

## **CENDI**

# Bi-annual Narrative Report From 1 July 2018 – to 31 December 2018

# **Submitted to Secours Catholique/Caritas France**

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We thank for the supports from



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# **Project profile**

Project name	Land right and enhancement of agro-ecological livelihood for indigenous communities in Kon Tum province (2018-2020)
Project code	PI 180 014
Project Goal	Objective 1: 200 ha of three sacred forest locations currently managed by the Po E Communal People's Committee will be handing back to the Vi Klang 2 community village under the Article 86 of the new effects of the 2017 revised Forestry Law.
Project location(s)	Vi Klang 2 community village, Po E commune, Kon Plong district, Kon Tum province, Vietnam
Target group	Hre ethnic minority group
Reporting period	1 July 2018 to 31 December 2018
Project start date	1 January 2018
Project end date	31 December 2018
Project budget	70,144 Euro
Funding source(s)	Secours Catholique/Caritas France
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#### **Summary**

This is the second half-year progress report of the project No. PI 180 014 funded by SCCF and implemented by CENDI (2018-2020). This project is a continuation of the previous project (PI 150 189), which has been completed in December 2017. The previous project helped to confirm community forestland rights of the two targeted villages of Vi K'Oa and Vi Po E 2 in Po E commune, Kon Plong district, Kon Tum province. Villagers had initial opportunities to exchange and first-learning to practice collecting seeds of the Mother Trees<sup>1</sup>, setting up nurseries of native species for reforestation and further ecosystem works. Three households showed interests and have been selecting to forward-developing as pilot models of agro-ecological livelihood at community level up to 2020. These farms currently focusing on engaging community members for best local agro-forestry species selection and hence further planting and gardening. In cooperation with young ecological farming activists, they will facilitate further socio-ecological transformation towards generation of safe, ecological agricultural products and landscape restoration in the long-run, while urging community-wide awareness and more collective actions to avoid GMOs and reduce the application of chemical fertilizers, herbicides and pesticides.

In this year, CENDI is working on the on-going study and collection of local indigenous knowledge of spiritual ecosystem of Vi Klang 2 community village, where village traditional leaders and village elders have guided sharing of their customary knowledge and surveyed sacred forest areas. Community members and local officials from the commune and district's Justice Department and Agriculture Department are invited to participate in this activity. The awareness of the traditional sacred forests associated with ritual ceremonies in a soulful ecosystem has been enhanced. And the Kon Tum Provincial TV Station broadcasted the rice planting festival on VTV5, and CENDI has filed a first-handed raw documentation of the spiritual ecosystem of the H're people in Vi Klang 2 village (engaging primary and direct voices and inputs from elders and community members).

The project No. PI 180 014 focuses its support to Vi Klang 2 village for this year 2018 under Objective 1; during implementation CENDI has engaged and extending the benefits and participation opened up to other villages as well. There are 107 households, 446 people, including 192 women living in the village (data, December 2017). The local H're ethnic people have been practicing traditional customs to live in harmony with Nature and protecting the forests for many generations; nevertheless, too few documented materials have been attempted. The protected watershed provides sufficient water for people to live and cultivate; and more importantly, it offers clean water resources for the numerous cultural ritual ceremonies throughout the year. Therefore, a community forestland allocation programme is essential for the Vi Klang 2 community to confirm their rights, and hence, contributing to the maintenance of further livelihood and unique culture, whilst preventing from negative impacts from outside actors in the future.

In this reporting time, CENDI has engaged and facilitated local authorities at different governance levels and local community members to solve problems deriving from the earlier State-based land allocation to the 26 households in Vi Klang 2 village. Though the allocated land area is seen and treated by the villagers as watershed forest, it is classified as production forest in the State-based land use plan. After series of discussions, the 26

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<sup>&</sup>lt;sup>1</sup> CENDI's on-going works in documenting of Mother trees is found here, <a href="https://www.google.com/maps/d/u/0/viewer?ll=14.751062679405715%2C108.49466348066926&z=15&mid=1j9sEPAcBv28mLA1LFsFWMTZvnxm1uQCB">https://www.google.com/maps/d/u/0/viewer?ll=14.751062679405715%2C108.49466348066926&z=15&mid=1j9sEPAcBv28mLA1LFsFWMTZvnxm1uQCB</a>. Details of Vi Klang 2 Mother Trees will be continued updating this year 2019.

households have realized the discrepancy of the previous State-based land allocation and decided to hand over the received land to the community.

In 2016, under CENDI/CODE support and facilitation, about 215.7ha of forestland was transferred to the community of Vi Klang 2. In 2017, the villagers requested to allocate the entire 262.78ha of sacred forest and water protection forest, which are currently managed by the Commune People's Committee to the Vi Klang 2 community. These forestland areas include the ritual worshipping areas, graveyards and sacred water source, like Gring forest (a local H're name). In 2018, the above-mentioned areas of 262.78 hectares were allocated to the Vi Klang 2 village community. This forest and land allocation is relevant and consistent with the new Forestry Law 2017 (taken effects by 1st January 2019) and becomes one of the pioneering examples of the application of the Forestry Law in term of allocation of sacred forest to the village community (i.e. relevant to Article 2, point 8 and point 9 and point 24; Article 3, point 4; Article 4, point 6; Article 5, point 2 and point 3; Article 7, point 2; Article 8, point 6; Article 14, point 7 and point 8; and entire Article 86). It is significant given Vietnam is the first country in the world to recognize the sacred forest of the village community and this sacred forests can be owned by the village/community ownership. So, with the support from SCCF, the efforts and results of LISO alliance and CENDI is a pioneering example, not only for Vietnam, but also for other countries to learn and exchange.

Given the consistency in support, facilitation and approach of workings, as well as clear outcomes for local communities, the commune and district and provincial authorities highly appreciated the CENDI's results in community forest and land allocation, especially allocation of sacred forests. This thematic Activity is in line with the higher needs and aspirations from community members. Besides, the involvement of officials from the district Agriculture and Forestry, Natural Resources and the Environment, Culture and Justice Departments as well as commune officials have facilitated a good interface for enhancement of mutual understanding and learning and respect towards local knowledge, ethnic customary laws and cultural values.

