

**DECISION No. 104/2007/QĐ-BNN OF  
DECEMBER 27, 2007, PROMULGATING THE  
REGULATION ON MANAGEMENT OF  
ECOTOURISM ACTIVITIES IN NATIONAL  
PARKS AND NATURE RESERVES**

**THE MINISTER OF AGRICULTURE AND  
RURAL DEVELOPMENT**

*Pursuant to the 2004 Law on Forest Development  
and Protection;*

*Pursuant to the Government's Decree No. 86/  
2003/ND-CP of July 18, 2003, defining the functions,  
tasks, powers and organizational structure of the  
Ministry of Agriculture and Rural Development;*

*Pursuant to the Government's Decree No. 23/  
2006/ND-CP of March 3, 2006, on implementation  
of the Law on Forest Development and Protection;*

*Pursuant to the Prime Minister's Decision No.  
186/2006/QĐ-TTg of August 14, 2006, promulgating  
the Forest Management Regulation;*

*At the proposal of the director of the Forest  
Management Department,*

**DECIDES:**

**Article 1.-** To promulgate together with this  
Decision the Regulation on management of  
ecotourism activities in national parks and nature  
reserves.

**Article 2.-** This Decision takes effect 15 days after  
its publication in "CONG BAO."

**Article 3.-** Presidents of provincial/municipal  
People's Committees, heads of units attached to the  
Ministry of Agriculture and Rural Development,  
directors of provincial/municipal Agriculture and

Rural Development Services, directors of management boards of national parks and nature reserves, and concerned organizations and individuals shall implement this Decision.

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

## REGULATION ON MANAGEMENT OF ECOTOURISM ACTIVITIES IN NATIONAL PARKS AND NATURE RESERVES

*(Promulgated together with the Agriculture and Rural  
Development Minister's Decision No. 104/2007/QĐ-  
BNN of December 27, 2007)*

### *Chapter I*

#### GENERAL PROVISIONS

##### *Article 1.-* Scope of regulation

This Regulation applies to ecotourism activities in national parks and nature reserves which are established under decisions of the Prime Minister or provincial/municipal People's Committees. Other tourist activities in national parks and nature reserves comply with the laws on tourism, forest protection and environmental protection.

##### *Article 2.-* Subjects of application

Management boards of national parks or nature reserves, domestic and foreign organizations and individuals doing ecotourism business; agencies, organizations, individuals, tourists and communities of localities participating in ecotourism activities in

national parks and nature reserves prescribed in Article 1.

##### *Article 3.-* Interpretation of terms

1. *Ecotourism* means a form of nature-based tourism associated with indigenous cultural characteristics and involving local communities' participation with a view to ensuring sustainable development, meeting the present tourist demand without affecting the capability to meet the future tourist demand.

2. *Ecotourism path* means a path in a national park or nature reserve which is made for pedestrian tourists to explore the nature and simultaneously used for forest and natural resources protection patrol. The path is designed with minimum environmental impacts.

3. *Observation tower* means a work built for tourists to observe particularities of plant species and habits of wild animals in national parks or nature reserves and simultaneously used for forest protection and forest fire prevention and control.

4. *Forest environment lease* means leasing out part of forest land and forests of national parks or natural reserve to organizations and individuals for the ecotourism business purpose in combination with forest development and protection.

##### *Article 4.-* Principles of organizing ecotourism

1. Ecotourism activities must not affect natural developments of ecosystems, natural life of wild plant and animal species, natural landscapes as well as the cultural identity of local communities in national parks and nature reserves.

2. Profits earned from ecotourism services must be reinvested in biodiversity conservation in national parks and nature reserves. The reinvestment ratio complies with state regulations.

3. Local communities may participate in and benefit from ecotourism activities in order to raise

their incomes and awareness about responsibilities of biodiversity and nature conservation.

## *Chapter II*

### MANAGEMENT OF ECOTOURISM ACTIVITIES

#### *Article 5.- Prohibited activities*

1. Using vehicles and equipment causing noise or environmental pollution for ecotourism purposes.

2. Collecting forest products, unlawfully hunting wild animals and other activities causing adverse impacts on ecosystems in national parks and nature reserves.

3. Bringing into national parks and nature reserves hazardous chemicals, explosives or inflammable substances, scattering rubbish in national parks and nature reserves.

