

<b>GOVERNMENT</b> -----	<b>SOCIALIST REPUBLIC OF VIETNAM</b> <b>Independence – Freedom – Happiness</b> -----
No.: 119/2016/ND-CP	<i>Hanoi, August 23, 2016</i>

## DECREE

### POLICIES ON SUSTAINABLE MANAGEMENT, PROTECTION AND DEVELOPMENT OF COASTAL FORESTS TO COPE WITH CLIMATE CHANGE

*Pursuant to the Law on Organization of the Government dated June 19, 2015;*

*Pursuant to the Law on forest protection and development dated December 03, 2004;*

*Pursuant to the Law on land dated November 29, 2013;*

*Pursuant to the Law on resources and environment of sea and islands dated June 25, 2015;*

*At the request of the Minister of Agriculture and Rural Development;*

*The Government promulgates a Decree to provide for policies on sustainable management, protection and development of coastal forests to cope with climate change.*

#### **Article 1. Scope**

1. This Decree provides for a number of policies for the management, protection and sustainable development of coastal forests in response to climate change.
2. Coastal forests in this Decree include special-use forests, protective forests and land plots for protection and special-use forests in coastal and island areas (hereinafter referred collectively to as coastal forests).

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

This Decree applies to agencies, organizations, households, individuals and population communities in the country; Vietnamese residing overseas and foreign organizations and individuals engaged in activities related to the management, protection, utilization and development of coastal forests in Vietnam.

#### **Article 3. Coastal forest management**

1. The localities shall review and convert the coastal land areas planned for production forests or other types of land that are being eroded or affected by sand, sand, mobile to seriously plan. planting coastal protection forests. In cases where the coastal forests have been allocated to households and economic organizations but are important for responding to climate change, the State shall consider the recovery, acquisition or compensation of the value of assets of the households. families, organizations that have invested in accordance with the law dd to plan tr oh ng coastal protective forests.
2. The local organization review and transfer of public construction projects that affect or influence the risk

of the protection function of coastal forest. To ensure regional planning of coastal protection forests crucially and very fully, bank protection corridors shall be established. For land planning to protect and develop coastal forests but the land user voluntarily convert the land for other purposes and has been sanctioned for administrative violations in behavior using land for improper purposes that through repeated violations the State recovers land.

3. Investment projects with conversion of forest land and coastal forest land use purposes shall comply with the provisions of law on forest protection and development and the land legislation.

#### **Article 4.- The State's investment policy in the management, protection and development of coastal forests**

1. Local budgets shall ensure funds for the management, protection and development of coastal forests according to the approved plans and estimates and the provisions of law on the state budget, including:

a / To make forest statistics, inventory and monitor the evolution of forest resources;

b / Organizing the assignment and lease of coastal forests;

c / The operation of the management board of the special-use forest and coastal protection forest shall be decided by the competent State agency;

d) Propaganda and education; forestry extension; capacity building, awareness about the role and function of coastal forest in response to biodiversity and climate;

e / Research and application of scientific and technical advances in the protection, use and development of coastal forests;

e) Investment, funding beyond the level of support and investment from the central budget referred to in paragraph 2, paragraph 3 of this Article under conditions that are local.

2. The central budget to ensure funding economic conversion of forest protection and regeneration to ensure natural regeneration coastal forest.

a) The level of funding to support conversion protecting coastal forests exceed 1.5 times the average rate conversion protective forests under current regulations.

b) The natural resource for natural regeneration is VND 4 million / hectare in 5 years (average VND 800,000 / hectare / year).

c) Funding conversion documented conversion of forest protection and regeneration of natural regeneration of 50,000 / hectare, made only the first year for the new area conversion.