This continuing community-based forests and land rights obtainment and confirmation process is significant for the Kon Plong district as well as Kon Tum province, due to the traditional socio-political organizing structure of village is kept unique in this locality and yet remains unrecognized and too little legitimate supports are given. Further workings and supports will help local communities and villagers to protect and consolidate their socio-ecological and cultural traditional political village structure in harmonious existence and interaction with local forest structure. Promotion of traditional village socio-political-ecological structure is a relevant strategy that will encourage community of small-farmers' application of agro-ecology in response to climate change in an effective way.

	Intervention Logic (Year 1)	Indicators	Actual Outputs
Specific objective 1	Recognizing the H're customary rights and reallocation of 200 ha of forestland in the Vi Klang 2 community village.	<ol> <li>The forestland area will be secured and allocated to community i.e. 200 hectares with formal community title.</li> <li>The total number of beneficiaries (i.e. villagers) will have protection over these customary sacred forestland area and access to their full rights.</li> <li>Number of people including the villagers aware and recognize the importance of sacred forests and community rights/ownership by recently enacted Forestry Law.</li> <li>Number of preliminary list of native species (included Mother trees, woody species, herbal medicinal plants) associated with sacred forestland areas are documented.</li> <li>Two potential areas of good natural nurseries are identified, which will provide good seeds for the future development of the Native Seeds restoration and cooperative of the village.</li> </ol>	Followed the legal FLA records and procedures for Vi Klang 2 community as defined by Circular 38 of MARD², the District People' Committee chairperson has decided to allocate 262.78 hectares of forestland and grant land use right certificate to the Vi Klang 2 community. This is beyond successful i.e. exceeding 62.78 hectares in comparison to the project plan.  This allocation benefits directly 107 households, i.e. 446 residents of which 192 are women currently living in the Vi Klang 2 village.  About 200 people have benefitted awareness and learning about enacted Forestry Law.  A total of 29 native species are identified.
Expected results	Forestland area of Vi Klang 2 village is owned, managed, and used, collectively for protection and maintenance of H're cultural identity and their agro-ecological livelihood.  Villagers' awareness in comanagement, protection and	Community forestland area is allocated to entire villagers.  Cases reflecting the application of community regulations in protecting forest, land and water sources.  Number/percentage of households grow native species and reject/reduce use of herbicide and pesticide.	Land conflicts between Vi Klang 2 village and neighbouring villages are solved.  A set of documents on the study of the spiritual ecosystem of the Hre ethnic people in the Vi Klang 2 village was gathered and further compiling in the field-based documentation for later Book composition.  80% of the participants understand new significant

<sup>&</sup>lt;sup>2</sup> MARD is Ministry of Agriculture and Rural Development.

1	Intervention Logic (Year 1)	Indicators	Actual Outputs
			Until 31 December 2018
ir L s e e	penefits from forest is mproved.  Local demand of water sources and safe environment is met via enforcing community regulations.		provisions in the new Forestry Law. They can identify harms of herbicides and toxic chemicals applied for hybrid, or GMO products. Then participants committed to not using herbicides.

# **Project progress**

**Expected Result:** The H're ethnic community of Vi Klang 2 village obtain legal rights over 200 hectares of forest land, and they can enforce community regulations in managing and protecting their land, forest and water sources.

Activities	Expected Outputs	Actual Outputs	Remarks
Act. 1. Organize a meeting with PPC and DPC to discuss and negotiate the very initial step for approval for running new project.	<ul> <li>1.1. The project and plan on the allocation of community spiritual forest for the Vi Klang 2 village is accepted, endorsed by local authorities.</li> <li>1.2. Villagers know clearly and involve in the project activities.</li> </ul>	Meetings between CENDI, Kon Tum province, district and communal officers were held in order to discuss and clarify plan on forest and land allocation program for Vi Klang 2 village.  The plan was completed and signed between related parties on 10 March 2018. Then CENDI and community can immediately start conducting activities according to the agreed plan.	In the second half of 2018, CENDI was able to organize a visit for a representative from SCCF to arrive at the villages in Po E commune. The visit signified interests in obtaining better understanding from SCCF towards the local beneficiaries as well as interactions between CENDI/CODE with local stakeholders, local officials, village area and the community villagers.
Act. 2. Conduct research to gather all needed information about Vi Klang 2 village	2.1. CENDI obtains continuous learning and information on livelihood sovereignty and livelihood identity in the Vi Klang 2 villagers. This is conducted along the line of community ownership of sacred forests workings with respect to villagers' sharing.  2.2. A much better understanding of community based organizational and institutional development of the Vi	Relationship between community livelihood sovereignty, livelihoods identity and community ownership of the spiritual forest in Vi Klang 2 village CENDI has been documenting.  Better understanding of organizational and community-based institutional development as defined in Article 86 of the 2017 Forestry Law has been obtained. These results become an input for contributing to the promulgation of a Decree guiding the implementation of Forestry Law further later,	

Activities	Expected Outputs	Actual Outputs	Remarks
	Klang 2 community in relation to the Forest Law 2017 (Article 86) is collected/gathered.  2.3. Selective results of the study research provide recommendations to contribute to the new Forestry Law's specific Decree on Spiritual Forests.	especially regarding spiritual/sacred forests.  Community regulations on planning, zoning of forest types, types of land, and traditional customs and behaviour toward Forests/Nature are documented via field surveys, ecological transects and many discussions engaging village elders, leaders and community members.	
		This document on the spiritual ecosystem of the Hre ethnic people in Vi Klang 2 village has been gathered in order to form a basis for community based forest and land use planning and plan of land allocation.	
Act. 3. Conduct a series of trainings on laws and customary rights.	3.1. Villagers and concerned stakeholders understood on legal aspects, and also customary aspects forests resources use and management in relation to the newly approved Forestry Law 2017. This activity is also helpful for strengthening inter-villages network for co-management and protection of forestland.  3.2. By identification of the harms of herbicide and toxic chemicals – that helps villagers to see the needs to give up those things.	Participants (50 village leaders in Po E commune and 107 household representatives of Vi Klang 2 village) understood their rights and benefits according to the new Forestry Law and the harmful effects of herbicides after the training workshop on new Forestry Law and harmful effects of herbicides.  A proposal for the community forestland allocation with respect to conduct and integration of customary norms and traditions was completed.  Representatives from all the seven villages of entire Po E commune pledged not to use herbicides. A clear article to prohibit the use of herbicides and toxic chemicals was included in the community forests and land use planning. The reduction over the last recent 3 years has been observed significant.	
		ToT training skills of village leaders and key-persons are improved via chances to practice sharing these	

