



# INDIGENOUS PEOPLE'S PLANNING FRAMEWORK

*Mainstreaming Natural Resource Management and  
Biodiversity Conservation Objectives into Socio-Economic  
Development Planning and Management of Biosphere  
Reserve in Vietnam*

*September 2023*

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## ACRONYMS

ABS	Access and Benefit Sharing
BCA	Biodiversity Conservation Agency
BIA	Biodiversity Impact Assessment
BR	Biosphere Reserve
BSM	Benefit Sharing Mechanism
CBD	Convention on Biological Diversity
CBO	Community-based Organization
CCC	Commune Conservation Committee
CCP	Commune Conservation Plan
CEMA	Committee for Ethnic Minority Affairs
CIP	Co-Implementing Partner
CLC-HA BR	Cu Lao Cham-Ho Anh Biosphere Reserve
CPC	Commune People's Committee
CSO	Civil Society Organization
DARD	Department of Agriculture and Rural Development
DN BR	Dong Nai Biosphere Reserve
DONRE	Department of Natural Resources and Environment
DP	Development Partner
DPC	District People's Committee
EIA	Environmental Impact Assessment
ESMF	Environmental and Social Management Framework
FSP	Full Sized Project
FPIC	Free and Prior Informed Consent
GEF	Global Environment Facility
GEFSEC	Global Environment Facility Secretariat
GoV	Government of Vietnam
GRM	Grievance Redressal Mechanism
Ha	Hectare
HACT	Harmonized Approach for Cash Transfers
HCVF	High Conservation Value Forest
IBA	Important Bird and Biodiversity Area
IBRMA	Integrated Biosphere Reserve Management Agreement

IEBR	Institute of Ecology and Biological Resources
IP	Implementing Partner
IPP	Indigenous Peoples Plan
IPPF	Indigenous Peoples Planning Framework
IUCN	International Union for the Conservation of Nature
JICA	JAPAN International Cooperation Agency
KAP	Knowledge, Attitudes and Practice
KBA	Key Biodiversity Area
KfW	Kreditanstalt für Wiederaufbau
KM	Knowledge Management
LEP	Law on Environmental Protection
MAB	Man and Biosphere
MARD	Ministry of Agriculture and Rural Development
MB	Management Board
MCD	Centre for Marine Life Conservation and Community Development
M&E	Monitoring and Evaluation
MOCST	Ministry of Culture, Sports and Tourism
MOF	Ministry of Finance
MOFA	Ministry of Foreign Affairs
MONRE	Ministry of Natural Resources and Environment
MOST	Ministry of Science and Technology
MPA	Marine Protected area
MPI	Ministry of Planning and Investment
MTR	Mid-Term Review
NA	National Assembly
NIM	National Implementation Modality
NBSAP	National Biodiversity Strategy and Action Plan
NEX	National Execution
NGO	Non-Government Organization
NIM	National Implementation Modality
NP	National Park
NPC	National Project Coordinator
NPD	National Project Director

NPDD	National Project Deputy Director
NPM	National Project Manager
NPT	National Project Team
NRM	Natural Resources Management
NTFP	Non-Timber Forest Product
O&M	Operation and Maintenance
PA	Protected Area
PFES	Payment for Forest Environmental Services
PIR	GEF Project Implementation Report
PIT	Planning and Implementation Team
PMB	Project Management Board
PPC	Provincial People's Committee
PRF	Project Results Framework
PSC	Project Steering Committee
PSP	Participatory, Scenario Planning
PTC	Project Technical Coordinator
QPR	Quarterly Progress Report
REDD+	Reduced Emission from Deforestation and Forest Degradation
RIFEE	Research Institute of Forest Ecology and Environment
SES	Social and Environmental Standards
SESP	Social and Environment Screening Procedures
SFM	Sustainable Forest Management
SFMP	Sustainable Forest Management Plan
SLM	Sustainable Land Management
SUF	Special Use Forests
UNDP	United Nations Development Programme
UNDP-CO	UNDP Country Office
UNDP-GEF	Global Environmental Finance Unit
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFCCC	United Nations Framework Convention on Climate Change
VEA	Vietnam Environment Administration
WNA BR	Western Nghe An Biosphere Reserve

# 1 INTRODUCTION

## 1.1 BACKGROUND

1. The Indigenous People's Planning Framework (IPPF) has been prepared in support of the GEF project "Mainstreaming Natural Resource Management and Biodiversity Conservation Objectives into Socio-Economic Development Planning and Management of Biosphere Reserve in Vietnam" by the Government of Vietnam and UNDP.
2. The IPPF forms part of the overall project Environmental and Social Management Framework (ESMF) and should be read in conjunction with that document. The implementation of the IPPF is inextricably linked to the implementation of the ESMF.
3. As the term 'indigenous peoples' is not used by the Government of Vietnam, for the purpose of this IPPF, the term 'ethnic minority' (EM) will be used and can be interpreted to mean 'indigenous people'<sup>1</sup> in reference to project related items and the Vietnamese context. In this context, 'ethnic minority' groups referenced here are consistent with UNDP's SES and encompasses all such groups that would be identified as indigenous peoples per SES.
4. The Government of Vietnam recognises 54 ethnic groups, and of the 54 ethnic groups, Kinh is the majority group, accounting for 85.3% of the total population. The 2019 census provides the following ethnic population breakdown: Kinh (82,085,826 or 85.3%), Tày (1,845,492 or 1.9%), Thái (1,820,950 or 1.9%), Hoa (749,466 or 0.78%), Khmer (1,319,652 or 1.4%), Mường (1,452,095 or 1.5%), Nùng (1,083,298 or 1.1%), Mông (1,393,547 or 1.4%), Dao (891,151 or 0.93%), Gia Rai (513,930 or 0.53%), Ê Đê (398,671 or 0.41%), Ba Na (286,910 or 0.30%), Xơ Đăng (212,277 or 0.22%), Sán Chay (201,398 or 0.21%), Cơ Ho (200,800 or 0.21%), Chăm (178,948 or 0.19%), Sán Diu (183,004 or 0.19%), Hrê (149,460 or 0.16%), Mnông (127,334 or 0.13%), Raglay (146,613 or 0.15%), Xtiêng (100,752 or 0.10%), Bru Vân Kiều (94,598 or 0.098%), Thổ (91,430 or 0.095%), Giáy (67,858 or 0.071%), Cơ Tu (74,173 or 0.077%), Gié Triêng (63,322 or 0.066%), Mạ (50,322 or 0.052%), Khơ Mú (90,612 or 0.094%), Co (40,442 or 0.042%), Tà Ôi (52,356 or 0.054%), Chơ Ro (29,520 or 0.031%), Kháng (16,180 or 0.017%), Xinh Mun (29,503 or 0.031%), Hà Nhi (25,539 or 0.027%), Chu Ru (23,242 or 0.024%), Lào (17,532 or 0.018%), La Chí (15,126 or 0.016%), La Ha (10,157 or 0.011%), Phù Lã (12,471 or 0.013%), La Hủ (12,113 or 0.013%), Lự (6,757 or 0.0070%), Lô Lô (4,827 or 0.0050%), Chứt (7,513 or 0.0078%), Mảng (4,650 or 0.0048%), Pà Thèn (8,248 or 0.0086%), Cơ Lao (4,003 or 0.0042%), Cống (2,729 or 0.0028%), Bố Y (3,232 or 0.0034%), Ngái (1,649 or 0.0017%), Si La (909 or 0.00094%), Pu Páo (903 or 0.00094%), Brâu (525 or 0.00055%), Cơ Đu (428 or 0.00044%), and Rơ Măm (639 or 0.00066%).
5. Vietnam voted in favour for the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). The United Nations Framework on Convention on Climate Change (UNFCCC) recognises the importance of engaging with indigenous people on climate change policies and actions as well as the need to strengthen their efforts in addressing and responding the impacts of climate change.
6. Recognising the invaluable contributions of indigenous peoples in climate change adaptation and mitigation as well as the threats they continue to face, the GCF's Indigenous Peoples' Policy aims for indigenous peoples to benefit from project activities and ensure that they do not suffer from the design and implementation of the projects.
7. UNDP engagement with indigenous peoples is guided by the universal human rights standards and principles, particularly the UNDRIP. UNDP supports capacity building of indigenous peoples' organisations through different programmes globally and works with other UN organisations through the United Nations Indigenous Peoples Partnership. As an accredited entity of the GEF, UNDP's role is to ensure that indigenous peoples in the project area are properly consulted and that their views are taken into consideration into the planning process.
8. This IPPF has been drafted considering the GEF's Indigenous Peoples Principles and Guidelines for Engagement with Indigenous Peoples (2012), UNDP's Social and Environmental Safeguards Policy as well as good practices of indigenous peoples planning framework of other multilateral agencies, while being guided by the relevant national regulatory frameworks on indigenous peoples.

<sup>1</sup> When reference is to non-project items (eg. External policies or reports), the terms 'indigenous people' will continue to be used.

## 1.2 DEVELOPMENT CONTEXT

9. Vietnam ranked 18th in 2016 with a Biodiversity Index of 0.314<sup>2</sup>, and is among the Earth's most biodiverse countries. It hosts 116 Key Biodiversity Areas (KBAs)<sup>3</sup> and 63 Important Bird and Biodiversity Areas (IBAs)<sup>4</sup>. However, the extensive deforestation and forest degradation has led to serious decline in biodiversity. The drastic decline of national forest cover coupled with intensive illegal wildlife poaching, and trading had brought over 300 wildlife species to the risk of extinction. Consequently, conservation has become a priority action in the national agenda for since late the 1980s. As a result, an extensive network of PAs has been established and operational nationwide with 164 terrestrial national parks (NP) and PAs, and five marine PAs being declared by 2014. However, most PAs in Vietnam are located in areas of high poverty and it is a great challenge to achieve the often-conflicting objectives of conservation and development. These parks are managed as "prohibited forests", and often lack of community participation in planning and management. As a result, the PAs are continuously under pressures of local people, particularly poor forest dependent people in search of livelihood due to limitations on, or loss of access to the PAs. The government sought to remedy this through a benefit sharing, collaborative management policy between the PA's authority and local communities which involved protection of natural resources while allowing some sustainable harvesting of the forest and marine products.
10. Biosphere Reserves (BR) offer the promise of a broadening of the current approach to PA management for biodiversity conservation by taking into account the broader socio-economic context in which the PAs are situated. It is also considered a potential approach to support biodiversity conservation and socio-economic development, particularly at the provincial level, as reflected in the slogan "Conservation for Development and Development for Conservation". BR is an international management approach supported by UNESCO under the Man and the Biosphere Program (MAB) since early 1970s. Vietnam first implemented the BR approach in 2000 with the designation of Can Gio Mangrove BR as a demonstration management model to integrate conservation and sustainable development at the landscape level. There has been an impressive growth in the network to eleven BRs that represent key ecological regions of land and marine areas across the country.

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<sup>2</sup> The top 10 most biodiverse countries (mongabay.com)

<sup>3</sup> CEPF Ecosystem Profile 2020 update

<sup>4</sup> BirdLife International



## 2 OVERVIEW OF THE INDIGENOUS PEOPLES' PLANNING FRAMEWORK

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### 2.1 NEED FOR THE IPPF

11. The proposed project activities and results, as provided in the results framework, were screened against UNDP's Social and Environmental Standards (SES) wherein Standard 6 was triggered (refer project SESP Annex 8 of ProDoc), which identified the presence of ethnic minority in the project areas, and the likelihood of project intervention on their lands and territories. Through implementation of UNDP Standard 6, the project will aim to avoid adverse impacts on ethnic minority peoples, their lands, territories, and resources; mitigate and remedy impacts that cannot be avoided; and ensure equitable and culturally appropriate benefit sharing with ethnic minority peoples. UNDP's SES Guidance Note on *Standard 6 – Indigenous Peoples* provides guidance on how to respond to questions in the SES Standard 6 Risk based questions.<sup>5</sup>
12. Screening of the project indicated an overall risk level that was moderate, and the risk associated with indigenous people was also moderate warranting the preparation of an Indigenous Peoples Planning Framework (IPPF) (this document).
13. The Indigenous People's Planning Framework for the project has been designed to be compliant with UNDP's Social and Environmental Standards. UNDP will implement this Project in its role as a GEF Accredited Entity.

### 2.2 OBJECTIVES OF THE IPPF

14. The main objective of the IPPF is to guide the project to enhance the engagement of ethnic minorities and the minimization and mitigation of adverse impacts to their livelihood sources and customary institutions associated with the project.
15. The objectives of this IPPF vis-à-vis the Project are as follows:
  - To ensure sub-projects are screened (as part of project implementation phase) to assess the potential environmental, economic and socio-cultural impacts of Project interventions on the ethnic minority communities in the sub-project sites;
  - To identify mitigation measures to any possible and unintended adverse impacts of the Project interventions to ethnic minorities;
  - To ensure meaningful participation and consultation with ethnic minorities living in and around the project locations in the process of preparation, implementation, and monitoring of project activities;
  - To the extent possible, to identify ways to maximize the potential environmental, socio-cultural and economic benefits that ethnic minority communities can gain from the Project; and
  - To outline the implementation arrangements, monitoring and evaluation process and overview of the Indigenous Peoples Plans (if required).
16. The central focus of this IPPF is to ensure:
  - Ethnic minority people engagement in planning, implementation and, monitoring, evaluation and reporting phases of the proposed project;
  - Sustained preservation of ethnic minority knowledge and customs in decision-making processes, resource management, economic activities and cultural practices;
  - Securing free, prior and informed consent of ethnic minorities who will be affected by project interventions; (checklist for identifying the types of projects that require FPIC is provided in Annex ii)
  - Gender-responsiveness and prioritization of most vulnerable groups, including women, children and the old in identifying and carry-out activities towards promotion of ethnic minority peoples right vis-à-vis Project interventions;
  - Accessible, fair, transparent and culture-sensitive grievance redress mechanisms; and

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<sup>5</sup> [https://info.undp.org/sites/bpps/SES\\_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/Final%20UNDP%20SES%20Indigenous%20Peoples%20GN\\_Jan2017.pdf](https://info.undp.org/sites/bpps/SES_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/Final%20UNDP%20SES%20Indigenous%20Peoples%20GN_Jan2017.pdf)

- Equitable sharing of benefits from project interventions.