3. The central budget shall invest in the development of coastal forests under projects approved by competent state agencies, including:

a) Investigation, protection planning and development of coastal forests;

b / To plant new forests or renovate poor-quality coastal forests which are not capable of being restored according to the approved economic and technical norms, designs and cost estimates with the duration of planting and care for 5 years;

c) Natural zoning for regeneration combined with additional planting according to approved economic

and technical norms, designs and cost estimates for protection forests and special-use forests in coastal areas, which are of poor quality and not up to the criteria for the forest;

d / To build works to prevent landslides, cause accretion and creation of grounds for restoration and development of coastal forests in silviculture projects approved by competent state agencies ;

e) Construction works and procurement of equipment Direct TV service é p for protection and development of coastal forests;

e) Management, inspection and acceptance of projects on protection and development of coastal forests.

4. The elaboration, appraisal and submission for approval of investment projects on the protection and development of coastal forests mentioned in Clauses 2 and 3 of this Article shall comply with the current law provisions on public investment.

#### **Article 5.- Investment capital sources for management, protection and development of coastal forests**

**1. State budget allocations through programs and projects approved by competent state agencies: The program on sustainable forestry development; National program of poverty reduction objectives b ê n firmly; Target Program to respond to climate change and green growth and other programs and projects according to current regulations of the state.**

**2. Funded capital, international loans, ODA capital and other lawful capital sources.**

**3. The investment fund shall be implemented from the capital sources mentioned in Clauses 1 and 2 of this Article. In that stupid oh n v stains n the cause of economic power and industrial equipment :**

**a) local authorities are not able to balance the investment budget, supported v stain n targeted from the central budget.**

**b) The self-balancing local budgets are responsible b abominable position from local budgets and other sources mobilized e To perform the duty to protect and develop coastal forests.**

**4. Procedures for capital allocation, management and use shall comply with the separate provisions of each capital source prescribed in Clauses 1 and 2 of this Article.**

#### **Article 6. Activities to encourage the socialization of investment in the protection, development and use of coastal forests**

**1. Investment in forest protection, reforestation, planting timber forest products, agroforestry production and aquaculture under the forest canopy in the coastal areas of forest To n.**

**2. Investment in the construction of works causing coastal erosion, coastal mangrove rehabilitation, ecotourism development and forest environment services in the allocated, encumbered or leased forest areas. stable and long-term in line with the forest protection and development planning approved by the competent state agency.**

**3. Organizations and individuals, households were allocated, k conversion of forest, coastal forest lease To n order to protect and develop forests in accordance with the law.**

**4. Forest owners may cooperate with organizations and individuals to invest in activities**

mentioned in Clauses 1 and 2 of this Article.

**Article 7.- Interests of organizations, enterprises, households and individuals investing in the protection, development and use of coastal forests**

1. To enjoy all products from self-investment capital.

2. Economic organizations shall be exempted from renting coastal forests in the following cases :

a / In cases where the forest lease decisions are issued after the effective date of this Decree, they shall be exempt from coastal forest rents for the first 5 years as from the date they are decided by the competent State agencies to lease forests.

b) Where a decision to lease the forest before the point of this Decree takes effect lease term forest for 5 years or more, rent exemption forest for 5 years from the date of this Decree h i specific magnification enforceable.

c) Where a decision to lease the forest before the time of this Decree takes effect, but the lease term forest less than 5 years, a mi • Preparatory n ti è n forest lease to expiry of the remaining lease record in the decision to lease the forest.

Developed brands of business products derived from the forest environment and coastal forest ecosystems.

4. To be compensated for labor fruits and investment results according to regulations when the State issues decisions to recover forests.

5. Decision on exemption from coastal rent

a / For cases of renting forests defined at Point a, Clause 2 of this Article, the forest rent exemption duration stated in the forest lease decision .

b) In case of forest lease provisions in Points b and c, Clause 2 of this Article, organize forest lease send written proposals mi • Preparatory n ti è n forest lease together with copies Decision forest lease by mail or directly to the provincial People's Committee.

c) Within 10 working days from receipt v ã n proposals, Commission provincial people to decide the mi • Preparatory n ti è n forest rent for organization suggested. Free rental period forest is recorded specifically in decision making.