Activities	Expected Outputs	Actual Outputs	Remarks
		issues to wider community members.	
Act. 4. Conduct a survey and overall evaluation of all the land uses/ resources use and management practices in the village.	completing action plan for community based forests and land allocation to the community.  4.2. Village representatives can use GPS to identify and measure their	participation of village elders and leaders in a comprehensive survey.  4.1. Consensus on the implementation of the survey	The information and data collected from the field is coordinated and then put on to Google MyMaps for further effective use by different stakeholders.  On the basis of the working process and information obtained from Vi Klang 2 and Po E commune People's Committee, CENDI staff compiled and currently organizing the information on Google MyMaps. This mapping system with information on forest land use rights, traditional cultural values of H're ethnic people is currently accessible here <sup>3</sup> .  This activity is significant for transparent informing community land rights and preventing outside companies

<sup>&</sup>lt;sup>3</sup> Google MyMaps of information concerning Vi Klang 2 village found here: <a href="https://www.google.com/maps/d/viewer?mid=1XbUsbsI4pCtw93vB9GU1xO\_qzKIhBQHS&ll=14.720082610266417%2C108.4838256999998z=14">https://www.google.com/maps/d/viewer?mid=1XbUsbsI4pCtw93vB9GU1xO\_qzKIhBQHS&ll=14.720082610266417%2C108.48382569999998z=14</a>
Current writing is in Vietnamese for the moment. English version will be discussed to conduct in the future plan.

Activities	Expected Outputs	Actual Outputs	Remarks
		between Vi Klang 2 village, Vi Klang 1 and Vi K Tau villages are clarified. Participants have resolved land conflict between Vi Klang 2 village and Vi K Tau village. They found out discrepancy of the KfW10 project, which had mis-identified the village boundaries in the past. Accordingly, the total identified area to be allocated to the Vi Klang 2 village community is 262.78 ha.	from encroaching community forestland.
		4.4. Participants knew the volume and status of the forests to be allocated to the community. The collected information on forest volume and status became the basis data used for developing forestland allocation plan of Vi Klang 2 village.	
Act. 5. Building up a customary law-based & community based Land Use Planning and options for land and forest management practices	5.1. Awareness and capacity of Vi Klang 2 villagers and other villages have been strengthened in combining state laws and customary laws for effective co-management and co-protection of community forestland.	Numerous discussion sessions engaging villagers and community members have been organized to understand the villagers perception on land use planning and how customary law based planning is effective in complementary with recently enacted State Forestry Law.  Practical sessions on identifying area of community based natural nursery for Vi Klang 2 village were conducted. Women, youths, and all key farmers have engaged and participated in demarcating the area, setting up the very long wire and wooden poles for fencing off this area. Elders participated in deliver teachings on the traditional customs on how Mother trees are important in the area and that indicators of various mother trees were also identified. Associated with the teaching, stories and myths about the place	

Activities	Expected Outputs	Actual Outputs	Remarks
		and photos documentation of this conducted. Other villagers also got the chance to conduct community based Land Use Planning and options for future eco-cultural village. Three land-use spaces have been identified including: 1) Cultural and ecological heritage field of the rice field area named Vi Nong; 2) Space for future community entrepreneurs and 3) community eco-cultural center. These are resulted from the survey and discussion between villagers facilitated by young ecological farmers (Loc Van Vin, San Diu ethnic youth from Lang Son province and Dinh Chat, Hre ethnic youth). Villagers had chances to initiate and contribute their ideas, then discuss to complete action plan and budget calculation for setting up those spaces and sent their proposals to the communal authorities. On this occasion, villagers also set up planning of the three groups for traditional production: 1) Preserving native species group, which involve 5 members; 2) Ghe wine production group with 7 members; and 3) Handicraft group with 9 members. Across all villages, the villagers from Violak village will conduct first and once they were successful, other villages will follow.	
Act. 6. Processing all the field data into papers and procedures for allocation process towards  Community Land	forestland from the Po E communal authorities to the community of Vi Klang 2 village. 6.2. Vi Klang 2 community obtain land titles on the allocated community	The district authorities decided to organize a special unusual meeting session of the District People's Council in order to discuss and approve land allocation proposal for the Vi Klang 2 village.  With Decision 967/QD-UBND dated 28 December 2018, the district People's Committee approved land	In Vietnam, there is only data available for forestland area and boundaries at the commune level; not yet at the village level, which in-turn is very innovative and grassroots-led by the villagers

Activities	Expected Outputs	Actual Outputs	Remarks
Use Rights.		allocation and grant land certificates to Vi Klang 2 village.  Remarkably, against the initial project plan (allocation of 200 ha of forestland), the actual result is exceeded, i.e. 262.78 ha of land. This achievement is resulted from the success of the local community and CENDI advocacy for further contribution and support from local authorities and the consultant partner.  For announcing community land rights and preventing outside investors from encroaching community forestland, CENDI staff will collaborate with local officials to release data of the forestland area and boundaries onto Google MyMaps.	themselves along with CENDI facilitation and consultation. Conventionally, other villages do not have this village boundary yet according to the mainstream mapping. Thus, CENDI is pioneering this action to support community/villages to identify land area and clarify boundaries at the village level and publish onto Google MyMaps. This activity is helpful for district and communal officials and other stakeholders to understand community situation and help villagers to defend, protect and manage their land, forest and water resources.
Act. 7. Organize the actual field based allocation of the land area i.e. community spiritual forestland area.	7.1. The current forestland situation of the community is checked and confirmed.	Survey community forestland areas, especially the sacred forest is completed by Vi Klang 2 villagers with facilitation of CENDI expert (Mr. Le Van Ka) and others.  Villagers further identified mother trees in the areas for natural nursery. From the survey and calculation, villagers know better about the volume and quality of their forest.  Participants also clarified boundaries of different forest	An evaluation on land allocation and other development activities in Po E commune is recently completed in December by two independent evaluators (Mr. Tran Quoc Viet, a leader of key-farmer network and Mr. Nguyen Van Tien, former Deputy-Head of the Ethnic Council of the National

