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|  | Draft Ethnic Minorities Planning Framework |  |

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| **Project title:** Sustainable Forest and Forest Land Management in Vietnam’s Ba River Basin Landscape | | | |
| **Country:** Vietnam | **Implementing Partner (GEF Executing Entity):** Forest Inventory and Planning Institute (FIPI) of Ministry of Agriculture and Rural Development (MARD) | | **Execution Modality***:* NIM |
| **Contributing Outcome**  Outcome 2.2: Sustainable management of natural resources and the environment.  By 2021, Vietnam has enhanced sustainable management of natural capital, biodiversity and ecosystem services and improved the quality of the environment, while contributing to the implementation of multilateral environmental agreements | | | |
| **UNDP Social and Environmental Screening Category:**  SUBSTANTIAL | | **UNDP Gender Marker:**  GEN2 | |
| **Atlas Award ID:** 00125963 | | **Atlas Project/Output ID:** 00120143 | |
| **UNDP-GEF PIMS ID number:** 5887 | | **GEF Project ID number:** 10539 | |
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Draft - March 2022

**Annex XX**

**Ethnic Minority Planning Framework**

**1. Executive Summary of the Ethnic Minority Planning Framework**

The **Ethnic Minority Planning Framework** (EMPF) or Indigenous People Planning Framework (IPPF) aims to ensure that the project implementation process fully respects the dignity, human rights, economies and culture of ethnic minorities (EMs) affected by the project, and that they receive benefits in line with their cultural and socio-economic conditions. The EMPF is an instrument not only for determining and addressing concerns and needs of EMs, but also for ensuring the EMs would benefit from the project and leading to the EM community support. The EMPF was prepared based on public consultations held during project preparation and information dissemination amongst affected EMs. The EMPF establishes the process that will be undertaken in order for the project to have a fully functioning Ethnic Minority Plan (EMP). The EMP will be developed during project inception/early implementation and will be developed using the specifications and framework presented in this EMPF. )The EMP will be based on the findings of the assessment process and shall be developed with full, effective and meaningful participation of potentially affected indigenous peoples. The EMP will establish a timebound, fully budgeted action plan for ensuring that project affected ethnic minorities are aware of their rights (especially in regards to Free, Prior, and Informed Consent and their ability to withhold/withdraw such consent), identified impacts are appropriately addressed, culturally appropriate benefits are provided, and mutually agreeable participatory processes are followed.

The framework describes the positioning of the EMs within the structures of decision-making throughout the process of the project preparation and into its implementation. The framework describes how a Grievance Redress Mechanism can be operationalized to ensure that the these groups, as well as other stakeholders, can have the opportunity to utilize a framework to resolve conflicts and promote partnership building that is critical for overall project success. While the EMPF corresponds to Standard 6 of SESP, it is meant to serve as an Indigenous Peoples Framework, but for ensuring it corresponds to the Vietnam context of reference within their related legislation as Ethnic Minorities, the framework is referred to as an EMPF. The intent of the ESMF is not just to serve as a means of engagement with ethnic minorities, but to encompass the full requirements of Standard 6 of SESP in particular to: (i) ensure meaningful collaboration and consultation and contributions of ethnic minority communities; (ii) safeguard the collective and individual physical, territorial, and cultural integrity, (iii) recognize, respect and protect their lands and territories, environment, health and culture, and (iv) ensure participatory monitoring and grievance redressal processes that would ensure that outcomes of the project are in conformity with their collective cultural and social practices and that measures are in place to enable EMs to be able to grievances addressed in a fair manner.

The EMPF will ensure that EM’s needs, concerns and priorities are considered during the design and implementation of the project, and shall define procedures for the screening, assessment and management of potential impacts to EM, their rights, resources and cultural heritage. This EMPF was prepared based on the (i) initial environmental and social risk screening (undertaken via the conduct of an SESP), (ii) preliminary consultation with local people and EMs who live in the project area; and (iii) consultation with key project stakeholders, including MARD/DARD, PPCs, DPCs, CPCs and Committee for Ethnic Minority Affairs (CEMA), mass organizations.

