

**Process Framework for Involuntary Restrictions, and
Social Assessment for Indigenous People**

17th and 18th March

CEPF Application 112735



Wildlife Conservation Society Lao PDR Program

Guardian Villages – Empowered communities to manage wetlands in Lao PDR

Xe Champhone Ramsar Wetland Complex, Savanhaket Province, Lao PDR

Please Note:

CEPF projects that may introduce involuntary restrictions on access to protected areas, or may impact on indigenous people, trigger the requirement for ‘Process Framework for Involuntary Restrictions’ and a ‘Social Assessment’. The proposed project: Guardian Villages – Empowered communities to manage wetlands in Lao PDR, includes activities that might cause these types of impacts. This document meets the requirements of both the Process Framework and Social Assessment so that information is not repeated, and that interconnected issues related to both can be dealt with in a consistent manner, for example, Grievance Mechanism Procedures. The document follows the outline for the Process Framework for Involuntary Restrictions in the first instance (PART 1) (sections A – F), with additional requirements added for the social assessment (PART 2) that are not already covered in Part 1. These include:

- G. Indigenous People Affected
- H. Potential Impacts- Indigenous People
- I. Mitigation Strategies – Indigenous People
- J. Monitoring and evaluation

Also included is a part ‘K’ that outlines the WCS Lao Program draft action plan

Grant Summary

1. Grantee organization: Wildlife Conservation Society (WCS) Lao PDR Program
2. Grant title: Guardian Villages – Empowered communities to manage wetlands in Lao PDR
3. Grant number: 112735
4. Grant amount: 220 000 USD
5. Proposed dates of grant July 1 2022 – June 30 2025
6. Countries or territories where project will be undertaken: Lao PDR
7. Date of preparation of this document: 17th and 18th March 2022

PART 1: PROCESS FRAMEWORK SECTIONS

A. Project background / Summary of Proposed Project

This project will support sustainable community-based management of wetland habitats and the conservation of Siamese crocodile at the Greater Xe Champhone Ramsar Wetland Complex. The primary goal is to facilitate community-led management processes through the establishment and adoption of a formalized Guardian Village community co-management model. During this pilot and demonstration phase of the Guardian Village model implementation, we will focus on three villages to test and refine the approach, before scaling out to the extended wetland complex (see Figure 1 for the proposed project area and target villages). To achieve the project goal, two primary objectives will be achieved: the establishment and implementation the Guardian Village model in 3 villages, and the establishment and support for water user groups supporting sustainable use and planning regarding critical habitat oxbows and constructed multi use water sources. See table 1 for the full list of proposed Components, Deliverables and Activities.

