

Critical Ecosystem Partnership Fund Social Assessment

Project Title: Mitigating Transboundary Illegal Wildlife Trade in Central Vietnam to protect 16 CEPF Priority Species in Nakai Nam Theun National Protected Area, Lao P.D.R.
Organization: Fauna & Flora International
Application Code: 59127
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1. Project background

Regional Biodiversity Assessments:

An indication of the national and international biodiversity value of the Nakai Nam Theun National Protected Area can be determined by these assessments, as follows:

- An analysis of existing and proposed national protected areas in Laos according to three aspects of their forest cover: extent, quality, and the significance of its representation in its bio-geographic sub-unit, showed NNT to have the country's most important forest cover. (Berkmüller et al., 1995)
- Ling (1999) ranked existing and proposed Lao protected areas using a complementarity algorithm based on vertebrate diversity. Complementarity is a step-wise analysis that picks the most diverse site first, and then selects subsequent sites, one at a time, that add the most new diversity to the set of sites picked before it. Ling analyzed sites based on three criteria: i) all bird species, ii) threatened birds, and iii) threatened mammals. Nakai Nam Theun ranked first or second for all criteria, and highest overall of all sites analyzed, leading this researcher to comment that the "Nakai Nam Theun clearly emerges as the lynch-pin of the Lao protected areas network..."
- A recent participatory review of the Lao national protected areas system included a prioritization of the importance of the national protected areas (Robichaud et al., 2001). The national protected areas were assigned to ranked categories of value according to their importance for biodiversity, watershed protection and ecotourism potential. Nakai Nam Theun was the only protected area that ranked in the highest category in all criteria.
- WWF-US compiled a global priority list of the 200 ecoregions of highest significance in the world for biodiversity conservation, "The Global 200" (Olson and Dinerstein, 1998). Nakai-Nam Theun is both the core and the largest protected block, in their "Annamite Range¹ Moist Forests" ecoregion.
- WWF-Indochina recently coordinated a comprehensive analysis of conservation priorities in a complex of ecoregions covering parts of Laos, Vietnam and all of Cambodia, termed the "Forests of the Lower Mekong Ecoregion Complex" (Baltzer et al., 2001). One of the priority landscapes identified in this complex is the "Northern Annamites". Its conservation importance is rated "Critical" (the highest category). Nakai Nam Theun is more than twice the size of any other gazetted or decreed protected area in this complex.

Biodiversity Values:

The Nakai Nam Theun National Protected Area represents Lao P.D.R.'s largest (3,710 km²) and most diverse natural forest area. Up to 117 mammal species are known from the national protected area and parts of the adjacent Nakai Plateau, including bats. Three of the last five large mammals to be discovered or re-discovered worldwide occur in the national protected area. The most distinct of these remarkable discoveries is the Saola *Pseudoryx nghetinhensis*

(Dung *et al.* 1993²; Schaller & Rabinowitz 1994³). Other newly discovered species, a small dark muntjac and Giant Muntjac *Megamuntiacus vuquangensis* (Tuoc *et al.* 1994; Schaller & Vrba 1996) also have restricted world ranges centred on NNT Conservation Area. The Indochinese Warty Pig *Sus bucculentus* was recently rediscovered in the area (Groves *et al.* 1997) after being considered extinct (Salter 1993). Field surveys indicate that mammal communities within the protected area are exceptionally diverse. At least nine species of primate occur, including four threatened taxa to which the Nakai Nam Theun National Protected Area represents a global stronghold (Pygmy Loris *Nycticebus pygmaeus*, Red-shanked Douc Langur *Pygathrix nemaeus*, Francois' Langur *Trachypithecus francoisi* subsp. and White-cheeked Gibbon *Hylobates leucogenys*); the two langur species are CEPF priority species. Twelve ungulates, seven cat species, 45 species of bats and 8 species of rodents have been recorded from the reserve.

Along one stretch of abandoned logging road above the village of Ban Navang in the national protected area, 16 species of carnivore have been recorded⁴, and further species have been found elsewhere in Nakai Nam Theun. This is the highest diversity of mammalian predators reported at a single site in Lao PDR-Cambodia-Vietnam. Included amongst these are many rare CEPF priority species' cats (Fishing Cat *Prionailurus viverrinus*, Golden Cat *Catopuma temmincki*, Marbled Cat *Pardofelis marmorata*, Clouded Leopard *Pardofelis nebulosa* and Tiger *Panthera tigris*), several of which have not been recently observed by biologists elsewhere in Lao P.D.R. The Nakai Plateau holds an estimated 132-138 Asian Elephants *Elephas maximus*, a CEPF priority species, which is the largest population surviving in Indochina. Asiatic Black Bear also occurs in the reserve.