The project will promote the landscape level approach in Ba River basin mainly in two provinces ranging from the central highlands in Gia Lai to the lower reaches of the Bar river in Phu Yen. The basin includes extensive forest areas totaling approximately 600,000 hectares. At the site level, the project will attempt to locate a suitable mix of project investments in two selected landscapes of high conservation value areas within the river basin, including:  *(i) Kon Ka Kinh National Park- Kon Chu Rang Natural Reserve including Dak Rong and Tram Lap Forest Companies connectivity corridor*  *(ii) Chu Mo- Krong Trai landscape include Son Hoa and their connectivity corridor*, and (iii) a number of forest production and production units and commune managed lands

The Project will be implemented in the mountainous areas which is inhabited by more than 30 EM groups in two provinces, however, at this juncture, the directly affected ethnic minority communities are the Jrai and Banah group in Gia Lai and Ede group in Phu Yen within protected areas of the two landscapes.

The project also includes several ‘upstream’ policy/strategy initiatives that may impact ethnic minorities and thus require FPIC and meaningful participation of indigenous peoples and marginalized/disadvantaged groups. As stipulated in the project’s ESMF, environmental and social assessment will be conducted on the project’s ‘upstream’ interventions through the undertaking of a SESA. The SESA will also serve as the entry point for FPIC on policy and strategy interventions to be supported by the project

**2. Description of the Project:**

**General description of the project**

The Project is designed to achieve long-term sustainable management of protected areas, production and protection forests, commune managed areas and other significant natural forests in the Ba river basin with explicit consideration of biodiversity conservation and improved management of threats to biodiversity and ecosystem services at site and landscape levels. To ensure progress towards achieving such long-term solution, the project will introduce the innovative wide range of approaches and practices. Aside from the approach of developing a landscape level governance framework for planning, managing, compliance, monitoring, enforcement and decision-making for integrated landscape-level management process, the project would also improve site-level conservation forest management of high conservation ecosystem with strong participated of local community and private sector.

The Project aims *to conserve forest biodiversity and maintain or improve the flow of ecosystem services through sustainable forest management embedded in a coordinated landscape-level approach across Ba River basin.* The intervention of the project will ensure the existing protected areas and surrounding high conservation value (HCVs) natural forests in Ba river basin are managed to support viable populations of globally threatened species and allow for the movement of wildlife, pollination and reproduction, and other processes that support the recovery and improve natural resiliency to external development and climatic shocks.

**Components/outputs of the project**

The project objective is to be achieved through the implementation of three inter-related and mutually complementary Components namely: *Component 1*: Mainstreaming biodiversity and ecosystem services into landscape-level planning, monitoring and enforcement; *Component 2*: Conserving globally significant biodiversity and ecosystem services in forested landscapes of Ba River basin; and *Component 3:* Policy mainstreaming replication and knowledge exchange. Given the presence of EMs within the potential area of influence for the project (as it is currently broadly defined), impacts falling under UNDP Standard 6 could emanating from all of the project components. The impacts (and triggering of Standard 6) may result from two distinct levels, i.e. from ‘upstream’ policy/strategy level decisions (which may result in future impacts to EMs during the implementation of proposed strategies and/or policy initiatives supported by the project) or via downstream/on-the-ground activities implemented by the project.

**Component 1: Mainstreaming biodiversity and ecosystem services into landscape-level planning, monitoring and enforcement.** Under this component, there are four outputs, namely: ***Output 1.1.*** Multi-stakeholder platforms on biodiversity and ecosystem services established at provincial level, supporting multi-sector dialogue on mainstreaming biodiversity into land use and master planning; ***Output 1.2.*** Spatially-explicit landscape-level biodiversity and HCVF conservation and restoration strategy developed and integrated into provincial and district master planning/land-use planning processes; ***Output 1.3.*** Enhanced systems for monitoring and assessing forest resource changes (i.e. deforestation and plantation/restoration) and biodiversity, incorporating remote sensing techniques, demonstrated at landscape level, with lessons provided to support national-level upscaling; and ***Output 1.4*.** Enhanced coordination on wildlife and forest monitoring and enforcement at landscape levels, through broadening the inter-provincial forest management and protection cooperation regulation MOU to cover wildlife offences alongside forest offences