### 3 OVERVIEW OF THE PROJECT SITES

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17. Vietnam is in the eastern part of the Southeast-Asian peninsula, bordered by China in the north, the East Sea in the east and south, the Gulf of Thailand in the southwest, and Cambodia and Lao People's Democratic Republic in the west. The total area of the country is 330,967 km<sup>2</sup>, including 21,140 km<sup>2</sup> of water. The land border is 4,616 km long and the coastline (excluding islands) 3,444km. The narrowest point is only 50 km.
18. Located in the Indochina Peninsula in Southeast Asia, Vietnam is within the Indo-Burma Biodiversity Hotspot. Forests are among the most species-rich ecosystems in the hotspot, and before major anthropogenic change they covered vast majority of its land..
19. Tourism is a significant component of the modern Vietnamese economy. Expanding tourism and infrastructure development, pollution and climate change is becoming an ever-increasing threat to critical habitats and ecosystems and their attendant biodiversity. Increasing pressures from agriculture and fisheries development activities are also resulting in rapidly increasing pressures on the country's natural resources and biodiversity, and the rich terrestrial and marine natural resources on which tourism (and agriculture and fisheries) is dependent on.
20. Many communities in Vietnam, especially ethnic minority groups in mountainous areas depend on forest resources for their survival. The same applies to the marine resources.
21. Three project sites have been selected based on their biological importance to demonstrate the conservation of biodiversity and enhancement of ecosystem services. These sites are: (i) Cu Lao Cham - Hoi An BR; (ii) Western Nghe An BR; and (iii) Dong Nai BR. A map within target BRs is provided (Figure 1).
  - **Western Nghe An Biosphere Reserve (WNA BR).** The WNA BR was officially recognized by UNESCO in 2007. The BR has area of 1,303,285 ha, including 191,922 ha core zone, 503,270 ha buffer zone and 608,093 ha transition zone, part of nine mountainous districts of the Nghe An province. The core zones of WNA BR include Pu Mat National Park and Pu Huong and Pu Hoat Nature Reserves. The Biosphere Reserve includes all Ca River headwaters with 3 important tributaries: Hieu River, Nam Non River and Nam Mo River. Economic livelihood activities are based on natural resources, specifically subsistence or semi-subsistence agriculture without knowledge of or access to advanced technologies. Extra income is generated from logging, collection of bamboo, rattan or other plant products, hunting or collection of wild animals.
  - **Cu Lao Cham-Hoi An BR (CLC-HA BR).** Located in the central part of Vietnam. The BR, which was officially recognised by UNESCO in 2009, consists of two core areas: the World Cultural Heritage Site of Hoi An (WCHS) and the Cu Lao Cham archipelago (CLC BR).
  - **Dong Nai BR (DN BR).** DN BR was recognized by UNESCO in 2011. The DN BR is part of 5 provinces in the central southern region of Vietnam, including Dong Nai, Lam Dong, Binh Duong, Binh Phuoc, and Dak Nong, located 40 km from Bien Hoa City and 70km from Ho Chi Minh City. The DN BR covers a total area of 969,993 hectares, including 173,073 ha core zone, 349,995 ha buffer zone and 446,925 ha transition zone. The livelihoods of the communities in the DN BR are based on agriculture, including the cultivation of rice, cashew nuts, maize and cassava as well as shifting cultivation and some animal husbandry, mainly raising cattle, buffalo, pigs and chickens. Besides rice cultivation and livestock rearing, Kinh people and other immigrants also carry out business activities and own most of the shops in the region. Other occupations include weaving, administrative jobs. As agriculture does not provide enough food, the hunting of wildlife and the collection of non-timber forest products (NTFPs, e.g. bamboo, rattan, fuel wood, resins, and medicinal plants) for subsistence purposes and for sale remains important.

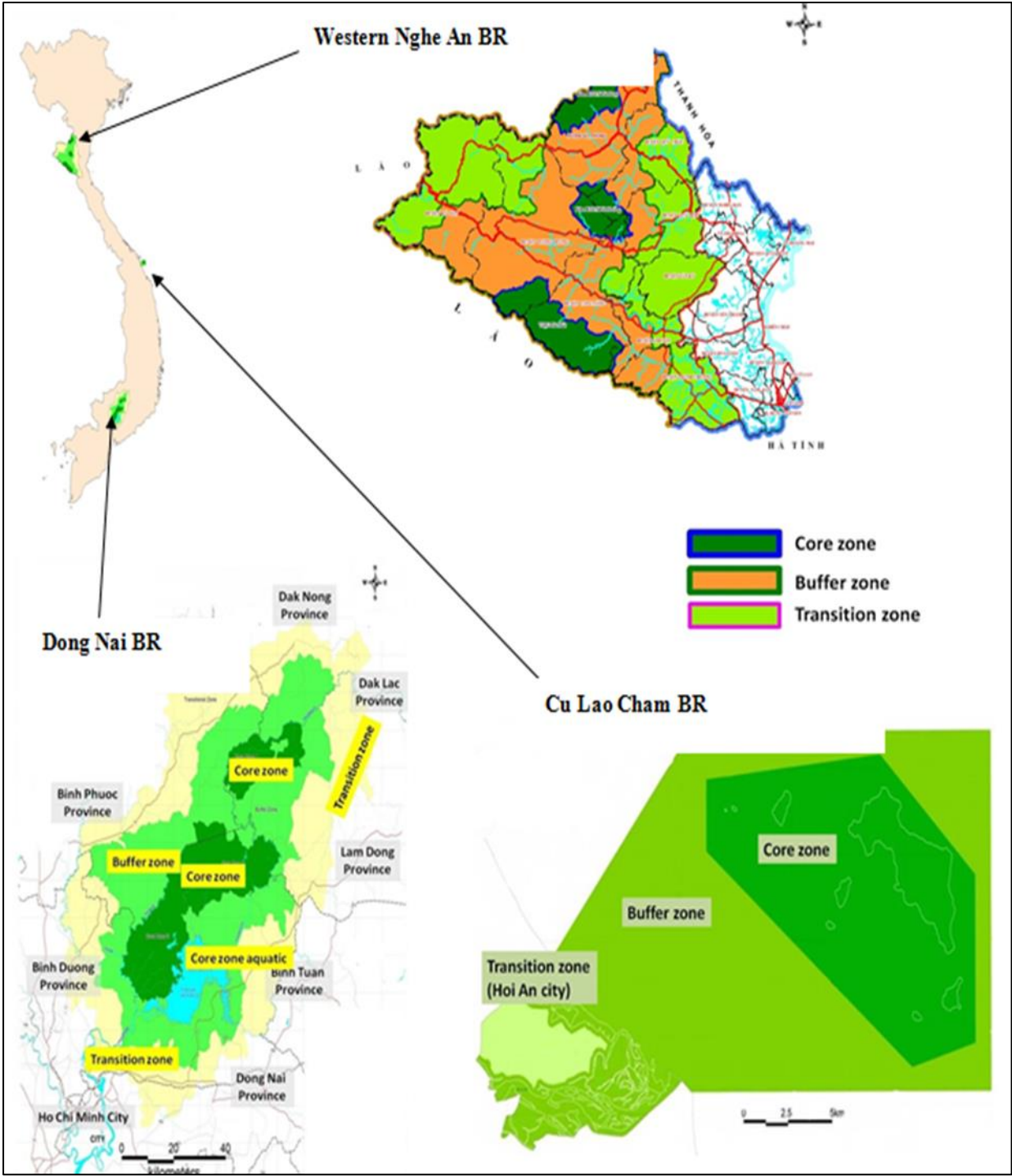


Figure 1. Map of the Project Target BRs (source: ProDoc)

## 4 PROJECT OBJECTIVE AND COMPONENTS

### 4.1 SUMMARY OF PROJECT

22. The long-term project goal is to mainstream biodiversity conservation and natural resources management objectives into governance, planning and management of socio-economic development and tourism in Biosphere Reserves. Its objective is to employ integrated BR management planning as a land use planning approach that balances sustainable natural resources management, biodiversity conservation and socio-economic development.
23. The project recognizes that BR landscapes and seascapes underpin the lives and livelihoods of a large number of local communities and that implementation of such an integrated strategy is an integral part of achieving a balanced approach to development.
24. The project introduces a structured landscape-level planning framework for managing BRs in Vietnam through a two-pronged, mutually enforcing approach of (i) strengthening efforts for conservation of biodiversity in BRs, and (ii) demonstrating sustainable economic and livelihood initiatives tackling reduction of pressures and threats to biodiversity while strengthening economic benefits gained.
25. The project comprises three interlinked and mutually complementary components:
  - Component 1: Enhanced national legislation, policies and capacities for integrating biodiversity and sustainable natural resources management into management of Biosphere Reserves
  - Component 2: Sustainable resource use, protected areas management, and biodiversity-friendly development measures mainstreamed into the management of three targeted Biosphere Reserves.
  - Component 3: Knowledge management, gender mainstreaming and monitoring and evaluation.

### 4.2 SUMMARY OF OUTPUTS AND ACTIVITIES

26. Table 1 summaries the project activities to be undertaken for each Outcome and Outputs.

Table 1 Summary of project outcomes, outputs and tasks

Output / Tasks	Programmed Outputs/Activities	Deliverables/Results
<b>Outcome 1: Regulatory and institutional framework to avoid, reduce, mitigate and offset adverse impacts on biodiversity and reduced pressures on ecosystems in Biosphere Reserves in place</b>		
<i>Output 1.1. Functional governance and coordination mechanism established at national level to support dialogue, information flow and decision-making between provinces and national levels for facilitating integrated planning and management of Biosphere Reserves</i>		
Tasks	<ul style="list-style-type: none"> <li>• Review the existing institutional arrangements for management of BRs, and propose relevant improvements for developing more efficient arrangement, considering the existing MAB National Committee.</li> <li>• Review and define MAB functions and mandate, Secretariat, membership, statutes, decision making and operational management</li> <li>• Establish functional Secretariat with staffing, office, equipment, and budget for MAB National Committee.</li> </ul>	<ul style="list-style-type: none"> <li>• Governmental Document on BR management (including MAB National Committee, Secretariat functions and mandates as national coordinating body for BRs in Vietnam).</li> <li>• National strategy for BR management for 2021-2025 (including action plan and BR advocacy strategy).</li> </ul>

	<ul style="list-style-type: none"> <li>Strengthen capacity of MONRE for providing coordination and guidance for management of BRs.</li> <li>Support development of National strategy and action plan for BR management for 2021-2025.</li> <li>Conduct annual/biannual meeting protocol with stakeholders to ensure their involvement and full endorsement.</li> <li>Secure approval of Government decision on MAB, and national strategy and action plan for BR.</li> </ul>	
<p><i>Output 1.2. Revised legislation in support of integrated landscape planning and management of Biosphere Reserves endorsed and functional</i></p>		
Tasks	<ul style="list-style-type: none"> <li>Support revision of LEP/Biodiversity Law to specifically adopt requirements for integrated landscape planning and management of Biosphere Reserves, including BR. recognition, BR management, and assigned institutional roles and responsibilities</li> <li>Support development of strategy to strengthen BR Management Board functionality.</li> <li>Support development of Legal Document on budget financing for BRs.</li> <li>Secure approval of legal documents on. mainstreaming landscape planning and management and budget financing for BRs</li> <li>Baseline financing survey in the three BRs.</li> </ul>	<ul style="list-style-type: none"> <li>Revised LEP/Law on Biodiversity adopted by Government for submission to National Assembly, including legislation under this law for at least three legal instruments (i.e. Decrees, circulars, guidelines) that clarify and support BR planning and management.</li> <li>Guideline for BR establishment.</li> <li>Guidelines on the development of BR management plan based on Integrated Natural Resource Management principles.</li> <li>New/Revised Legal Document on budget financing for BRs (revision of existing Inter-ministerial circular between MONRE-MOF).</li> <li>Guidelines on Biodiversity and Ecosystem Status monitoring, including Indicator species monitoring to guide monitoring of implementation of BR management plan.</li> <li>Report on baseline financing and financial mechanisms to conservation and sustainable land use/natural resource management in BRs.</li> </ul>
<p><i>Output 1.3. Legislation, technical guidelines, standards and norms for mainstreaming biodiversity conservation in natural resource use sectors in Biosphere Reserves developed and adopted</i></p>		
Tasks	<ul style="list-style-type: none"> <li>Review existing legislation and regulations relating to sectoral economic development planning to</li> </ul>	<ul style="list-style-type: none"> <li>A review report on existing legislation and regulations relating to sectoral economic</li> </ul>

	<p>identify key gaps in promoting environmentally friendly development with special emphasis on resource use planning in different BR zones.</p> <ul style="list-style-type: none"> <li>• Develop and support the approval of guidelines incorporating biodiversity conservation considerations in provincial development planning.</li> <li>• Update and complete rules and guidelines for new and existing tourism infrastructure in BRs to ensure ecologically sensitive development and practices and for meeting zoning requirements, including through undertaking EIA and applicable certification for tourism infrastructure and products.</li> <li>• Support revision of EIA legislation to ensure BR Management Board involvement in the review of infrastructure developments within BRs.</li> <li>• Develop guidelines and tools for improved tourism business planning to facilitate biodiversity-friendly business development and practice.</li> </ul>	<p>development planning in different BR zones.</p> <ul style="list-style-type: none"> <li>• Approved guidelines incorporating biodiversity conservation considerations in provincial development planning.</li> <li>• Rules/guidelines for biodiversity - friendly tourism infrastructure in BR.s</li> <li>• Requirements for BIA application are incorporated in the revised Law on Environmental Protection (LEP) and guidelines for its implementation to ensure environmentally sound development.</li> <li>• List of 50% of new permitted development projects in the identified key sectors in BRs that trigger requirement for environmental assessment integrates BIA guidelines.</li> <li>• Guidelines and tools for improved tourism business planning in BRs.</li> <li>• Strategic plan for eco-tourism development in BRs, including alternative financial and revenue sharing mechanisms and benefit sharing (entry fees, accommodation surcharges, concessions, taxing, PES, etc.) for conservation related tourism products and services.</li> </ul>
<p><i>Output 1.4. Replication strategy developed and implemented to facilitate up-scaling of integrated BR management model in other sites</i></p>		
<p>Tasks</p>	<ul style="list-style-type: none"> <li>• Facilitate dialogue with provincial authorities and other stakeholders interested in replicating best practices for establishing and managing new and existing BRs.</li> <li>• Design training programs (including principles of BR management, integration of biodiversity considerations in sector development, EIA/BIA, etc.) to enhance conservation skills and capacity of other provinces and partners interested in replication of integrated BR planning and practice (at least 100 provincial staff trained of which 40% are women).</li> </ul>	<ul style="list-style-type: none"> <li>• Training materials (including principles of BR management, integration of biodiversity considerations in sector development, EIA/BIA, etc.).</li> <li>• Report on best practices on mainstreaming biodiversity considerations, and integrated and sectoral planning and practices.</li> <li>• Seminars proceedings and report.</li> <li>• Plan for BR management and scaling up in Vietnam, including resources requirements,</li> </ul>