Activities	Expected Outputs	Actual Outputs	Remarks
		types as well as the traditional boundaries of the village. Therefore, they discovered the overlapping of the land area between Vi Klang 2 and Vi K Tau because of the land allocation carried out by KfW10 project (funded by German Bank KfW10).  Complete procedures for granting Land Use Right Certificates to Vi Klang 2 village of Po E commune: CENDI staff and the district functional departments supported the contracted consulting company to complete legal procedures and to process internal documents for the legal rights of communities, especially the boundaries and local names governed by the H're customary law. As results, The Kon Tum Provincial People's Committee issued Decision No. 1433 / QD-UBND dated 24 December 2018 on the approval of the FLA plan of Vi Klang 2 village of Po E commune. Next, the Kon Plong District People's Committee issued Decision No. 967 / QD - UBND dated 28 December 2018 on LFA and granting land use right certificates to Vi Klang 2 village.	Assembly at the Committee for Ethnic Minority Affairs, who involved in drafting Forestry Law 2017); in which the results of both community spiritual forestland area and the overlapping area land between Vi Klang 2 and Vi K Tau was informed. Detailed survey of the 29 native species was also informed. Please see Annex 3 for the detailed results and comments from the evaluators.
		Establishment of inter-villages forest management, protection and development network: With the support of staff of CENDI and Po E Commune People's Committee (CPC), elders and key-farmers of seven villages in the commune organized a meeting to propose the action plan for the co-management of the allocated forests in 2019. Participants have established an inter-village network for forest co-management and protection with	

Activities	Expected Outputs	Actual Outputs	Remarks
Addivides	Expedied Outputs	regulations and operational plans, which are certified by the Po E CPC in November 2018.	Remarks
Act. 8. Conduct post-land allocation activities.	8.1. Nurseries of native species are set up to provide seedlings to local people.  8.2. Three types of cooperatives are endorsed by local authorities in order to develop relevant skills in niche market for eco-cultural products for farmers (2019-2020)	A total of 29 native species are identified, of which some belongs to cultural and spiritual values, and all species are wooden trees popularly used. Researchers and villagers also identified 18 other herbal medicinal species and 7 mother trees during surveys in 2018. The survey team suggested a good area for natural nursery in the Vi Klang 2.	CENDI and communities are looking forward for ways to promote suitable models of cooperatives and marketing for niche eco-products for ethnic minority communities.
	8.3. Local villagers get more confidence in self-marketing their eco-cultural products and having their ability to deal with challenges of free market (2019-2020).	Practical exchange and basic training on Agroecology on slope-land farming design: Nine exchanging participants, including six from Caritas Da Lat project area, one CENDI facilitator, and a cameraman participated in the practical training on Agro-ecology at HEPA from June 10 to July 6, 2018. This activity is an effort to empower network of young ecological farmers to detect structural poverty on the basis of customary law and local knowledge. The participants had opportunities to share and practice the following topics: 1) Designing ecological farming on slope land. 2) Designing irrigation system. 3) Designing and practicing to make terraces on slope land. 4) Practicing to make ferment to prepare to make Ghe wine of the H're ethnic group and wine from rice of the Kinh (Vietnamese) ethnic group. 5) Practicing process of making Ghe wine and wine from rice. After the training course, the nine participants understood well and could apply, practice the mentioned topics in their own specific conditions.	The cooperatives models we are expecting is fully engaged and founded upon the perspectives of the H're villagers, no copying from anywhere else.  In this phase and continued to 2019-2020, it will be very important to ensure learning and conduct of the quality of local H're products. The learning and awareness of villagers and concerned stakeholders of what is the quality production of local ecoproduce and at the same time, incorporate unique H're cultural, spiritual values, and local knowledge into their product will be working on from

Activities	Expected Outputs	Actual Outputs	Remarks
		•	2019 to 2020.
Act. 9. Advocacy and lobby for a specific Decree (sub-law) on Community Spiritual Forests.	MARD and Ministry of Justice and	Prior to meeting the recommendations and guidelines for cultural values and customarily based cost effective analysis of community spiritual forest, the following steps have been undertaken for proper evidence-based advocacy:  A basic study and collection and analysis of soil situation by taking soil samples in various locations to see the quality of the soil for Po E commune is ongoing conducted by involved villagers and soil professional. A location of soil samples in the community spiritual forest area undertook. Together with other soil a sample, this activity is necessary to understand and clarify whether the soil protection and management was in correlation with forests protection and management in an ecosystem. Indicators and results from this will help identifying where would be suitable for setting up ecological farming system for the community level to benefit the most in the later phase, whilst during this work, we are looking for what indicator species are relevant for the area. This will become an important evidence for the sub-law makers to understand and see the linkages/effects of the community spiritual forestland preservation and the traditional cultivation of the H're having upon the quality of the soil in the current time and over the long time. In any case, if the performance of correlation was weak, this study and collection and analysis of soil will act as the very first baseline and will be used	In the process of gathering actual evidence of the soils, the forests in order to produce a result for convincing argument to drafting team members of the sub-law Decree. With this study and soils analysis, the case of Vi Klang 2 and other villages in Po E commune can be compared to conventional farming elsewhere in order to get a holistic view on the economic, social, cultural and environmental impacts of different land use types.  Meetings have been held to organize and collect inputs and comments from the ground for effectiveness of the sub-law Decree later in the implementation phase. And this is still on-going progress.  The last meeting with Golam to discuss on the Baseline study in which one of the questionnaires can be fitting into this (i.e. for strengthening