**Component 2: Conserving globally significant biodiversity and ecosystem services in forested landscapes of Ba River basin.** Under this component, there are seven outputs, namely: ***Output 2.1***. Participatory monitoring and inventory on HCVF/biodiversity assets operationalized with training conducted for PAs and forest managers and communities living in and around high-biodiversity areas; ***Output 2.2.*** Landscape and site-level biodiversity priorities and actions identified and integrated into sustainable forest management plans, annual work plans and operations. This will include: technical support, extension and demonstration of priority measures including threatened species conservation and habitat management, biodiversity threat reduction, assisted natural regeneration/restoration of degraded habitats; ***Output 2.3.***  Improving PA management, including operationalization of the Special Use Forest proposed for establishment in areas under Tram Lap and Dak Rong State-owned forestry companies ***Output 2.4.*** Enhanced community-based conservation of forest biodiversity through support to participatory forest/forest land allocation to village communities, participatory forest management planning, and NTFP and forest income generation models in buffer zones of PAs; ***Output 2.5.*** Livelihoods development for women, including training in forest value chains and entrepreneurship, and establishment of women’s groups in forest-dependent communities; ***Output 2.6.*** Landscape connectivity for wildlife improved through reforestation/restoration using indigenous species over 500 ha of degraded natural forests; and ***Output 2.7*.** Existing financial incentive mechanisms, including PFES, are utilized more effectively, including increased resource mobilization connected to performance and better targeted disbursement mechanisms, to support sustainable forest use and biodiversity and HCVF conservation.

**Component 3: Gender mainstreaming replication and knowledge exchange.** Under this component, there are three outputs, namely**: *Output 3.1.*** Enhancing capacity of forest owners to effective integrate biodiversity conservation and ecosystem services into their sustainable land management plans and investments; ***Output 3.2:*** Knowledge shared and exchanged on SFM and forest biodiversity best practices and innovations, including through FMU’s website, site-based exchanges and best practice case studies; and **Output 3.3:** M&E system incorporating gender mainstreaming.

No activities which may cause economic displacement, or which may have adverse impacts on Indigenous People, can commence until agreed mitigation or risk management methods are in place. These activities require formal broad community consent, through a process of Free, Prior Informed Consent. Provisionally, these activities are assessed as follows.

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| **Activity No.** | **Description** |
| 1.2.3 | Preparation of BA River Strategy |
| 2.2.7 | Implement priority management activities for biodiversity conservation, SFM, etc. |
| 2.3.1 | Development of proposal for inclusion of forest areas into existing PAs |
| 2.4.3 | Development SFM plans for community forest co-management |
| 2.4.4 | Implementation of community enterprise development activities |
| 2.5.3 | Establish mechanisms for implementation of livelihood support for women |
| 2.6.2 and 2.6.4 | Development and implementation of forest restoration activities |
| 2.7.4 | Investigation of options for PFES extension into new areas |

Note that the above list is provisional, and may be amended as required, and as project activities and exact locations are established.

**3. Project Area**

While jurisdictions, provinces and districts of operation have been established, exact locations for on-the- ground activities (and hence the project’s direct beneficiaries and project-affected communities), have not been specified at the present stage of project development. Additionally, some specific activities with a physical footprint are not currently defined, and may in themselves present additional risks/impacts.

The Ba river landscape is mainly in two provinces ranging from the Central Highlands in Gia Lai province to low hills and the South Central coastal region in Phu Yen province. The basin includes extensive forest areas totaling approximately 600,000 hectares. The majority of forests in the Ba River basin are located within the ecologically important Central Highlands region, part of the WWF Southern Annamites Montane Rain Forests ecoregion. The upper reaches of the Ba River basin, particularly in the Gia Lai province as part of the Central Highlands encapsulates most of the remaining forests with high biodiversity value in Vietnam.

At the site level, the project will attempt to locate a suitable mix of project investments in two selected landscapes of high conservation value areas within the river basin, where tangible impacts on biodiversity conservation, improved conservation-oriented forest management practices and threat reduction can be demonstrated. Each target landscape will encompass existing PAs, production and protection forests, commune managed areas and areas adjacent to them that are necessary to provide critical conservation linkages necessary to maintain ecological integrity and species dispersal within the landscapes.  The two selected landscapes include:

1. *Kon Ka Kinh National Park- Kon Chu Rang Natural Reserve including Dak Rong and Tram Lap Forest Companies connectivity corridor in Gia Lai Province*. In this landscape, the project will focus on Kon Ka Kinh and Kon Chu Rang which are considered as biodiversity conservation strongholds and their immediate adjacent HCV forests of the Tram Lap and Dak Rong Forest Companies
2. *Chu Mo- Krong Trai landscape includes Son Hoa and their connectivity corridor in Phu Yen Province.*  The project will focus on the Krong Trai nature reserve and its immediate adjacent forests and the connectivity with Son Hoa forest. Conservation activities will be focus in Krong Trai, and sustainable forest management will be implemented in Son Hoa