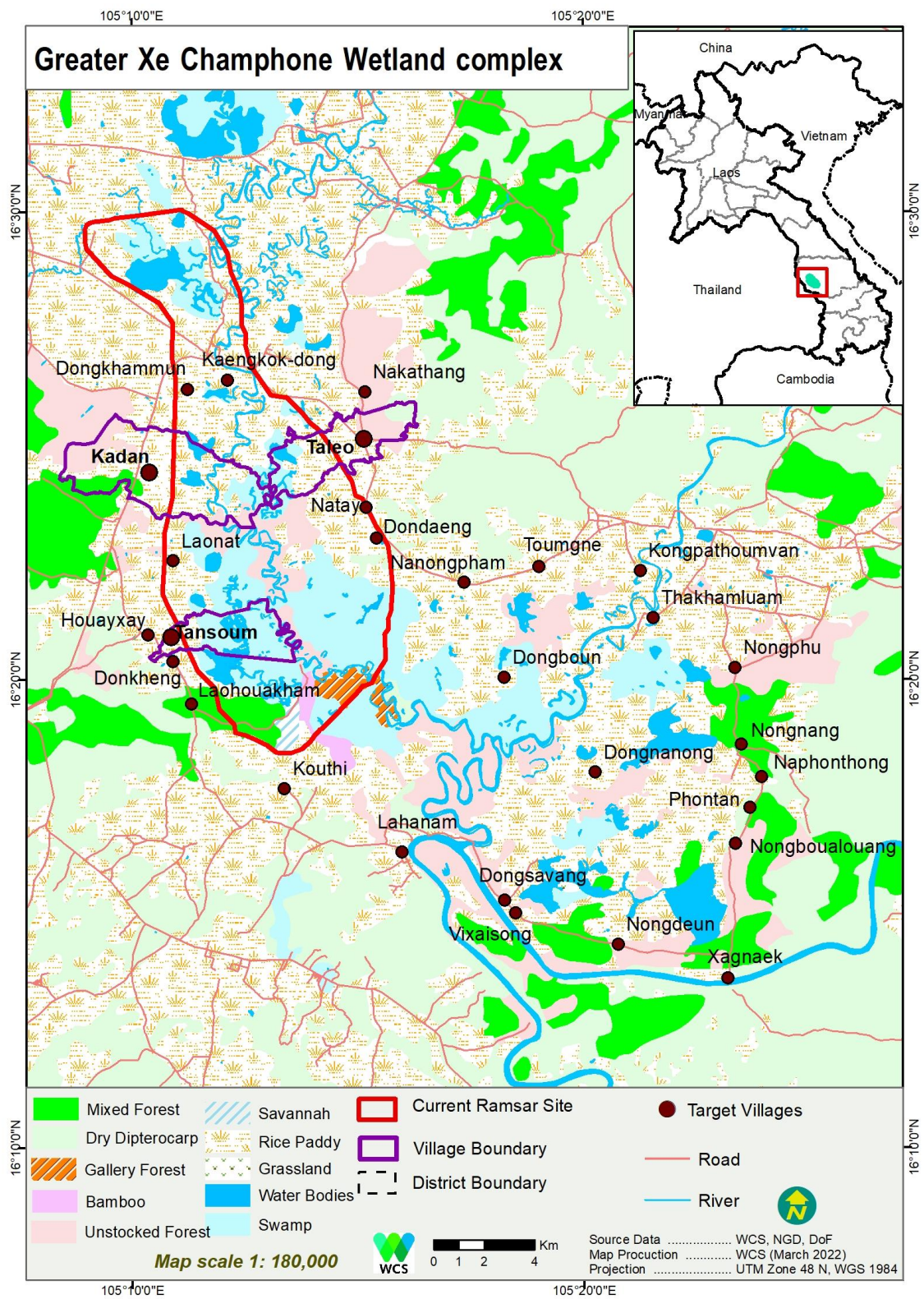


Figure 1 Project Area including target village boundaries highlighted in purple.

Table 1 Proposed Project Components, Deliverables, and Activities.

Component	Deliverables	Activity	Details
Component 1 Establish and implement the Guardian Village model in 3 villages	Deliverable 1.1 Three Guardian Village Conservation Committees established with signed membership documents signed	1.1.1	Support the establishment of the Guardian Village Conservation Committees including developing TORs, setting up and supporting financial mechanisms for receiving and disbursing funds, and establish Guardian Village Conservation Fund and rules
		1.1.2	Implement and disseminate the conflict resolution and complaint mechanism
	Deliverable 1.2 Monthly Guardian Village Conservation Committee meetings held and evidenced by signed participant lists and minutes, and the Guardian Village Conservation Funds established with bank and approval documents signed	1.2.1	Provide ongoing monthly support to the Guardian Village Conservation Committee including meeting planning and facilitation, financial support and training, and the development of Conservation Fund use rules
		1.2.2	Support annual disbursement into the Guardian Village Conservation Fund, and support the committee in implementing use rules for determining how to use the fund
	Deliverable 1.3 Three Guardian Village Annual Conferences held with agendas, signed minutes, and attendee lists	1.3.1	Organize and facilitate the Guardian Village Annual Conference including planning with stakeholders, supporting communities in developing materials, and presenting findings from project activities.
		1.3.2	Conduct annual monitoring and evaluation for impacts regarding involuntary restrictions and indigenous people following a Knowledge, Attitudes and Practices approach, coinciding with the Annual Guardian Village Conference
	Deliverable 1.4 Presentation generated regarding Annual Monitoring and Evaluation, including compliance with CEPF Social and Environmental Safeguards	1.4.1	Conduct annual monitoring and evaluation for impacts regarding involuntary restrictions and indigenous people following a Knowledge, Attitudes and Practices approach, and ensure compliance with CEPF Social and Environmental Safeguards
Component 2 Water user groups supporting sustainable use and planning regarding critical habitat oxbows and constructed multi use water sources.	Deliverable 2.1 Social and Hydrological Feasibility Assessments for targeted activities produced	2.1.1	Hydrological Study for existing ox bow water use and associated constructed multi use wetland
		2.1.2	Social assessments for water users including current water users and use of ox-bows, and potential users of constructed multi-use wetlands
	Deliverable 2.2 Water user groups established and evidenced by signed participant lists and approved district government approvals	2.2.1	Conduct a workshop with identified water users for the proposed water user groups with the DAFO Irrigation Unit and community stakeholders
		2.2.2	Establish Water Use Groups under the Guardian Village Conservation Committee based on critical habitat ox-bow lakes and constructed multi-use wetlands
	Deliverable 2.3 Training material, training summary and trainee list for water user groups support trainings	2.3.1	Provide training and support to monthly planning meetings prior to and during months of water use, including water use monitoring for ox-bow lakes, and constructed wetland use rule monitoring and planning.