**Article 8.- Obligations of organizations, enterprises, households and individuals investing in the protection, development and use of coastal forests**

1. Organizations, businesses, households and individuals investing in the protection, development and use of coastal forests are obliged to protect, not degrade the quality of the area and the assigned forests, k transposed , lease; Planting, tending, protecting and nurturing forests up to the time of forestation according to regulations; Organizing the prevention and fight against forest fires, preventing and destroying organisms harmful to forests according to the provisions of law; environmental protection, landscape; not hinder the protection of national security and g i pond through sea.

2. For organizations and enterprises engaged in ecotourism and coastal environmental services, they are obliged to:

a) Payment of forest environmental services at the levels and payment mechanisms by Committee provincial People's regulations.

b) Develop a mechanism for sharing responsibilities and interests with the consent of the participants and investors.

**Article 9.- Types of forests, subjects and conditions to be supported and modes of contracting forests for protection, natural regeneration for coastal forests**

1. Types of forests to be supported for conversion and natural regeneration: The area of protection and special-use forests in coastal areas allocated by the State to the special-use forest management boards, the protection forest management boards and the companies forestry management; protection forest area, coastal special use not yet assigned or leased by the Committee of the commune, ward or township (hereinafter referred to as the Committee of the commune people) management.

2. Subjects eligible for assistance: Organizations, households and individuals that are living in coastal communes for the purpose of forest protection and zoning off for regeneration of coastal forests under convention .

3. A. Conditions supported

a) Being subjects defined in Clause 2 of this Article.

b) certificate of land use rights, decided FLA coastal To n the state agency with jurisdiction or where e oh ng k transposed forest protection and regeneration of coastal forest of the Board of SUF management boards of protection forests and forestry companies or Commission commune people.

c) is committed to protecting the forest with Board of special use forests, protection forest management units, forest companies or Commission commune people prescribed.

d) Was the assigned k transposed to accept the results of forest protection.

4. Method k conversion of forest protection and regeneration of natural coastal forests done through contract k transposed according to the current regulations.

a) the transferor k conversion : management boards of protection forests and special-use forest management boards, forest companies, Commission commune people.

b) the transferee k transposed Organizations, households e ì nh individuals who live permanently in the coastal communes with forests.

c) Every year, the principal k transposed responsible contracting k conversion , testing, evaluating the results of implementation of the contract towards the k transposed prescribed. Results acceptance row n ä m is the basis for the allocation k swap payment and settlement of funds.

**Article 10.- Estimated annual investment capital for protection and development of coastal forests**

1. The provincial / municipal People's Committees shall synthesize the estimates for protection and development of coastal forests in the subsequent year's forest protection and development plans and send them to the Ministry of Agriculture and Rural Development before June 30 every

year. for synthesis, in which:

a / Determining the area and cost estimates for forest protection and conversion for coastal forests for each type of forest and subjects eligible for support according to the provisions of Article 9 of this Decree.

b) Determining the volume and estimated cost of investment in coastal forest development under projects approved by competent state agencies defined in Clause 3, Article 4 of this Decree.

2. The Ministry of Agriculture and Rural Development sum k plan conversion of forest protection, forest regeneration coastal To n and development of forests coastal To n the local before July 30 every year, statistics the Ministry of Finance, Ministry of Planning and Investment to balance e stain i funding.