Twenty-five species of amphibians and 29 reptiles have been identified in the Nakai Nam Theun National Protected Area and the Nakai Plateau to date. Six CEPF priority turtle species have been recorded, including the critically endangered Indochinese Box Turtle *Cuora galbinifrons* and Chinese Three-striped Box Turtle *Cuora trifasciata* as well as the endangered Big-headed Turtle *Platysternon megacephalum*, Jagged-shelled Turtle *Pyxidea mouhotii*, Four-eyed Turtle *Sacalia quadriocellata*, Yellow-headed Temple Turtle *Heosemys ananndalii* and Elongated Turtle *Indotestudo elongata*, Other reptiles include the vulnerable Impressed Tortoise *Manouria impressa*, Asiatic Softshell Turtle *Amyda cartilaginea* and the South Asian Box Turtle *Cuora amboinensis*. The main threat to these turtle species is illegal wildlife trade.

In summary, Nakai Nam Theun National Protected Area protects 16 CEPF priority species.

Threats

The threats to the integrity of the Nakai-Nam Theun National Protected Area can be divided according to geographic location in relation to the reserve; one of the five broad areas comprises the Vietnamese border and upper watershed. Two of the four primary threats to the watershed interior comprise: (a) illegal snaring of wildlife using snares, linked to Vietnamese traders and (b) illegal selective logging caused by increased access, commodity desires, and links in to illegal trader networks Other primary threats comprise shifting agriculture caused by increasing watershed populations and unsustainable harvesting of selected non-timber forest products

The Nakai Nam Theun National Protected Area has an international border with Vietnam, of 161 km length. Surveys have found that wildlife is moved across the border through the two international border gates (Cau Treo and Cha Lo) to the north and south of the reserve and the numerous illegal border crossing routes through the forested areas immediately adjacent to these border crossings. Once across the border little is known of the exact trade dynamics but

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it is likely that it moves through a network of wholesale wildlife traders and transporters for consumption within Vietnamese urban towns and cities or for export to China via the northern border.

Both Vietnam and Lao PDR are parties to CITES, participate in ASEAN-WEN, have Interpol NCBs with officers assigned to environmental crimes and more recently have signed an MoU and agreed upon a work plan 2009-2012 to improve control of transboundary trade in forest products. These mechanisms provide a clear legal framework and system for tackling cross-border crimes specifically joint-border patrols, cross-border investigations and intelligence sharing amongst other activities. To date little to no action has been taken towards the problem and these mechanisms and systems remain unused.

A Model Protected Area

The funding and management of Nakai Nam Theun National Protected Area represents a unique model in Payment for Ecosystems Services both within the Indo-Burmese Hotspot but within Asia as a whole. Assured funding streams for protected area management, of US \$ 1 million per annum for 31 years, is a unique conservation investment in the region. The Government of Laos intends to promote the site, as a reserve of regional excellence.

From a protected area management perspective, it boasts the following characteristics:

- A wildlife monitoring programme (camera trapping and line transects)
- A law enforcement programme operating by MIST (ongoing development)
- A community development component delivering US 200,000 of assistance in livelihood development per annum
- 31 enclave villages with operating forest and land-use plans
- A community outreach programme run by the WMPA (government funded)
- A meaningful buffer zone to which funds are directed
- A (draft) 5 year management plan, and annual plans that are prepared in a participatory process involving all stakeholders and where budget allocations match conservation priorities.

It should be noted that Laos is still developing its human resources in protected area management and hence implementation of these activities are not without its teething problems.

In summary, Nakai Nam Theun National Protected Area is moving towards one of the best managed protected area in South-east Asia that is managed solely by a government agency. Moreover, in terms of protected management techniques, the reserve is at the forefront in virtually all aspects of natural resource management. This is because Laos is very progressive in adopting state-of-the-art natural resource management approaches.