	<ul style="list-style-type: none"> <li>• Participate in regional and international workshops, conferences and field visits for national and provincial BR staff to improve learning and exchange of experiences in mainstreaming biodiversity considerations, and integrated and sectoral planning and practices.</li> <li>• Provide technical support to facilitate identification of new BRs and initiation of planning for integrated approaches in other BRs.</li> <li>• Annual seminars for BRs and decision makers on best practices, experiences and needs.</li> <li>• Financial mechanisms identified to strengthen and upscale financial support to conservation and sustainable land use/natural resource management in BRs.</li> <li>• Develop replication and scaling up strategy and plan for BR management and scaling up in Vietnam, including resources requirements, partners and coordination arrangements.</li> <li>• Publish best practice manuals/handbooks/compendiums of BR management approaches.</li> <li>• Preparation of a UNESCO nomination dossier for at least an additional BR.</li> </ul>	<p>partners and coordination arrangements.</p> <ul style="list-style-type: none"> <li>• Policy paper on best practice manuals/handbooks/compendiums of BR management approaches.</li> <li>• UNESCO nomination dossier for at least one additional BR.</li> </ul>
<p><b>Outcome 2: Integrated multi sector and multi-stakeholder planning and management operational in three Biosphere Reserves to mainstream protected area management, sustainable resource use and biodiversity-friendly development</b></p>		
<p><i>Output 2.1. Multi-stakeholder and multi-sectoral coordination mechanism at Biosphere Reserve level to support integrated planning and management established and functional</i></p>		
<p>Tasks</p>	<ul style="list-style-type: none"> <li>• Strengthen BR MB functionality at provincial level in keeping with national strategy on BR MB (Output 1.2) to clarify membership, roles, responsibilities and practices; coordination and consultations with sector organizations, effectiveness of decision making; etc.</li> <li>• Update BR MB statutes and update/revise provincial Decision on BR MB</li> <li>• Improve operations of MB Secretariat, including staffing, equipment; budget, dialogue and</li> </ul>	<ul style="list-style-type: none"> <li>• Provincial Government decisions/updated or revised statutes on BR MB (functions and mandates, membership, roles, responsibilities and practices; operational mechanism for multi-sectoral coordination and consultations with sector organizations, staffing, equipment; budget, dialogue and information flow etc.).</li> </ul>



	<p>information flow, etc. for effective BR management and project implementation.</p> <ul style="list-style-type: none"> <li>• Secure approval of provincial government decision on BR MB.</li> <li>• Ensure effective monitoring and enforcement on implementation of the integrated BR management framework and relevant sectoral initiatives<sup>6</sup>.</li> </ul>	
<p><i>Output 2.2. Integrated biodiversity conservation and management planning incorporated into provincial economic and sectoral development planning within Biosphere Reserves</i></p>		

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<sup>6</sup>Means to help ensure that the monitoring and implementation the integrated BR management framework and aligns with relevant sectoral initiatives include: (i) Implementation of adopted BR management plans based on Integrated Biosphere Reserve Management Approach (IBRMA) at the three BRs (Output 2.2); (ii) Implementation of PPC's decisions/ updated statutes on BR MB (Output 2.1) and (iii) Implementation of series of legal documents national legislation, policies and capacities for integrating biodiversity and sustainable natural resources management into management of BRs at national level under the Component 1.

Tasks	<ul style="list-style-type: none"> <li>• Provide consultancy for assessment and mapping of biological, socio-economic, environmental and institutional aspects, including assessment of biodiversity and ecosystem services values and threats, climate risks, identification of HCVF/KBAs, land degradation and recommendations for mitigating in the three BRs.</li> <li>• Support authorization of formal BR areas, internal zoning highlighting biodiversity priorities, set-aside forest areas for non-exhaustive uses to improve connectivity and biodiversity conservation, multiple use zones for sustainable natural resource use, degraded areas for assisted natural regeneration to improve connectivity, areas for sustainable biodiversity-friendly community livelihood development and areas for intensive community resource use and environmentally-friendly tourism.</li> <li>• Develop Integrated Biosphere Reserve Management Agreement (IBRMA) or policy framework that entails a multi-sectoral shared vision for mainstreaming biodiversity conservation into provincial level sectoral plans/policies.</li> <li>• Capacity building to facilitate mainstreaming of biodiversity conservation in sectoral development planning in BRs (based on training design developed under Output 1.4) in selected key sectors (e.g. tourism, forestry, agriculture and natural resource use).</li> <li>• Support development of guidelines and circular on identification of High Conservation Value Forests (HCVFs)/Key Biodiversity Areas (KBAs).</li> </ul>	<ul style="list-style-type: none"> <li>• Report on assessment and mapping of biological, socio-economic, environmental and institutional aspects, including assessment of biodiversity and ecosystem services values and threats, climate risks, identification of HCVF/KBAs, land degradation and recommendations for mitigating in the three BRs.</li> <li>• Adopted BR management plans based on Integrated Biosphere Reserve Management Approach (IBRMA) at the three BRs.</li> <li>• Training reports on mainstreaming of biodiversity conservation in sectoral development planning in BRs.</li> <li>• Guidelines on identification of High Conservation Value (HCV) and High Conservation Value Forests (HCVFs)/Key Biodiversity Areas (KBAs).</li> </ul>
<i>Output 2.3. Improved management effectiveness of six existing protected areas</i>		
Tasks	<ul style="list-style-type: none"> <li>• Support formulation processes of Sustainable Forest Management Plans for six PAs</li> <li>• Validate baseline values for monitoring indicators.</li> <li>• Support development of annual operational plans for biodiversity conservation, soil and water conservation, fire management,</li> </ul>	<ul style="list-style-type: none"> <li>• Sustainable forest management plans (SFMP) for six PAs with baseline value for monitoring indicators.</li> <li>• Annual operational plans for PAs and activities/results reports (i.e. results on implementation reports), which cover all aspects of PA's operational plans with strong</li> </ul>

	<p>restoration of degraded ecosystems through assisted natural regeneration, weed management, etc.</p> <ul style="list-style-type: none"> <li>• Develop and implement protocols for monitoring of key endangered species and their habitats in PAs.</li> <li>• Support the implementation of conservation management interventions (including boundary demarcation, fire prevention and control, weed control, etc.) within PAs based on annual operational plans.</li> <li>• Capacity building and training of PA field staff to reduce human-wildlife conflict, improve enforcement and visitor management.</li> <li>• Field and camping equipment for improving PA management, and boats for CLC BR.</li> <li>• Strengthen law enforcement to address illegal hunting and monitor and enforce infringements to PA regimes (e.g. access to corals by tourists and fishermen in Cu Lao Cham, etc.), addressed in periodical monitoring reports.</li> <li>• Monitoring of biological, ecological and social benefits from the non-exhaustive areas.</li> </ul>	<p>emphasis on annual project activities.</p> <ul style="list-style-type: none"> <li>• Protocol and monitoring reports of key endangered species and their habitats in PAs.</li> <li>• Training materials and reports on reducing human-wildlife conflict, improving enforcement and visitor management.</li> <li>• Contracts for procurement of field and camping equipment, inclusive of delivery notes and reporting on the use/ operation of equipment provided.</li> <li>• Assessment reports on communities needs and possible benefit sharing mechanism from non-consumptive uses (e.g. ecotourism revenues, gate fees, etc.).</li> </ul>
<p><i>Output 2.4. Specific set-aside areas of high conservation value forest, coastal and marine ecosystems conserved and managed for non- exhaustive use to enhance biodiversity conservation and connectivity</i></p>		
<p>Tasks</p>	<ul style="list-style-type: none"> <li>• Preparation of site-specific plans for non-consumptive resource uses in identified set-asides (e.g. HCVMs, KBAs and biological corridors), within BRs and tested under various governance, management and enforcement regimes. At least 60,000 ha of new set-aside areas defined following assessment and mapping under Output 2.2.</li> <li>• Extensive consultation with key stakeholders, including local communities on their expected needs and services from the non-consumptive use of these natural areas and specific arrangements for any benefit sharing from such non-consumptive uses (e.g. ecotourism revenues, gate fees, etc.).</li> <li>• Technical advisory services to facilitate improved sustainable natural resources management and</li> </ul>	<ul style="list-style-type: none"> <li>• Site-specific plans for non-consumptive resource uses in identified set-asides of at least 60,000 ha of new set-aside areas defined (40,000 ha in Western Nghe An BR and 20,000 in Dong Nai BR) following assessment and mapping under Output 2.2.</li> <li>• <i>Note:</i> The plan should be included in BR management plan (Deliverable of output 1.4).</li> <li>• Consolidated report on US\$ 240,000 investment grant, which should cover granting mechanism and its implementation, possible/planned and actual investment interventions in adjacent communities to reduce threats (e.g. fire,</li> </ul>

	<p>forest-based livelihoods in the non-exhaustive use areas, through extension, processing, value addition and marketing support.</p> <ul style="list-style-type: none"> <li>• Investment grants to adjacent communities to reduce threats (e.g. fire, grazing and unsustainable resource extraction) and enhance community non-consumptive resource use.</li> <li>• Capacity building for sustainable forest management and non-exhaustive uses that would include environmentally friendly NTFP harvesting techniques, determining sustainable harvest yields, management and maintenance of forests for multiple benefits, etc.</li> <li>•</li> </ul>	<p>grazing and unsustainable resource extraction); results of enhanced community non-consumptive resource use, etc.</p> <ul style="list-style-type: none"> <li>• Capacity-building materials to local community members on sustainable forest management and non-exhaustive uses following a training needs assessment, inclusive of reporting on the result of implementation.</li> <li>• Report on capacity building activities.</li> </ul>
<i>Output 2.5. Restoration of degraded forests improves connectivity and enhances biodiversity</i>		
Tasks	<ul style="list-style-type: none"> <li>• Technical support for development of forest restoration and protection plans for the identified sites, including assessment of silvicultural and soil conservation practices and working methodologies based on national and regional best practices.</li> <li>• Investigation of potential for collaboration in forest restoration through complementary provincial initiatives, such as Reduced Emissions from Deforestation and Forest Degradation (REDD+), Payment for Environmental Services (PES), other donors programs, etc.</li> <li>• Technical support to ensure that ongoing and proposed provincial forest restoration programs better integrate sustainable forest management and benefit sharing guidelines and practices.</li> <li>• Community consultations and participation in forest restoration, including for the establishment and maintenance of a suitable mix of protection and other community-based conservation and maintenance. measures such as social fencing to reduce grazing, wood collection and sustainable NTFP extraction; fire control, etc.</li> <li>• Support for implementation of restoration and protection plans, including soil moisture improvements, weed clearance, water harvest and</li> </ul>	<ul style="list-style-type: none"> <li>• Forest restoration and protection plans for the identified sites, including assessment of silvicultural and soil conservation practices and working methodologies based on national and regional best practices.</li> <li>• At least 4,000 ha of degraded forests (and other ecosystems) under improved restoration through assisted natural regeneration to improve connectivity.</li> <li>• Assessment report on potential for collaboration in forest restoration through complementary provincial initiatives and communities. participation in forest restoration</li> <li>• Monitoring reports of forest restoration progress and impacts, including assessment of biological, ecological and community benefits.</li> <li>• Grant investment guidelines on enhancing the quality of natural forests, improving forest connectivity, or removing/reducing barriers and threats to forest renewal.</li> </ul>

	<p>erosion control, seeding and planting, protection and maintenance.</p> <ul style="list-style-type: none"> <li>• Monitoring of forest restoration progress and impacts, including assessment of biological, ecological and community benefits.</li> <li>• Finance on-the-ground investments in at least 4,000 ha of degraded forests will be financed in line with investment guidelines.</li> <li>• Preparation of a manual that describes Sustainable Forest Management (SFM) approaches for forest restoration for different degraded forest types.</li> </ul>	<ul style="list-style-type: none"> <li>• Manual for Sustainable Forest Management approaches for different degraded forest types.</li> </ul>
<p><i>Output 2.6. Sustainable livelihood practices implemented by communities in buffer zones of Biosphere Reserves to reduce pressure on biodiversity and ecosystem functions</i></p>		
Tasks	<ul style="list-style-type: none"> <li>• Bio-physical and socio-economic resource mapping of selected communes to delineate scale of resource use (pasture, forest, water, NTFP, etc.); climate risks, existing dependencies, their sustainability and opportunities for improving these practices, including diversification and expansion of farm and non-farm-based livelihoods.</li> <li>• Institution of a participatory community-based commune level planning process to develop commune conservation plans (CCPs) to improve and diversify community income-generating activities that reduce pressures on biodiversity (e.g. eco-tourism, sustainable use of wildlife products, homestays, organic agriculture, fisheries, medicinal plants, handicrafts, adventure trail tourism network, etc.) and improve climate resilience.</li> <li>• Grant allocation for CCP implementation.</li> </ul>	<ul style="list-style-type: none"> <li>• Bio-physical and socio-economic resource assessment report of selected communes for livelihood interventions.</li> <li>• Commune conservation plans in selected communes. See Annex 8 for initial suggestions for communes<sup>7</sup>.</li> <li>• Guidelines on community-based revolving funds.</li> <li>• Biodiversity-friendly livelihood models supported by community-based revolving funds.<sup>8</sup></li> <li>• Capacity-building material to local community members on relevant livelihood and sustainable natural resources use investments, following a training needs assessment.</li> <li>• Capacity-building report.</li> <li>• Consolidated reports/monitoring reports that</li> </ul>

<sup>7</sup>The number of communes and livelihood interventions will be identified during project implementation and through discussions with PMU and the three pilot sites, although several suggestions are included. Early work supported by UNDP in 2018 on livelihood assessment and interventions. Initial field findings during the project inception phase confirmed several possible livelihood interventions, which can be of reference for communes and the selection of livelihood intervention. Initial suggestions: Two communes in Cu Lam Cham Hoi An BR: Three communes in three PAs of Western Nghe An BR; and one commune in Dong Nai NR of Dong Nai BR, although none has been identified for Cat Tien NP of Dong Nai BR.