**4. Description of Indigenous Peoples**

The UNDP Social and Environmental Standards (SES) on Indigenous Peoples (Standard 6) is a cornerstone to UNDP's goal to design projects not only with the full, effective and meaningful participation of indigenous peoples, but also in a manner which aligns with their distinct vision and development priorities, building sustainable partnerships with indigenous peoples as companions in development and conservation efforts. The key objectives of Standard 6 are: (1) To recognize and foster full respect for indigenous peoples’ human rights; (2) To support countries in their promotion and protection of indigenous peoples' rights through implementation of domestic laws, policies, and project activities consistent with the State's human rights obligations; (3) To design projects in a spirit of partnership with full and effective participation, with the objective of securing their free, prior, and informed consent (FPIC) where their rights, lands, territories, resources, traditional livelihoods may be affected ; (4) To promote greater control and management by indigenous peoples over developments affecting them including their lands, resources and territories, ensuring alignment of projects with indigenous peoples’ distinct vision and self-identified development priorities; and (5) To avoid adverse impacts on the rights of indigenous peoples, their lands, territories, resources, to mitigate and remedy residual impacts, and to ensure provision of just and equitable benefits and opportunities for indigenous peoples in a culturally appropriate manner.

Through implementation of Standard 6, all projects supported by UNDP must respect the right of indigenous peoples relating their land, territories and resources. If any potential impact identified during the project preparation, the mitigation measures should be in place and clearly defined in the IPP and is elaborated and included in the project documentation.

UNDP 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: (i) self-identifies as indigenous peoples; (ii) has pursued its own concept and way of human development in a given socioeconomic, political and historical context; (iii) has tried to maintain its distinct group identity, languages, traditional beliefs, customs, laws and institutions, worldviews and ways of life; (iv) 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; and (v) whether its existence pre-dates those that colonized the lands within which it was originally found or of which it was then dispossessed.

As clearly stated in the standalone ESMF developed during the PPG stage and to be included in the Project Document, ***ethnic minority*** ***(EM)*** is official terms used in Viet Nam in relation to ***“indigenous peoples”.*** Whilst this definition is useful in capturing protections and classification under host country law, UNDP SES have, and will continue to be (i.e. for future screening) the basis of determining the presence of IPs/EMs within the project’s area of influence.

As per the UNDP SES, UNDP will identify distinct collectives as “indigenous peoples”/”ethnic minority” 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/ethnic minority ;
* 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 depend; and
* whether its existence pre-dates those that colonized the lands within which it was originally found or of which it was then dispossessed

**Ethnic minorities in Vietnam**

Vietnam is recognized as a multi-ethnic country with over fifty distinct groups (54), each with its own language, lifestyle, and cultural heritage. The largest ethnic groups are: Kinh (Viet) 85.3% (82 million), Tày 1.9%, Thái 1.7%, Mường 1,5%, H’Mông (Mông) 1%, others 8.6%. The Viet (Kinh) people mainly inhabit the Red River delta, the central coastal delta, the Mekong delta and major cities. The other 53 ethnic minority groups, totaling over 14.1 million people (14.7%), are scattered over mountainous and remote areas (covering two- thirds of the country's territory) spreading from the North to the South, but mainly living in Northern Mountains (56,2%) and Central Highland area (37,7%). Among ethnic minorities (excluding the Kinh), the Tày, Thái, Mường, Mông, Khmer and Nùng, each has a population of around 1 million, while the Brâu, Rơ Mâm, Ơ Đu, at the lower end of the population scale, have several hundred people each. (General Statistic Office-GSO, Vietnam Population and Housing Census, 2019). A number of EMs have mastered some farming techniques with rice cultivation in swamped paddy fields, which involves irrigation and other practices such as hunting, fishing, collecting forest products.

All EM have Vietnamese citizenship, and the Vietnam Constitution recognizes that all people have equal rights by the establishment of Council for Ethnic Minority Affairs overseen by the National Assembly. The Constitution (2013) provides adequate legal and institutional frameworks to protect EMs and ratifies their distinct languages as one of the aspects of cultural diversity and identity. The Committee of Ethnic Minorities Affairs (CEMA - a ministerial level agency) is responsible for all activities related to EM people to ensure equal access and participation in Government policies and investments. This has been the case when for example EMs received preferential treatment for accessing college admission and to benefit from other social programs and subsides (e.g. cooking oil, provision of iodized salt, among others).