#### **Article 11.- Responsibilities of the concerned ministries and branches**

##### **1. Responsibilities of the Ministry of Agriculture and Rural Development**

a / To assume the prime responsibility for, and coordinate with concerned ministries and branches in, guiding localities to effectively implement this Decree; direct the propaganda, ph drive variable text Legal I UAT to protect and develop coastal forests To n.

b / To sum up the annual coastal and forest protection and development plans in the annual and five-year forest protection and development plans of the whole country and send them to the Ministry of Planning and Investment and the Finance Ministry for submission to the Prime Minister for consideration. decision.

c) Promulgating documents guiding technical and economic-technical norms on the protection and development of coastal forests; Guide to review planning of coastal forest systems; technical guidance on agro-forestry production, aquaculture in coastal forests; To assume the prime responsibility for technical evaluation of projects on protection and development of coastal forests according to the list of projects approved by the Prime Minister.

d) To direct and implement the inspection, examination and handling of violations of executive documents, legal, regulations, process , and technical regulations on the protection and development of coastal forests.

e / To inspect, supervise and evaluate the implementation of this Decree; To annually sum up the results of implementation of reports to the Government and the Prime Minister and send them to the concerned ministries and branches.

##### **2. Responsibilities of the Ministry of Planning and Investment**

Preside and coordinate with the Ministry of Finance and Ministry of Agriculture and Rural Development to balance and b abominable position of capital investment implemented this policy. To coordinate with the Ministry of Agriculture and Rural Development in inspecting, supervising and evaluating the results of implementation of policies.

##### **3. Responsibility of the Ministry of Finance**

To assume the prime responsibility for, and coordinate with the Ministry of Planning and Investment and the Ministry of Agriculture and Rural Development in, ensuring non-business capital for management, protection and development of coastal forests and activities prescribed in this Decree. To guide organizations and individuals to strictly comply with the current financial

regulations.

#### **4. Responsibilities of the Ministry of Natural Resources and Environment**

To guide, monitor and inspect the recovery of land by organizations, households and individuals that illegally use land areas within the coastal protection corridors, dike protection corridors and planning; to protect and prevent the decay of the coastal forest conversion but for the wrong purpose to restore and reforest.

Responsibilities of other ministries and branches: According to their assigned functions and tasks, to organize the implementation of relevant contents in this Decree.

#### **Article 12.- Responsibilities of the People's Committees of coastal provinces and cities**

1. Arrange funds local budgets and integrating sources (central budget, local budgets and other sources) to ensure implementation of objectives, effective management, protection and development of coastal forests according to the current regulations of the Budget Law, this Decree, current relevant legal documents and reality of the local.

2. Organizing propaganda and education to raise awareness for all classes in society about the role and functions of protection of coastal forests; Mobilizing people and economic sectors to actively participate in protecting and investing in developing coastal forests in response to climate change; To organize the management and protection of coastal forests according to current regulations; implementing effective policies locally.

3. To direct functional agencies and forest owners to review, formulate, appraise and approve investment projects, plans and programs related to the protection, development and use of coastal forests according to regulations. This Decree and current regulations on investment; In particular, the content of socialization of investment in protection, utilization and sustainable development of coastal forests.

4. Organize a Survey, reviewing and planning, and plans to protect coastal forest development; Coastal forest planning is clearly defined, clearly demarcated on the map and in the field; recovery for the area of land under protection corridor coast, the safety corridor dike protection, planning area to protect and develop coastal forests that organizations, households or a family or individual occupied, used or converted to restore the wrong purposes, protecting the coastal forest.

5. To organize the inspection and supervision of the implementation of policies on management, protection and development of coastal forests in their respective localities; annual performance report sent to Ministry of Agriculture and Development of Rural Areas To provide report to the Government, the Prime Minister.

#### **Article 13. Effectiveness**

1. This Decree shall take effect in Australia, an executive from October 10, 2016.

2. In the case of multiple mechanisms, investment policies, management support, protect and develop coastal forests same content are applied in accordance with the provisions of this Decree.

#### **Article 14.- Responsibility for implementation**

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 Decree.