<sup>8</sup> It should be noted that the project will only provide technical assistance to support livelihood investments (including community revolving funds) under output 2.6 for the three pilot BRs.

	<ul style="list-style-type: none"> <li>• Design of community based “revolving fund”.</li> <li>• Establishment of community-based revolving funds (based on design under Output 1.2) to help sustain livelihoods and natural resources management investment in BR buffer zones on the longer-term (i.e. Through biodiversity friendly model replication and expansion)</li> <li>• Capacity building on relevant livelihood and sustainable natural resources use investments, including value addition.</li> <li>• End of project national seminar on outcomes and replication for BR management in Vietnam.</li> </ul>	<p>capture the progress/results of grant making channeled through Community Conservation and Development Fund in each BR.</p> <ul style="list-style-type: none"> <li>• End of project report.</li> </ul>
<i>Output 2.7. Responsible tourism developed and promoted</i>		
Tasks	<ul style="list-style-type: none"> <li>• Design of BR tourism certification program for hotels, guesthouses and tourism facilities, tourism activities, travel agencies, tourism products at Cu Lao Cham BR.</li> <li>• Promotion of voluntary application of certification for hotels, guesthouses and tourism facilities in Cu Lao Cham BR</li> <li>• Technical support to promote compliance with certification criteria in Cu Lao Cham BR.</li> <li>• Assessment of tourism promotion and tourism certification opportunities in Western Nghe An and Dong Nai BRs</li> <li>• Strengthening of selected tourism products and services that recognize BR conservation principles (e.g. trails and treks, guide services, etc.).</li> </ul>	<ul style="list-style-type: none"> <li>• Package documents for BR tourism certification program</li> <li>• Capacity-building material to local hotels, guesthouses and tourism facilities, travel agencies on application of certification.</li> <li>• Assessment report on tourism certification opportunities in Western Nghe An and Dong Nai BRs.</li> <li>• List of at least 50% of sampled hotel and tourism facilities within selected BRs adopt biodiversity-friendly certification standards.</li> <li>• List of at least 50% (of which at least 40% women) of sampled community members, hoteliers, tour operators and sector agency staff aware of potential conservation threats and adverse impacts of unplanned development.</li> </ul>
<b>Outcome 3: Knowledge management and monitoring and evaluation support contributes to equitable gender benefits and increased awareness of biodiversity conservation</b>		
<i>Output 3.1. Knowledge Management and Communications, Gender Mainstreaming and Monitoring and Evaluation strategies developed and implemented</i>		
Tasks	<ul style="list-style-type: none"> <li>• Development of knowledge management and communication action plans for each BR based on overall knowledge management and communication strategy.</li> </ul>	<ul style="list-style-type: none"> <li>• Knowledge management and communication action plans for each BR.</li> </ul>

	<ul style="list-style-type: none"> <li>• Baseline survey of public awareness and support at the three BRs in order to determine levels of public support and awareness, and to measure the impact of project activities.</li> <li>• Implementation of a gender analysis and mainstreaming action plan.</li> <li>• Training of staff on application of gender mainstreaming in project communication and project activities.</li> <li>• Design of communication materials.</li> <li>• Conduct of awareness and outreach activities for a variety of stakeholders at the national, provincial and local levels such as competitions, website, mass media, video and film, festivals, etc.</li> <li>• Review and regular update of M&amp;E plan, including results framework baselines, and GEF 7 Core Indicators, Theory of Change to subsequently adopt these findings to implement all aspects of the project.</li> <li>• Conduct mid-term and terminal evaluation in line with UNDP/GEF requirements and incorporate and adapt recommendations of MTR to revised project plans and monitor their implementation.</li> </ul>	<ul style="list-style-type: none"> <li>• Baseline survey report(s) of public awareness and support needs at the three BRs.</li> <li>• Gender analysis and mainstreaming action plan(s) and report(s) action of gender mainstreaming in project communication and project activities.</li> <li>• List of at least 50% (of which at least 40% women) of sampled community members, hoteliers, tour operators and sector agency staff aware of potential conservation threats and adverse impacts of unplanned developments.</li> <li>• Communication materials.</li> <li>• Competitions, website, mass media, video and film, festivals for awareness raising.</li> <li>• Updated M&amp;E plan.</li> <li>• MTR report.</li> </ul>
<p><i>Output 3.2. Harmonized information management system operational at Biosphere Reserves</i></p>		

Tasks	<ul style="list-style-type: none"> <li>• Development of a simplified, standardized and dedicated information management system (including website and social media platforms) for BRs, including standards for information collection and sharing.</li> <li>• BR Information Management System operationalized in each BR, including data collection, input, on-line website and dissemination.</li> <li>• Setting up information collection standards that are: gender and socially inclusive; facilitate standardized inputting and recording of information; and provide for digital access and sharing, including compatibility with existing databases as feasible.</li> <li>• Technical reports and publications documented and disseminated via mass media.</li> <li>• A cross-agency and cross-sector effort to collect and digitally catalogue existing information on BR landscape/seascape planning, biodiversity and natural resources management best practices, resulting in a highly accessible, usable, and catalogued bibliography of available resources in support of replication and upscaling.</li> <li>• A BCA based Implementer's Manual and Lessons Learned guide (with contributions from project partners) that captures the process of project implementation.</li> <li>• Inclusion of public engagement pages on the national government, BCA, and other. Provincial websites and social media platforms that link to information about the project and its products, including development of a specific public information sharing platform.</li> </ul>	<ul style="list-style-type: none"> <li>• Simplified, standardized and dedicated information management system (including website and social media platforms) for BRs.</li> <li>• Information Management System operationalized in each BR, and aggregated at the national level</li> <li>• Platform for information sharing.</li> <li>• Project's reports and documentation for dissemination.</li> <li>• Implementer's Manual and Lessons Learned guide for project implementation.</li> </ul>
<i>Output 3.3. Knowledge management contributes to policy revision and upscaling of integrated BR approaches</i>		
Tasks	<ul style="list-style-type: none"> <li>• Documentation and dissemination of case studies, best practices and lessons learned from the project.</li> </ul>	<ul style="list-style-type: none"> <li>• Project Case Studies, best practices and lessons learned documentation.</li> </ul>



	<ul style="list-style-type: none"> <li>• Development of policy guidance notes that addresses current constraints and gaps in existing policies and legislation.</li> <li>• National and provincial workshops to facilitate dissemination of field lessons and help inform legal and policy reform relevant to BR conservation practice.</li> <li>• Efforts would be made to institutionalize some of the best practices through promotion of sectoral and/or national regulatory instruments in order to secure sector/nation-wide replication and up-scaling (covered under Output 1.4).</li> <li>• Capacity building and technical support for dissemination and upscaling of project best practices to facilitate integrated BR management approaches in other BRs within Vietnam (Output 1.4)</li> </ul>	<ul style="list-style-type: none"> <li>• At least eight new best practices demonstrated and lessons from project documented and disseminated, and planning for replication in progress.</li> <li>• Policy notes on constraints and gaps in existing relevant policies and legislation.</li> </ul>
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## 5 OVERVIEW OF ETHNIC MINORITY PEOPLES IN VIETNAM

27. The definition of ethnic minority status in Vietnam is based on the criteria of: (i) a language different from the national language; and (ii) long traditional residence on, or relationship with, land and long traditional social institutions; (iii) a self-provided production system; and (iv) a distinct cultural identity and self-identification as a distinct cultural group that is accepted by neighboring ethnic groups.
28. The definition of ethnic minority status in Vietnam is based on the criteria of:
- a language different from the national language; and
  - long traditional residence on, or relationship with, land and long traditional social institutions;
  - a self-provided production system; and
  - a distinct cultural identity and self-identification as a distinct cultural group that is accepted by neighboring ethnic groups.
29. UNDP SES Standard 6 identifies distinct collectives as “indigenous peoples” if they satisfy any of the more commonly accepted definitions of indigenous peoples, regardless of the local, national and regional terms applied to them. These definitions include, among other factors, consideration of whether the collective:
- self-identifies as indigenous peoples;
  - has pursued its own concept and way of human development in a given socioeconomic, political and historical context;
  - has tried to maintain its distinct group identity, languages, traditional beliefs, customs, laws and institutions, worldviews and ways of life;
  - has exercised control and management of the lands, territories and natural resources that it has historically used and occupied, with which it has a special connection, and upon which its physical and cultural survival as indigenous peoples typically depends;
  - whether its existence pre-dates those that colonized the lands within which it was originally found or of which it was then dispossessed.
30. The Constitution of Vietnam (2013), Art. 5 acknowledges equality and equal rights among ethnic groups, upon which also the Government policy and programs on ethnic minority development are based upon. Constitution 2013, Articles 58 and 61 point out that ethnic minorities and people living in the mountainous regions are given priority in education and health care services.
31. The main vehicle for implementing government policies concerning ethnic minorities is through the Committee for Ethnic Minority Affairs (CEMA).

### 5.1 ETHNIC MINORITY PEOPLES IN THE PROJECT SITES

32. Vietnam has a total population of 96,462,106 (2019).<sup>9</sup> The total population of ethnic minority people is 13.38 million, with 6.72 million males (equal to 50.21%) and 6.66 million females (equal to 49.79%).<sup>10</sup> There are six ethnic minority groups with a population over 1 million including the Tày (1.76 million); Thái (1.72 million); Mường (1.39 million); Khmer (1.29 million); Mông (1.25 million); and Nùng (1.02 million). There are also six ethnic minority groups with a population under 1,000 people, including: Ngái (806); Si La (783); Pu Péo (736); Rơ Măm (483); Brâu (806); and Ô Đu (406). Ethnic minorities live mostly in hamlets and villages of 5,453 Communes national wide.<sup>11</sup>
33. As noted in Section 3, there are more than 15 different ethnic groups living in and around the project sites. Table 2 lists the ethnic groups, where they are found in respect to project sites and their approximate population sizes.

Table 2 Ethnic groups known from in and around the project sites (data provided by BR MBs 2022)

Ethnic Group	Project site	Zone	Population
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<sup>9</sup> 2019 Revision of World Population Prospects, United Nations.

<sup>10</sup> GSO, Results from Population change and family planning as of 1/4/2014 and Survey on socio-economic situation of 53 EM groups 2015.

<sup>11</sup> Ibid.

Kinh (Majority group in Viet Nam)	Western Nghe An BR Dong Nai BR Cu Lao Cham – Hoi An BR	Western Nghe An BR: Core zone, Buffer Zone and Transition zone Dong Nai BR: Core zone, Buffer Zone and Transition zone Cu Lao Cham – Hoi An BR: Core zone, Buffer Zone and Transition zone	Total: 1.426.801 (WNA BR: 566.951; Dong Nai BR: 760.319; CLC-HA BR: 99.531)
Thai	Western Nghe An BR	Western Nghe An BR: Core zone, Buffer Zone and Transition zone	Total: 316.439 (WNA BR: 316.439)
Kho Mu	Western Nghe An BR	Western Nghe An BR: Core zone, Buffer Zone	Total: 43.463 (WNA BR: 43.463)
Tho	Western Nghe An BR	Western Nghe An BR: Core zone, Buffer Zone and Transition zone	Total: 40.233 (WNA BR: 40.233)
H'mong	Western Nghe An BR Dong Nai BR	Western Nghe An BR: Core zone, Buffer Zone	Total: 32.339 (WNA BR: 32.339)
Dan Lai	Western Nghe An BR	Western Nghe An BR: Core zone	Total: 3.000 (WNA BR: 3.000)
O Du	Western Nghe An BR	Western Nghe An BR: Buffer Zone and Transition zone	Total: 381 (WNA BR: 381)
S'Tieng	Dong Nai BR	Dong Nai BR: Buffer Zone and Transition zone	Total: 7.291 (DN BR: 7.291)
Chau Ma	Dong Nai BR	Dong Nai BR: Buffer Zone and Transition zone	Total: 73.459 (DN BR: 73.459)
Tay	Western Nghe An BR Dong Nai BR	Western Nghe An BR: Core zone, Buffer Zone Dong Nai BR: Buffer Zone and Transition zone	Total: 6.782 (WNA BR: 1.048; Dong Nai BR: 5.734)
Dao	Dong Nai BR	Dong Nai BR: Buffer Zone and Transition zone	Total: 26.369 (DN BR: 26.369)
Hoa	Dong Nai BR	Dong Nai BR: Buffer Zone and Transition zone	Total: 7.291 (DN BR: 7.291)
Cho Ro	Dong Nai BR	Dong Nai BR: Buffer Zone and Transition zone	Total: 35.680 (DN BR: 35.680)
Muong	Dong Nai BR	Dong Nai BR: Buffer Zone and Transition zone	Total: 20.054 (DN BR: 20.054)
Nung	Dong Nai BR	Dong Nai BR: Buffer Zone and Transition zone	Total: 5.193 (DN BR: 5.193)
Others (Cham, San Riu, Co Ho, Ede, San Chay, Ngai, Raglay, Gia Rai, Co Tu...)	Dong Nai BR	Dong Nai BR: Buffer Zone and Transition zone	Total: 20.180 (DN BR: 20.180)

## 5.2 CONSULTATION WITH ETHNIC MINORITIES

34. Consultation progress with local communities (including EMs) to identify challenges faced by EMs and needs for developing project intervention plans. Suggestions and needs from EMs were integrated and included in project's investment plans or/and interventions.