4. In ecotourism activities, bringing into national parks and nature reserves harmful exotic species;

5. Other acts that cause adverse impacts on ecotourism and forest protection facilities.

#### *Article 6.- Modes of organizing ecotourism*

1. Ecotourism activities to be carried out by management boards of national parks or nature reserves:

*a/* Ecotourism activities in national parks and nature reserves must be organized under specific schemes subject to approval of competent state agencies defined in Article 9 of this Regulation. Ecotourism infrastructure must be built in compliance with regulations on capital construction investment.

*b/* National parks and nature reserves may establish centers for ecotourism and environmental education. The operation of these centers complies with Clause 3, Article 16 of the Prime Minister's Decision No.

186/2006/QĐ-TTg of August 14, 2006, promulgating the Forest Management Regulation.

*c/* Every national park or nature reserve with ecotourism activities shall assign staff in charge and adopt plans on training and developing ecotourism human resources. Assigned ecotourism guides must be knowledgeable about nature conservation, biodiversity, tourism and indigenous culture. Tour guides must meet requirements prescribed by the Tourism Law.

2. Forest environment lease for ecotourism business

*a/* Management boards of national parks or natural reserves may lease forest environment to organizations and individuals for ecotourism development. Forest environment rents shall be set in accordance with Decree No. 48/2007/ND-CP of March 28, 2007, on principles and methods of pricing different kinds of forests, and approved lease schemes.

*b/* Schemes on forest environment lease for ecotourism development:

- Shall be publicized among and associated with local communities; local communities may participate in tourist activities.

- Sites for forest environment lease for ecotourism business can be landscapes which have historical and/or cultural values and diversified and rich forest flora and fauna; the sites' ecosystems can accommodate a certain number of visitors, pose no risk to indigenous culture, are safe for visitors and do not affect national security and social order.

- Ecotourism units shall make environmental impact assessment reports in accordance with the Environmental Protection Law.

- Forest environment rents shall be specified based on locations, positions, natural view and existing forest natural resources and infrastructure.

*c/* The duration of forest environment lease for ecotourism activities development must not exceed 50 years. Every ten years, the lease contract shall be

considered for extension on the basis of environmental impact assessment results of the forest environment lease.

d/ To strictly prohibit organizations and individuals leasing forest environment in national parks and nature reserves from:

- Changing forest use purposes
- Harming natural resources on and under the leased forest land.

Forest environment lease provisions shall be specified by management boards of national parks or nature reserves according to current regulations.

### 3. Joint venture, association and other forms of investment for ecotourism development

Other forms of investment to develop ecotourism such as joint venture and association shall be decided by management boards of national parks or nature reserves on the basis of appraised or approved ecotourism development schemes and projects.

#### **Article 7.- Other provisions on ecotourism**

##### 1. Conservation education combined with ecotourism

a/ Management boards of national parks or natural reserves shall adopt plans to integrate conservation education and propagation into ecotourism activities for tourists and local communities. Conservation education shall be included in annual action programs of management boards.

b/ Organizations and individuals doing ecotourism business shall educate and raise awareness about conservation for tourists.

##### 2. Sightseeing tickets and other service fees

a/ Levels of tourist and sightseeing fees comply with legal provisions on fees and charges.

b/ Levels of tourist and sightseeing service charges conform with contracts or agreements between organizations or individuals doing tourism business and tourists.

c/ Organizations and individuals leasing forest environment for ecotourism business must reach agreement with management boards of national parks or nature reserves before announcing prices of sightseeing tickets and services.

##### 3. Local communities and ecotourism activities

a/ Organizations and individuals doing ecotourism business shall prioritize local communities' participation in ecotourism activities, creating jobs and step by step raising local people's living conditions.

b/ Local communities may participate in and enjoy lawful benefits from tourist activities and at the same time shall protect natural resources and, preserve the identity of indigenous culture; maintain security, social order and safety and environmental sanitation to create tourist attractiveness.

c/ Local communities shall be facilitated to invest in tourist development, and restore and develop forms of folklore and folk art and traditional trades and crafts; produce local goods for ecotourists, contributing to improving local people's material and spiritual life.

##### 4. Management of wastes from tourist activities

a/ Guest houses and working offices in national parks and natural reserves must have wastewater collection and treatment systems and wastewater must not be discharged directly into forests river and stream systems; wastewater from tourist businesses must be treated up to current prescribed standards.

b/ Solid wastes and garbage must be collected and treated in prescribed places; inorganic, hazardous and non-decomposable wastes must be treated outside national parks and natural reserves.

