

The Republic of the Union of Myanmar
Ministry of Natural Resources and Environmental Conservation

Union Minister Office

Notification No (84 /2016)

(13) Waxing Waso 1378, Naypyitaw

(16 August, 2016)

Community Forestry Instructions

Introduction

1. It was approved by MONREC according to Forest Law section (57-b).

Objectives

2. The objectives of CFI are:
 - a. To address the basic needs of timber and non-timber products for local people
 - b. To create job opportunities and income so as to reduce the poverty
 - c. To increase forest area and provide perpetual supply of forest products in sustainable manner
 - d. To promote participatory forest management
 - e. To enhance environmental services which support for climate change mitigation and adaptation through conservation of deforestation and forest degradation

3. Definition

- a. Community Forestry means all kind of forestry operations for sustainable forest management in which local people are involved. The term covers afforestation and reforestation activities from small scale to commercial scale to create job opportunities and income; to produce fodder; to stabilize ecosystem and to enhance environmental conditions.
- b. Forest User Group means the group of people/households who live around (5) miles of forest area; have continuously stayed in the area for (5) years; directly depend on forest resources; and unite with interested people for implementation of CF activities. However, the distance and stay period will not be considered if the forest land is traditionally managed by local people; or if district forest officer approves depending on local conditions.
- c. Facilitators means Forest Department staff and INGO/NGO organizations who assist and advice to local people in CF application, FUG formation, Management Plan formulation, and CF implementation activities and process
- d. Succession means the legal right of succession for all beneficiaries who possess such kind of right according to existing laws

- e. CF certificate means the certificate issued for CF implementation
 - f. Form means the forms mentioned in this instruction.
4. If Govt. or Authorities who have land management rights or owner permits, CF can be established in following lands:
 - a. Reserved Forest, Protected Public Forest, Buffer Zone in Protected area and Land at the disposal of Government
 - b. Lands under the management of government agencies; and land owned by privates and non-governmental organizations
 5. The following area shall be allowed for CF operations
 - a. Degraded forest areas where it's difficult to naturally regenerate
 - b. Areas potential to address the needs of forest products and to create income opportunities
 - c. Village fuelwood plantations established by Forest Department with the permission of Director General
 - d. Areas where it's necessary to conserve the soil and water resources and suitable to conduct CF implementation
 - e. Natural forest areas which should be managed by local people for a reason
 - f. Areas where local people traditionally and customarily managed

Establishment of Community Forest Based Enterprise

6. Forest Department shall permit for Community Forest based Enterprise or Community Forest Enterprise –CFE with the aims for adding value and freely trade for forest products through commercialization.
7. In this regard, FD shall have to assist FUGs in connection with governmental departments, national and international organizations, economic organizations, and private enterprises to get their support in CFE development
 - a. Build capacity of local people through providing technical and socio-economic related training courses
 - b. Organize community forest products-based economic associations
 - c. Coordinate between producers and buyers/traders for market and market access
 - d. Support for networking at village level, township level, regional/state level then to national level to become strong CF or CFE
 - e. Facilitate for required investment to develop CFE
 - f. Facilitate for international certification of timber and non-timber forest products as well as forest based services of CF
 - g. Implement nature-based tourism under CF based enterprises with the permission of MONREC

Application for CF/CFE

8. A. The local people who wish to implement CF/CFE have to conduct the following steps:
 - a. FUG must be formed with Households which are interested in CF

- b. FUG must be formed with the people who are directly depending on forests
- c. The advice or suggestion could be received from facilitators
- d. Management Committee must be formed with chairman, secretary, treasurer and two members who are elected by the desire of FUG members
- e. The gender equity has to be considered in formation of MC
- f. As required, the members of MC could be expanded
- g. The shift in membership could be executed with the agreement of members

B. MC chairman, on behalf of FUG, could apply for CF from Township Forest Officer towards District Forest Officer with the use of Form (a).

