

Critical Ecosystem Partnership Fund Process Framework for Involuntary Restrictions & Social Assessment



Children in Pac Nga village, Ngoc Con Commune, Trung Khanh District. © FFI

**Empowering local communities to engage in
conservation and management of priority Key
Biodiversity Areas and threatened primate and plant
species in the Sino-Vietnamese Limestone Corridor**

Organization: Fauna & Flora International

Application Code: 64645

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1 Statement of Need

In line with CEPF requirements, we confirm that the proposed project does work in areas where indigenous peoples live and the proposed activities might change their behaviors in relation to natural resources management and utilization. Together with local partners and stakeholders, FFI's Vietnam Country Programme has prepared this document to demonstrate how the project will comply with CEPF's Safeguard Policies on Indigenous Peoples and Involuntary Resettlement.

2 Project Background

The areas in which the proposed project will be undertaken are populated by some of the most impoverished communities in Vietnam. Ha Giang and Cao Bang Provinces, where proposed project activities will be undertaken, are ranked as the second and fifth poorest provinces in Vietnam, with poverty rates at 71% and 53% respectively and the districts in which the interventions occur having even higher rates than the province average. All three proposed project sites are characterised by having a high proportion of ethnic minorities residing along the borders of the Protected Areas where FFI will work.

FFI has a long history of working at all three priority Key Biodiversity Areas (KBAs) targeted for interventions under this proposal; in Trung Khanh Species Habitat Conservation Area (SHCA) since 2002, in Khau Ca SHCA since 2002 and in Tung Vai since 2008. FFI works closely with, and has a strong presence amongst, the local communities where we have supported local ethnic minorities to protect their natural resources and develop alternative livelihoods.

Tung Vai Commune, Khau Ca SHCA, and Trung Khanh SHCA all fall within areas largely, if not entirely, populated by indigenous ethnic minorities who are amongst the most disenfranchised communities in Vietnam. Tung Vai and its bordering communes are home to Tay, Black Dzao and H'mong; Khau Ca's population is comprised of Tay and Dzao; and Trung Khanh is largely populated by Nung, Tay and H'mong, all of which are represented in the patrolling Community Conservation Teams (CCTs) and the Management Advisory Committees (MACs) (where they are established). Activities detailed in this proposal include components that are culturally relevant to the various indigenous communities, including using the various CCT members to address their own communities, having collateral and educational materials published in minority specific languages, and using community-developed SCAPs to address indigenous concerns on protected area management

3 Ethnic Minorities and Social Assessment

Trung Khanh Species Habitat Conservation Area (VNM98)

Indigenous people

Currently there are 28 villages and 1,487 households consisting of 6,402 people living in the communes of Ngoc Khe, Ngoc Con and Phong Nam, which are the three communes in which the Trung Khanh SHCA has been designated. These communes are largely populated by the Tay ethnic minority (over 90% of households based on 2005 data), but there are also Nung ethnic minority who derive from the area. In addition a small number of H'mong households are found in the area, but these families have migrated from outside the area. A full breakdown of the number of households and people and their ethnicity in villages closest to the protected area and that represent priorities for conservation interventions are listed in Table 1.

Table 1 - List of priority villages in three communes surrounding Trung Khanh SHCA with statistics on ethnicity.

Commune	Village	HHs	People	Tay	Nung	Other
Ngoc Khê	Giộc Sung	30	136	136	0	0
	Nà Lông - Nà Gạch	60	278	278	0	0
	Pác Thay - Pác Peo - Đồng Dọ	75	367	367	0	0
	Ta Nay	84	396	392	4	0
	Đông Ổi	57	396	396	0	0
	Lũng Hoài	24	102	5	97	0
	Giộc Sâu	100	467	464	3	0
	Lũng Lầu	56	338	0	338	0
Ngoc Côn	Phia Siếm	30	150	150	0	0
	Pác Ngà - Bó Hay	76	390	390	0	0
	Đông Si - Nà Giào - Tụ Bản	57	277	277	0	0
	Pò Peo	45	194	194	0	0
Phong Nặm	Đà Bè	23	106	0	106	0
	Lũng Điêng	34	167	167	0	0
	Lũng Rì	14	75	0	75	0
	Pác Đông	24	110	103	7	0
	Nà Hâu - Nà Chang	49	193	179	14	0
	Đà Bút - Đà Đoan	66	181	175	5	1
	Nà Thông	21	122	122	0	0
	Giốc Rùng	30	140	136	4	0
	Canh Cấp - Bài Ban	45	208	208	0	0
TOTAL		1,000	4,793	4,139	653	1

