



RECOFTC

Community forestry models in Asia–Pacific

# Community forestry in Thailand



Infosheet

Thailand's community forestry model allows communities to engage in the conservation, rehabilitation, management, maintenance or use of natural resources, the environment and biodiversity by managing local forests outside of protected areas in cooperation with the government. The model's legal basis is laid out in the Community Forest Act of 2019, and its subsidiary regulations.

# Key requirements

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## Who is eligible?

A community forest can be formed by a group of at least 50 people that are older than 18 and live in the same district. Community members must have lived in the village where the forest is situated for at least the past five years. In the context of community forestry, a community is defined as a group of people who have mutual purposes or interests in performing lawful activities and who help or support any mutual interest of community members, consistently meet one another and have a committee that can act or express opinions on behalf of the group.

## Allocation process

1. At least 50 members of the community organize a consultation meeting and identify representatives to submit a request to establish a community forest. They also form a community forest management committee and make a list of community forest members.
2. The community members submit a request to their respective Provincial Community Forest Committee. The submission includes the group's objectives, the names of the members of the community forest management committee, a short history of the community, a rough map of the forest's boundaries and a community forest management plan. The community forest management plan describes the areas for conservation, use and rehabilitation.
3. The local Forest Resource Management Office reviews the request within 10 days and visits the target site to confirm the boundary within 45 days. It submits a report to the Provincial Community Forest Committee.
4. The Provincial Community Forest Committee produces a written announcement and map of the proposed community forest area, which are displayed at the provincial office, district office and subdistrict administrative office for at least 30 days. Any objection must be made within 30 days.
5. The Provincial Community Forest Committee approves the establishment of the community forest and the community forest management plan and sends the documents to the director general of the Royal Forest Department.
6. The director general of the Royal Forest Department approves the documents to complete the community forest's registration.
7. The community forest is announced in the Royal Thai Government Gazette.

# Main elements



## Duration of tenure

- The tenure duration is not specified but the community must submit a community forest management plan every five years.



## Type and condition of forest

- State-managed forests outside of protected areas can be allocated as community forests.
- The legal framework does not specify the condition of the forest.



## Type and duration of management plan

- The community forest management plan is for five years.



## Internal governance

- The community forest is managed by the elected community forest management committee with the community forest members.
- The community forest management committee is recognized as the legal entity representing the community forest members. The committee can enter into agreements with third parties, such as companies.
- The committee has rights and duties, including issuing rules on community forest management, taking care of the forest and its common property and ensuring that community members respect the rules.



## Gender and social inclusion

- The Community Forest Act has no provisions related to gender or social inclusion.



## Community-based enterprises

- The Community Forest Act does not have any provision that clearly gives communities the right to commercialize community forest products, but it does not explicitly prohibit the sale of such products.
- The law allows a community to earn benefits from products and services derived from its community forest. This can be interpreted as referring mainly to conservation and other forest protection and rehabilitation activities that can be carried out in the community forest.



## Benefit-sharing mechanism

- There is no requirement to set up a benefit-sharing mechanism.
- Communities can create a fund that receives 50 percent of the fines collected for offences committed in the community forest and any member fees, donations or other income.



## External support

- There is a general principle that all involved parties in the community forest must facilitate the work of the community forest management committee. This includes community forestry officials and other relevant officials as they carry out their duties.
- The Provincial Community Forest Committee provides advice and assistance to the community forest management committee in managing its forest.
- The Provincial Community Forest Committee can also appoint community forest officials from the community itself. They are responsible for supporting the work of the community forest management committee. They are also responsible for raising awareness about conservation of natural resources and the importance of maintaining and nurturing local wisdom, traditions and culture.
- The legal framework does not define how third parties, such as companies, non-government organizations or other actors, can work with communities to manage the forest area.
- A decree encourages private individuals or groups to provide financial support to community forest management committees. Providers can claim tax exemption on their financial contributions.