Consultation process	Locations	Challenges faced by EMs	Project interventions
Community consultation to develop non-exhausted use of natural resources in set-aside areas in Dong Nai and Tay Nghe An BR  (Dong Nai:	Local communes in set-aside areas in Dong Nai and Tay Nghe An BRs	<ul style="list-style-type: none"> <li>- The lack of capacity on non-exhausted use of natural resources</li> <li>- Poor and needs to be supported for sustainable livelihoods</li> <li>- Need to participate and benefit from forest protection and management activities</li> <li>- The lack of knowledge on the importance of sustainable use of natural resources</li> <li>- Ecotourism products are potential benefit from set-aside areas in Tay Nghe An BR</li> </ul>	<ul style="list-style-type: none"> <li>- Capacity building on non-exhausted use and sustainable use of natural resources</li> <li>- Provide support for sustainable livelihood models for local communities</li> <li>- Community based regulations and benefit sharing mechanism developed; Provide support for activities of community forest protection and management boards and community patrolling teams.</li> <li>- Conducting awareness raising programs and communication materials.</li> <li>- Support to develop ecotourism development plan and promote communication for ecotourism products</li> </ul>
Community consultation to develop forest restoration in Dong Nai, Cu Lao Cham and Tay Nghe An BR	Local communes near degraded forest areas in 3 BRs	<ul style="list-style-type: none"> <li>- Expected to participate and benefit from the forest restoration and protection process</li> <li>-Lack of capacity and skills on silvicultural methods</li> <li>- Lack of knowledge on the importance of forest restoration and protection</li> </ul>	<ul style="list-style-type: none"> <li>- Encourage EMs to participate forest restoration and protection activities at the field</li> <li>- Capacity building provided</li> <li>- Awareness raising and communication materials provided</li> </ul>
Community consultation to develop Community Conservation Plans in 3 BRs	Local communities in 19 communes in 3 BRs	<ul style="list-style-type: none"> <li>- Propose expected sustainable livelihood model for each village</li> <li>- Expected to participate and benefit from sustainable livelihood model</li> <li>- Lack of capacity and skill on new sustainable livelihood models</li> <li>- Expected more beneficiaries than 2,500 households</li> </ul>	<ul style="list-style-type: none"> <li>- Proposed livelihood models are included in Commune Conservation Plans for implementation</li> <li>- Investment through Low Value Grants (LVGs) with direct investments for local communities</li> <li>- Capacity building provided</li> <li>- Community Revolving Funds will provide opportunity for other households to benefit from the project; Communication for expanding sustainable livelihood models</li> </ul>

Community consultation to develop the plan for applying biodiversity friendly certification	Local communities in 3 BRs	Being implemented	Challenges and needs from EMs will be integrated in plans for implementation
KAP assessment and developing awareness raising plans in 3 BRs	Local communities in 3 BRs	Being implemented	Challenges and needs from EMs will be integrated in plans for implementation

## 6 RELEVANT REGULATORY AND LEGAL FRAMEWORK ON INDIGENOUS PEOPLE

### 6.1 VIETNAM'S POLICIES, LAWS, RULES AND REGULATIONS APPLICABLE TO ETHNIC MINORITY PEOPLES

35. This IPPF is anchored on the international multilateral agreements and protocols that Vietnam supports, and the local and national policies recognizing the rights and vulnerability of the ethnic minorities in the country.
36. At the national level, below are some key policies that promote the welfare of the ethnic minorities in the country.
37. The Civil code (2014) provides basic protection of rights of different ethnic groups, including their rights to identity and rights to re-identify ethnicity.
38. Following the Article 7 of the Civil code, the law ensures the preservation of national identities, respect and promote good customs, practices and traditions, solidarity, mutual affection and cooperation, the principle of every individual for the community and the community for every individual and the noble ethical values of ethnicities living together on Vietnamese soil.
39. Besides the civil law, there are existing legal framework and strategies where rights of ethnic minorities are protected, prioritised and strengthened, including: -
  - Mar 2011: the 10-year national socio-economic development strategy (2011-2020) highlighted the importance of health and education services for EM people. The policy was followed by the Prime Minister's Decision No. 2356/QĐ-TTg (2013) on issuing the Action-plan for implementation of the Strategy on EM work by 2020: i) Made a long-term vision and priority to develop EM areas; and ii) Clearly identified the list of tasks and master-plan for implementation of the Strategy on EM work by 2020.
  - Prime Minister's Decision No. 1557/QĐ-TTg (Sep, 2015) on approval of some indicators for implementation of the MDGs acceleration for EM and linked to SDGs after 2015 (MAP-EM): i) integrated and combine the EM indicators development with MDGs and SDGs after 2015; ii) integrated EM indicators development into SEDP in middle term, work-plans of each line ministry, sector and localities; and iii) combined different resources for EM development and participation in SED process.
  - 2011 and 2016: The National Targeted Programme for Poverty Reductions (period 2011-2015 and 2016-2020): i) Article 3: poor households in ethnic minority areas and women of poor households shall be given priority; ii) a separate Programme (P135) for supporting extreme difficulty-hit communes, border communes, communes in safety zones, extreme difficulty-hit mountainous hamlets/villages (mostly the EM groups living areas).
  - National Assembly's Resolution No.88/2019/QH14 dated 18/11/2019 by National Assembly, the 14<sup>th</sup> Session on approval of the Master Plan for socio-economic development for ethnic minority and mountainous area in 2021-2030.
  - Government's Resolution No. 12/NQ-CP dated February 15, 2020 on the implementation of the National Assembly's Resolution No. 88/2019/QH14 dated November 18, 2019, approving the Master Plan on socio-economic development of ethnic minority and mountainous areas for the 2021 - 2030 period.
  - The Government agency responsible for upland ethnic groups is Committee for Ethnic Minority Affairs (CEMA). CEMA is a ministerial-level agency under the Government, performs its functions of state management on ethnic minority affairs nationwide and on public services within its authorities. The specific functions and tasks of the Committee are prescribed at the Decree 13/2017/NĐ-CP dated 10/02/2017 prescribing the functions, tasks, powers and organization structure of the Committee for Nationalities. In addition to the national office in Hanoi, CEMA has departments in each province.
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### 6.2 MULTILATERAL AGREEMENTS AND PROTOCOLS RELEVANT TO INDIGENOUS PEOPLES

40. Vietnam voted in favour for the UN Declaration on the Rights of Indigenous Peoples (UNDRIP). However, Vietnam does not recognize "ethnic minorities" as "indigenous peoples" and has not ratified the Indigenous and Tribal

Peoples Convention--ILO (1989) (No. 169). [Convention C169 - Indigenous and Tribal Peoples Convention, 1989 \(No.169\)](#).<sup>12</sup>

41. Vietnam is also Party to the Conference of the Parties (COP) to the United Nations Framework Convention on Climate Change (UNFCCC).
42. Equally important, the preamble section of the Paris Agreement upholds the respect of human rights, including Indigenous People rights, gender rights and intergenerational equity that must be considered in climate and development justice discussions. The Paris Agreement also highlights the need for integration of IPs' knowledge systems in all adaptation plans and actions. It recommends the operationalization of local communities and indigenous peoples (LCIP) platform to strengthen traditional knowledge, knowledge of indigenous peoples and local knowledge, and the knowledge-sharing avenues in climate change actions and measures.

### 6.3 UNDP'S SOCIAL AND ENVIRONMENTAL STANDARDS

43. UNDP has an established Social and Environment Standards with three overarching principles that apply to Human Rights, Gender Equality and Women's Empowerment, and Environmental Sustainability. There are seven project level standards, including Standard 6 on Indigenous Peoples. The applicability of Standard 6 is established during the SES process and applies to all projects that may affect Indigenous Peoples, regardless of:
  - a) whether the Project is located within or outside of the lands and territories inhabited by the indigenous peoples in question,
  - b) whether or not title is possessed by the affected indigenous peoples over the lands and territories in question, or
  - c) whether the indigenous peoples are recognized as indigenous peoples by the country in question.
44. Table 3 summarises the requirements of UNDP's Standard 6 – Indigenous Peoples and identifies relevant Vietnamese laws and policies.

Table 3 UNDP Standard 6 and relevant Vietnamese Laws & Policies

UNDP Standard 6 Requirement	Relevant Vietnamese Law/Policy
<b>Respect for domestic and international law:</b> UNDP does not participate in a project that violates the human rights of indigenous peoples as affirmed by Applicable Law and the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP).	Vietnam is a signatory of UNDRIP
<b>Identification of indigenous peoples:</b> For purposes of the Standard, "indigenous peoples" refers to distinct collectives, regardless of the local, national and regional terms applied to them, who satisfy any of the more commonly accepted definitions of indigenous peoples eg has pursued its own concept and way of human development in a given socio-economic, political and historical context; has tried to maintain its distinct group identity, languages, traditional beliefs, customs, laws and institutions, worldviews and ways of life; has exercised control and management of the lands, territories and natural resources that it has historically used and occupied, with which it has a special connection, and upon which its physical and cultural survival as indigenous peoples typically depends; self-identifies as indigenous peoples; and/or pre-dates those who colonized the lands within which the collective was originally found or of which it was then dispossessed.	<p>Civil code (2014) - provides basic protection of rights of different ethnic groups, including their rights to identity and rights to re-identify ethnicity.</p> <p>According to Point 1, Clause 4, Decree 05/2011/NĐ-CP on ethnic minority relations "Ethnic minority group are groups with less population compared to majority group in Vietnam territory" and "Majority group is group with more than 50% population, based on gross population census, so it is Kinh group with 85,7% population. All the other ethnic groups are ethnic minorities"</p> <p>In many publications and public communication, it is stated that almost every ethnic groups in Vietnam are indigenous, as all of these group reside in this territory. Due to historical and political sensitiveness, "indigenous" is not emphasized in any law. Though used popular in</p>

<sup>12</sup> ilo.org

	socio-cultural, economic context, e.g. indigenous knowledge, indigenous culture, architecture etc.
<p><b>Land, territories and resources:</b> UNDP projects recognize that indigenous peoples have collective rights to own, use, and develop and control the lands, resources and territories that they have traditionally owned, occupied or otherwise used or acquired, including lands and territories for which they do not yet possess title. Project activities that may undermine or inadvertently weaken such rights are avoided. If the project involves activities that are contingent on establishing legally recognized rights to lands, resources, or territories that indigenous peoples have traditionally owned, occupied or otherwise used or acquired, then an action plan is developed to outline the steps and timetable for achieving legal recognition of such ownership, occupation, or usage. In such cases, UNDP, with the consent of the relevant authority or implementing partner, supports such activities aimed at delimiting, demarcating and titling such lands, resources, and territories with due respect to the customs, traditions and land tenure systems of the indigenous peoples concerned.</p>	<p>Ethnic Minorities and other group are equal to Law, including the Land Law.</p> <p>Specifically, Clause 27 recognizes the need of policies on living land, community land for EM that are relevant to customs, culture and specific regional context. Beside, it is needed to formulate policies for supporting EM who are in direct agricultural production to have land for agriculture.</p> <p>Decree 2085/QĐ-TTg of 31/10/2016 and signed by the Prime Minister, approving special policy supporting socio-economic development for EM regions and mountainous areas 2017 – 2020, focuses on EMs that do not have or have inadequate land for agricultural production and seeks to allocate suitable land where available and to foster sustainable poverty reduction and narrow the gaps between regions with Ethnic Minorities and other regions of the country, while protecting and preserving ethnic cultures and customs.</p> <p>In case the local government is not able to allocate suitable agriculture land, poor households will be offered a subsidy and support if the EMs choose to shift livelihood from agriculture to other services or other job for income. There is no requirement for EMs to shift livelihood, but rather, the subsidy is to enable a shift if the EMs choose such a shift in cases where there is no additional land is available for agriculture that is adequate for such purpose.</p> <p>The decree has a target of minimum of 80% of poor EM households will benefit from either allocation of land or through support to shift from agriculture production to other sources of income.</p>
<p><b>Legal personality:</b> UNDP recognizes that indigenous peoples' right to legal personality is critical to the protection, respect and fulfillment of their human rights.</p>	Article 7 of the Civil code
<p><b>Involuntary resettlement:</b> No project supported by UNDP will result in the forcible removal of indigenous peoples from their lands and territories.</p>	<p>Point 4 Clause 9, Decree 5/2011 – see below, there must be consultation and resettlement must result in better conditions.</p> <p>No clear referencing of 'involuntary resettlement'</p>
<p><b>Relocation:</b> No relocation of indigenous peoples will take place without the free, prior and informed consent (FPIC) of the indigenous peoples concerned and only after agreement on just and fair compensation and, where possible, with the option of return.</p>	<p>Point 4 Clause 9, Decree 5/2011</p> <p>The investors/owners of planning and construction projects that have impacts on land, environment, ecology and life of EM groups, have to public and open consultation with the people living in the areas of projects. Construction projects in line with law, must arrange re-settlement, create conditions for residents to resettle with better stable living.</p>
<p><b>Full, effective and meaningful participation and FPIC:</b> At the earliest stage of project conceptualization and design, and iteratively throughout implementation and closure, mechanisms are identified and implemented to guarantee the meaningful, effective</p>	Point 4 Clause 9, Decree 5/2011



<p>and informed participation of indigenous peoples on all matters. Culturally appropriate consultation are carried out with the objective of achieving agreement and FPIC is ensured on any matters that may affect—positively or negatively—the indigenous peoples' rights and interests, lands, territories (whether titled or untitled to the people in question), resources, traditional livelihoods, and/or tangible and intangible Cultural Heritage. This includes any potential relocation and activities proposing the development, utilization or exploitation of mineral, forest, water or other resources on lands and territories traditionally owned, occupied or otherwise used or acquired by indigenous peoples, including lands and territories for which they do not yet possess title. Project activities that may adversely affect the existence, value, use or enjoyment of indigenous lands, resources or territories are not conducted unless agreement has been achieved through the FPIC process.</p>	<p>The project's IPPF and ESMF outlines the requirement for full effective and meaningful participation and FPIC.</p> <p>The Stakeholder Engagement Plan outlines the how stakeholders, including EMs, will be engaged throughout implementation.</p> <p>The project has mechanisms to guarantee the meaningful, effective and informed participation of EMs.</p>
<p><b>Documentation:</b> Engagement processes with indigenous peoples require at a minimum documentation of (i) a mutually accepted process to carry out good faith negotiations, (ii) outcomes of good faith negotiations, including all agreements reached as well as disagreements and dissenting views, and (iii) efforts aimed at accommodating indigenous peoples' expressed interest and concerns in the final programming design.</p>	
<p><b>Prior social and environmental impact study:</b> projects that may impact the rights, lands, resources and territories of indigenous peoples undertake prior review and/or assessment of potential impacts and benefits. Such reviews and assessments will be conducted transparently and with the full, effective and meaningful participation of the indigenous peoples concerned.</p>	
<p><b>Appropriate benefits:</b> UNDP ensures that arrangements, evidenced in a documented outcome, are concluded with indigenous peoples for the equitable sharing of benefits to be derived by the project in a manner that is culturally appropriate and inclusive giving full consideration to options preferred by the indigenous peoples concerned. The provision of compensation and benefits takes into account the institutions, rules, and customs of affected indigenous peoples and may occur on a collective basis with mechanisms for effective distribution of benefits to all members of affected groups, as far as practical. Indigenous peoples affected by project activities should share equitably in benefits derived from any commercial development of indigenous peoples' lands, territories or resources or from the use or development of indigenous peoples' Cultural Heritage</p>	
<p><b>Support rights implementation:</b> UNDP projects support countries to implement their duties and obligations under domestic and international law regarding the rights of indigenous peoples, including relevant treaty obligations.</p>	

45. If a sub-project is determined to affect the rights, lands, resource or territories of Indigenous Peoples, an IP Plan will be prepared in consultation with indigenous peoples and in accordance with this IPPF (refer Section 11 and Appendix 1).