The government, multilateral and bilateral agencies, and NGOs have organized numerous development and special assistance programs that target EMs. Yet EMs in Vietnam are severely disadvantaged when compared with the rest of the country[[1]](#footnote-1). According to survey results on socio-economic status of 53 ethnic minorities in 2019, there are 5,468 communes in ethnic minority and mountainous areas, accounting for 49.0% of the total number of communes of the country. Ethnic minority communes are mainly distributed in rural areas (87.3%), under the jurisdiction of 503/713 provincial districts, towns and cities in 54 out of 63 provinces and cities directly under the Central Government. In 2019, 98.6% of villages in ethnic minority communes will have access to electricity. In which, the proportion of villages using the national grid electricity accounts for 97.2%, an increase of 4.2% compared to 2015. However, the rate of poor and near-poor households in ethnic minority areas is 35.5%, a decrease of 1.2% compared to 2015, but this rate is still 3.5 times higher than the national average (10.2%).[[2]](#footnote-2)

**Ethnic minorities in the project provinces**

The larger EM populations are found mainly in Gia Lai rather than in Phu Yen province accounting for 46.2%, and 6.9% of the population of the province respectively.

*Gia Lai province*: is a highland province located in the north of the Central Highlands with a natural area of 15,536.92 km.2 The population of Gia Lai province is around 1.5 million, with 34 ethnic groups accounting of around 0.7 million people or 46.2% of the province's population. According to the Gia Lai CEMA, by the end of 2019, the province had 25,807 poor households, accounting for 7.04% of the total number of households in the province, of which ethnic minority households account for 86.71% of total poor households. The total number of near-poor households are around 37,000, accounting for 10.09% of the total number of households, of which near-poor ethnic minority households account for 78.37% of the total number of near-poor households.

*Phu Yen province*: is in the South Central Coast, with a natural area of ​​5,060 km2. The province has 9 administrative units comprising of 6 districts, 2 towns and 1 city. Ethnic minority living in the mountainous areas of the province occupy 45 communes and towns in 3 districts (Son Hoa, Song Hinh and Dong Xuan) and 4 districts and towns with mountainous communes (Tay Hoa, Phu Hoa and Tuy An) and Song Cau town with a total natural area of ​​3,679 km2, accounting for 72% of the area of ​​the province. There are 16 communes and 29 villages with extremely difficult conditions approved by the Prime Minister to invest in Program 135 period 2016 - 2020 (by 2020 the whole province will have 15 communes with extreme difficulties and 18 villages with extreme difficulties that are covered under Program 135). Program 135 is a national program on poverty reduction that targets poverty stricken communes in: (i) investments in infrastructure for poverty stricken communes; (ii) supports livelihood diversification and improved production systems ; and (iii) capacity building for poverty reduction, all of which benefit EMs. The mountainous area is the habitat of 3 main ethnic groups, namely Ede, Cham, and Ba Na. There are 33 ethnic groups, including 32 ethnic minorities with 60,128 people, accounting for 6.9% of the Phu Yen province's population. Ede ethnic group: 25,225 people, accounting for 41.95%; Cham: 22,825 people, accounting for 37.96%; Ba Na: 4,680 people accounting for 7.78%; Tay: 2,349 people, accounting for 3.9%; Nung: 2,283 people, accounting for 3.79%; Dao: 1,031 people, accounting for 1.71% and other ethnic groups with 1,735 people, accounting for 2.88%). Each ethnic group has its own cultural identities, contributing to the diversity and richness of the culture of the province. (Phu Yen CEMA, 2020).

The total number of poor households in Phu Yen province by the end of 2019 was 10,271, accounting for 3.93% (of which the poor ethnic minorities are 3,582 households, accounting for 34.87% of the total number of poor households in the province and accounting for 24.98% of local ethnic minorities). The annual average rate of poor households decreased by 3-4%, particularly in ethnic minority areas from 4-5% thanks to numerous programs/projects funded by the Government.

**Table 1: Population and EMs in the project provinces in 2019**

*Unit: Person*

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **No** | **Provinces** | **Population** | **Ethnic minorities** | | **Composition of majority EM groups** | | | | | **Other** |
| Total | Rate (%) | Jarai | Bahnar | Tày | Nùng | Thái |
| 1 | Gia Lai | 1,513,847 | 699,760 | 46.2 | 459,738 | 189,367 | 11,412 | 12,420 | 8,283 | 18,540 |
|  |  |  |  |  | Ede | Bahnar | Tày | Nùng | Chăm | **Other** |
| 2 | Phú Yên | 872,964 | 60,128 | 6.9 | 25,225 | 4,680 | 2.349 | 2,283 | 22,825 | 5,113 |
|  | **Total** | **2,386,811** | **759,888** | **31.8** |  | **194,047** | **11,414** | **14,703** |  | **23,653** |

*Source:* Phu Yen and Gia Lai EM report, CEMA, 2020.