1.1. The project approach

The project approach will involve three components, namely (a) an assessment of the Vietnamese “buffer zone” immediately adjacent to Nakai Nam Theun National Protected Area (b) capacity building of law enforcement personnel in Quang Binh and Ha Tinh Provinces and (c) promoting transboundary cooperation between Laos and Vietnamese government officials. These include:

A,) An assessment will be conducted of the following: (i) land-use and land tenure in immediate proximity to the international boundary; (ii) population centres and market surveys for wildlife; (iii) access routes into Nakai Nam Theun NPA (roads, tracks and major access trails and paths; and (iv) enforcement presence (checkpoints, stations, barriers) within 15 km of the international boundary. A review of provincial law enforcement and trade records, as well as any provincial MoUs and directives.

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B.) Multi-agency training programs will be carried out for Ha Tinh provincial law enforcement agencies in wildlife trade control (including species identification, laws and wildlife trade dynamics and enforcement campaign planning). Trainers from central enforcement agencies (e.g. Supreme People's Procuracy, Interpol NCB) will join wildlife experts to deliver a training that not only delivers knowledge but that aims to build support and interest in this issue to these agencies.

C) The project will support two joint-meetings of Committee 127 on Anti-smuggling and the National Vietnam Wildlife Enforcement Network in Ha Tinh Town to analyze and plan more effective trans-boundary wildlife trade suppression in Ha Tinh province. Experts from Interpol Wildlife Crime unit and ASEAN-WEN will be invited to attend these meetings to provide inputs to this process.

D.) The provincial authorities in Quang Binh and Ha Tinh Provinces will liaise with the provincial authorities of Khammouane Province and the Watershed Management and Protection Authority (WMPA), through transboundary liaison meetings held three times a year.

E) Journalist workshops will be organized to increase accurate media coverage on the issue of illegal cross-border trade in this area. This will include a field trip to the border areas, border crossing points and interviews with enforcement personnel.

Thus, only Component A, conducted by FFI Vietnam, triggers the CEPF Social Safeguards (i.e. policy on Indigenous People). This is the only component where the project will work with indigenous peoples at the local level; all other components will be working with stakeholders at the provincial level.

1.2. Current experience of FFI Vietnam

FFI has used a community-based approach at all sites, usually attempting to integrate local livelihood development activities with conservation objectives. Community consultation and participation in conservation planning and management has played an important role at all locations and has led to the establishment of four protected areas.

Examples of current FFI Vietnam Programme work includes:

- **Our collaborative management approach** will provide a range of benefits to both local livelihood development and biodiversity conservation. For the past decade, FFI has been in the vanguard of organizations developing models to involve local communities and institutions in conservation in Vietnam. Becoming a member of the Co-Management Learning Network of Protected Areas in Southeast Asia since 2006, Mu Cang Chai is a pioneer model of collaborative management of protected area in Vietnam
- **Long-term conservation in the Hoang Lien Mountains.** This mountain range is one of the most biologically and ethnically diverse landscapes in Vietnam. It is home to over 2,000 species of plants and many special species, including the critically endangered western black crested gibbon and the conifer *Taiwania*. For nearly ten years FFI has been involving local communities in the conservation of these special forests, through community-based monitoring groups and collaborative management.
- **Involving local communities in conservation** lies at the heart of FFI's conservation approach. Community patrol groups have been set up at several FFI project sites to support enforcement and monitoring. FFI places a high value on the participation of local communities in planning conservation activities and encouraging them to take pride in their local forests and biodiversity.
- **Community-based ecotourism** in Pu Luong Nature Reserve. The rich, evergreen forest has outstanding natural beauty, cultural and diversity, with limestone panoramas and magnificent rice terraces. A new tourism business model has been put into place to empower local people,

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improve participation in natural resource management and use tourism revenues to improve livelihoods and support biodiversity conservation.

- **Phong Nha Ke Bang National Park, a World Heritage Site** is recognized as an area of global biodiversity importance. FFI has been active in the national park since 1998, assisting the management authorities to protect the park by establishing community-based forest patrol groups to reduce illegal hunting; to improve local livelihoods by establishing forest gardens for sustainable forest products and timber.

1.3. Summary of socio-economic context

Presently, our knowledge of the socio-economy on the Vietnamese side of Nakai Nam Theun National Protected Area is rather scant. There are seven communes (north to south: Kim Son 1, Kim Son 2, Huong Quang, Hoa Hai, Phu Gia, Huong Vinh and Huong Lam) in the three districts (Huong Son, Vu Quang and Huong Khe) in Ha Tinh Province. Furthermore, there are four communes (Thanh Hoa, Trong Hoa, Dan Hoa and Hoa Son) in two districts (Tuyen Hoa and Minh Hoa) in Quang Binh Province.