Social Assessment

No villages fall within the boundaries of the Trung Khanh SHCA, however there are many villages living in close proximity and who have or do rely on the protected area for various forest products. Economic data for these villages is currently outdated, being based on work conducted by FFI in 2005, however will be updated under the proposed CEPF grant (Deliverable 2.3). Based on 2005 data however, the majority of households in the three communes which contain the bufferzone of Trung Khanh SHCA are considered to have “medium incomes.” The most significant economic activity is agriculture with per capita income from agricultural pursuits ranging from 1,000,000 VND to 6,000,000 VND (~USD50-300). Local ethnic minority agricultural cropping practices are dominated by rice

and maize. Domestic animals including cows, buffalo, poultry and pigs are common. Previously goats were also common, however, the District no longer allows goats in the bufferzone of the protected areas due to their impact on forest regeneration.

Key economic activities which impact the protected area include fuel-wood collection, collection of timber for construction of houses and waterwheels and cattle grazing. Activities under this grant aim to reduce the dependence of local ethnic minorities on these resources through provision of acceptable alternatives such as fuel efficient stoves, wood lots and metal waterwheels. Additional information on the local ethnic communities economic activities surrounding Trung Khanh SHCA can be found in:

Nguyen Hung Manh, Luan Viet Quoc, & Pham Hoang Linh. 2005. *Initial Resource Assessment in Phong Nam and Ngoc Khe Communes, Trung Khanh District*. Fauna & Flora International.



Figure 1 - Priority villages that impact on Trung Khanh SHCA.

Khau Ca Species Habitat Conservation Area (VNM50)

Indigenous people

The human population in the area around Khau Ca SHCA is largely comprised of ethnic minorities. The largest ethnic group is Tay with 7,503 people, followed by 1,470 Dao and 640 Mong based on 2006 figures. A full breakdown of the number of households and people and their ethnicity in villages closest to the protected

area and that represent priorities for conservation interventions are listed in Table 2.

Table 2 - List of priority villages in three communes surrounding Khu Ca SHCA with statistics on ethnicity.

Commune	Village	HHs	People	Tay	Dao	Mong	Other
Tùng Bá	Nậm Rịa	130	709	671	31	7	0
	Phúc Hạ	239	1,333	1,221	104	0	8
	Hồng Minh	244	1,448	1,156	228	64	0
Yên Định	Nà Yến	70	378	372	0	0	6
	Bản Bó	68	332	332	0	0	0
Minh Sơn	Phe Đeng	12	75	0	75	0	0
	Khuổi Lò	34	217	0	217	0	0
	Khuổi Kẹn	42	236	0	236	0	0
TOTAL		839	4,728	3,752	891	71	14

Social Assessment

There are 16 villages in the three communes around Khu Ca SHCA with a total of 1,791 households and 9,667 individuals based on 2006 figures. No villages are located inside the protected area. Per capita agricultural income of the local people is very low (1,700,000 VND per capita equal to 140,000/person/month or ~USD\$7/month), with 98.5 % of people depending on agriculture and forest products. This level of income ranks these households as “poor” based on Vietnamese government standards. However, there is considerable additional income historically sourced from forest resources which shifts these rankings into the “medium” bracket. The average amount of agricultural land /person is quite high at 833 m²/person. Additional data on the socioeconomic situation of local ethnic minorities will be generated during the life of this grant through PRA surveys.

Key economic activities conducted by local communities which impact the protected area are similar to many in northern Vietnam. Local communities utilize the forest for collection of fuel-wood, timber for construction and non-timber forest products. Based on ongoing field assessments of threats, the most significant threats to Tonkin snub-nosed monkeys driven by local communities forest use practices and that require mediation are timber extraction and hunting. Second tier issues include NTFP harvesting and cattle grazing. Additional updated information is required to better understand how local communities and forest intersect, especially since the designation of the protected area.