Activities	Expected Outputs	Actual Outputs	Remarks
Activities	Expedied Outputs	to compare till end of 2020 for comparative analysis.	evidence-based advocacy in
		A series of many formal meetings were held at the provincial level, at the district level and also at the communal level.	the future works) i.e. baseline and regular assessment of land and forest situation before and after community forests
		Meetings and sharing at the commune level does not only benefit the Vi Klang 2 villagers, but also the people of other 07 villages have had chances to discuss and capture the main points of the Forestry Law, and how the enforcement of community spiritual forests would be for the best benefits of the communities/villages. From discussions, customary laws of the villages needed to also be updated in-line with the currently enacted Forestry Law so that complementary between statutory law and customary law can be combined for effective management of forest resources.	and land allocation.
		Meetings combined with training workshop at intercommunes level involve community members representing all 10 communes of the Kon Plong district: Po E commune, Hieu commune, Dak Long commune, Mang Canh commune, Mang But commune, Dak Tang commune, Dak Rinh commune, Dak So commune, Dak Nen commune and Ngoc Tem commune. District officials of relevant departments are also invited to share comments and inputs into the sub-law Decree. This is also in-line with the recent formal request i.e. Official Letter Number CV 424/UBND-NN of the Kon Plong District People's Committee released dated May 18th, 2018 providing	

Activities	Expected Outputs	Actual Outputs	Remarks
		more than 10,000 hectares in the area in the District needed to be allocated for communities, which require further assistance.	
		Meeting at the Kon Tum provincial level also organized in collaboration with many stakeholders and formal agencies at the Provincial level so to share and discuss how Forestry Law and its implementation processes can contribute to the Building up of the New Rural Construction (Chương trình Xây dựng Nông thôn mới).	

#### Additional narrative information

## 1. Changes that affect project activities, resulting in our adjustment

While villagers of Vi Klang 2 and Vi K Tau villages identified the traditional forestland areas and boundaries together, they discovered that the German project KfW10 (implemented in 2016) had allocated 34.85 ha of traditional land area of Vi Klang 2 village to the community of Vi K Tau village. For a long time ago, the two villages have agreed to take Dak Uy route as the traditional boundary. However, checking the land allocation result of the KfW10 project, it was found that the boundary was identified towards the mountainside of Vi Klang 2 village that means it caused an overlapping land area between the two villages.

Mr A Thong, head of Vi K Tau village, said: "At that time, the KfW10 project representative hired some young people to take landmarks to fix according to their instruction. The KfW10 project officers did not invite the village elders and village leaders to go and check at the field that is why land overlapping happened. At present, the overlapping area has been registered for land use certificates of the Vi K Tau village community. Although Vi Klang 2 people disagreed with the way the KfW10 project did (which) had caused an incorrect traditional borderline between the two villages, they have not found any other way to help correct it.

In December 2008, the Government issued Resolution No. 30A/2008/NQ-CP on fast and sustainable poverty reduction support program with 61 districts in the whole country, including Kon Plong district (known as Programme 30A). One of the solutions of the Resolution is to create conditions for poor households to receive forestland for protection and benefit. In 2010, Po E Commune authorities only allocated forests to 3 groups of 24 households of Vi Klang 2 village. However, at the moment, those groups of households only know the allocated forest area in general, but they do not know the exact boundaries of the allocated forests. They also were not fully aware of the watershed function provided by the forests so that it has been observed that a part of these forest areas were already cut down for cassava plantation and also being sprayed from herbicides from last year. At the recent Vi Klang 2 village meetings, all villagers discussed to get an agreement and requested to transform the individual forestlands into the community forestland (on the condition that everyone was knowing the exact boundaries and through their customary practices they would contribute their collective consensus to protect the common forests for watershed function and other ecosystem services). The process of transformation from 24 households of the 3 groups to now one community title did not cause any conflicting interests and the process got signed confirmation from all villagers. As it was known that a part of these forests was already cut down for cassava cultivation. And once this new forestland allocation program benefitting for entire Vi Klang 2 village, it is with a hope that PES (Payment for Environmental Services) will bring about access to benefits to entire villagers from this community forest, whilst at the same time, alternative land uses such as herbal medicinal plants especially the rare ones e.g. ('durong quy" a known local herb with the scientific name of Angelica sinensis (Oliv.) Diels and belongs to the apiaceae umbelliferae family), and also 'dinh lang' (Polyscias fruticosa (L.) Harms) have been introduced and supported by local communal policy to gradually replace cassava crops. The solution of transformation into this community title would also help reduce time and other costs from dealing with the existing discrepancy caused by the previous land allocation results of the 30A Programme.

In the past 3 years, the cultivation of cassava for income has continued as a widespread throughout the Kon Tum province and Kon Plong district. Cassava root processing factories in Quang Ngai province are expanding production and processing scale, so a lot of cassava roots are needed. On average, each household earns about 20 million VND, equivalent to

15 tons of cassava roots and at least required 5 hectares of cultivating land. At the beginning of the year, cassava purchasers offer money in advance to villagers and they will get cassava at the end of the year. In order to have more cassava, local people have to clear forest for planting, causing more deforestation in the production areas. This phenomenon is still happening; and to reduce its impacts, local officials at different levels need urgent and effective solutions to reduce cassava plantation and deforestation by looking into models of mixed-species planting and biodiverse planting. Officials at commune, district and provincial levels would very much like to call for help and supports from concerned partners to find out the alternative crops/planting scheme that can substitute/reduce cassava and bringing about good income for villagers in the commune.

Although the village community regulations prohibit the use of herbicides even enforcement from the communal policy, there are still some households using herbicides in cassava plantations. People started using herbicides to reduce time and labour in weeding three years ago. This problem continues as a reality and requires continuous collective and persistent efforts to tackle this. This is the reason CENDI has continued facilitating a combination of training workshops on the community rights e.g. on the Forestry Law with the topics of the harms of application of herbicides and other toxic chemicals.

## 2. Challenges and project adjustment

In the actual use of the forests in many areas, villagers perceive and consider the allocated areas as sacred forests and forest for protection of water resources for entire community. However, according to the formal State forests classification according to the 2004 Law on Forest Protection and Development, the State classified the mentioned areas as production forests. Therefore, it is necessary to have a solution i.e. new workings needed to address the changing for forest classification for the benefits of entire ethnic and local communities throughout Vietnam and specifically for Kon Plong district can be a pilot, which is to change the previously inappropriate decision of the policy makers and authorities to identify special-use forests and protection forests on the legal documents/policies to now adaptive to the new reality and provisions of the Forestry Law 2017 and associated administrative/legal and technical procedures.