1.4. Process of project development

The project concept was initially devised by the FFI Vietnam Country Director, based upon his previous involvement as Chief Technical Adviser to the Watershed Management and Protection Authority (WMPA) from May 2008 until February 2010. Thus, the Country Director is fully aware of the social safeguards required for activities conducted in the enclave villages and buffer zone communities in and around Nakai Nam Theun National Protected Area.

Thus, the Vietnam Country Director conceived of the idea of assessing the Vietnam buffer zone communities and their transboundary impacts into Nakai Nam Theun National Protected Area. Following discussions with representatives from the Wildlife Conservation Society and PanNature, additional components of wildlife enforcement training and journalism workshops were incorporated to strengthen the proposal, in fields of expertise that FFI had little or none professional experience.

The project has been discussed with senior management team from the WMPA. Discussion has been explicitly related to development of the CEPF proposal, and its build on to the activities outlined in the (draft) Nakai Nam Theun National Protected Area Management Plan (2010-2015). The WMPA has subsequently agreed verbally to consider co-funding this intervention, although the final decision on budget allocation rests with the WMPA Board of Directors.

2. Participatory implementation

The involvement of the local communities in implementation of the main field-based project activity – the social assessment - is described below.

2.1. Participatory socio-economic assessments

A participatory socio economic assessment lies at the heart of this project. It is during this process that local communities will be most engaged and measures identified that can support conservation without adverse impact on the livelihoods. The process will be developed in detail as a first stage of the project. The principle of Free, Prior and Informed Consent will be embodied in project implementation. Introductory meetings, at the village level, will be held in all ethnic minority villages to be covered by Component 1. These meetings, which will be held in local languages, would introduce the project goals, explain the proposed activities, and give the villagers an opportunity to consent to take part (or not take part, if they so wish). Consent will be given by both communes and individual households, and will be documented (e.g. list of meeting participants plus signatures/thumbprints).

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The assessment will be implemented in seven communes in Ha Tinh Province and four communes in Quang Binh province where the need is most urgent to address threats to the Nakai Nam Theun National Protected Area and where no previous ground work has been conducted before. The socio-economic assessment will involve sample interviews of households. Representatives from the district authorities, the communes and the FFI staff will conduct these village socio-economic interviews, as participatory research. The objective will be to rapidly collate socio-economic data to assist to assess the buffer zone situation and provide a foundation for the development of an action plan for local development and conservation in a way that involves the main local stakeholders, especially the 11 communes and the five local district authorities. The process will include data collection, analysis of conservation threats and needs, awareness raising and participatory planning.

As a result of the socio-economic surveys, target villages will be identified with support from local government, as having the most significant impact on the Nakai Nam Theun National Protected Area in Lao P.D.R.. The role of the project will be to provide a foundation for dialogue between the communes and villagers, and the district authorities, to find a consensus that supports conservation with minimal impact on local livelihoods and identifies appropriate measure to support local communities.

Guidance described within the CEPF operational manual is comprehensive and entirely appropriate for this activity. Therefore it is quoted verbatim here: *“The process will support develop a more in-depth understanding of: (a) the cultural, social, economic, and geographic setting of the communities in the project areas; (b) the types and extent of community use of natural resources, and the existing rules and institutions for the use and management of natural resources; (c) identification of village territories and customary use rights; (d) local and indigenous knowledge of biodiversity and natural resource use; (e) the threats to and impacts on the biodiversity from various activities in the area, including those of local communities; (f) the potential livelihood impacts of new or more strictly enforced restrictions on use of resources in the area; (g) communities’ suggestions and/or views on possible mitigation measures; (h) potential conflicts over the use of natural resources, and methods for solving such conflicts; and (i) strategies for local participation and consultation during implementation of an action plan, including monitoring and evaluation.”*

FFI staff have strong experience in conducting such activities and facilitation consultation and participation with local communities. The FFI Transboundary Wildlife Trade Coordinator already has several years of working with villagers in Quang Binh Province (at Phong Nhe Kha Bang National Park) promoting forest gardens. The process will be developed in detail and refined during the project to improve effectiveness. Following each village consultation, an internal assessment will be carried out to identify strengths, weaknesses and adaptations to improve the process. It can be expected that this will be carried out at all the “buffer zone” communes. Prior to conducting the first such process, FFI will consult other NGOs and carry out desktop research in order to ensure that sufficient attention is given to issues related to ethnicity, gender and inclusion of other potentially marginalised sectors of the community. World Bank safeguards will be used as guidance, to ensure both compliance with CEPF safeguards during project implementation and a stronger basis for follow-up interventions.