Social Assessment

Key villages which rely on forest resources and impact Tonkin snub-nosed monkey habitats include for example Ban Thang which is comprised of 128 households of mainly Tay and Nung ethnic minorities, and Tung Vai Phin, comprised of 102 households of predominantly H'Mong ethnic minorities. In these two key target villages, poverty levels are high, with the proportion of poor households being 41% and 53% respectively. The average income in Quan Ba District as a whole was 6,000,000 VND/person/year in 2010 (~USD\$300). Approximately 7 per cent is income derived from selling forest products with the rest split between agriculture and livestock. Data provided by Quan Ba Agriculture and Rural Development Office and commune and village interviews suggest that the cultivation of cardamom and *Lysimachia* is the single greatest source of income for local people. Approximately 80% of households cultivate these two types of plant. Some households at Va Thang 2 Village can receive up to 200,000,000 VND (~USD\$9,500) from selling cardamom.

The main agricultural activity is planting rice, maize and peas, however most villages lack irrigation systems. In some villages there are still households that suffer food shortages during some months of the year. Apart from the main crops such as rice and maize, most households plant cabbage or peas in order to meet their needs and for animal husbandry (buffalo, cow, pig, chicken, duck). However, a number of buffalos and cows die every year due to cold weather and disease. Animals are kept mainly for local consumption.

Key economic activities which impact the KBA include, most significantly, cardamom and *Lysimachia* cultivation. At present, all villages located close to the Tung Vai – Cao Ma Po – Ta Van forest are engaged in the cultivation of the two understory herbs as cash crops. The villages which are planting cardamom and *Lysimachia* in areas which are used by Tonkin snub-nosed monkeys are Tung Vai Phin (5 households) and Ban Thang (124 households) in Tung Vai Commune; Ta Van (50 households), Chung Trai (70 households) and Lo Suoi Tung (15 households) in Ta Van Commune; and Va Thang 2 (49 households) in Cao Ma Po Commune. When cultivating *Lysimachia* the forest canopy is thinned by 30-70% and the understory is cleared. The plant is cut and dried in wood-fuelled ovens in the forest making fuel-wood collection an even more significant threat than it would otherwise be at the site.

Logging for local construction and trade is also carried out by residents, particularly by people from Then Van 1, Then Van 2, Vang Cha Phin, Chin Chu Lin, Va Thang 1 and Va Thang 2 villages, as well as by people illegally crossing the border from China. Large trees such as *Magnolia sp.*, *Taxus chinensis*, *Calocedrus macrolepis*, *Cinnamomum balansae* and *Lycopodium clavatum* are targeted. They are cut into blocks or planks in the forest and carried out either on foot or by buffalo.

Hunting with guns is also a common activity in the area. The monkeys are hunted opportunistically, with usually the meat being eaten. It is the custom to carry a gun in the forest, for hunting, self-protection and to defend areas under cultivation. This habit, combined with weak enforcement of gun control laws, means that almost everybody in the forest carries a gun. Guns and ammunition are inexpensive because they are locally made. They are hidden in the forest to prevent them from being confiscated

