conservation zones' management boards in order to create conditions for them to become non-business units which shall have autonomy and take responsibility for the performance of the assigned tasks strictly according to the determined legal positions.

- To supplement necessary facilities for the management of nature conservation zones, especially communication, transport and investigation facilities in the nature conservation zones in order to create conditions for employees to approach the assigned areas and work with local people.

- To promulgate legal documents clearly defining the responsibilities to work out and the contents of, periodical operation plans (annual, 5-year, 10-year) on general management of natural resources in the nature conservation zones.

- To renovate mechanism for allocating finance from the State budget: to elaborate specific regulations on the central budget support for provincial budgets for investment in construction and management of nature conservation zones in localities; to study and set up the natural resource protection funds from different sources in order to provide finance for the operations of the nature conservation zones; to elaborate regular-expenditure norms on management of nature conservation zones according to appropriate criteria, which shall serve as basis for allocating regular expenditures to the nature conservation zones.

- To study and elaborate the Regulation on enhancing financial resources and mobilizing the society's financial sources for investment in nature conservation zones (such as assorted charges, taxes

and lottery tickets); to elaborate mechanisms for attracting international financial sources for investment in nature conservation zones (such as foreign investment promotion, renovation of partnership regulations for more efficient disbursement of ODA capital, attracting finance from individuals and international organizations); to elaborate mechanism on financial contributions from individuals and organizations using nature conservation zones for the purposes permitted to be met by nature conservation zones in order to increase resources for investment in nature conservation zones.

6. Training and developing human resources, raising conservation knowledge and skills:

- To elaborate programs and include into management plans the studies on bio-diversity resources, the use of natural resources and socio-economic issues related to nature conservation zones.

- To organize training courses on investigation and supervision of bio-diversity in nature conservation zones; train in skills of establishing and managing databases, collecting, treating and preserving fauna and flora samples; raise skills in management of biological systems on the basis of using modern techniques and field equipment in service of construction management and development of nature conservation zones,...

- To organize study and fostering courses on geographical information system (GIS), make reports and use database management software on the work of nature conservation for provincial- and region-level managerial officials.

- To elaborate and organize education and training programs in order to meet different demands of those directly involved in nature conservation as well as organization, personnel management and elaboration of policies on nature management and conservation.

- To train science workers and technicians in the establishment of database programs (long-term) and strategies on seeking information on the Internet (short-term), in the establishment of websites and their

inclusion into networks; recruit officials meeting professional qualifications to work in nature conservation zones.

- To organize study tour programs at home and abroad for nature conservation zones' officials for experience and information exchange.

- To encourage the execution of concentrated research projects, including those in nature conservation zones, which cover the appraisals in service of the elaboration of policies by the Government.

- To organize the appraisal of areas where afforestation or forest regeneration can be conducted in nature conservation zones and determine indigenous plants suitable to each region.

- To raise skills in elaboration of projects on development of the buffer zones and other areas adjacent to nature conservation zones regarding the sustainable development of natural resources, and projects on forest revitalization in nature conservation zones.

7. Stepping up the work of Information-education-communication and attracting the community to participate in the work of bio-diversity conservation:

- To elaborate information-education-communication programs in order to raise the awareness of bio-diversity and nature conservation zones for population communities living in core areas of the nature conservation zones and buffer zones, nature conservation zones' managers as well as administrations and policy-makers at all levels.

- To train communication officials in bio-diversity conservation and nature conservation zone protection, and consider them the key force assuming the task of raising the awareness of bio-diversity conservation at the grassroots level. To enhance the fostering of knowledge and skills on communication on bio-diversity conservation and nature conservation zone management for managerial officials of nature conservation zones.

- To popularize the knowledge on bio-diversity conservation and nature conservation zone management for leading officials of the communes where exist nature conservation zones and buffer zones.

- To develop the work of communication on nature conservation zones and bio-diversity conservation to population communities in order to raise their awareness and managerial capability.

- To attract such organizations as Vietnam Women's Union, Vietnam Peasants' Association, Ho Chi Minh Communist Youth Union, Vietnam War Veterans' Association,... and local population communities into elaborating plans and carrying out activities to raise awareness.

- To introduce knowledge related to bio-diversity and nature conservation zones in textbooks of elementary, secondary and university education levels, especially in pedagogic and boarding schools in mountainous provinces.

- To encourage non-governmental organizations to take initiative in transferring knowledge, researching, training and supporting the management of nature conservation zones and development of buffer zones, especially agricultural and forestry activities.