B. Participatory implementation / preparation

The Guardian Village model is based a bottom up, co-management approach that requires community participation, and true community management of natural resources and conservation. All stages of the proposed project include direct participation and planning with communities through regular meetings, coordination, day to day support and participation in activities, and through the Guardian Village Annual Conference.

WCS developed a participatory mapping, natural resources and livelihoods framework entitled P-WELLAMP (Participatory Wetlands, Landscape, Landuse, and Livelihoods Assessment, Mapping, and Planning) with the first phase focused on data collection and the second phase focused on informed planning. This system was adapted from methods utilized working with forest dependent communities with a focus on the particular needs of communities within wetland areas. Between 2020 and 2021 P-WELLAMP Phase 1 was carried out with 9 communities with land located along or within the boundaries of the Xe Champhone Ramsar Site, located within Champhone District of Savannakhet Province. A total of 11,650 people live within these 9 villages, of which 4,180 people live in the 3 villages selected for the development of Guardian Village Committees and Water User Groups – Ban Tansoum, Ban Teleo, and Ban Kadan. Phase 1 and 2 includes a Free Prior and Informed Consent (FPIC) stage.

During 2022, WCS will engage the three CEPF project villages to undertake the participatory planning process. WCS will work with each of these three communities to establish boundaries for zonation for agriculture, conservation, restoration, water extraction, endangered species conservation, fisheries etc., under what will become Guardian Village Conservation Agreement that provide short and long-term support to sustainable livelihoods to incentivize land and resource protection. All stages of WCS engagement through the above mentioned planning processes is done with close collaboration, and with the final approval of the community. The establishment of Guardian Village Conservation Committees and Water User Groups will similarly be formed in collaboration with the communities, and agreement and ownership of these frameworks is critical to project success.

C. Criteria for eligibility of affected persons

The project will focus on areas of critical conservation significance (Fish Conservation Zones) and associated multiple use seasonally flooded wetland areas that are often marginal for agriculture. These seasonally flooded areas are currently being cleared and are under increasing pressure for clearance for rice production, and over extraction of water. Recent advances in agriculture in terms of water pumping for irrigation, as well as the ability to conduct wetland clearing at larger scales, has led to these previously intact areas coming under increased threat. This is creating significant conservation impacts including habitat reduction, breaks in connectivity, and unsustainable water use. The resilience of many of these newly created agriculture areas is questionable due to limited and decreasing water availability as the number of water user, and the intensity of water pumping increases. Through improved planning and zoning, project affected people that have moved into these once considered marginal areas will benefit through improved water use and access to improved livelihoods and water sources. The project identifies primary types of affected persons:

1. Water users coming under improved water use management planning. The project will establish Water User Groups, which will be tasked with managing water use within distinct areas related to water extraction. For example, current users of water from existing ox bow lakes, and future users of constructed wetlands will be approached to join the water user groups. Members of these groups will be

classed as project affected persons as the participatory water use rules and zoning under the P-WELLLAMP planning phase may impact on the amount, timing and location of water extraction for these groups, which may impact on livelihoods. While most people under this group are expected to be positively benefitted, the embedded monitoring and evaluation will track and mitigate any unintended impacts, and people and groups that are negatively impacted. It should be noted that the current unplanned water extraction is leading to a lack of planning that results in failed crops due to water shortages, so these affected people area also intended to benefit from better planning.