## 7 SUMMARISING POTENTIAL IMPACTS

46. Following are potential positive impacts of the project on Ethnic Minority peoples:

Table 4. Potential Positive Impacts

Sector of Intervention	Potential Positive Impacts
Social mobilization and institution building	<ul style="list-style-type: none"> <li>• EMs will benefit from participating in decision-making processes</li> <li>• EMs will have platform to voice their issues.</li> <li>• EMs will benefit from various trainings and awareness sessions</li> <li>• EMs should benefit from improved coordination and collaboration between local, provincial and national governments</li> </ul>
Resources development	<ul style="list-style-type: none"> <li>• EMs will benefit from enhanced legal recognition of BRs that will provide greater protection to the natural resources upon which they often depend.</li> <li>• EMs will benefit from restoration of degraded ecosystems that provide ecosystem services / provide livelihoods to them.</li> <li>• EMs will benefit from improved 'landscape' and cumulative impact assessment approach to EIA/EIS in BRs rather than a site by site approval approach as customary lands and cultural practices often relevant at a scale greater than single sites.</li> <li>• EMs will benefit from participating in decision-making processes</li> <li>• EMS will benefit from reduction of unsustainable practices (such as agricultural expansion, logging, inappropriate fishing, and unsustainable tourism) both in terms of resource protection, and livelihood opportunities that sustainable management will represent.</li> </ul>
Technological Innovation	<ul style="list-style-type: none"> <li>• EMs will benefit from information and lessons learned about BR sustainable management practices being made available in ethnic minority languages.</li> <li>• EMs will benefit from opportunities to promote their traditional knowledge through approaches that the utilize technological or management innovation (eg contribution to Sustainable Forest Management Manual).</li> </ul>
Livelihood and Trainings	<ul style="list-style-type: none"> <li>• EMs will benefit from increased opportunities to participate in a wider range of sustainable and diversified livelihoods eg jobs associated with forest restoration and monitoring.</li> <li>• EMs will benefit from capacity building to apply appropriate participatory methodologies to assess the climate vulnerability of their agro-ecosystems and identify adaptive strategies and measures to manage climate risk.</li> <li>• EMs will benefit from enhancement knowledge of sustainable use and protection of natural resources</li> <li>• EMs will benefit from improved financial mechanisms that support conservation and sustainable land use/natural resource management in BRs eg investment grants to enhance community non-consumptive resource use.</li> </ul>

47. Following are potential adverse impacts of the project on Ethnic Minority peoples along with possible measures to avoid or minimize the same:

Table 5. Potential Adverse Impacts and Measures to Avoid or Minimize Adverse Impacts

Sector of Intervention	Potential Adverse Impacts	Measures to Avoid or Minimize Adverse Impacts
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Social mobilization and institution building	<ul style="list-style-type: none"> <li>• EMs may be inadequately represented in multi-stakeholder forums / decision-making bodies</li> <li>• Trainings and awareness sessions may run counter to EM traditional practices.</li> <li>• Interventions may run counter to EM traditional practices and customary laws.</li> </ul>	<ul style="list-style-type: none"> <li>• EMs shall be appropriately represented in forums and decision making processes.</li> <li>• Ensure representation of EMs in project activities, including empowering them as key resources for project implementation.</li> <li>• Cultural norms and value system of EMs should be studied thoroughly throughout the implementation.</li> <li>• The interventions should not run counter to the traditional patterns of life.</li> <li>• All community members, especially EM women, should participate in the planning of interventions.</li> </ul>
Resources development	<ul style="list-style-type: none"> <li>• Use of lands for conservation purposes might impede on use.</li> <li>• Interventions may not be appropriately designed for the EM community.</li> <li>• Interventions may utilized and deny access to resources traditionally utilized by the EM community</li> </ul>	<ul style="list-style-type: none"> <li>• Carry out community consultation on the purpose and benefits of making changes to land use</li> <li>• Ensure that FPIC is achieved and implement IPP (where required)</li> <li>• Cultural norms and value system of EMs should be studied thoroughly throughout the implementation.</li> <li>• The interventions should not run counter to the traditional patterns of life.</li> <li>• Members of all community, especially EM women, should participate in the planning of interventions.</li> <li>• The resource ownership and traditional use patterns should be determined beforehand and should not be affected to the extent possible.</li> </ul>
Technological Innovation	<ul style="list-style-type: none"> <li>• Interventions may not be appropriately designed for the EM community</li> <li>• There may be low participation by the EM community</li> <li>• Inequitable distribution of benefits</li> <li>• Interventions may run counter to EM traditional</li> </ul>	<ul style="list-style-type: none"> <li>• Cultural norms and value system of EMs should be studied thoroughly throughout the implementation.</li> <li>• The interventions should not run counter to the traditional patterns of life.</li> <li>• All community members, especially EM women, should participate in the planning of interventions.</li> <li>• Information products are to be tailored to specific audiences of EM, including those with less formal education or limited Vietnamese language skills (as for ethnic minorities).</li> </ul>

	practices and customary laws	
Livelihood and Trainings	<ul style="list-style-type: none"> <li>• Interventions may not be appropriately designed for the EM community</li> <li>• There may be low participation by the EM community</li> <li>• Inequitable distribution of benefits</li> <li>• Interventions may run counter to EM traditional practices and customary laws</li> </ul>	<ul style="list-style-type: none"> <li>• The trainings should be accessible for all EM community member and should support traditional ways of learning, information sharing and application of knowledge. Provide peer-learning groups through exchange and learning visits among EMs, villages and communes.</li> <li>• Cultural norms and value system of EMs should be studied thoroughly throughout the implementation. In particular, the project is to be sensitive to traditional livelihood strategies that might inadvertently negatively impacted through proposed interventions.</li> <li>• The interventions should not run counter to the traditional patterns of life.</li> <li>• All community members, especially EM women, should participate in the planning of interventions.</li> <li>• Information should be tailored to be accessible to specific audiences of EMs, including those with less formal education or limited Vietnamese language skills (as for ethnic minorities)</li> </ul>

## 8 IMPLEMENTATION ARRANGEMENTS, PROCEDURES, AND MONITORING

### 8.1 PROJECT IMPLEMENTATION ARRANGEMENTS

48. The IPPF will be aligned with the project implementation arrangements (Figure 2).

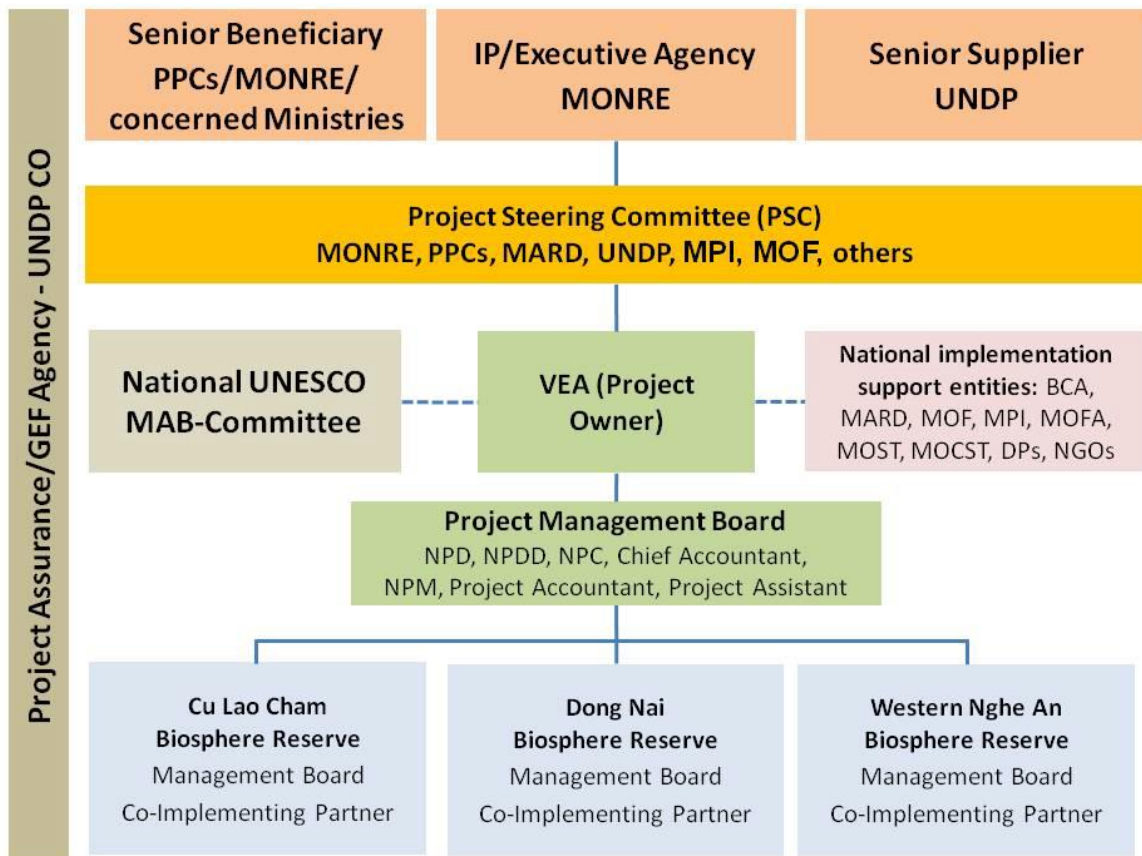


Figure 2 Project Governance and Management Structure

### 8.1.1 Implementing Partner

49. The Ministry of Natural Resources and Environment (MONRE) is the Implementing Partner (IP) on behalf of the Government of Vietnam.

### 8.1.2 Implementing Partner Arrangements

50. The project is implemented by the Government under UNDP's National Implementation modality (NIM).
51. **UNDP**, as the GEF Agency, is in charge of project cycle management including (i) financial and audit services; (ii) oversee financial expenditures against budgets; (iii) ensure that activities, procurement and financial management comply with UNDP/GEF rules; (iv) ensure correct reporting to GEF; (v) facilitate project learning, exchange and outreach; (vi) Contract the MTR and final evaluation. The UNDP Country Office (CO) in Hanoi provides programmatic oversight while the UNDP Bangkok Regional Hub provides technical oversight and ensures fiduciary compliance of UNDP/GEF. Project Assurance is undertaken by the UNDP Programme Officer in charge of the project, acting as focal point to facilitate and monitor project implementation. S/he certifies the annual and quarterly work-plans, budgets and progress reports, as well as proposed use of unspecified budget resources.
52. **The IP** is responsible for the project management and use of the project budget. MONRE is also acting as the "Governing Body" of the project as regulated by the Vietnam Decree 16/2016/ND-CP, updated Dec 16, 2021 (114/2021/ND-CP).
53. **The "Project Owner"** is the Vietnam Environment Agency (VEA), acting on behalf of MONRE as responsible for planning, implementation, monitoring, and reporting of the project. VEA is also in charge of coordinating relevant project stakeholders. VEA's specific tasks are regulated by the mentioned decree, summarized as: (i) organize project management and execution; (ii) financial management; (iii) formulate and submit for approval 5-year plans, overall plan, annual and quarterly project plans; (iv) procurement activities; (v) negotiate, conclude, and supervise implementation of contracts; (vi) cooperate with local governments of the three pilot provinces; (vii) supervise and assess the project to ensure punctuality, quality, and achievement of targets; (viii) provide direction to the Project Management Board; and (ix) take responsibility for any every loss or misconduct.