***Recipients:***

- Secretariat of the Party Central Committee;
- Prime Minister, Deputy Prime Ministers;
- Ministries, ministerial-level agencies, government-attached agencies;
- People's Councils, People's Committees of provinces and cities under central authority;
- Van Central Committee of the Party and the Committee;
- Office of General Bimail;
- Office of the President;
- Ethnic Council and committees of the National Assembly;
- Office of the National Assembly;
- Supreme People's Court;
- People's Procuratorate of the Supreme;
- State Audit;
- Commission National Financial Supervision Authority;
- Vietnam Bank for Social Policies;
- Vietnam Development Bank;
- The Central Committee of the Vietnam Fatherland Front;
- Central bodies of mass organizations;
- Office: Chairman, Deputy Chairmen, Assistant I reviews TTg, CEO C pipes TTĐT, departments, units directly under, the Gazette;
- Save: VT, KTN (3b). M

**Article 1. Scope**

1. This Decree provides for a number of policies on sustainable management, protection and development of coastal forests to cope with climate change.

2. Coastal forests mentioned in this Decree include special-purpose forests, protective forests and land

planned for planting of protective and special-purpose forests in coastal area and islands (hereinafter referred to as coastal forests).

## **Article 2. Regulated entities**

This Decree applies to domestic agencies, organizations, households, individuals and residential communities; Vietnamese people residing abroad and foreign organizations and individuals involved in the management, protection, use and development of coastal forests in Vietnam.

## **Article 3. Management of coastal forests**

1. Local governments shall check and change use purpose of coastal land area planned for planting of production forests or other land area suffers from soil erosion or seriously affected by flowing or moving sand into land planned for planting of coastal protective forests. In case a coastal forest is allocated to a household or economic organization but it has importance to coping with climate change, the Government shall consider recovering, acquiring or compensating for the value of assets invested by that household or economic organization in accordance with the law regulations in order to make plan for planting of coastal protective forests.

2. Local governments check and relocate construction works which affect or pose threat to affect protective purposes of coastal forests to the outside of planning area for important and very important coastal protective forests, and coastal protection corridors. If a land user who has faced an administrative penalty for improper use of the land area which is planned for protection and development of coastal forests keeps committing that violation, the Government shall recover the land.

3. Investment projects that require change of use purpose of coastal forests and coastal forest land shall be executed in accordance with regulations of the law on forest protection and development, and the law on land.

## **Article 4. The Government's policies on investment in management, protection and development of coastal forests**

1. Expenditures on management, protection and development of coastal forests shall be derived from local government budgets according to approved plans and/or estimates, and regulations of the law on stage budget, consisting of:

- a) Forest inventory and statistics, and monitoring of changes in forest resources;
- b) Allocation and lease of coastal forests;
- c) Activities of management boards of coastal special-purpose and protective forests upon decision of competent state authorities;
- d) Propagation, education; forestry extension; improvement of capacity and awareness of roles and functions of coastal forests in coping with the climate change;
- dd) Research and application of technical and scientific advances to the protection, use and development of coastal forests;
- e) Investments or supports other than those provided by the central-government budget as referred to in Clause 2 and Clause 3 of this Article may be made subject to actual conditions of each local region.

2. Administrative expenditures on contracted forest protection and regeneration of coastal natural forests

shall be derived from the central-government budget.

a) The support rate for contracted protection of coastal forests shall be equal to 1.5 times the average support for contracted protection of protective forests in accordance with current regulations.

b) The expenditure level for regeneration of natural forests is 4 million VND/hectare for 5 years (average amount is VND 800,000/hectare/year).

c) The expenditure level on preparing documents of contracting for forest protection and regeneration of natural forests shall be VND 50,000/hectare and applied in the first year to forest area requiring protection on contractual basis.