The EM groups are largely settled in the mountainous districts and communes, which hold the higher percentages of land classified as forest.

**5. Summary of Substantive Rights and Legal Framework**

Although Vietnam voted in favor of the 2007 United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and has not ratified the International Labor Organization (ILO) Convention 169 on indigenous and tribal peoples, the Government of Vietnam is now member of seven of the nine (7 out of 9) core international human rights instruments and continues to consider ratifying two remaining ones of the International Convention for the Protection of all Persons from Enforced Disappearances (CPED) and the International Convention on the Protection of all Rights of Migrant Workers and their families ( IWGIA, 2019).

The 2007 United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) recognizes FPIC as an aspect of indigenous peoples’ right to property, their cultural rights, and their right to self-determination. Although United Nations declarations do not have the same legal force as United Nation’s treaties, the legal significance of the UN Declaration will increase as States begin incorporating its principles into national laws and using them to inform their legal decisions. At the very least, the adoption of the UN Declaration reflects a commitment of governments to abide by principles enshrined in various international instruments as they pertain to indigenous peoples. These international human rights instruments have been interpreted by treaty bodies responsible for their oversight as embodying the requirement to obtain indigenous peoples’ FPIC in relation to extractive projects located in their territories.

The affirmation of the requirement for indigenous peoples’ FPIC emerges from the jurisprudence of the Human Rights Committee, the Committee on the Elimination of Racial Discrimination, and the Committee on Economic Social and Cultural Rights ratified by Vietnam since 1982. The UN Declaration contains significant provisions for indigenous peoples. Related key guarantees include indigenous peoples' rights to participate in decision-making on matters which would affect their rights (Article 18) and the obligations of States to “consult and cooperate in good faith with the indigenous peoples concerned” to obtain their “free, prior, and informed consent” to legislative and administrative decisions and resource extraction activities that “may affect them” (Articles 19, 32(2)).

**Vietnam legal framework*:*** Vietnam has an appropriate legal framework for Ethnic Minority affairs.

Vietnam’s overall policy and legal framework pays special attention to ethnic minorities and other rural poor communities to promote their access to basic human rights and services in aiming to support economic development and poverty reduction in these areas.

Viet Nam’s legal framework explicitly recognizes and protects several rights with regard to ‘ethnic minorities’ including the right of non-discrimination, the recognition and promotion of cultural rights and cultural inheritance of ethnic minorities’ cultural rights (implicitly recognizing a degree of self-determination). Ethnic minorities are recognized as vulnerable groups in Viet Nam and are given special treatments by the government in all development projects. The Constitution affirm their equality, while the existing Law on Cultural Heritage recognizes values and need to protect culture of the people following their wishes.

**The Constitution of the Socialist Republic of Vietnam (2013)** recognized the equality between ethnic groups in Vietnam. Article 5 of the Constitution states:

* Socialist Republic of Vietnam is the unified state of all Ethnicities living in the country of Vietnam.
* The equality of all Ethnicities living in the territory of Vietnam
* Prohibition against discriminated behaviors
* Rights of Ethnic Minority people toward their languages, scripts, traditional culture and customs;
* Comprehensive policies of Vietnam to enable the development of Ethnic Minority areas.
* The principles when promulgating Ethnic Minority policies are: (i) equality and solidarity among all Ethnic Minorities; and (ii) mutual support for progress.

The 2013 Constitution also stipulates that the State has a policy of prioritizing health care for ethnic minorities and education development in mountainous, island, ethnic minority areas and regions. Regarding the right of ethnic minorities to identify and use the language of ethnic minorities is specified in Article 42 of the Constitution: "Citizens have the right to define their own ethnicity, use their native language, choose their language of communication."

Decree No.84/2012/ND-CP dated October 12, 2012 on the functions, tasks, powers and organizational structure of the Committee for Ethnic Minorities Affairs (CEMA). The Decree stipulated that the CEMA, a ministerial-level agency, performs the functions of state management of ethnic affairs in the country; state management of public services under the jurisdiction of CEMA as stipulated by law.

Decree No. 05/2011/ND-CP dated January 14, 2011 on Ethnic Minority affairs is the highest legal document. This decree stipulates the ethnic policies on: (a) resource investment and use; (b) sustainable development; (c) education and training; (d) Ethnic Minority human resource; (e) policies for the prestige of Ethnic Minority people; (f) culture development and preservation; (g) sport and tourism development; (h) health and population policies; (i) information and communication; (j) legal support and education; (k) environment and ecology protection; and (l) security and national defense policies.