54. **The Project Steering Committee (PSC)** is chaired by MONRE on national ministry level, and consists of 14 members: Vice minister of MONRE; Director of VEA-MONRE; BCA, MONRE; International Cooperation Department, MONRE; Planning and Finance Department, MONRE; Personnel Department, MONRE; Vietnam Administration of Seas and Islands, MONRE; Tay Nghe An BR Management Board; Cu Lao Cham BR Management Board; Dong Nai PPC; Ministry of Planning and Investment; Ministry of Finance; Ministry of Agriculture and Rural Development; and UNDP Vietnam. The PSC provides objective and independent project oversight and monitoring functions, guides the annual workplans, and ensures budget resources.
55. Other ministries (**not members of the PSC**), such as the Ministry of Foreign Affairs (MOFA), Ministry of Culture, Sport, and Tourism (MOCST), Ministry of Science and Technology (MOSTE), provide guidance related to their sectors, and participate in general technical and operational workshops.
56. **The Project Management Board (PMB)** assists VEA, consisting of the National Project Director (NPD), National Project Deputy Director (NPDD), National Project Coordinator and the Chief Accountant. The PMB performs the tasks given by the Project Owner, which to a large extent are the same tasks as mentioned above for VEA. The PMB is e.g. responsible for resource mobilization, planning and execution of project activities, and official reports to the PSC. The NPD informs the PSC, VEA, MONRE and UNDP on implementation progress, and possible delays or difficulties that could arise, so appropriate support and corrective measures can be adopted.
57. **The National Project Team** consists of a National Project Manager (NPM), Project Accountant, and Project Assistant, to provide assistance to the PMB on a daily basis.
58. **Co-implementing Partners (CIPs)** include the Management Boards of the three pilot BR sites Cu Lao Cham, Dong Nai, and Western Nghe An. The CIPs carry out project activities under component 2. For each site there is a full-time Project Facilitation Officer (Coordinator) and Project Implementation Team was established with the variable number of other staff.
59. **Man and Biosphere (MAB) National Committee:** The project builds on the existing stakeholder coordination system for BR management established under this committee, but it is not part of the project structure. The committee is chaired by MONRE, with a deputy chairperson from the Ministry of Science and Technology (MOST).
60. The implementation of this IPPF will be overseen by the PMB. The PIT will be responsible for providing local level support to the PMB for the implementation of the
61. Provincial CEMA office will be an important partner that will be consulted to support project implementation and ensure that the customary practices of the ethnic minorities are respected and followed.
62. For the EM communities that will be impacted or perceived to be impacted by Project interventions, the PMB will work with the focal persons for the EM communities on the implementation of this IPPF and later, the IP Plans.
63. During the implementation, the following activities will continue to be undertaken to further fine tune the support packages to ethnic minority groups, and to ensure that their participation and contribution to project activities are more effective:
  - Data on Ethnic Minority peoples will continue to be collected.
  - The Project will facilitate securing a Free and Prior Informed Consent (FPIC) prior to any Project activity in areas where EM communities will be adversely affected by the Project. Refer below.
  - EM community representatives will participate as focal persons for the Project with regard to indigenous issues.

## 8.2 IPPF IMPLEMENTATION - SCREENING/ASSESSMENT/MANAGEMENT PLAN PROCEDURES FOR SUB-ACTIVITIES

64. This IPPF forms part of the overall project Environmental and Social Management Framework (ESMF) and should be read in conjunction with that document. The implementation of the IPPF is inextricably linked to the implementation of the ESMF through the screening of investments.
65. As the implementing agency, MONRE will be responsible the implementation with the ESMF and IPPF via the delivery organisations, in particular VEA.
66. Like other safeguard documents, disclosure of the IPPF and any IPPs is required by UNDP public disclosure policy.
67. Prior to implementation, each sub-project/sub-activity that may affect EMs will be assessed to identify whether any previously unidentified adverse impacts to EMs are likely and whether the need for FPIC and an IPP is triggered.

This will be ensured by screening of sub-projects/activities (as per the Project ESMF) to determine potential impacts on EMs, and whether site-specific IPPs and FPIC are required prior to the activities proceeding. "Yes" responses to any of the SESP questions 6.2, 6.3 to 6.9 indicates that an IPP is likely to be required.

68. All IPPs will be submitted to UNDP for clearance prior to implementation of the relevant activities.
69. As noted in the ESMF, SEP and UNDP Standard 6 Guidance Note, while all consultations with indigenous peoples should be carried out in good faith with the objective of achieving agreement, Standard 6 stipulates circumstances in which FPIC must be pursued (Annex 2) and secured before proceeding with the specified actions:
  - **Rights, lands territories, resources, traditional livelihoods:** FPIC will be ensured on any matters that may affect the rights and interests, lands, resources, territories (whether titled or untitled to the people in question) and traditional livelihoods of the indigenous peoples concerned. Project activities that may adversely affect the existence, value, use or enjoyment of indigenous lands, resources or territories shall not be conducted unless agreement has been achieved through the FPIC process. (Requirement 9)
  - **Resettlement:** No relocation of indigenous peoples will take place without the free, prior and informed consent (FPIC) of the indigenous peoples concerned and only after agreement on just and fair compensation, and where possible, with the option of return (Requirement 8).
  - **Cultural Heritage:** UNDP will respect, protect, conserve and not take or appropriate the cultural, intellectual, religious and spiritual property of indigenous peoples without their free, prior and informed consent (Requirement 13d).
70. To determine whether project activities may require an FPIC process, the UNDP Checklist for Appraising Whether an Activity May Require an FPIC Process (Annex 2) will be used. If the answer is 'Yes' to any of these questions, FPIC will be required of the potentially affected peoples for the specific activity that may result in the impacts. When an FPIC process is required, the potentially affected ethnic minority will be engaged to reach agreement on the scope and format of the FPIC process and the scope of the IPP. This process should be launched as early as possible. For further information/guidance on applying FPIC refer to UNDP (2022) SES Supplemental Guidance: Frequently Asked Questions on Applying Free Prior Informed Consent.
71. Below are key circumstances that require FPIC:
  - **Loss, restrictions or modification of rights to and use of lands, territories, resources, and livelihoods:** FPIC needs to be ensured on any matters that may affect the rights to, interests on, and use of lands, resources, territories, etc. (whether titled or untitled to the people in question) as well as livelihoods of affected indigenous peoples. This includes but is not limited to activities proposing the development, utilization, or exploitation of mineral, forest, water or other resources on lands and territories traditionally owned, occupied or otherwise used, acquired by indigenous peoples, including lands and territories for which they do not yet possess title. This may also include territories from which they were displaced. (S6 para. 10)
  - **Relocation:** No relocation of indigenous peoples will take place without the FPIC of the indigenous peoples concerned and only after agreement on just and fair compensation, and where possible, with the option of return (S6, para.9) The SES also categorically prohibits support for projects that may result in the forcible removal of indigenous peoples from their lands and territories (S6 para. 8).
  - **Cultural Heritage:** UNDP will respect, protect, conserve and not take or appropriate the cultural, intellectual, religious and spiritual property of indigenous peoples without their FPIC (S6 para. 15d)
72. In all cases, no activities predicated on the granting of FPIC should be initiated until the outcomes of the FPIC process and the associated sub-project IPP are validated, and any required mitigation measures are in place, that is, ***project activities that may adversely affect the existence, value, use or enjoyment of indigenous lands, resources or territories are not conducted unless agreement has been achieved through the FPIC process***
73. The ethnic minority who may be affected by the project will have a central role in defining the FPIC process and the establishment of the sub-project IPP. A facilitator who speaks the necessary languages should be hired to lead the process, if required. The facilitator needs to be available throughout the sub-project, be aware of the project context, and be culturally and gender sensitive. If possible, the facilitator should be identified by the affected indigenous peoples.
74. Facilitators, in cooperation with the government and stakeholders, are responsible for ensuring, among other things, that the following key arrangements are part of the FPIC process:

- Full, accurate information regarding the project (e.g. positive and negative, potential risks and short and/or long term impacts, benefits) is communicated in the most appropriate language and medium, ensuring that is easily understandable and accessible.
  - Information reaches all members of affected ethnic minority community and is consistent with the community's mechanisms for information sharing
  - A secure, culturally appropriate and trusted environment for discussions is provided
  - Decision-making processes, timelines, and languages for communicating are determined by the affected ethnic minority without interference
  - Customary laws and practices of the affected ethnic minority are respected.
75. The overall aim of the FPIC process with all stakeholders is to obtain a signed agreement or oral contract witnessed by an independent entity (eg an ombudsman, NGO or other respected party) agreed to by both parties, ensuring that the greatest number of community members are involved and represented, including potentially marginalized groups. The community's customs and norms for participation, decision making, and information sharing are to be respected.
76. While the objective of the FPIC process is to reach an agreement (consent) on the project or project components and the IPP between the relevant parties—be it a signed agreement or otherwise formalized oral contract— this does not mean that all FPIC processes will lead to the consent of and approval by the rights-holders in question. At the core of FPIC is the right of the peoples concerned to choose to engage, negotiate and decide to grant or withhold consent, as well as the acknowledgement that under certain circumstances, it must be accepted that the activities (or project) for which FPIC could not be ascertained will not proceed and/or that engagement must be ceased if the affected peoples decide that they do not want to commence or continue with negotiations or if they decide to withhold their consent to the activities and/or project.
77. The FPIC process should be well-documented in writing and reflected in the sub-project IPP and made publicly available. This applies to those activities for which the FPIC screening was undertaken and concluded that an FPIC process was not required. In addition to the screening question answers Yes/No, justification for these conclusions should also be recorded and made available. The outcomes documentation should clarify if consent was provided or withheld and record whether the community provided consent through an oral contract. It is important to document the whole FPIC process in the IPP (or subsequent reports), including commitments and requirements agreed upon to reach such agreement as well as ideas, questions and concerns raised, so that it is possible to review the whole process during monitoring and in the event a grievance or dispute arises.
78. This will ensure that all activities will avoid adverse impacts on EMs, and when avoidance is not possible, will minimize, mitigate and/or compensate appropriately and equitably for such impacts, in a consistent way and improve outcomes over time; promote benefits and opportunities; and respect and preserve indigenous culture, including the EM's rights to lands, territories, resources, knowledge systems, and traditional livelihoods and practices.

## 9 STAKEHOLDER ENGAGEMENT AND GRIEVANCE REDRESS MECHANISM

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### 9.1 STAKEHOLDER ENGAGEMENT

79. A stakeholder engagement plan has been developed for the project to demonstrate how stakeholder engagement will continue to be an inclusive and continuous process throughout the life of a project and what level of corporate responsibility and transparency will occur as part of the ongoing process during construction and operation. The plan outlines how it will encourage local stakeholders, including women and ethnic minority households to participate in the project, and to empower them to act concretely to address issues that affect their lives.

### 9.2 GRIEVANCE REDRESS MECHANISM

80. A Grievance Redress Mechanism (GRM) has been prepared as part of the SEP. The GRM is designed to be a problem-solving mechanism with voluntary good-faith efforts. The Grievance Redress Mechanism is not a substitute for the legal process. The Grievance Redress Mechanism will as far as practicable, try to resolve complaints and/or grievances on terms that are mutually acceptable to all parties. When making a complaint and/or grievance, all parties must always act, in good faith and should not attempt to delay and or hinder any mutually acceptable resolution. During the inception phase, the GRM will be further refined to ensure that it is an accessible, fair, transparent and culture-sensitive process suited for ethnic minority peoples and includes representation of ethnic



minorities in the grievance mechanism process. Ongoing monitoring and evaluation of the GRM, particularly as part of any sub-project IPP, will ensure that the GRM remains a culturally sensitive process.

81. The Grievance Redress Mechanism has been designed to ensure that an individual and/or group are not financially impacted by the process of making a complaint and/or grievance. The Grievance Redress Mechanism will cover any reasonable costs in engaging a suitably qualified person to assist in the preparation of a legitimate complaint and/or grievance. Where a complaint and/or grievance is seen to be ineligible, the Grievance Redress Mechanism will not cover these costs.
82. All complaints and/or grievances regarding social and environmental issues can be received either orally (to the field staff), by phone, in complaints box or in writing to the UNDP, MONRE, VEA or the the BR Management Board or PIT if they have been unable to resolve the issue at the local level.
83. MONRE will establish a focal point for the GRM, and for the development and oversight of the mechanism, including reporting on the work of the Grievance Redress Focal Point (GRFP) to all stakeholders. The GRFP will be made up of members balanced in composition (government and non-government). When seeking to resolve issues, members with a direct interest or role in the grievance/dispute will be excluded from deliberations to avoid conflicts of interest.
84. The GRSC will perform the following core functions:
  - Take direct action to resolve the grievance/dispute (e.g. bring the relevant parties together to discuss and resolve the issue themselves with oversight by the PSC);
  - Request further information to clarify the issue, and share that information with all relevant parties, or ensure that a government agency represented on the PSC took an appropriate administrative action to deal with a complaint;
  - Refer the grievance/dispute to independent mediation, while maintaining oversight; or
  - Determine that the request was outside the scope and mandate of the PMB/PSC and refer it elsewhere (e.g. Ministry of Justice and Police or to the courts).
85. In addition to the project-level and national grievance redress mechanisms, complainants have the option to access UNDP's Accountability Mechanism, with both compliance and grievance functions. The Social and Environmental Compliance Unit investigates allegations that UNDP's Standards, screening procedure or other UNDP social and environmental commitments are not being implemented adequately, and that harm may result to people or the environment. The Social and Environmental Compliance Unit is housed in the Office of Audit and Investigations, and managed by a Lead Compliance Officer. A compliance review is available to any community or individual with concerns about the impacts of a UNDP programme or project. The Social and Environmental Compliance Unit is mandated to independently and impartially investigate valid requests from locally impacted people, and to report its findings and recommendations publicly.
86. The Stakeholder Response Mechanism offers locally affected people an opportunity to work with other stakeholders to resolve concerns, complaints and/or grievances about the social and environmental impacts of a UNDP project. Stakeholder Response Mechanism is intended to supplement the proactive stakeholder engagement that is required of UNDP and its Implementing Partners throughout the project cycle. Communities and individuals may request a Stakeholder Response Mechanism process when they have used standard channels for project management and quality assurance, but are not satisfied with the response (in this case, the project level grievance redress mechanism). When a valid Stakeholder Response Mechanism request is submitted, UNDP focal points at country, regional and headquarters levels will work with concerned stakeholders and Implementing Partners to address and resolve the concerns. Visit [www.undp.org/secu-srm](http://www.undp.org/secu-srm) for more details.