2. Water users currently extracting water from Fish Conservation Zones inconsistent with the existing use rules for these areas. This project will also support improved management on water extraction from existing 'Fish Conservation Areas', typically natural ox-bow lakes, and in many cases will aim to reduce and offset this water use restriction through the constructed multi use wetland /water sources supported by European Union funding. The current use of Fish Conservation Zone ox-bow lakes areas is not consistent with previous community commitments. However the project will consider, monitor, and mitigate the impacts of any extraction restrictions for community members.

Current unsustainable resource use within project villages includes non- residents illegally expanding agriculture into wetland areas, and extracting water. The intention of the Guardian Village Conservation Committee is to be able to constructively deal with the current issue of land clearing and water use by non-resident individuals and organizations. Restrictions placed on non-residents will be in alignment with District Government directions.

Further, the Guardian Village Conservation Committees will work to ensure compliance with community land and resource use plans and community conservation plans currently being completed under phase 2 of P-WELLLAMP. These plans have not restricted or revoked the rights of any areas currently being farmed, instead seeking to establish clear boundaries for land off limits to unapproved land grabs.

D. Measures to assist the affected persons

Project Affected Persons Group 1.

Project affected persons group 1 consists of community members who will be offered the opportunity to participate in Water User Groups. The primary objective of these groups is to deliver more effective and equitable water use among each group extracting from a particular water body. As water is a limited resource, this will necessarily require a sensitive and equitable allocation of water to the different users, also taking into consideration the amount of paddy land under production. The co-funded constructed multi use wetlands / water sources will be located in areas to offset any actual and perceived water use impacts on water users, and will include support for alternative incomes such as fisheries generated from these wetlands, In addition, depending on the use rules for Guardian Village Conservation Funds, these funds will be made available to support alternate livelihoods, for example, vegetable growing, fish raising, and other activities deemed to be consistent with project objectives.

Project Affected Persons Group 2

Project affected Persons group 2 are currently operating illegally, or in a manner not consistent with previous community commitments regarding Fish Conservation Areas. However due to the lack of long term and ongoing support to these Fish Conservation Area rules, the impacts on residents who fit this description will be supported similarly to Project Affected Persons Group 1. For example, where suitable, constructed multi use constructed wetlands will be located in areas that will offset the impacts of water

use limitations, and additional project livelihood support such as fisheries support and Guardian Village Conservation Fund access will be supported.

E. Conflict resolution and complaint mechanism.

The implementation and dissemination of a conflict resolution and complaint mechanism will be a key initial activity (Activity 1.1.2) through the Guardian Village Conservation Committee establishment deliverable. The developed conflict resolution and complaint mechanism will comply with the Government of Laos (GoL) grievance mechanism requirements. WCS has experience implementing the Community Engagement Framework of the Lao Environmental Protection Office, and will include the following grievance mechanism principles which will underpin the framework:

- Rights and interests of project participants are protected
- Concerns of project participants arising from the project implementation process are adequately addressed and in a prompt and timely manner
- Project participants are aware of their rights to and realize access to grievance procedures free of charge
- The grievance mechanism will be in line with existing policies, strategies, and regulations on grievances as defined by GoL, which require project owners/proponents to set up grievance mechanisms starting from the village level, and also follow recent legislation under Decision No. 08/MOJ, dated 22 February 2005 that seeks to strengthen conflict resolution at the grassroots level
- The grievance mechanism will be institutionalized in each village by a selected group of people, involving Indigenous People, women, and representatives of other vulnerable groups in the village.