According to the Law, the conflicted or overlapping areas are not eligible for conducting land allocation activities and issuance of land certificates. So, the mentioned overlapping area of 34.85 hectares taken by the KfW10 project and the previous allocated area carried out by the 30A Programme should be subjected to further steps in land re-allocation and conflicts resolution in the future.

Confirming community forests and land right and promote native species restoration has been seen as one of good alternatives to solve the problems of mono-plantation and deforestation. This is however not enough. Restoration of native trees requires long-time commitments, so multi-species and mixed species plantings for short term and mid-term is also urgently needed. The Vi Klang 2 villagers as well as other villagers are already happy when they have forests allocated. They chose a sacred forest to create the natural nursery of native forest trees along with on-going indication of Mother Trees, but this is just a beginning step. This initiative could be a good example for community and CENDI to share and influence locally up to district, provincial, national level and the Mekong region-wide.

The Land Forest Allocation (LFA) program in Vi Klang 2 village involves not only the villagers, the technicians, but also active ecological farmers from other villages in Po E

commune, such as Dinh Chat, A Chon, Y Que, Y Nga, Y Dien, A Thai, etc. These ecological farmers directly shared about the harmful effects of GMO and associated herbicides, about the ways to use GPS, guidelines for surveying and calculating forest volume and discussion on customary laws. And these young seedlings/young farmers have continuously facilitated small changes and engaged other young people for further social-ecological transformation. This will contribute to not only increasing the effectiveness of forest co-management and protection, but also expanding the unity and solidarity among communities.

Seeing good pilot model of community forest protection of Po E commune, at the conference on "the Forestry Law and the Customary law-based network for forest management and protection" held in Kon Plong district during 18 and 19 December 2018", representatives from all communes of Kon Plong district wanted to propose the LFA for their communities and enthusiastically establish and participate in the inter-communes forest protection and co-management network.

# 3. Overview of project implementation

CENDI, local officials and Vi Klang 2 community, in the year 2018, have made great efforts together to obtain approval of forest and land allocation by engaging competent district and provincial authorities. The district People's Committee chairperson has granted land rights certificate for 262.78 ha to the community. With 62.78 ha of larger forestland area allocated to Vi Klang 2 village in comparison to the initial project proposal, it is a clear indicator of community and CENDI's capacity and skills in advocating local authorities and other stakeholders to contribute in order to offer better and greater benefits for the community.

Beside the main activity of confirming land right for Vi Klang 2 village, the combination of land right, forest protection and the harms of herbicide and toxic chemicals were continuously re-introduced for continued awareness raising and customary law enforcement. This is a necessary warning to the community in order to tackle serious health and socio-environmental issues caused by high yield production and long-term health impacts from toxic herbicides.

There are obstacles found out during the implementation of the project, such as land overlapping or discrepancies caused by the KfW10 project and 30A Programme, those are not too serious to undermine the process of our project activities. It is good to think of a longer term and more efforts and steps to solve the mentioned problems. Obviously, with experiences obtained from our project activities, villagers and communal officers will find ways to advocate higher administrative levels to reconsider their decision in order to bring about respect and recognition of community land areas and boundary as what we have been engaging so far.

#### 4. Added values provided in the reporting period

# 4.1. CENDI working methodology is appreciated

With suitable methodology and clear land allocation steps, overlapping of community forestland areas has been avoided during this LFA process. The real boundaries are identified in accordance with the traditional boundaries. Community members are able to participate in discussions to create consensus to tackling the problems that arise. This approach helps participants to identify exact community forestland location, areas and boundaries between villages on map as well as at the field. It is through this method that

villagers and CENDI discovered the KfW10 Project (funded by the German Bank KfW10), which did not involve villagers in the process of allocation of 34.85 ha of forestland areas to Vi K Tau village, which is overlapped on the traditional forestland area of Vi KLang 2 village.

The achievement and deep cultural and political implications of land allocation programme has brought about positive views and changes of awareness among the local officials. A clear evidence is a decision of the Kon Plong District People's Council in organizing a special unusual meeting in order to approve the land allocation proposal for the communities in the two communes of Po E and Dak Nen. Accordingly, the district authorities enacted Official Announcement No. 126/TB-HDND dated 25 October 2018 to require the district People's Committees, relevant department and communal officers to speed up land allocation process (*Please see Annex 1 for more detail*). This endorsement also helps to shorten the time for requesting and getting provincial authority approval for the completion of land allocation profile and granting land certificates to the communities.

A set of documents on the study of the spiritual ecosystem of the Hrê people was developed. Kon Plong district leaders are interested in the values, traditional customary laws and daily norms in maintaining the livelihoods of the Hre people, loyalty, sympathetic indicators of community and their life in harmony with nature, which can be promoted for nurturing the longevity of Hre community. The District People's Committee wants CENDI to consult and assist in building a Cultural and Ecological Village. At the same time, it could be a foundation for the programme approach to Co-management, protection and development of forestland in Kon Plong district.

Recognizing the effectiveness of the project, the Department of Culture of Kon Tum province and the Cultural Department of Kon Plong district cooperated to establish a traditional weaving team in Vi Klang 2 village. Artisans from Quang Ngai province are invited to facilitate the training. So far, local women have been able to create textile products such as special skirts and towels of the Hrê people.

# The followings are quotations/ comments on CENDI project:

Mr. Dang Thanh Nam - Chairman of Kon Plong district People's Committee remarks that: "I see the LFA program implemented by CENDI in the two communes of Po E and Dak Nen - that is very suitable to our local forest protection strategy. The project helps to empower rights for communities to manage forestland, which means that the forest is protected, non-transferable and undamaged. Kon Plong district officials highly appreciated this project, so they officially proposed CENDI to support and speed up the process of LFA for the communities in the district.

Mr. A Ro's, elders of Vi Klang 2 village comments that: If other government projects follow CENDI approach, then there will be no disputes and conflicts. Everyone knows and contributes to the process. Vi Klang 2 villagers are very happy and trust in the CENDI project.

Mr. Ngo Van Hung, Director of Kon Tum province mapping survey consulting company states that: I see CENDI project is conducted in a thorough way, while we have to fulfil all the required steps. Especially, the project maximizes participation of all people. I have never seen more than 50 people going to the forest together to identify the boundaries and status of the forest.