## 10 BUDGET FOR INDIGENOUS PEOPLE’S PLANNING FRAMEWORK IMPLEMENTATION

87. Budget for implementing IPPF/IPP will be part of the overall project budget. The budget covers the costs of project staff allowances, data collection, social assessment, and preparation of IPP, and monitoring and evaluation. Below is a budget estimate for IPPF implementation. The cost estimates are based on existing budget plan of the Project where it is relevant to IPPF implementation. Budget for IPP implementation is not part of the estimate<sup>13</sup>.

Table 6. Budget estimate for IPPF implementation

No.	Items	Comment	Amount
1	Staff Allowance–PMB, PIT	Positions already budgeted as part of overall project, so will be available for IPPF implementation as needed	16,584
2	Gender and Safeguard Specialist	Provide technical support and prepare required plans/ reports	10,500
3	Inception activities, impact assessment/surveys and reporting	Part of early initiation of activities involving EMs	15,000
4	Transport	Included in PIT budget	4,500
5	Monitoring and Evaluation	Part of annual M&E	7,000
6	Auditing of Implementing Partners	As per UNDP audit policies	850
<b>TOTAL (in US dollars)</b>			<b>54,434</b>

88. The project will be undertaken in partnership with ethnic minorities. Details on how specifics of the partnership arrangement will be documented in the IPP. The IPP will include information on detailed cost of mitigation measures and other rehabilitation entitlements for ethnic minority peoples and administrative and monitoring costs. Sources of funding for the various activities and financing plans for IPP will be indicated when an IPP is developed.

<sup>13</sup> The development/implementation of IPPs will form part of the responsibilities of the PMB supported by the PITs – a . Implementation of IPPs will also include use of gender, stakeholder engagement/consultation, GRM and M&E budgets.

## 11 SOCIAL AND ENVIRONMENTAL ASSESSMENTS AND INDIGENOUS PEOPLES PLANS (IPPs) – KEY ELEMENTS AND OUTLINE

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89. When project activities are implemented in locations where EMs reside, and where their land and resources are likely to be adversely impacted, Standard 6 is determined to be applicable and the full range of potential social and environmental impacts must be assessed.
90. Assessment of potential impacts associated with sub-projects (at a site-specific level) and adoption of appropriate mitigation and management measures are to be completed, disclosed, and discussed with stakeholders prior to implementation of sub-project activities that may cause social or environmental impacts.
91. The assessments, with detailed data and assessment reports, are prepared in the form of IP Plans, with the full participation of the affected EMs, for each of the sub-projects that triggered the need for an IPP. As indicated in the IP Plan outline, IP inputs will be recorded and reflected in the assessment report. UNDP's Guidance Note on Social and Environmental Assessment provides the guidance and general steps for assessing the potential impacts of Moderate, Substantial and High-Risk projects.<sup>14</sup>
92. As mentioned above, an IP Plan is prepared when sub-project activities affect the identities of EMs, their rights, lands, resources, values, territories, etc. During the early project implementation details of previously undefined sub-projects will be determined. These sub-projects will be screened to assess potential impacts and whether an IPP is required "Yes" responses to one or more of SESP questions 6.3 to 6.9 indicates that an IPP is likely to be required. The level of detail of the plans will be proportional to the complexity and scale of the proposed sub-project and its impacts on EMs. UNDP has an established and elaborate process for developing an IPP (*Annex I: Indicative Outline of Indigenous Peoples' Plan*) which aligns with the GCF's guidance under the Indigenous Peoples' Policy. The IPP will ensure that the activities proposed will be consistent with applicable law and obligations of the state and relevant international treaties and agreements, particularly with regards the FPIC during project and programme design, implementation, and expected outcomes related to the risks and impacts affecting the indigenous peoples.
93. The IPP will explicitly describe the involvement of indigenous peoples, including women, girls, and youth, in the design and implementation of the activities, and provide detailed outcomes of the consultation process of the indigenous peoples. The Plan will also include documented evidence of agreement between parties on the outcome of the negotiations.
94. In line with UNDP's SES, the Indigenous People' Plan will include the following elements:
  - Baseline information (from independent and participatory environmental and social risks and impacts assessment processes);
  - Key findings and analyses of impacts, risks and opportunities;
  - Measures to avoid, minimize and mitigate negative impacts, and enhance positive impacts and opportunities;
  - Community-based natural resource management;
  - Results of consultations (during environmental and social risks and impacts assessment processes), including a list of people and organizations that participated, a timetable, who was responsible for each activity, the free, prior and informed consent, and future engagement plans;
  - Gender assessment and action plans;
  - Benefit sharing plans;
  - Tenure arrangements;
  - Grievance redress mechanisms;
  - Costs, budgets, timetables, institutional arrangements, organizational responsibilities for implementation of the IP Plan; and
  - Monitoring, evaluation and reporting: The IP Plan will clearly spell out a) the manner in which indigenous peoples will participate in monitoring activities, b) progress indicators and an estimated budget to ensure

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<sup>14</sup> [https://info.undp.org/sites/bpps/SES\\_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/UNDP%20SES%20Assessment%20and%20Management%20GN%20-%20Final%20Nov2020.pdf](https://info.undp.org/sites/bpps/SES_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/UNDP%20SES%20Assessment%20and%20Management%20GN%20-%20Final%20Nov2020.pdf)

robust monitoring, c) the participatory selection and involvement of an independent expert, where needed, d) schedules for monitoring activities, and e) the mechanism for redress and corrective action

If the proposed sub-project may affect the rights, lands, resources or territories of indigenous peoples, an "Indigenous Peoples Plan" (*IPP*) needs to be elaborated and included in the Project documentation. The *IPPs* are to be elaborated and implemented in a manner consistent with the UNDP Social and Environmental Standards and have a level of detail proportional to the complexity of the nature and scale of the proposed Project and its potential impacts on indigenous peoples and their lands, resources and territories. With the effective and meaningful participation of the affected peoples, the *IPPs* shall be elaborated and contain provisions addressing, at a minimum, the substantive aspects of the following outline:

1. Executive Summary of the Indigenous Peoples Plan: Concisely describes the critical facts, significant findings, and recommended actions
2. Description of the sub-project/activity: General description of the sub-project, the sub-project area, and components/activities that may lead to impacts on indigenous peoples
3. Description of Indigenous Peoples: A description of affected indigenous people(s) and their locations, including:
  - i. description of the community or communities constituting the affected peoples (e.g. names, ethnicities, dialects, estimated numbers, etc.);
  - ii. description of the resources, lands and territories to be affected and the affected peoples connections/relationship with those resources, lands, and territories; and
  - iii. an identification of any vulnerable groups within the affected peoples (e.g. uncontacted and voluntary isolated peoples, women and girls, the disabled and elderly, others).
4. Summary of Substantive Rights and Legal Framework: A description of the substantive rights of indigenous peoples and the applicable legal framework, including:
  - i. An analysis of applicable domestic and international laws affirming and protecting the rights of indigenous peoples (include general assessment of government implementation of the same).
  - ii. Analysis as to whether the Project involves activities that are contingent on establishing legally recognized rights to lands, resources, or territories that indigenous peoples have traditionally owned, occupied or otherwise used or acquired. Where such contingency exists (see Standard 6 Guidance Note, sections 6 & 7), include:
    1. identification of the steps and associated timetable for achieving legal recognition of such ownership, occupation, or usage with the support of the relevant authority, including the way delimitation, demarcation, and titling shall respect the customs, traditions, norms, values, land tenure systems and effective and meaningful participation of the affected peoples, with legal recognition granted to titles with the full, free prior and informed consent of the affected peoples; and
    2. list of the activities that are prohibited until the delimitation, demarcation and titling is completed.
  - iii. Analysis whether the Project involves activities that are contingent on the recognition of the juridical personality of the affected Indigenous Peoples. Where such contingency exists (see Standard 6 Guidance Note, section 7):
    1. identification of the steps and associated timetables for achieving such recognition with the support of the relevant authority, with the full and effective participation and consent of affected indigenous peoples; and
    2. list of the activities that are prohibited until the recognition is achieved.
5. Summary of Social and Environmental Assessment and Mitigation Measures
  - i. A summary of the findings and recommendations of the required prior social and environmental impact studies (e.g. limited assessment, ESIA, SESA, as applicable) – specifically those related to indigenous peoples, their rights, lands, resources and territories. This should include the way the affected indigenous peoples participated in such study and their views on the participation mechanisms, the findings and recommendations.
  - ii. Where potential risks and adverse impacts to indigenous peoples, their lands, resources, and territories are identified, the details and associated timelines for the planned measures to avoid, minimize, mitigate,

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[https://info.undp.org/sites/bpps/SES\\_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/Final%20UNDP%20SES%20Indigenous%20Peoples%20GN\\_Jan2017.pdf](https://info.undp.org/sites/bpps/SES_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/Final%20UNDP%20SES%20Indigenous%20Peoples%20GN_Jan2017.pdf)

or compensate for these adverse effects. Identification of special measures to promote and protect the rights and interests of the indigenous peoples including compliance with the affected peoples' internal norms and customs.

- iii. If the Project will result in the relocation of indigenous peoples from their lands and territories, a description of the consultation and FPIC process leading to the resulting agreement on relocation and just and fair compensation, including the possibility of return.
  - iv. A description of measures to protect traditional knowledge and cultural heritage in the event that the Project will result in the documentation and/or use and appropriation of such knowledge and heritage of the indigenous peoples and the steps to ensure FPIC before doing so.
6. Participation, Consultation, and FPIC Processes
    - i. A summary of results of the culturally appropriate consultation and, where required, FPIC processes undertaken with the affected peoples' which led to the indigenous peoples' support for the Project.
    - ii. A description of the mechanisms to conduct iterative consultation and consent processes throughout implementation of the Project. Identify particular Project activities and circumstances that shall require consultation and FPIC (consistent with section 4 of the Standard 6 Guidance Note).
  7. Appropriate Benefits: An identification of the measures to be taken to ensure that indigenous peoples receive equitable social and economic benefits that are culturally appropriate, including a description of the consultation and consent processes that lead to the determined benefit sharing arrangements.
  8. Capacity support
    - i. Description of Project activities aimed at increasing capacity within the government and/or the affected indigenous peoples, and facilitating exchanges, awareness, and cooperation between the two.
    - ii. Description of measures to support social, legal, technical capabilities of indigenous peoples' organizations in the project area to enable them to better represent the affected indigenous peoples more effectively
    - iii. Where appropriate and requested, description of steps to support technical and legal capabilities of relevant government institutions to strengthen compliance with the country's duties and obligations under international law with respect to the rights of indigenous peoples.
  9. Grievance Redress: A description of the procedures available to address grievances brought by the affected indigenous peoples arising from Project implementation, including the remedies available, how the grievance mechanisms take into account indigenous peoples' customary laws and dispute resolution processes, as well as the effective capacity of indigenous peoples under national laws to denounce violations and secure remedies for the same in domestic courts and administrative processes.
  10. Monitoring, Reporting, Evaluation
    - i. Mechanisms and benchmarks appropriate to the Project for transparent, participatory joint monitoring, evaluating, and reporting, including a description of how the affected indigenous peoples are involved.
    - ii. Define the mechanisms put in place to allow for periodic review and revision of the **IPP** if new Project circumstances warrant modifications developed through consultation and consent processes with the affected indigenous peoples.
  11. Institutional Arrangements: Describes institutional arrangement responsibilities and mechanisms for carrying out the measures contained in the **IPP**, including participatory mechanisms of affected indigenous peoples. Describes role of independent, impartial entities to audit, conduct social and environmental assessments as required, and/or to conduct oversight of the project.
  12. Budget and Financing: An appropriately costed plan, with itemized budget sufficient to satisfactorily undertake the activities described.

**Note:** The **IPP** will be implemented as part of Project implementation. However, in no case shall Project activities that may adversely affect indigenous peoples – including the existence, value, use or enjoyment of their lands, resources, or territories – take place before the corresponding activities in the **IPP** are implemented. The relationship between the implementation of specific **IPP** measures and the permitted commencement of distinct Project activities shall be detailed within the **IPP** to allow for transparent benchmarks and accountability.

Where other Project documents already develop and address issues listed in the above sections, citation to the relevant document(s) shall suffice.

## ANNEX II: UNDP'S CHECKLIST OF WHETHER AN ACTIVITY REQUIRES FPIC

Table 1. Checklist for appraising whether an activity may require an FPIC process (partial listing) <sup>16</sup>	Yes/No
1. Will the activity involve the relocation/resettlement/removal of an indigenous population from their lands?	
2. Will the activity involve the taking, confiscation, removal or damage of cultural, intellectual, religious and/or spiritual property from indigenous peoples?	
3. Will the activity adopt or implement any legislative or administrative measures that will affect the rights, lands, territories and/or resources of indigenous peoples (e.g. in connection with the development, utilization or exploitation of mineral, water or other resources; land reform; legal reforms that may discriminate de jure or de facto against indigenous peoples, etc.)?	
4. Will the activity involve natural resource extraction such as logging or mining or agricultural development on the lands/territories of indigenous peoples?	
5. Will the activity involve any decisions that will affect the status of indigenous peoples' rights to their lands/territories, resources or livelihoods?	
6. Will the activity involve the accessing of traditional knowledge, innovations and practices of indigenous and local communities?	
7. Will the activity affect indigenous peoples' political, legal, economic, social, or cultural institutions and/or practices?	
8. Will the activity involve making commercial use of natural and/or cultural resources on lands subject to traditional ownership and/or under customary use by indigenous peoples?	
9. Will the activity involve decisions regarding benefit-sharing arrangements, when benefits are derived from the lands/territories/resources of indigenous peoples (e.g. natural resource management or extractive industries)?	
10. Will the activity have an impact on the continuance of the relationship of the indigenous peoples with their land or their culture?	

***If the answer is 'Yes' to any of these questions, it is likely that FPIC will be required of the potentially affected peoples for the specific activity that may result in the impacts identified in the questions.***

<sup>16</sup> [https://info.undp.org/sites/bpps/SES\\_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/UNDP%20SES%20Indigenous%20Peoples%20GN\\_Rev%20Feb%202022.pdf](https://info.undp.org/sites/bpps/SES_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/UNDP%20SES%20Indigenous%20Peoples%20GN_Rev%20Feb%202022.pdf)