#### **Article 8.- Responsibilities of organizations and individuals engaged in ecotourism activities**

Organizations and individuals engaged in ecotourism activities shall observe the laws on forest development and protection; environmental protection; tourism; and heritage. In addition, they

shall comply with the following provisions:

1. Responsibilities of management boards of national parks or nature reserves

a/ To manage and protect forests, prevent and fight forest fires in the areas leased for ecotourism development.

b/ To specify the maximum number of tourists allowed to visit and stay in forests (within accommodation capacity of forest environment) for one day/site based on the assessment of ecotourism activities' adverse physical, ecological, scenic and social impacts on national parks or nature reserves.

c/ To elaborate regulations and rules for tourist management which must specify prohibited acts for tourists.

2. Responsibilities of organizations and individuals doing ecotourism business

a/ To manage and protect forests, prevent and fight forest fires in the forest areas used for ecotourism business, to disseminate state regulations and laws on nature conservation and environmental protection to tourists.

b/ To comply with legal provisions on forest and biodiversity protection, to be subject to supervision of management boards of national parks or nature reserves and observe their rules.

c/ To build infrastructure for ecotourism development in compliance with Article 10 of this Regulation.

d/ Not to unlawfully breed or keep wild animals; to get approval of management boards of national parks or natural reserves when planting trees in the forest areas leased for tourism purposes.

e/ To facilitate local communities to participate in tourist services, to prioritize recruitment of local people.

3. Responsibilities of tourists

a/ To sightsee in permitted areas under forest

management boards' instruction.

b/ Not to approach wild animals too closely; not to hunt wild animals, collect forest plant samples, and prospect soil, rocks and minerals in national parks and nature reserves.

c/ Not to illegally trade in forest plant products and wild animals.

d/ To observe rules and regulations of national parks and nature reserves.

**Article 9.-** Competence to approve ecotourism development schemes

1. The Ministry of Agriculture and Rural Development may appraise and approve ecotourism development schemes of national parks and nature reserves under its management.

2. Provincial/municipal People's Committees may appraise and approve ecotourism development schemes of national parks and nature reserves under their management after consulting the Ministry of Agriculture and Rural Development.

Within 10 days from the date of receiving localities' proposals on ecotourism development schemes, the Ministry of Agriculture and Rural Development shall give its opinions in writing for provincial/municipal People's Committees to consider and approve.

### Chapter III

#### DEVELOPMENT AND EXPLOITATION OF ECOTOURISM POTENTIAL

**Article 10.-** Ecotourism infrastructure construction

When building ecotourism infrastructure in national parks and nature reserves, forest environment leasing organizations and individuals or forest management boards shall comply with Article 22 of Decision No. 186/2006/QĐ-TTg and the following principles:

1. To make environmental impact assessment reports in accordance with the Environmental

Protection Law before building ecotourism infrastructure.

2. Not to affect natural ecological developments and change the habitat of forest plants and wild animals as well as stream flows and natural views in the areas.

3. To restrict the on-the-spot exploitation of materials (outside the area allowed for construction) in national parks and nature reserves to build infrastructure works, to avoid causing landslide and logging trees in areas planned for construction of tourism works.

4. Guest houses for tourist purposes must only be built within administrative service zones and ecological restoration zones according to approved schemes. Ecotourism guest houses' architecture must conform and have local traditions with a maximum height of 12 m.

5. Camping areas must be within administrative service zones and located at certain points in ecological restoration zones; camping areas shall be selected based on natural conditions with a view to reducing tree logging and ground leveling.

6. Land for construction of tourism infrastructure works must be used in compliance with Article 29 of the Government's Decree No. 23/2006/ND-CP of March 3, 2006, on implementation of the Law on Forest Development and Protection Law.

**Article 11.-** Investment in ecotourism development and nature conservation

1. Organizations and individuals are encouraged to make investment in ecotourism development in the forms of joint venture, association and forest environment lease. National parks and nature reserves shall develop ecotourism under plans, programs and schemes approved by competent agencies.

2. Management boards of national parks or nature reserves shall develop and propose tourist development programs and projects and submit them to competent agencies for approval.

#### *Chapter IV*

### **MONITORING AND EVALUATION**

**Article 12.-** People's Committees of all levels shall monitor and evaluate ecotourism management in national parks and nature reserves under their management

**Article 13.-** The Forest Management Department shall advise the Ministry of Agriculture and Rural Development on the Ministry's coordination with concerned agencies in managing ecotourism activities in national parks and nature reserves nationwide.

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