Mr. Trinh Xuan Quy - Deputy Manager of Agriculture and Rural Development

Department of Kon Plong district comments: "Working with CODE/CENDI I feel very assured, I trust in the methodical, planned and devoted staff. People are more excited and confident".

"The results of the project implementation have positively affected on the attitude and implementation of the government's officers. So, the project could get supports from the local people and authorities at all levels" (according to Mr. Nguyen Van Tien evaluation report).

# 4.2. Contribution to capacity strengthening

Land allocation process does not only confirm people's land rights, but also a chance for improving their capacity and skills and good will to engage in community activities and further realize their rights to resources. For instance, Mr. Dinh Chat, a young ecological farmer who involve actively in project activities states that: "Vi Klang 2 villagers are very happy with the land allocation results, especially the district authority's decision on granting land right certificate to the community. I would like to involve in more development activities in the coming time, so that on the one hand I could contribute more things to community, on the other hand, I can get more working experiences and skills from the participation".

Mr. Dinh Chat, as collaborator of the project, has improved markedly his capacity, awareness as well as skills to coordinate activities after the time of supporting development activities and LFA in Po E commune. Not only that, Dinh Chat has attracted the enthusiastic participation of other young people such as Mr. A Chat in Po E 2, Mr. A Bao in Vi Olak, and A Nhanh in Vi Olak for forest management and protection. At present, Mr. Dinh Chat can independently organize and coordinate for forest management and protection activities in communities.

## 4.3. Initiation of alternatives

Participants from Po E commune attended in the training workshops on the Forestry Law and promotion of customary law-based network of co-management of forestland was held at Kon Plong district on 18-19 December 2018. Delegates discussed to find ways to apply the exchanged lessons to their local actual situation. The topic of GMO is also integrated, so that participants recognize the problems, and identify the indigenous species as an alternative in a better and clearer way. Key-farmers from Cao Quang commune, Tuyen Hoa district, Quang Binh province have evidently identified Acacia plantation as monoculture in association with harmful chemical materials. They suggested some alternatives, such as some households start a changing tendency to find indigenous forestry trees such as *Boi Loi, Lim Xanh* (Ironwood), Red Goi, Red Sua and combine agro-forestry with livestock and bee-keeping. Via this event, participants from different regions have an opportunity to discuss on how to build up groups and cooperate for forest protection.

In 2016, when surveying the forest areas of Vi Klang 2, it was found that people kept using a lot of herbicides to quickly prepare soils for growing cassava. At that time, there were not many kinds of aquatic animals such as snails, fish, crabs, or frogs, etc. existing at Vang G'rong field-area. After being trained on the harmful effects of herbicides, the Vi Klang 2 people did not use herbicides anymore. Then we can observe a recovery of snails and crabs. On December 9, 2018, when receiving the evaluation team of MECO-ECOTRA network, people could get and invite the guests to eat specialties from the field, including

small fishes, snails, and tadpoles. Mr. A Ky, a Vi Klang 2 villager, shared: "Because villagers do not use herbicides, those animals can live well in the field".

## 4.4. Promotion of co-management and protection of forest

People and authorities at all levels support the network of forest co-management and protection. This network had a positive impact on the authorities at all levels in changing their perceptions and actions towards the enforcement of policies and laws. As the result, villagers work together with Po E Commune People's Committee to handle 4 deforestation cases in 2018, including: 1) stop A Gap, who come from Hieu commune to do coal mining on Vang Ha Roang forestland of Vi K'Oa village; 2) Preventing Pham Van Tinh from intruding graveyard of Vi O'lak village: 3) Preventing A Troi, a Vi K Tau villager from cutting forest at Vang Ka La. 4) Villagers from Vi K lâng 1, Vi Pờ Ê 1, Vi Pờ ê 2 villages confiscated 5 saws used for cutting down trees at Vang Ka La and Vang Grong of Vi Klang 2.

The forest area allocated to communities in Po E commune is now counted to 618.3ha, of which 396.11ha are eligible for Payment for Environmental Service (PES). Thus, community members can get the PES amount of VND 359,152,000 per year. In the coming time, CENDI will continue to work closely with the Commune People's Committee, communities and relevant agencies at district and provincial levels to promote payment for the forest areas, which are allocated and owned by communities.

#### 5. Recommendations

From community members' point of view and needs, the interaction with local partners, CENDI staff address the following points in order to improve effectiveness of our facilitation and supports in the coming year:

- In association with ensuring the village communities' right to spiritual forest land, post land allocation support should be promoted. Using indigenous or native species for forest planting, forest restoration and enrichment, promotion of medicinal plants, and promoting pilot models of sustainable forest governance on the basis of values of customary laws and village community regulations can be good options for this strategy.
- 2. Another support strategy of CENDI in the coming years can be promotion of Cultural, Forest Tourism in combination with sharing cultural values and local knowledge of ethnic minority communities, visiting forests and afforesting forests and learning about forests and through tourism. Via innovative type of tourism, a combination between learning from forest, relaxing in forest and contributing to reforestation can be a good solution to contribute to improve income sources and the wellbeing-life quality of the local forest-dependent communities. Agro-forestry, inter-cropping, ecological farming are among the alternatives contributing to sound use of land in combination with reforestation. This strategy is compatible with the viewpoint of a provincial Agricultural official: "to find the way for the implementation of Forestry Law and contribution to New Rural Construction. In this process, community forest can be a significant resource for enhancing spiritual, cultural and material life of the ethnic minority communities".
- 3. Community leaders and representatives need more knowledge and skills in negotiation, evidence-based research, analysis, presentation and advocacy in order to respond to investors and other outside actors (such as hydropower plant) to

- protect community forestland, local knowledge, the right to self-determination and other resources in an effective and proactive manner.
- 4. Because of a broader recognition to community ownership of forestland and self-governance, it is necessary to review and update customary law or community regulations of each village and at inter-village, inter-communal level (in-line with the enacted Forestry Law) as the more powerful tool serving community forest comanagement and protection.
- 5. For more effective and proactive way of protection of local ethnic people's land rights, it is possible to think of a new interface for the publication of data relating to forestland rights of ethnic communities on the Google MyMaps. Fee for the website provider for keeping stable data and spreading out to larger audience for better understanding of the community's ownership could be considered.
- 6. To solve land overlapping issue between Vi Klang 2 and Vi Ktau village, it is necessary for the representatives of the related villages and other partners, such as officers of KfW10, communal and district officials to check and solve problem on site. This action is significant to help Vi Klang 2 villagers to get access to the spiritual areas and maintain their traditional belief through practicing ritual ceremonies. It can also avoid conflict between the two villages in the future, because if the KfW10 land title is still valid, some young villagers of Vi Ktau will simply claim their legal rights to exclude Vi Klang 2 villagers from practicing traditional ceremonies. In addition, CENDI would like to request SCCF to reflect this problem and find ways to discuss with other German donors, including KfW to cooperate, to contact provincial and district officials and require them to cooperate with CENDI for addressing and solving this discrepancy in the coming time.