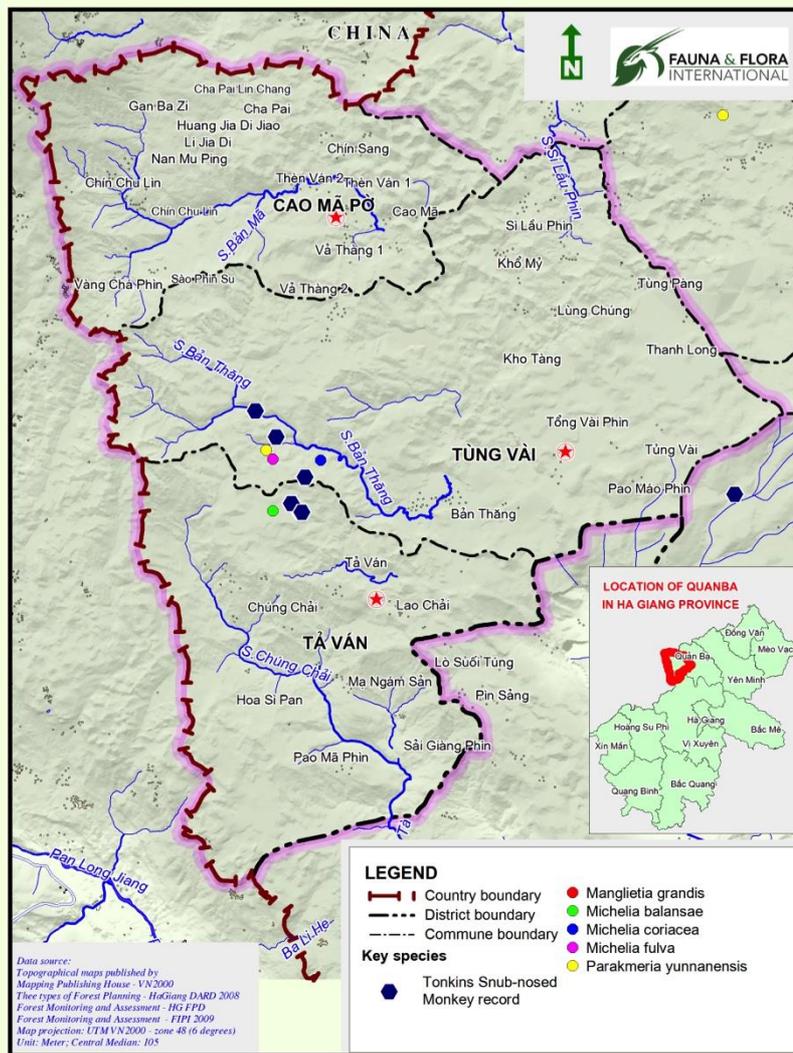


Figure 3 - Map showing Quan Ba District villages in relation to records of Tonkin snub-nosed monkeys and threatened plant species.

4 Project Impacts

Local communities and ethnic minorities will be assisted through several interventions. Component 1 is aimed at increasing minority representation in co-management bodies established for the use of protected areas within commune space. Component 2 is designed to establish conservation action plans which take into account local concerns, Component 3 aims to improve local understanding of the legislative environment in which they are forced to

operate, Component 4 aims to provide opportunities for local communities to become direct and indirect beneficiaries of natural resource management activities and Component 5 provides alternative, locally appropriate options for local communities to reduce impacts on natural resources and reduce labour hours.

Project activities to be conducted which *may* impact local communities of ethnic minorities and/or their access to natural resources and therefore trigger safeguards include:

Activity 1.2, 1.3, 1.4: Establish and maintaining Management Advisory Committees. The MAC model is designed to include local communities in the management of protected areas within which they live in close association and are often reliant on for natural resources. The creation and improvement of MACs will give local ethnic minorities a stronger voice in the management of the forest areas they live in association with through membership and participation, a process which has been welcomed in KBAs where the process has been implemented. The membership of the MACs includes commune leaders who are themselves often local ethnic minorities and, contingent on the findings of Activity 1.1, village leaders. The creation of MACs will therefore not in itself lead to any reduction in access to natural resources, but rather increase participation in protected area governance and provide a grievance mechanism for local communities to decision makers. This activity was identified by local communities during the SCAP process as a priority action and is listed in the Species Conservation Action Plan (SCAP) as Conservation Action 1.

Activity 2.6 & 2.7: Develop SCAPs in Khu Ca SHCA and Trung Khanh SHCA. SCAPs are plans that outline actions required for the conservation of a species under threat. They are developed within a framework that acknowledges the presence of local communities and stakeholders as a central component for the sustainable conservation of the species. They suggest conservation actions for a species that are based on scientific information and take into account local knowledge and needs. Conservation actions are identified jointly with village stakeholders through village meetings, and must ensure equality amongst participants, and therefore include, men, women, villagers of low and high social standing, elderly, and representatives of all ethnic minority groups. The SCAP process may identify issues relating to natural resource management and may recommend approaches to reducing damaging impacts and increasing sustainability. Therefore SCAPs may suggest reductions in access to natural resources, however the process of determining this is one largely driven by local stakeholders and can therefore be conceptualized as voluntary.