The grievance mechanism established under the Guardian Village Conservation Committee will include an announcement over the community broadcast system with project commencement and at regular intervals through project implementation, supported by information provided at Village Meeting areas and the Village Heads Office in the form of a poster in Lao and English which will include:

a. The following statement:

For complaints related to the CEPF Project, we will share all grievances – and a proposed response – with the Regional Implementation Team and the CEPF Grant Director within 15 days. If the claimant is not satisfied following the response, they may submit the grievance directly to the CEPF Executive Director at cepfexecutive@conservation.org or by surface mail

b. Contact details of:

- Email and Telephone for the WCS head office contact
- Email and telephone contact information for the CEPF Regional Implementation Team.
- The email of the CEPF Executive Director: cepfexecutive@conservation.org

c. An outline of the process / procedure for addressing conflicts under the CEPF project

PART 2: ADDITIONAL SECTIONS REQUIRED FOR SOCIAL ASSESSMENT FOR INDIGENOUS PEOPLE

F. Indigenous People Affected

This Project will work in 3 villages, two of which (Kadan and Tansoum) are populated by Lao Loum people, the ethnic majority in Lao PDR. The third village, Taleo, is populated primarily by members of the Phouthai ethnic group.

Free Prior and Informed Consent (FPIC) for the Phouthai Community at Ban Taleo

Of the three villages this project will work with, one has a significant group that can be identified as Indigenous People under this assessment – the Phouthai People. The Phouthai people in Ban Taleo live alongside the Lao People in Ban Taleo, and hold the similar spiritual beliefs, social customs, and family structure within households. WCS has been working with Taleo village for many years, including the Phouthai people, and under the participatory planning approach - P_WELLAMP -since 2020. This Collaborative, Participatory approach to land, water, natural resource, and conservation planning follows the standards and procedures of Free, Prior, Informed Consent at all times. Large community meetings are frequently held where the processes are explained to ensure transparency. During P-WELLAMP meetings in February and March 2022 discussions on possible future activities should other funds become available were specifically discussed. This included discussions on alternative livelihoods and community funds for support as well as the establishment of Guardian Village committees and Water User Groups. An additional call was made to the Taleo Village head in April 2022 to review the ideas under this CEPF grant during which it was confirmed that this was in agreement with discussions held with broad community membership over the P-WELLAMP Process, including representatives of the Phouthai people.

G. Potential Impacts of Indigenous People Affected

Phouthai people have long lived amongst Lao Loum people in lowland Savannakhet Province. Many communities have been mixed for many generations and within the Xe Champhone Wetlands, including multi-generational families of mixed descent between the two groups. Within the landscape both ethnic groups practice the same spiritual traditions of Buddhism with localized animist traditions that do not appear to change between these two groups. Phouthai people do have their own language, however it is within the same language family as Lao, and within the landscape Phouthai can speak Lao fluently. At the village level, there are no known/apparent disparities tied to being ethnic Phouthai within the Xe Champhone Wetlands, and there is no specific reason to believe that this project could potentially impact Phouthai compared to their Lao Loum neighbors.

Despite these low risk of impacts expected due to this community cohesion, WCS will monitor the potential impacts on groups within the community, including the Phouthai, and mitigate any impacts identified. This will occur through an annual monitoring and evaluation activity following a Knowledge, Attitudes, Practices (KAP) framework (Activity 1.3.2). Potential impacts considered as part of this assessment include:

1. Disproportionate restrictions on access to water and land
2. Restrictions on accessing Guardian Village Community Conservation Funds
3. Restrictions on participating in benefits derived from constructed multi use wetland / water sources.

There is currently no expectation that these impacts will eventuate, however they will be monitored under activity 1.3.2 as mentioned above.

H. Mitigation Strategies for Indigenous People Affected

The primary means for assisting any project affected people, including indigenous people, that have been identified as being impacted will be through prioritizing the participation of project impacted people in:

1. The income generating and livelihood resilience supporting activities supported through this project, including access to Guardian Village Conservation Funds for conservation consistent livelihood activities.
2. Water User Groups including access to water offsetting through the constructed multi use wetlands for water and livelihoods.
3. Broader WCS landscape activities including direct employment in conservation patrol teams, monitoring programs, and developed ecotourism product service provider groups.

