

Sanamxai Community Conservation Group

Process Framework Incorporating Indigenous Peoples Plan

A. PROJECT BACKGROUND

The Sanamxai Conservation Group has benefited over the past years of the financial and technical support of the WWF. The group has gained in capacity and will take this opportunity to take the lead in the sanctuary management and enhance its long term sustainable financing capacity.

The project goal is to work towards maintaining a sustainable interest in Eld's deer conservation among the local communities and to develop community-based eco-tourism activities as a sustainable financing source of the Eld's deer sanctuary conservation project.

Activities will focus mainly on eco-tourism development and will benefit from WWF technical support. The project will also take over WWF's current support to law enforcement strengthening and Eld's deer monitoring at the end of their project in April 2013 to maintain the necessary pressure against illegal activities and villager's involvement.

Specific Activities and Expected Outcomes include:

Proposed actions

1. Assessment of some potential of community-based Eld's deer eco-tourism development.
 - 1.1 Evaluation work: Gather all existing documentation, information on local existing experience, etc
 - 1.2 Organize a workshop with all stakeholder to identify expression of interest of local community
 - 1.3 Identify capacity building needed to help the implementation of such project and organization of a training session
2. Enhanced awareness and capacity for local communities in the Eld's Deer Conservation. (will be done in 4 additional villages compared with WWF's large grant project)
 - 2.1 Provide some education materials for school children and villagers
 - 2.2 Dissemination of national laws, sanctuary regulations in 4 target villages surrounding the sanctuary.
3. Strengthening Law enforcement to stop Eld's Deer poaching and destruction of dry dipterocarp forest habitat throughout the Eld's Deer Sanctuary. (take over from end of WWF's large grant in April 2013)

- 3.1 Monthly based patrolling in the core zone by villagers and around the sanctuary by government staff
4. Participatory monitoring of Eld's Deer, and threat (measure the success) (take over from end of WWF's large grant in April 2013)
 - 4.1 Monitoring threats and population: 8 transect surveys covering the core zone of the Sanctuary will be monitor for sign of Eld's deer presence and threats evidence
 - 4.2 Eld's Deer Population monitoring: record of all sighting done by villagers and patrolling teams.

Expected Outcomes:

- Increased local support and capacity by Communities for natural resource management and Eld's Deer Protection
- Reduction in primary threats to the remaining Eld's Deer Populations including poaching and habitat encroachment
- Reduction in primary threats to the Dry Forest of the Eld's Deer Sanctuary including illegal logging, over harvesting of forest resources, agriculture expansion and fire
- Increased sustainable development options for villages in the core area of the sanctuary
- Improved understanding of the Eld's Deer Population in the Savannakhet Elds Deer Sanctuary

B. THE STATUS OF INDIGENOUS PEOPLES IN THE AREA

The project will work with a total of 36 villages which are based in and around the Eld's Deer Sanctuary in Savannakhet Province. Of these 36 villages, seven villages are located inside the Core Zone of the Sanctuary and will be the focus of detailed integrated land planning and conservation management activities.

All but one of the 36 villages within the sanctuary (and six of the seven target villages) are from the Katang Ethnic Group. The Katang people traditionally live in upland areas (classified as Lao Teung by the Laos Government) and are the sixth largest ethnic group in Laos. Most Katang people follow old ethnic beliefs combining this with Buddhism in many areas. Traditionally Katang people are forest dwellers practicing long rotation upland rice. From studies in Savannakhet and Salavan provinces, they rely heavily on forest resources collecting non-timber forest products (NTFPs) for local use and sale and surviving fish, wild tubers and forest plants during times of rice shortage. Forest resource use is generally open access and people collect resources such as fish, frogs, mushrooms, bamboo shoots and *damar* resin. Despite traditional systems there are increasing disputes over open access resources and the need for management regulations and rights negotiations is becoming increasingly evident.

In addition to the Katang Ethnic Group there is one Lowland Laos (Laos Luem) village located in the Core zone of Eld's Deer Sanctuary. People from this village are traditionally paddy rice farmers and practice Buddhism. They also rely heavily on forest resources collecting NTFPs for local use and sale.

From a 2006 survey the seven villages in the core zone include 488 households and a total population of over 5300 people. Together the seven villages are farming approximately 430

ha of paddy rice and have over 14,000 head of cattle and buffalo. Population data for each village is summarized in table 1 below.