3. Funding from the central-government budget shall be provided to make investment in development of coastal forests according to projects approved by competent state authorities, consisting of:

a) Investigation and planning for protection and development of coastal forests;

b) Afforestation and rehabilitation of coastal forests that have poor quality in accordance with technical – economic norms, approved design and estimates with the period for afforestation and caring of 5 years;

c) Regeneration in combination with additional afforestation of coastal protective forests and special-purpose forests which are natural forests, have poor quality and fail to meet forest criteria in accordance with technical – economic norms, approved design and estimates;

d) Construction of anti-landslide and alluvial ground works in order to restore and develop coastal forests in silvicultural projects approved by competent state authorities;

dd) Construction of works, purchase of equipment to directly serve the protection and development of coastal forests;

e) Management, inspection and acceptance of projects on protection and development of coastal forests.

4. Preparation, appraisal and submission for approving projects on investment in protection and development of coastal forests mentioned in Clause 2 and Clause 3 of this Article in accordance with regulations of applicable laws on public investment.

#### **Article 5. Funding for management, protection and development of coastal forests**

1. Funding from state budget shall be provided through programs/projects approved by competent state authorities: Target program for sustainable development of forestry, National target program for sustainable poverty reduction, Target program for coping with climate change and green growth, and other programs/ projects in accordance with the Government's regulations.

2. International assistance and loans, ODA and other legitimate sources of capital.

3. Investment expenditures are also derived from the sources of capital mentioned in Clause 1 and Clause 2 of this Article. In which, non-business capital sources shall be executed as follows:

a) Local governments that fail to balance their budgets shall receive dedicated funding for investment and assistance from the central-government budget.

b) Local governments that have balanced their budgets shall provide funding from local-government budgets and mobilize other sources of capital to fulfill the task of protecting and developing coastal

forests.

4. Procedures for allocation, management and use of funding shall be carried out in accordance with specific regulations applied to each type of capital sources mentioned in Clause 1 and Clause 2 of this Article.

#### **Article 6. Activities to encourage the private sector involvement in protection, development and use of coastal forests**

1. Make investment in forest protection, afforestation, cultivation of non-timer forest trees, combined agricultural – forestry production, and aquaculture under the forest in coastal forest area.
2. Make investment in construction of anti-landslide and alluvial ground works, restoration of coastal mangrove forests, development of ecotourism and forest environment services within the forest area that is allocated, contracted or leased with stable and long-term period in conformity with planning for protection and development of forests approved by competent state authorities;
3. Organizations, individuals or households may receive land allocation, allocation of forest under contractual basis or may lease coastal forests in order to protect and develop forests in accordance with law regulations.
4. Forest owners may associate with other organizations or individuals to make investment in activities mentioned in Clause 1 and Clause 2 of this Article.

#### **Article 7. Rights and benefits of organizations, enterprises, households and individuals making investment in protection, development and use of coastal forests**

1. Receive benefits from products generated from the investment.
2. Economic organizations shall be exempted from payment of forest rents in the following cases:
  - a) An economic organization that obtains a decision on forest lease after the effective date of this Decree shall be exempted from payment of forest rents within the 5 first leasing years as of the issued date of that decision on forest lease.
  - b) An economic organization that obtains a decision on forest lease before the effective date of this Decree shall be exempted from payment of forest rents within the 5 years as of the effective date of this Decree provided that the forest leasing duration under that decision remains 5 years or more.
  - c) If a decision on forest lease is made before the effective date of this Decree but the remaining leasing duration is under 5 years, the economic organization shall be exempted from payment of forest rents until ending the leasing duration specified in that decision.
3. Develop trademarks of products originated from coastal forests and coastal forest ecosystems.
4. Receive compensation for working or investment results as referred by laws when the Government makes decision on withdrawal of forests.
5. Decision on exemption from coastal forest rents:
  - a) In case of lease of forests as regulated in Point a Clause 2 of this Article, the period of exemption from forest rents is specified in the issued decision on forest lease.

b) In case of lease of forests as regulated in Point b Clause 2 of this Article, the forest lessee must, by hand or by post, submit a written request for exemption from forest rents, enclosed with decision on forest lease, to provincial-level people's committee.

c) Within 10 working days from the receipt of written request, the provincial-level people's committee shall make a decision on exemption from forest rents to the forest lessee. The period of exemption from forest rents shall be specified in that decision.