**Table 2: List of legal documents of the Government of Vietnam on Ethnic Minorities**

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| Government legal document | Description |
| Decree 05/2011/NĐ-CP dated on 14 January 2011 | Provides support and engagement of ethnic minorities in livelihood improvement, management of natural resources, education, vocational trainings and medical support. |
| Decision No. 449/QĐ-TTg of the Prime Minister dated 12 March 2013 on approving the ethnic minorities affair strategy towards 2020. | Key support program to improve gender equity and women development for ethnic minority groups. |
| Decision No. 601/QD-UBDT dated on 29/10/2015 on the additional recognition, adjustment of most difficult villages/hamlets and category I, II, III communes in the mountainous and EM regions | Issued by Committee for Ethnic Minority Affairs |
| Decision No. 2356/QD-TTg dated on 04/12/2013 | Issued by The Prime Minister on promulgation of the action plan implementing the strategy of EM affairs until 2020 |
| Decision No. 52/2010/QD-TTg of the Government on the legal aid policy | Issued by The Prime Minister to raise awareness and understanding about laws on poor EM in the poor districts in the period of 2011-2020. |
| Decree No. 98/2010/ND-CP dated 21/09/2010 of the Government | Issued by The Prime Minister detailing a number of Articles of the Law on Cultural Heritage and Law on amending and supplementing a number of Articles of the Law on Cultural Heritage |

The Government’s documents on the basis of democracy and the participation of local people are directly related to this EMPF. The Ordinance No.34/2007/PL-UBTVQH11, dated April 20, 2007 (replaced for Decree No.79/2003/ND-CP dated July 07, 2003) on the implementation of democracy in communes, wards, and towns provides the basis for community involvement in the preparation and implementation of development plans and for community’s supervision. The Decision No.80/2005/QD-TTg by the PM, dated April 18, 2005 regulates the monitoring of community investments. Legal Education Program of CEMA (2013 - 2016) aims to improve the quality and effectiveness of legal education, awareness raising on self-discipline, respect, strictly abiding law of officials and public servants, the employees of the organizations for EMs.

Pursuant to the Constitution and other government policies, the national economic, social and cultural policies have taken special consideration to the EMs in the mountainous and remote regions. Accordingly, the GoV has developed a series of policies to develop, enhance socio-economic condition of EMs, especially for the extremely difficult districts/communes.

* The National Socio-economic Development Strategy (2011-2020), Forest Development Strategy (2006-2020) and new Forest Development Strategy (2021-2030) and other sector strategies and development plans prioritize economic development and poverty reduction for ethnic minorities and the poorest households.
* Decision 1600/QD-TTg approving the National Target Program for new rural development for 2016-2020.
* Decision No. 297 on Protection, Restoration and Sustainable Development of the Central Highlands in the 2016-2030
* Decision 886/QD-TTg on Target Program for Sustainable Forest Development for the 2016-2020 period.
* Decision 2085/QĐ-TTg dated 31/10/2016 on specific policies to support the socio-economic development of ethnic minority in mountainous areas in the period 2017 – 2020 includes a range of framework targets and measures to enhance living standards of ethnic minorities in Viet Nam, including land.
* Decision 419/2017/TTg mentions the requirement of respecting the ethnic minority in REDD+ activities.
* Other policies/programs is listed in the Table 3 below:

**Table 3: List of policies and programs of the GoV to improve the livelihoods of poor farmers and ethnic minority groups in and around forest areas**