## Conflict-resolution mechanism

- The community forest management committee can mediate or reach a compromise on disputes relating to community forest management.
- The law does not mention the possible use of traditional dispute-resolution mechanisms or how the community forest management committee may revert to those or other existing mechanisms.
- If a community proceeding is unsatisfactory, community members may also take the matter to a judicial body.
- During the forest allocation process, community members can request support from the community forest officer to resolve a dispute about the position of the community forest boundary.
- Any public prosecutor has the power to help a community access courts if any harm occurs to the community forest's common property or the forest.



## Rights and responsibilities of community members

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### Members have rights to:

- collect non-timber forest products and non-valuable natural timber, from outside of the conservation zone, for household needs or for public use by the community. Any such use must be included in the community forest management plan and must not harm the forest environment or biodiversity.
- harvest any planted non-valuable or valuable trees for household or community use with prior permission from the community forest management committee and designated officers.
- enter the community forest for recreation.
- charge outsiders for using the community forest for any purpose, in line with the community forest management committee's rules and regulations. As outlined in a sub-decree, the community forest management committee sets the payment rates and includes them in the management plan for approval by the Provincial Community Forest Committee.

- benefit from carbon trading. A sub-decree to set out the process and conditions for carbon sharing is under development.
- use the forest for educational and awareness-raising purposes.

### Members must:

- manage and protect the forest.

### Members cannot:

- transfer rights over the forest to other parties.
- reside in or make a living in or from the community forest.
- clear, burn, mine, hunt protected animals or degrade the forest.
- use timber beyond subsistence household or community use.
- construct any building, unless it is necessary for community forestry activities, such as a fire observation tower.

## Links with climate change policies and targets

- There is no legal requirement for communities to integrate climate vulnerability, adaptation or mitigation activities into their community forest management plans.
- Measures in Thailand's Climate Change Master Plan 2015–2050 include supporting local communities to conserve forests and ecosystems through mechanisms such as the payment for ecosystem services scheme. The plan emphasizes mechanisms that give explicit recognition of community rights to forest resources while the community protects and sustains the ecosystem.
- Thailand's 2020 Updated Nationally Determined Contribution under the Paris Agreement on climate change does not directly refer to community forestry. Under the adaptation component, it mentions sustainable management of natural resources and biodiversity to respond to climate change impacts, including by strengthening public participation. It also identifies a need for technical support to promote community participation in the conservation of natural resources, ecosystems and biodiversity. The Nationally Determined Contribution excludes the land-use and forestry sectors from its target for climate change mitigation.
- Thailand's strategy for REDD+ (reducing emissions from deforestation and forest degradation) is under development. The draft version includes strategies on community forestry expansion and on community forest management for community economic development.

## Read more

- RECOFTC and ClientEarth, *Thailand's Community Forest Act: Analysis of the legal framework and recommendations*, [www.recoftc.org/publications/0000392](http://www.recoftc.org/publications/0000392)
- RECOFTC, *Special Report: How community forests boosted pandemic resilience across Asia-Pacific*, [www.recoftc.org/special-report/community-forestry-boosted-pandemic-resilience](http://www.recoftc.org/special-report/community-forestry-boosted-pandemic-resilience)
- RECOFTC, *Special Report: Communities are improving lives and landscapes in Southeast Asia through social forestry*, [www.recoftc.org/stories/special-report-communities-are-improving-lives-and-landscapes-southeast-asia-through-social](http://www.recoftc.org/stories/special-report-communities-are-improving-lives-and-landscapes-southeast-asia-through-social)
- Find out more about RECOFTC's work in Thailand at [www.recoftc.org/thailand](http://www.recoftc.org/thailand)



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## RECOFTC


P.O. Box 1111  
Kasetsart Post Office  
Bangkok 10903, Thailand  
T +66 (0)2 940 5700  
F +66 (0)2 561 4880  
[info@recoftc.org](mailto:info@recoftc.org)



    @RECOFTC

[recoftc.org](http://recoftc.org)

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