Once several village consultations have been carried out, results will be compiled and presented in a stakeholder action planning workshop at the next appropriate government level, which is likely to be the district. This stakeholder workshop will include representatives from villages, communes, the district, protected areas with technical support from FFI. An output of the project should be a framework for a buffer zone action plan.

3. Criteria for eligibility of affected persons.

It is unlikely that this project will have an adverse impact on local livelihoods, during the project timeframe, as most of the activities are concerned with simply conducting socio-economic assessments. This will involve strong consultation of local communities. The socio-economic surveys will be designed to identify early on any possibly affected persons and even to identify restrictions that are already in place as a result of establishment of the Nakai Nam Theun National Protected Area in the past. Solutions will also be identified where conservation actions might lead to restrictions in the future. As stated before, the action planning process will not lead to actions being taken by the project, but will support development of conservation interventions in due course. The process will therefore support mitigation of adverse socio-economic impacts.

Surveying of transboundary access points by FFI, and subsequent patrolling activities in Lao P. D.R. may affect some members of local communities, but in these cases activities of affected persons are likely to have been illegal.

4. Measures to assist the affected persons

The measures to assist affected persons will be through activities that are implemented by Vietnamese government agencies. The villages in the 11 communes will be selected mainly based upon proximity and impact to the Nakai Nam Theun National Protected Area. At the same time this is likely to target the most marginalised communities.

FFI will coordinate the project at the site level through a site-based Transboundary Wildlife Trade Coordinator who will be involved in the project and at the project management level.

5. Conflict resolution and complaint mechanism

The socio-economic assessment should identify areas of potential conflict, possible solutions and, importantly, mechanisms for addressing such conflict. This will mainly occur during the village surveys in the 11 communes, but project staff will ensure that during village consultations there is sufficient opportunity for villagers to raise concerns and identify issues of potential conflict and that these concerns are relayed to the higher level planning meetings.

On a monthly basis FFI staff will monitor project implementation and liaise with forest protection supervisors over issues of conflict. The 11 communes will be the main point of contact for informing potentially affected people of grievance mechanisms. Reports will be provided to project manager. Project staff will follow-up on any reported issues with affected persons directly in the field. Where relevant, the project will support affected persons to contact CEPF RIT.

In all cases where grievances are raised, the CEPF RIT will be notified. Ethnic minority people in villages where the project will work will have access to the contact details of the RIT, so that they have the option of contacting them directly, if they so wish. This will be done through a conservation notebook, explaining the project objectives, and providing contact details, to be distributed in target villages.

FFI and Forest Protection Department partners work closely with Commune People's Committees in planning activities and reporting on results. This is often the most appropriate level to address local areas of conflict.

6. Implementation Arrangements

FFI will take overall responsibility for managing the project and ensuring appropriate mitigation measures are taken by its staff and grantees. FFI will ensure that the approved version of this Social Assessment is distributed and understood among project partners and relevant stakeholders. FFI project staff will conduct on-going monitoring of project activities

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and implementation of this process framework at all sites where FFI is coordinating field activities.

FFI believe that there is no need to conduct joint evaluation missions for this project. During the socio-economic surveys in the 11 communes, FFI, representatives from the respective district authorities and the commune will discuss on a regular basis to evaluate the process, make necessary refinements and ensure compliance with the process framework.

The District authorities and the Forest Protection Department in Ha Tinh and Quang Binh Provinces will be the main government counterparts to the project and will be involved in all socio-economic surveys of project implementation. In this way the project will be supporting the Forest Protection Department to develop their capacity to resolve issues of conflicts between local communities and conservation.

Commune and District People's Committees will be involved throughout the project in planning, reporting and consultations. They will support the project to identify needs of local communities and identify solutions to resolve conflicts. Commune People's Committees will also monitor activities of the project staff.