### **Article 8. Obligations of organizations, enterprises, households and individuals making investment in protection, development and use of coastal forests**

1. Organizations, enterprises, households and individuals making investment in protection, development and use of coastal forests must protect, not make reduction of area and quality of allocated, contracted or leased forest area; plant, care, protect and culture the forests until they meet forest criteria as regulated; implement forest fire fighting and prevention techniques, and forest pest control methods in accordance with law regulations; protect environment and landscape; not cause obstruction in protection of national security and sea transportation.

2. Providers of coastal forest ecotourism services and coastal forest environmental services shall discharge the following duties:

a) Pay forest environmental service charges according to the rate and payment methods adopted by provincial-level people's committees.

b) Formulate regulations on sharing responsibilities and interests with the agreement of participants in investment and association.

### **Article 9. Types of forests, entities, conditions for assistance, and methods of contracted forest protection and regeneration of coastal natural forests**

1. Types of forests eligible for receiving assistance for contracted forest protection and natural regeneration of forests: Coastal protective forests and coastal special-purpose forests managed by protective or special-purpose forest management boards or forestry companies; Coastal protective forests and coastal special-purpose forests which are not allocated or leased, and are managed by people's committees of communes/wards/district-level towns (hereinafter referred to as communal-level people's committees).

2. Assisted entities: Organizations, households and individuals that have stable residence at coastal communes and take charge of forest protection or regeneration of coastal forests under contractual basis.

3. Conditions to be satisfied to receive assistance:

a) Only entities mentioned in Clause 2 of this Article are eligible to receive assistance.

b) Have land-use right certificates and/or decisions on allocation of coastal forests issued by competent state authorities or contracts for protection or regeneration of coastal forests made by special-purpose forest management boards, protective forest management boards, forestry companies or communal-level people's committees.

c) Have commitments on forest protection made with special-purpose forest management boards, protective forest management boards, forestry companies or communal-level people's committees in accordance with prevailing regulations.

d) Forest protection results must be checked and accepted by contracting party.

4. Lump sum contracts for forest protection and regeneration of coastal natural forests shall be made in accordance with current laws.

a) Contracting party: Special-purpose forest management boards, protective forest management boards, forestry companies or communal-level people's committees.

b) Contracted party: Organizations, households and individuals that have stable residence at coastal communes.

c) Annually, contracting party is responsible for signing contracts, acceptance and evaluation of works performed by contracted party as regulated. Contracting party shall base on annual acceptance results to make payments and statements of expenses.

#### **Article 10. Annual estimates of funding for protection and development of coastal forests**

1. People's committees of provinces or cities shall aggregate estimates for protection and development of coastal forests in their plans for forest protection and development of the following year, and submit them to Ministry of Agriculture and Rural Development before June 30<sup>th</sup> of each year for summation, including the following contents:

a) Determine area and make estimates of expenditure on protection and regeneration of coastal forests on contractual basis for each type of forest and entity receiving assistance as referred to in Article 9 of this Decree.

b) Determine amount and make estimates of funding for development of coastal forests under projects approved by competent state authorities as referred to in Clause 3 Article 4 of this Decree.

2. Ministry of Agriculture and Rural Development combines local plans for contracted forest protection, regeneration and development of coastal forests ahead of July 30<sup>th</sup> annually, and carries out an agreement with Ministry of Finance and Ministry of Planning and Investment on the allocation of funding from state budget.