Guardian Village Conservation Funds will be distributed to individuals, including those from the Phouthai group, currently farming areas identified as critical habitat for wetland biodiversity (including crocodiles) via agreements for grants or loans to pursue alternative livelihoods in exchange, for example, for restoration of key areas. Such incentives would be voluntary.

This project will seek to assist farmers vulnerable to or already experiencing crop loss due to a lack of water / irrigation management in the dry-season, whose plots are dependent on water sourced from water-bodies which have also been identified as critical dry-season habitat for Siamese crocodiles. While reducing the area under cultivation may be part of this improved management this will only occur with each individual farmer's agreement after Water User Group meetings demonstrate to the groups of farmers using the same small water bodies how much water they can use in an average season. This work will determine the viable size area that can be irrigated, therefore actually safeguarding a larger, more reliable annual production while also ensuring year-round fish production as well.

The WCS program in the Greater Xe Champhone Wetland Complex includes multiple additional livelihood opportunities for community members, including direct employment with community patrol teams, as part of monitoring campaigns, and through service provider groups under the expected ecotourism product under development. Any impacts identified for indigenous people under project activities will be mitigated through prioritization of their participation in these activities.

I. Monitoring and Evaluation

Monitoring of the impacts under this plan will form part of the project implementation reporting, through the Annual Monitoring and Evaluation Activity 1.3.2. As mentioned, this activity will monitor impacts on project affected people including indigenous people, as the first step in ensuring that any impacts are adequately mitigated. This annual M&E will be conducted prior to and during the Annual Guardian Village Conference, so that community members have the ability to raise these issues at the conference that will include government officials from the three levels of government. This important activity will ensure that impacts are identified, mitigated and managed effectively, so that the subsequent expansion of the Guardian Village approach occurs in a way to reduce the potential of these impacts occurring.

J. Budget for Social Assessment for Indigenous People

Budget for ongoing social assessment and M&E outlined in section (I) above will be embedded in the budget under in the budget under cost item 9 (travel) and 10 (meetings), and will coincide with the Annual Guardian Village Conference. This will allow for more efficient expenditure of the budget, and also allow for this assessment to be conducted with the full range of stakeholders present. The two stage monitoring will include a) a pre-survey conducted at the village, supported by information drawn from the monthly Guardian Village Committee and Water User Group meetings (Activity 1.2.1, and 2.3.1), followed by b) the presentation of results at the Guardian Village Annual Conference, and discussion of appropriate mitigation measures for any impacts identified.

K. Gender Action under the WCS Laos Program draft Gender Action Plan

WCS is currently developing a draft Gender Action Plan, which will mainstream gender approaches into landscape and thematic programs, project proposals, and activity planning. For example, the Action Plan will mainstream the following six gender actions into project processes to monitor and increase women's participation across project activities as well as decision-making processes.

1. Record sex-disaggregated data: for all relevant project activities such as meetings, trainings etc, composition of management committees etc, this provides important data that enables WCS to monitor women's participation across these activities
2. Request that all consultation meeting invitations are extended to both husband and wife instead of head of households, which provides women the opportunity to participate. Often the village head will only invite the head of the household which are usually considered to be the husband
3. Ensure wherever possible a mix gender ratio of field staff which includes female facilitators (and ethnic minorities where applicable) to lead focus group discussions or meetings
4. Separate gender focal groups which allow women to converse freely. The separation of males and females during focus groups ensures that women's needs and priorities are heard and are accounted for during decision-making
5. Women should be encouraged to join community management committees to ensure that the priorities of women are promoted, or ensure that women's interests are represented on the committee
6. Facilitate men's and women's participation during conservation activities such as land use planning using simple methods such as asking each person to draw on a map where they access specific natural resources. Mapping can illustrate how men and women are affected by zoning (or project activities) differently.

Other potential actions to consider are

- to conduct gender assessments of the landscapes to better understand and identify needs, interests, knowledge, behaviors, and natural resource use by gender. Identifying these can influence the way in which conservation activities are conducted
- set quotas on participation of women in meetings, committee members etc.
- conduct gender/ethnic sensitivity training to technical and field staff and partners for better integration of gender tools
- develop a set of gender indicators to report against internally to track participation, identify areas which require increased participation of women