Table 1. 2006 Data for the Seven Core Zone Villages

Village	Number of Households	Total Population	livestock		Area of Paddy Rice (ha)	Year Settled	Ponds
			buffalo	cows			
Sanamxai	105	669	86	400	88	1992	2
Nongsonghong	82	523	100	160	157	1935	8
Tangvainam	202	1663	285	608	158	1935	8
Tangvaikok (Nasunghor, Pasit)	233	1837	369	339	545		8
Kaluem-Nongkhae	147	1038	150	227	129		8
Phosakhoun	138	2021	203	189	313		8
Doungmala	74	528	98	105	75		6
		472	(only 2011)				

C. LEGAL AND INSTITUTIONAL FRAMEWORK APPLICABLE TO INDIGENOUS PEOPLES IN LAOS

There are no formal legal frameworks or policies related to Indigenous People in Laos. The Government of Lao PDR is a Democratic Republic and operates on the principle of equality among all citizens without providing special clauses for marginalized or more susceptible groups. However the Government of Lao PDR has signed the UN Declaration on the Rights of Indigenous People and as such will have to ratify to the principles of the agreement over the coming years. Of particular relevance to Indigenous People's and Natural Resource Management are the following articles:

Article 3

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

Article 4

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Article 8

1. *Indigenous peoples and individuals have the right not to be subjected to forced assimilation or destruction of their culture.*
2. *States shall provide effective mechanisms for prevention of, and redress for:*
 - (a) *Any action which has the aim or effect of depriving them of their integrity as distinct peoples, or of their cultural values or ethnic identities;*
 - (b) *Any action which has the aim or effect of dispossessing them of their lands, territories or resources;*
 - (c) *Any form of forced population transfer which has the aim or effect of violating or undermining any of their rights;*

- (d) Any form of forced assimilation or integration;*
(e) Any form of propaganda designed to promote or incite racial or ethnic discrimination directed against them.

Article 10

Indigenous peoples shall not be forcibly removed from their lands or territories. No relocation shall take place without the free, prior and informed consent of the indigenous peoples concerned and after agreement on just and fair compensation and, where possible, with the option of return.

D. POSSIBLE THREATS AND MITIGATION

Following the CEPF Planning Framework there are a variety of possible threats to Indigenous Peoples through development interventions and in particular natural resource and land use plans. The following section summarizes these threats and outlines mitigation which will occur as part of project implementation to minimize negative impacts on local and Indigenous People.

1. Infringement on customary and Indigenous Peoples' rights

Given the lack of legal framework and regulations specifically supporting Indigenous People's in Laos there is no threat of project activities resulting in loss of formal rights.

Customary rights existing within communities and between villages will be specifically examined. If changes to customary rights seem necessary as part of the law enforcement process the decision will be made by the villages themselves and should clearly be backed with justification and mitigation measures such as alternate areas identified or increased support to alternative livelihoods.

2. Loss of culture and social cohesion

Loss of culture and social cohesion is a threat of any type of development intervention with respect to indigenous communities and culture. By including culture and traditional resource use practices as part of the planning process the project is making every attempt to record and maintain culture and social cohesion. In particular the socio-economic surveys and the land use planning process has included specific questions and responses to culture and traditional practices and every attempt will be made to maintain these practices in the long term plans.

3. Dependency on external support.

Participation and capacity building will be key to every step of project planning and implementation ensuring that decisions are made by the communities themselves and are based on strong principles of sustainability and environmental management. External support will be in the form of capacity building or start up funds and will be based on needs identified by the communities themselves. A sustainability plan will be developed for the community-based eco-tourism activities to ensure that there is no long term dependency by local communities.

4. Inequitable participation

Sanamxai conservation group recognizes that all members of society are involved in resource use and collection. Participation in design will include all levels of community membership (in particular women and lower income groups within a village) and will be designed to build upon local decision-making structures.

5. Poorly planned changes in natural resource use.

Examination of traditional systems in participation with local communities has been key to the land use planning process. Biological and social evidence of the implications of formalization of existing management structures or changes in resource management has been assessed and communities have ultimately developed land use plans based on this assessment. In addition the implications of multiple village plans has been assessed over a larger area focusing on long term sustainability and conflict mitigation for all the villages in the Core Zone of the Eld's Deer Sanctuary.