Permission for CF

- 9. Director General of Forest Department can permit for CF in accordance with Forest Law section 12, Forest Rules section 20, Forest Rules Section (a), 41-a; and this right could be transferred to District Forest Officer in accordance with Forest Law section (50).
- 10. District Forest Officer has to execute the following steps once CF application is received
 - a. The District Forest Officer has to check and approve for the land if CF application is accepted (if the proposed CF land is in buffer zone, the District Forest Officer has to take the approval of DG)
 - b. The District Forest Officer submit a complete report attached with the maps and details of application to regional/state forest officer with "cc" to DG
 - c. If the proposed CF is not under the land managed by FD, the District Forest Officer has to take the land approval from the relevant government agencies and/or organizations.

CF Land Allocation

- 11. The District Forest Officer has to define land allocation to FUG with following factors:
 - a. Applied area, climate condition, soil type, species and management capacity
 - b. Area defined by traditionally or customarily
 - c. Number of households involved in FUG
 - d. Capacity of individual Household involved in FUG
 - e. Objective of CF and its potential
- 12. If FUG request for advice, the District Forest Officer has to suggest them. If individual HH of FUG define and allocated land by all agreement, then District Forest Officer has to respect for such allocation of land.

Terms allowed for CF

- 13. The terms allowed for CF is initially defined for (30) years.
- 14. A. according to (13), if the initial term of (30) years is completed and the CF implementation is satisfactory, District Forest Officer can permit additional (30) years based on the desire of FUG members

B. if FUG desires for extension, FUG members have to request CF extension to District Forest Officer through Township Forest Officer

Management Plan Formulation

15. FUG members have to take the advice of Facilitators to prepare and formulate MP after the land is approved by District Forest Officer. The MP should be prepared as in form –b mentioned in this instruction; and submit and get approval from District Forest Officer.
16. If FUG wishes to amend MP, it could be revised with the advice of Forest Department and it has to submit to District Forest Officer for his approval.

CF Certificate

17. The District Forest Officer has to issue the CF certificate (in form – c) to FUG after approving their MP
18. If FUG violate or disobey the existing forest law, forest rules, and rules and regulations of MP, the District Forest Officer could revoke the certificate with the approval of regional/state Forest Officer.
19. If FUG has dissatisfaction on revoke of CF certificate by District Forest Officer with the approval of regional/state Forest Officer, then the appeal could be applied to DG within (90) days. The decision of DG must be completed.

Support of FD

20. Forest Department shall provide the following assistance to Forest User Group-
 - a. Provision of seeds and seedlings required to establish forest plantation within the first rotation
 - b. Provision of technical assistance required for management of CF and utilization of CF products
 - c. Coordination and supervision for systematic production, selling and coordination for trade
 - d. Assist in solving community forest related issues
 - e. Legally assist for protection of encroachment, illegal logging of timber and non-timber forest products and illegally destroying
 - f. Educate the FUG members for instruction/notification which could effect to them
 - g. Provide legal support in the claim of compensation for the loss of crops, forests and trees due to development or other project/programme; and coordinate with relevant organizations for compensation to receive within the term of period
21. Forest Department have to encourage for participation of private enterprises, economic organization, national and international organizations, and the relevant organization in persuing the following activities of CF:
 - a. Educate and capacity build for community awareness
 - b. Assist in technical concerned, market development, information and financial management

- c. Coordinate and link with other organizations as web

Responsibilities of FUG

22. The responsibilities of FUG are as follows:

- a. Establish CF in line with CF management plan or implement the better of existing natural forests as required
- b. After the first rotation of forest plantation, site preparation, seeds collection, seedlings raising, planting and nursing with self-management under the supervision of Forest Department
- c. Manage and apply CF in sustainable manner
- d. Protect against the logging from outside to CF area and take the assistance of FD and related organizations in protection
- e. Report to FD if FUG takes the assistance from external organization
- f. Share the benefit equally in accordance with Management Plan
- g. Keep the records systematically for reports and income/expenditure statement in relation to CF implementation steps and submit the report
- h. Set up the internal rules and regulations based on the principles defined by Forest Department
- i. Report the changes/reform of CF FUG and MC members to Forest Department
- j. Follow Forest Law, Forest Rules, Procedures, Rules and Regulations and instructions occasionally issued by Forest Department