8. Enhancing international cooperation:

- To realize the set action plan on bio-diversity and the strategy on management of the system of Vietnam's nature conservation zones in order to make more practical and specific contributions of our country to the implementation of the international convention on bio-diversity conservation.

- To review the proposed list of submerged land's nature conservation zones and propose more new zones for inclusion into the list of Ramsar zones in order to draw attention of domestic and foreign communities.

- To step up the sustainable protection of submerged land and maintain submerged land's nature conservation zones (including large and small zones) from dry-up or being used for other purposes, thus reducing the bio-diversity and their values.

- To assign responsibilities and provide resources and material bases for the supervision of the observance of RAMSAR Conventions, especially in submerged nature conservation zones.

- To ensure the progress and reliability of national reports made every three years and the full participation in conferences organized by member countries, and keep contact with Ramsar Convention's Secretariat.

- To enforce the national legislation on wild fauna and flora and hold training conferences on the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) for Vietnamese relevant agencies.

- To enhance capability to implement CITES by CITES competent agencies by raising accessibility (for example: translation from English into Vietnamese) to CITES documents and participating in Conference of CITES member countries. To enter into efficient cooperation in implementation of activities of the Organization for Control of Trade in Fauna and Flora (TRAFFIC).

- To enhance the control along mainland and sea border lines as well as border gates between Vietnam and foreign countries.

- To encourage the coordination in the enforcement of CITES between Vietnam and neighboring countries. To elaborate the national plan of action for enhancing the control of illegal and unsustainable trade in wild fauna and flora. To elaborate the regional strategy on trade in wild fauna and flora in order to ensure international cooperation efforts for settlement of matters related to trade in wild fauna and flora.

- To closely cooperate with TRAFFIC in enhancing the investigation of illegal trade in fauna and flora (for example: sea turtles).

9. Strategy's priorities:

- To establish a necessary legal framework for the management of the system of nature conservation zones. To study and elaborate the Nature Conservation

Law to regulate social relation in the management of natural resources, bio-diversity conservation and management of the system of nature conservation zones.

- To organize a national body to act as the main agency in managing more efficiently the nature conservation zones in accordance with administrative reform contents.

- To establish and connect the official communication between the management boards and agencies responsible for development of the buffer zones in order to consider decisions on development in both nature conservation zones and buffer zones.

- To elaborate plans on management of nature conservation zones and regulations permitting the implementation of activities to develop conservation zones so as to evaluate and review general activities and financial plans; to upgrade necessary infrastructures in direct support of the management, upgrading and provision of field equipment for nature conservation zones.

Article 2.- Organization of implementation:

- The Ministry of Planning and Investment and the Ministry of Finance shall have to apportion and allocate capital sources, coordinate general fundings, financing sources and annual State budget sources for nature conservation zones of various types.

- The Ministry of Science and Technology shall assume the prime responsibility for elaborating programs and plans on scientific research subjects for natural resource protection and bio-diversity conservation, which shall serve as bases for the efficient management of nature conservation zones.

- The Ministry of Agriculture and Rural Development shall have to organize the management of nature conservation zones belonging to the system of special-use forests.

- The Ministry of Aquatic Resources shall have to organize the management of marine conservation

zones.

The Ministry of Natural Resources and Environment shall have to organize and manage submerged nature conservation zones.

- The Ministry of Education and Training shall have to organize the inclusion of education contents on natural resource protection, bio-diversity conservation and nature conservation zone protection into teaching contents in schools.

- The Ministry of Culture and Information shall have to coordinate with the ministries assigned to manage nature conservation zones in well performing the work of information and communication.

- Social organizations shall, within their respective functions, participate in information-education-communication activities, encourage their members to actively participate in activities of protection of nature conservation zones at communities.

- The provincial/municipal People's Committees shall have the responsibility and highest competence to implement the strategy in their respective localities, establish appropriate organizational structures in localities, elaborate specific plans of action for implementation of the strategy, and direct the district level to materialize the strategy's contents. To coordinate with the ministries, central branches and donors in attracting capital sources and technical support in order to step up the implementation of the strategy.

Article 3.- This Decision takes effect 15 days after its publication in the Official Gazette.

Article 4.- The ministers, the heads of the ministerial-level agencies, the heads of the agencies attached to the Government and the presidents of the People's Committees of the provinces and centrally-run cities shall have to implement this Decision.

For the Prime Minister
Deputy Prime Minister
NGUYEN TAN DUNG