E. PRIOR CONSULTATION

Sanamxay Conservation Group will build on past WWF work in the Eld's Deer Sanctuary. Development of the concept and proposal for the Integrated Eld's Deer Project was conducted with significant consultancy of both local communities and government.

Village meetings were held in three of the seven core zone villages including village leaders and representatives from different community groups. Villagers supported the proposed concept. Specific suggestions from the villages included a need for:

- direct support to land use planning
- awareness raising among all of the 36 villages around the Sanctuary
- uniforms for the patrol team (now supported by the UNDP)
- a second or larger area for the core zone
- increased dry season water habitat (construction of a second pond)

In addition meetings were held between WWF technical staff and the PAFO/DAFO technical staff, PAFO/DAFO Heads of Departments and the District Governor's Office. Again Government representatives were very much in favor of the project. Specific suggestions from Government included:

- expand training in fire management to all villages around the sanctuary
- increased support to patrolling
- increased training and capacity building for PAFO/DAFO staff
- detailed assessment of Eld's Deer numbers
- support to tourism development for the sanctuary

Sanamxay Conservation group will follow the lesson-learned from these prior consultations and address a series of them:

- Eco-tourism development
- Awareness raising in 4 additional villages
- Support to patrolling
- Uniforms for the patrol team
- Detailed assessment of Eld's Deer numbers

F. PARTICIPATORY IMPLEMENTATION

Formal consent by local communities has occurred at two different periods during project implementation for the Integrated Eld's Deer Conservation Project conducted by WWF. An initial meeting to start the ISDP process was held in each village and included village leaders and representatives from different groups within the village structure. This meeting explained the ISDP process and worked with participants to develop agreed upon village objectives and timelines for the process. Village leaders were then asked to sign these objectives and this marked the start of the ISDP process at the village level. Once the village level ISDP plans were complete and had been assessed and compiled over the whole core zone area agreements on this overarching plan was drafted and signed by the village leaders and the district officials. In this way villages agreed to implement their ISDPs and these plans are formalized within the district and provincial planning process strengthening village rights and land use as a whole.

The application of the management plan of the Eld's deer sanctuary and the development of new community-based eco-tourism activities will enshrine further the principle of Free, Prior and Informed Consultation by supporting the villagers in their own decision making along the way.

The Sanamxay Conservation group will continue the implementation of the community level agreed management plan and involve all stakeholders in the effective application of their own fully agreed objectives. The Sanamxay Conservation Group will make sure that the implementation process will always recognize village views, customary rights and traditional practice, biodiversity values and village strengths and interests.

In addition of the ongoing implementation of the managing plan, the Sanamxay conservation group will focus on the assessment of community-base eco-tourism potential as a new alternative livelihood. The project will fully inform the villagers and assist the interested villages on a voluntary basis to identify their interest and capacity building needs to develop their own designed eco-tourism concept in respect of their tradition, customary rights and biodiversity conservation.

Through capacity building activities the project will enhance capacity of self-determination and independence of local communities and demonstrate the need to take traditional culture and needs into account and build local capacity for a more participatory and ethical process.

G. INDIGENOUS PEOPLES MEASURES

Actions to mitigate specific threats to Indigenous and marginalized groups are part of the existing project planning and can be summarized as follows:

Project Components	Products / Deliverables	Indigenous People's Measures
Component Primary threats to the remaining population of Eld's Deer have been reduced.	1.1. Illegal poaching of Eld's deer in sanctuary will be reduced through regular routine and responsive patrols by conservation teams.	1.1 The Eld's deer management plan will continue to be implemented in a participatory process including representatives from all village groups (women, lower income, resource users)