#### **Annexes**

#### Annex 1

Official Notice 126/TB-HDND dated 25 October 2018 by the Kon Plong District People's Council on the results of the irregular plenary session of the DPC Term 14.

The District People's Council review and endorse the proposal for the land allocation for the Vi Glang 2 of Po E commune and 7 villages of Dak Nen commune.

On the closing remark, Mrs. Y Lang, Chairwoman of the District People's Council request the district People's Committee and relevant departments to focus and complete the following tasks:

- 1) Quickly complete cadastral profile and procedure for land allocation for the village communities of Vi Glang 2 of Po E commune and other 7 villages of Dak Nen commune.
- 2) After getting approval of the relevant authorities, district departments should quickly work with and explain to make sure that community and household members understand their responsibilities, rights and benefits in forest land management and protection after land allocation.
- 3) Provide guidance to the relevant professional departments to continue setting up proposals on forest land allocation for other village communities in other communes in the district.
- 4) Request the Fatherland Front and other mass organizations to cooperate with the District People's Council to provide information and encourage people to well implement the resolution on forest land allocation for the mentioned communities.

## Annex 2. Main point of the Evaluation by the Board of the Mekong key-farmer network

Representatives of the Independent Evaluation Board of the Mekong key-farmer network carried out a formal evaluation in December 2018. This evaluation has released the following main conclusions:

- The Mekong Key-Farmers Network is a voluntary organization of different communities and regions. This network has clear purpose, mission and concrete coordination with good quality personnel. The network operates effectively with the help of CENDI and LISO Alliance.
- The program of allocating land and forest to communities in Po E commune, Kon Plong district has excellently implemented the approach of cultural land and forest allocation on the basis of respect for local knowledge, customary laws and role of village elders.
- The accurate identification of the local livelihood spaces, landscape, the role of customary law, rituals, festivals, the role of village elders and village leaders is an excellent result of the program to create basic conditions for co-management, protection and development of forest land based on customary laws. This approach also enables the process of land and forest allocation to communities effectively and ensures sustainability and high ability to replicate this pilot model.
- When the law recognizes the community's sacred forest, all the community members voluntarily manage, protect and develop forests, and responsibly engage in enforcing community regulations on forests protection, which is based on customary law and is recognized by the government. The villagers work together to establish forest management and protection teams at village and inter-village levels; abide by the regulations and guidance of the village elders, the village head and the assignment of the Forest Management and Protection Team.
- The project provided local representatives with knowledge and skills to contribute to set up laws and policies. Their opinions and recommendations are respected and acknowledged in the meetings and seminars on the Forest Law.
- The government has recognized the superiority of co-management of natural resources based on customary law, so there have been very positive changes in policy enforcement. For instance, changes have been made in legalizing customary laws of villages; decision to transfer ownership of land from households to common ownership of the community; signing the minutes to manage watershed forest based on customary law; and putting the name of the spiritual places into the forest planning map.
- With suitable methodology and clear land allocation steps, overlapping of community forestland areas has been avoided. The real boundaries are identified in accordance with the traditional boundaries. Community members are able to participate in discussions to create consensus to quickly resolve problems that arise. This approach helps participants to identify exact community forestland location, areas and boundaries between villages on map as well as at the field.
- There are more than 10,000 ha of forestland in Kon Plong district, which need a right approach to community-based land and forest allocation. Currently, local authorities and people are looking forward to carry out land allocation, but they do not have sufficient resources and expertise to implement.
- In addition, there are difficulties in limiting the use of chemical fertilizers, pesticide and herbicides, which are used everywhere in the surrounding regions. In addition, sustainable and stable market has been established for the ecological products of the farmer's network, especially young ecological farmers, who want to produce on the basis of forest land, ecological market.

# Annex 3. Pictures reflecting project activities



Figure 1 Meeting between CENDI expert and local communal, district officials



Figure 2 Chairman of Po E communal People's Committee presenting at the meeting

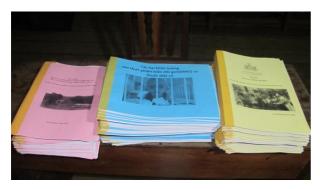


Figure 3 Training materials



Figure 4 CENDI staff at the training



Figure 5 Villagers are reading training materials



Figure 6 Villagers agreed to stop using herbicide



Figure 7 Surveying to clarify village borderline



Figure 8 Participants in identifying village boundaries



Figure 9 Dinh Chat (from Vi O Lak village) guide Vi K'lang villagers the way to calculate forest volume



Figure 10 Discussing an comparing between maps and real locations



Figure 11 Identifying native Mother trees



Figure 12 Collecting samples from Mother trees



Figure 13 Having lunch together during the fieldwork



Figure 14 Preparing Ghe wine in jar after training course



Figure 15 Collecting snails on the field of Vi Klang 2 village. This is a sign of unpolluted environment



Figure 16 Forestland of Vi Klang 2 village



Figure 17 Surveying mother trees for native species



Figure 18 Surveying natural nurseries for native species



Figure 19 Women and native species



Figure 20 Beside a native mother tree



Figure 21 Taking care of small planted trees



Figure 22 Mr. Le Van Ka, CENDI expert sharing with villagers



Figure 23 Dao Thai Son visit to Kon Plong



Figure 24 Natural nursery is fenced and protected



Figure 25 Nursery of Vi Po E 2 village



Figure 26 Nursery of Vi Po E 2 village



Figure 27 Nursery in Vi Olak village