Prohibitions

23. Forest User Group or FUG members are not allowed to conduct the followings for CF activities:

- a. The permitted land for CF is not allowed to use/conduct for other cases/activities except the operations mentioned in CF Management Plan
- b. Selling, borrowing, lending, transferring, and donation of CF
- c. Extraction of resources, minerals, stones, sand and **byone**
- d. Living and/or construction of permanent building which are not related to CF implementation and conservation
- e. Planting of trees and crops which are prohibited by the nation according to existing laws

Rights of Forest User Group

24. FUG or FUG members will receive the following rights in line with existing law, rules and procedures

- a. The right of succession to the person who has that right for CF related rights
- b. MC has the right to approve on the changes in FUG members list with most of the members' agreement
- c. Right to execute for changes in MC members with most of the members' agreement
- d. Free from land rental charges for CF in reserved forest area

- e. Accept technical, material and financial assistance from local and international organizations
- f. Practice for agroforestry which suited for the region in implementation of CF
- g. Extract and utilize the timber and timber products from natural forest area in line with Management Plan if there has no destruction to the original purpose of CF
- h. Form as legal association for extraction of timber and timber products and for commercialization and marketing of their products
- i. Claim the compensation for the loss of trees and crops if other development projects implement in CF area

Extraction of timber products, transportation, pricing, sale vouchers, taxes and trade

- 25. Forest User Group is allowed to extract the forest products as prescribed in Management Plan. In the case of commercial production, the permission from FD has to take in advance.
- 26. The advanced permission from FD is not necessary if the production is for self-utilization, farming or fishing. However, FUG has to submit the detailed description on extraction of forest products to District Forest Officer through Township Officer. For the transfer to timber within Township, it has to be noted in the record of original production.
- 27. The tax is free on the production of forest products for self-utilization. For the posts and logs with the girth above 1 feet, Forest Department has to press the stamp of "Tax-free" on these posts and logs.
- 28. The CF products can be sold with reasonable price within the village. Although the income from selling is "tax-free", it is accepted as commercial production. For the posts and logs with the girth above 1 feet, Forest Department has to press the stamp of "Tax-free" on these posts and logs.
- 29. FUG can sell their CF products to outside of the village. In this case, the relevant tax defined by Forest Department and other concerned departments has to be paid by FUG; and such kind of production for selling is defined as "commercial production". For the posts and logs with the girth above 1 feet, Forest Department has to press other account stamp for it.
- 30. FUG has the rights to sell and transport the forest products from CF to local and foreign markets in line with FD procedures.
- 31. FUG has the right to register CF based business enterprises for their products with the approach to market-oriented
- 32. FUGs have to right to freely form as associations in order to conduct commercial production (e.g. for effective production and value adding) among them.

Fund

- 33. The fund of FUG has to allocate as follows:
 - a. It has to be kept in Bank with account opening
 - b. The account has to be opened with MC chairman, secretary and treasurer; and it has to be signed at least by two persons
 - c. The treasurer has to maintain the fund and expenditure in exact and well manner

- d. The treasurer maintains the fund: in hand for reasonable amount of cash, and in bank for the extra in accordance with the decision made by MC.
- e. The treasurer reports the financial clearance to MC as usual; and to FUG twice per year
- f. The fund can be allocated as individual income, village development, revolving fund, afforestation or CF based business enterprises etc. based on the desire of FUG members.
- g. Fund contribution and benefit sharing must be executed as the ratio prescribed in MP.

Pricing

- 34. The CF products can freely be sold with the current price.

Sale Vouchers

- 35. FUG has to issue the sale vouchers for all CF forest products with the use of Form-d which include voucher number, book number etc. after registration to concerned District Forest Office.
- 36. FUG has to issue the sale vouchers for selling of all CF forest products.
- 37. For the sale to outside of the village, three sale vouchers (origin, first copy, second copy) has to be prepared; the original one for buyer, the second copy for Township FD Officer and the first copy for MC to keep as receipt. For timber and post, the mark of FD on these products has to describe on the sale vouchers in ink.
- 38. For the products transported within Township, the sale voucher has to be prepared in two sets: origin and copy; the original one for buyer and the copy for MC to keep as receipt.