#### **Article 11. Responsibilities of relevant ministries/ regulatory bodies**

1. Responsibilities of Ministry of Agriculture and Rural Development:

a) Preside over and coordinate with relevant ministries/regulatory bodies in instructing local governments to effectively implement this Decree; instruct the propagation and dissemination of legislative documents on protection and development of coastal forests.

b) Aggregate plans for protection and development of coastal forests in annual and –year national plans for forest protection and development, and submit them to Ministry of Planning and Investment and/ or Ministry of Finance that shall ask for decisions thereof from Prime Minister.

c) Promulgate guidelines on techniques and technical-economic norms for protection and development of coastal forests; instruct and monitor planning for coastal forest systems; provide instructions on techniques for combined agricultural - forestry production and aquaculture under coastal forests; take charge of appraising techniques for projects on protection and development of coastal forests according to the list of projects approved by Prime Minister.

d) Instruct and carry out the inspection, and take actions against violations against legislative documents, regulations or technical rules on protection and development of coastal forests.

dd) Inspect and assess the implementation of this Decree; send reports on results thereof to the Government, Prime Minister and relevant ministries/regulatory bodies.

## 2. Responsibilities of Ministry of Planning and Investment:

Preside over and coordinate with Ministry of Finance and Ministry of Agriculture and Rural Development to balance and allocate funding for implementing policies herein. Coordinate with Ministry of Agriculture and Rural Development to inspect and evaluate the implementation of policies herein.

## 3. Responsibilities of Ministry of Finance:

Preside over and coordinate with Ministry of Planning and Investment and Ministry of Agriculture and Rural Development to ensure non-business capital sources for management, protection and development of coastal forests, and other activities mentioned in this Decree. Instruct relevant organizations and individuals in strictly complying with current regulations on finance.

## 4. Responsibilities of Ministry of Natural Resources and Environment:

Instruct and inspect the withdrawal of land area which is improperly used by organization, household or individual, land area in the coastal protection corridors, dike protection corridors, planning area for protection and development of coastal forests which use purposes are improperly changed in order to restore and regenerate forests.

5. Responsibilities of other ministries/ regulatory bodies: implement relevant contents in this Decree within the ambit of assigned functions and tasks.

## **Article 12. Responsibilities of people's committees of coastal provinces or cities**

1. Allocate funding from local-government budget, and combine sources of funding (central-government budget, local-government budget and other sources of funding) to ensure the proper and efficient management, protection and development of coastal forests in accordance with current regulations of the Law on state budget, regulations in this Decree and other relevant legislative documents, and in conformity with actual conditions of each province/ city.

2. Organize the propagation and education to improve awareness for all social classes about roles and functions of coastal protective forests; encourage people and other economic sectors to actively participate in protection and development of coastal forests to cope with climate change; organize the management and protection of coastal forests in accordance with current regulations; effectively implement policies herein in provinces or cities.

3. Instruct relevant authorities and forest owners to check, prepare, appraise and consider approving investment projects, schemes and plans for protection, development and use of coastal forests in accordance with regulations in this Decree and current regulations on investment, including the contents of private sector involvement in investment in protection and development of coastal forests.

4. Investigate, monitor and make plans for protection and development of coastal forests; boundaries of planned coastal forests must be clearly shown in the map and in the field; withdraw land area in the coastal protection corridors, dike protection corridors, planning area for protection and development of coastal forests that are improperly used by organizations, household or individuals to restore and regenerate coastal forests.

5. Inspect the implementation of policies for management, protection and development of coastal forests in provinces or cities; submit annual reports on implementation results thereof to Ministry of Agriculture

and Rural Development to aggregate and report to the Government and the Prime Minister.

**Article 13. Effect**

- 1. This Decree comes into force as of October 10, 2016.
- 2. In case there are several policies on investment and support for management, protection and development of coastal forests with the same contents, this Decree shall be applied.

**Article 14. Implementation**

Ministries, Heads of ministerial-level agencies, heads of government’s affiliates, chairpersons of people’s committees of central-affiliated cities or provinces shall be responsible for implementing this Decree./.

	<p style="text-align: center;"><b>ON BEHALF OF THE GOVERNMENT PRIME MINISTER</b></p> <p style="text-align: center;"><b>Nguyen Xuan Phuc</b></p>
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