	<p>1.2. Improved understanding about threats and their impact on the Eld's deer to guide development of future conservation interventions.</p> <p>1.3. Law enforcement is effective on the ground and becomes widespread over the sanctuary as measured through patrolling results and analysed using MIST software and mapping (a decrease in the number of illegal activities in the sanctuary)</p> <p>1.4 Piloted development of community-based eco-tourism as an alternative livelihood and to establish a sustainable interest among the local community in Eld's deer conservation.</p>	<p>etc). The government officials are acting to facilitate the implementation and to mitigate conflicts between villages.</p> <p>1.2 Villagers themselves will be responsible for patrolling and management of their own area. If there are conflicts with traditional uses and needs this will be addressed during the monthly community management meeting.</p> <p>1.3 Awareness raising and education activities will use context appropriate tools and materials that can be understood without Lao language. All publication will acknowledge Critical Ecosystem Partnership Fund and BirdLife International in Indochina</p> <p>1.4 Villagers themselves will determine their interest in community-based eco-tourism development. They will identify capacity building needs to help themselves to design and implement their own project. They will assess potential impacts on traditional culture and social cohesion prior to implementation and suggest mitigation measure if necessary. Community-based eco-tourism development support is aimed specifically at mitigating impacts of increased regulations related to hunting and unsustainable natural resource extraction and provides communities with more sustainable options for livelihood improvement.</p>

H. MEASURES TO ASSIST THE AFFECTED PERSONS

The Sanamxay Community Group will determine whether any persons or groups will be negatively impacted by law enforcement and eco-tourism development. Mitigation measures will be developed, largely on a community basis, through capacity building and alternative livelihood support.

Both project staff and District Government Officials will develop close relationships with the target villages and will thus maintain strong communication links and be able to address issues as they arise.

In general, given the participatory nature of the process and the variety of conflict resolution mechanisms which are in place through the process, it is not anticipated that there will be large negative impacts on communities or individuals.

I. CONFLICT RESOLUTION AND COMPLAINT MECHANISM

Grievances and conflicts raised by affected communities or individuals will follow official channels which communities and villagers understand and are comfortable with. The general process is to inform government representatives from in the relevant department via the village leaders and the district officials. Depending on the grievance the district or provincial officials will then either support mitigation or conflict resolution or contact the central authority or the project directly.

In addition to this recognized process the project itself will be working closely with both the district officials and the village leaders and will inform both groups that any issues or grievances can be brought directly to Sanamxay community conservation group staff, the Birdlife CEPF-Regional Implementation Team, or CEPF. Sanamxay community conservation group will provide communities with the contact details of the Sanamxay community conservation group team, the Birdlife CEPF-Regional Implementation Team and CEPF. All communities and Government partners will be made aware that grievances can be made at any time, to any of the above individuals/organisations. Sanamxay community conservation group and FPD should be the first point of call. Should any of these organisations receive a grievance, they will be required to report this to Sanamxay community conservation group immediately.

Sanamxay community conservation group will have responsibility to ensure these grievances are dealt with promptly and will work with project partners to achieve this. Upon receipt of a grievance, Sanamxay community conservation group and project partners will hold meetings with local communities or individuals, to discuss the issues and develop amicable solutions which will be implemented by the project. Sanamxay community conservation group will keep the BirdLife CEPF-Regional Implementation Team informed and consulted regarding any grievances that arise and to develop the solutions that will be implemented by the project.

Complaint Communication Channel/Mechanism

This channel/mechanism will be communicated to communities through a single-page hand-out that summarizes the project, provides the contact details of the Sanamxay community conservation group and CEPF-RIT staff in Hanoi, Vietnam. The Sanamxay community conservation group will ensure that copies of this complaint communication channel/mechanism will be kept with Commune Authorities, placed on Commune notice boards, made available during the course of project activities and upon request.

J. BUDGET REQUIREMENTS FOR INDIGENOUS PEOPLE'S MEASURES

As the project is specifically designed to develop village livelihood and to continue on going law enforcement activities already acknowledge by local communities and implemented by themselves, it is not anticipated that additional funding or budget reallocation will be necessary to pay for implementation of the Indigenous People's Measures.

F. IMPLEMENTATION ARRANGEMENTS

Sanamxai conservation group with mentorship of WWF-Laos is responsible for overall management of the project but will work very closely with the Provincial and District Agriculture and Forestry Offices and the villages themselves. Sanamxai will sign a Memorandum of Understanding for project implementation with the Provincial Agriculture and Forestry Office (PAFO). PAFO and Sanamxai conservation group will collaborate on work planning and implementation. Sanamxai conservation group will manage the budget and oversee all activities including contracting of consultants, staff and reporting. PAFO will support all government collaboration and jointly implement all village level planning and activities. They will also be directly responsible for reporting to the Government including the National Level Department of Forestry and the Ministry of Foreign Affairs. It is clearly stated that no government official salaries can be paid through this grant.