Right to transfer of CF Products

- 39. CF forest products can be transferred within township with the sale vouchers of relevant FUG.
- 40. If CF products are to be passed over township, it has to be transferred with the removal pass issued by FD in accordance with Forest Law section (23). However, if these products are to be transferred together with the other forest products which are not from CF, then the documents supported for legally possession of these products have to be submitted to Township Forest Officer. The concerned Township Forest Officer has to issue the removal pass for transferred products with the support of FUG's original sale voucher in line with FD procedures.

Punishment

- 41. CF can be revoked if FUG violates CFI, rules and regulations, MP descriptions and instructions occasionally issued by FD.
- 42. The punishment will be as mentioned in forest law if FUG violates any descriptions in Forest Law and Forest Rules.

Cancelling

43. CF in outside of forest areas can be constituted as protected public forest or land under the management of FD when FUG does not follow MP description; and FUG members do not wish to continue CF implementation.
44. CF under forest land will be remained as original forest land when FUG does not follow MP description; and FUG members do not wish to continue CF implementation.

Documents/Records

45. The secretary of FUG MC has to fill out all relevant CF activities: planting, reforestation, production and benefit sharing etc. in all relevant annexed formats described in MP.
46. District and Township Forest Officers have to monitor CF records in quarterly basis and have to provide comment and amendment as necessary.

Reports

47. FUG MC has to prepare the progress report for CF activities in “progress report” of form-c and submit it to District Forest Officer through Township Forest Officer within two months after fiscal year.
48. The District Forest Officer precedes the submission of CF progress report to Director General through Region/State Forest Officer together with his remarks and suggestion within three month after fiscal year. The FUG has to be informed about the remarks of District Forest Officer.

Conclusion

49. CFI will be reviewed occasionally and will be revised/formulated to be in line with current conditions, laws and regulations.
50. The CFI, 1995 is repealed by this new CFI, 2016.

(Ohn Win)
H.E. Union Minister
Ministry of Natural Resources and Environmental Conservation
The Republic of the Union of Myanmar

Union of Republic of Myanmar

Ministry of Natural Resources and Environmental Conservation

Forest Department

Application for Community Forest Establishment

Registration No-

Date-

Through Township Forest Officer ----- Township

To,

Assistant Director

Forest Department

----- District

----- State/Region

Subject: Application for Community Forest Establishment

1. In regard to above mentioned subject, the Forest User Group comprised with () HH of Township, Village, would like to apply for Community Forest Establishment as per Community Forestry Instructions, thus the application is submitted with the map attached to this form.

(a) Township -----

(b) Village -----

(c) Location (Forest Land/Land at the Disposal of Govt.) -----

(d) Boundaries of CF: East -----

West -----

South -----

North -----

(e) Area -----

(f) Forest Types/Vegetation -----

(g) Land Ownership -----

(h) The members of Forest User Group are as follows:

Sr.	Name	Father's Name	NRC No.	Address	Signature
(1)					
(2)					
(3)					
(4)					
(5)					
(6)					
(7)					
(8)					
(9)					
(10)					

2. If it is allowed, we, Forest User Group, admit that we will implement CF as a group for the long-term benefits of the village and development of CF interventions through obeying the guidelines of Forest Law, Forest Rules, Rules and Regulations and CFIs.

Signature of FUG's Chairman -----

Name of FUG's Chairman -----

Date:

Community Forestry Management Plan

Contents

1. Introduction
2. Objectives
3. Location and Area
4. Climate (Temperature, Rainfall)
5. Geographical Conditions
6. Soil Types
7. Current Vegetation
8. Forest Establishment (if the case of Forest Plantation Establishment)
 - (a) Nursery Establishment
 - (b) Site Preparation
 - (c) Plantation Establishment
 - (d) Weeding
 - (e) Fire Protection
 - (f) Forest Operations (Thinning, Coppicing, Stump etc.)
 - (g) Rotation
 - (h) Cutting
 - (i) Distribution (if in case of reforestation of existing natural forests)
 - (j) Preparation of Stock Map and Management Map
 - (k) Enrichment Planting
 - (l) Gap Planting (Afforestation in Natural Forest Gap Areas) (To conduct the same procedures as in plantation establishment)
 - (m) Forest Operations
 - (n) Cutting
 - (o) Distribution
9. Internal Rules and Regulations of FUG
10. Financial Management
 - (a) Internal Benefit Sharing Mechanism
 - (b) Internal Benefit Sharing Ratio

- (c) Share % for CF establishment
- (d) Share % for Development
- (e) Share % for Revolving Fund and its mechanism
- (f) Share % for investment in CF-based enterprise development

11. Conclusion

12. Appendices

- (a) Location Map
- (b) Stock Map
- (c) Management Map
- (d) Land Allocated Map for Individual FUG member (if required)
- (e) Annual Forest Operation Plan
 - (1) Planting Operations
 - (2) Protection and Maintenance Operations
 - (3) Production Operations
 - (4) Benefit Sharing

Union of Republic of Myanmar

Ministry of Natural Resources and Environmental Conservation

Forest Department

Certificate of Community Forest Establishment

U/Daw -----

Chairman

----- FUG

----- Village

----- Township

----- District, ----- State/Region

1. In line with section (50) of Forest Law, section (41-a) of Forest Rules and CFIs, I hereby allow FUG including U/Daw (.....) to implement CF in proposed area; and the members described in CF application section (1), sub section (5) are placed under Management Committee. This certificate is issued for implementation of Management Plan approved on the date of, month, year.

(a) Name of CF -----

(b) Location of CF ----- (4 in – 1 mile attached map)

(c) Boundary ----- (4 in – 1 mile attached map)

(d) Area -----

(e) List of FUG members -----

----- village, including U/Daw -----, ----- members

(Detailed in attached)

2. Date of CF certification -----

3. Expired Date -----

CF Certificate Authorized Officer

Signature -----

Name -----

Position -----

Date -----

Back Side

Extension of CF Implementation Period

Sr.	Extended Date	Expired Date	Signature of Authorized Officer and Date

Original/First Original/Second Original

----- Township, ----- District, ----- State/Region

Selling Voucher from CF of ----- FUG

Book No -----

Voucher No -----

Date: -----

Name of Buyer -----

Address -----

Sr.	Type	Girth/Width*Height	Length (feet)	Number	Unit	Cubic Feet	Unit Rate	Amount

Signature of FUG's Chairman -----

Name of FUG's Chairman -----

** Note: It can be signed by one MC members on behalf of chairman if he/she is assigned by Chairman. It is not allowed to use continuously if there has no enough space in voucher. In this case, the additional new voucher shall be used.

Progress Report of CF Establishment

Contents

1. Introduction
2. Objectives
3. Name, Location and Area
4. Natural Forest
 - Area
 - Species
 - Forest Operations
 - Achievements and Objectives
 - Conclusion/Review
- Forest Plantation
 - Area (as per species)
 - Achievement and Objectives
 - Review on Plantation Establishment
 - Success %
 - Average Height, Girth and Volume
5. Production of Timber/Forest Products
6. Timber/Forest Products Distribution
 - Within Group (Amount)
 - Within Village (Amount and Income Received)
 - External (Amount and Income Received)
 - Number of Voucher Used and Sold Amount
7. Fund Condition
 - Balance at the Year Beginning
 - Income/Expenditure Statement
 - Benefit Sharing among FUG members
 - Investment in CF interventions
 - Contribution to community development
 - Condition of Revolving Fund
 - Investment in CF-based enterprise development
8. Status of FUG and FUG members
9. Miscellaneous
10. Conclusion

Signature of FUG's Chairman -----

Name of FUG's Chairman -----

Date: -----

Registration No, (Forest) 3/02(l)/(1272/2016)

Date: 16 August, 2016

Copies to:

1. Myanmar President's Office
2. Union Government Secretariat Office
3. Union General Attorney's Office