Activity 2.8: Research on implementation of sustainable cardamom and *Lysimachia* cultivation scheme in Tung Vai. This activity does not imply any negative impacts to local communities current harvesting of cardamom and *Lysimachia* in the area but rather addresses ways in which to make it more sustainable. This activity was identified by local communities during the SCAP process as a priority action and is listed in the SCAP as Conservation Action 10.

Activity 2.9: Establish village regulations for forest resource use in Tung Vai. Village regulations for natural resource use in Tung Vai will be drafted by community members themselves and therefore will represent a voluntary restriction of access to natural resources. This activity was identified by local communities during the SCAP process as a priority action and is listed in the SCAP as Conservation Action 3.

Activity 4.2 & 6.4: Support and scale-up community conservation teams in Tung Vai, Khau Ca SHCA and Trung Khanh SHCA to protect and monitor priority primate and plant species. Community Conservation Teams (CCTs) composed of local community members are already functioning in Tung Vai, Khau Ca and Trung Khanh. Enforcement by CCTs represent a potentially involuntary restriction to access of natural resources through improved protection and exclusion of people from legally protected areas. All enforcement activities conducted by CCTs are however in line with national legislation and therefore represent a curtailing of activities which are illegal, unsustainable and destructive.

5 Free Prior Informed Consent and Grievance Mechanism

As noted above, FFI has a long history of working at all three priority KBAs targeted for interventions under this proposal; in Trung Khanh SHCA since 2002, in Khau Ca SHCA since 2002 and in Tung Vai since 2008. FFI works closely with, and has a strong presence amongst, the local communities where we have supported local ethnic minorities to protect their natural resources and develop alternative livelihoods. All activities are conducted in cooperation with local community members and protected area managers.

In the beginning of this project, a Free, Prior and Informed Consent (FPIC) with relevant local communities will be developed together with relevant partners and stakeholders. This consent will provide the guiding principles during the project implementation. FFI and all partners will make sure this consent is agreed by, satisfied, available and accessible to local communities, and also adaptive to changing situations.

Some degree of FPIC however already exists for project activities. For example, activities to be conducted in Tung Vai KBA have been developed in cooperation with local communities as part of the Species Conservation Action Planning process conducted under a previous CEPF grant to FFI - *Promoting Community Based Collaborative Management to Strengthen Long Term Conservation of Globally Threatened Primates and Trees in Priority Sites of Northern Vietnam*. This included participation by commune leaders, who are ethnic minorities, in the preliminary SCAP workshop in June 2010, followed by broad-scale representation at subsequent village meetings at all villages, (village leaders, village representatives of the Women's Union, Youth Union and War Veterans Union, and village members), and involvement of village and commune leaders during a final workshop on the draft SCAP. The SCAP process is designed to ensure conservation actions are determined by local stakeholders, and as such

there has been full participation and consent in determining the activities included in this element of the grant application.

Activities and Khau Ca SHCA and Trung Khanh SHCA will require additional FPIC processes, to ensure communities are fully aware of project activities and consent to their implementation. However, the processes identified in the Project Impacts section are inherently community driven, with the development of Management Advisory Committees and Species Conservation Action Plans being mechanisms for reaching consent amongst local stakeholders.

The FPIC process will be conducted in the relevant minority languages for the particular villages where consultation meetings are held to ensure full understanding of the project objectives and activities. We will ensure representation of women in the process through engaging with the Women's Union during this time. Consent should be documented in culturally appropriate ways based on the rights holders desires and community structures. The appropriate mode for recording consent will be determined as part of the FPIC process, but is likely to either involve signing of a consent form which will be developed in line with best practice or orally as considered appropriate by the rights holders. The names, sex, ethnicity, age and occupation of each village meeting participant will be recorded.

During project implementation, a multi-level grievance mechanism will be established and communicated to local communities that may be impacted by project activities. Avenues for community members to make grievances directly to project staff will be formulated, with mechanisms for consideration, reply and notification to the CEPF RIT for forwarding to the CEPF secretariat as per CEPF's Environmental and Social Management Framework. CEPF and the Regional Implementation Team will be informed of any grievances within 30 days, together with a plan for remedial action by FFI and partners, if any is required. Local communities where the project will be implemented will also be provided with contact details of the CEPF Regional Implementation Team (in this case, staff of IUCN Thailand), with whom they can raise any concerns that they are uncomfortable to broach with the project team.