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| --- | --- |
| Government legal document | Description |
| Decision 1722/QD-TTg of the Prime Minister dated September 2, 2016 on approving the National Target Program on Sustainable Poverty Reduction during 2016-2020. | Specific objectives are to improve livelihoods and enhance the living quality of the poor, ensuring per capita income of poor households nationwide at the end of 2020 increases 1.5 times (for the poorest households in particular difficult districts, communes and villages, or poor ethnic minority households the target is to increase income 2 times). The planned budget for this program is US$2 billion, though assuming a conservative estimate that only 30% will materialize this equates to over US$600million. |
| Decree No. 75/2015/ND-CP dated 9 September 2015 | This covers mechanisms and policies on forest protection and development linking to rapid and sustainable poverty reduction and support to ethnic minorities during the period 2015 – 2020.  This introduced a Forest protection contract rate of 400,000VND/ha/year, whether revenue from selling carbon credits is fully used or in part, should be carefully reviewed to avoid conflict with other non-ER-P forests. |
| Decision 24/2012/QD-TTg on the Policy for Development Investment for SUFs for the period 2011-2020. | This creates a benefit sharing mechanism for all village communities involved in the protection and development of SUFs; with a state budget VND 40 million per annum to villages in the buffer zones of SUFs. |
| Resolution no. 30a/2008/NQ-CP of the Government, dated 27 December 2008 on rapid and sustainable poverty reduction in 61 poverty districts. | This provides incentives and support to agricultural production, engagement in forest protection and development, job and income generation, land and forests allocation to local people in these poorest districts. |
| Program 135 supports the development of production, livelihood diversification and scaling up of poverty reduction for communes with particular difficulties | Two current major programs targeting EM people include Program 135 (infrastructure in poor and remote areas) and Program 134 (eradication of poor quality houses). After the Program 134 and the Program 135 Phase 1 and Phase 2, the Government has launched Program 135 Phase 3 to enhance socio-economic development in poor communes located in mountainous areas or areas inhabited by EMs.  Focuses on areas near border, secure areas etc. Support is for the development of agricultural production, forestry, fisheries; contributing to disaster risk reduction, climate change adaptation, income increases and living standards improvement for people. |
| Decree 156/2018/ND-CP of the Government dated 16 November 2018 on guiding implementation of Forestry Law 2017, | This decree including Payment for Forest Environmental Services **replacing** Decree 99/2010/ND-CP. The decree identified the forest services for which charges must be paid (including carbon sequestration and storage), and clarified state management of PFES as well as the rights and responsibilities of forest service users and providers. The PFES has contributed to the poor alleviation and livelihood improvement of the local ethnic minority groups in the mountainous area. |
| Decision 57/2012/QD-TTg approving Vietnam's forest protection and development plan for the period 2011-2020, | Regulating policies on providing food support to upland people/communities in order to mitigate natural forest fire and deforestation for cultivation, and to promote forest plantations on cultivated (forestry) land. |
| Decision 59/2012/QD-TTg dated Dec 24 2012 by PM. | This regulates policies on legal assistance for the poor and ethnic minority people in poor communes for the period 2013-2020 |

Particularly, the Resolution 88/2019/QH14 and Resolution 120/2020/QH14 by the National Assembly and Resolution 12/2020/NQ-CP on Overall Action Plan and Investment for socio economic development in ethnic minorities and mountainous areas 2021-2030. It is expected that by implementing these policies/program, the living standard of ethnic minorities will be significantly improved. During PPG consultation it was revealed that Phu Yen and Gia Lai provinces have developed the program/projects that are in compliance with Resolution 88/2019/provinces QH14.

**The Land Law (2013)** includes many important implications regarding EM groups and their land arrangements. In particular, Article 27 stipulates that the State shall issue policies on residential land and land for community activities for EMs in accordance with customs, traditions, cultural identities and actual conditions in each region. The State shall issue policies to create conditions for EM people who are directly involved in agricultural production in rural areas to have land for agricultural production. In addition, Article 28 stipulates that the State shall be responsible for developing and managing the land information system and ensure organizations and individuals’ rights to have access to this system. The State will timely and publicly disclose information to organizations, individuals, and state agencies. The authorized people in the management and use of land shall be responsible for creating favorable conditions and providing land information organizations and individuals, as stipulated. Furthermore, Article 110 stipulates a waiver and exemption of land use charges and land rentals in cases of using land for implementing policies on housing and residential land for EM households and individuals in areas with especially difficult socio-economic conditions, border and sea islands areas; and in cases of using agricultural land for EM households and individuals. According to the Land Law 2013, a residential community refers to a community of Vietnamese residents living in the same village, residential quarter or residential unit, who share customs and traditions, or the extended family. A resident community that uses land with such structures as shrines, temples, worship venues or ancestral houses or agricultural land, as stipulated in Provision 3 of Article 131 in the Land Law 2013, which is not under any dispute and verified by the Commune’s People’s Committee in terms of land location as land for community use will be granted LURC, ownership of housing and other properties attached to the land (Article 100). Also, the State shall allocate land to and recognize land use rights of these resident communities in order to preserve national identities in regard to ethnic customs and traditions (Article 131). At the same time, in the allocation and rental of land, priorities should be given to EM households and individuals who do not have sufficient productive land (Article 133). In addition, the Article 43 on “collecting views of people on land use plans and land use planning” stipulates “The agency tasked with land use plans and land use planning, as stipulated in Provisions 1 and 2 under Article 42 of this Law, shall be responsible for collecting views from the people regarding land use plans and land use planning”. The collection of the people’s views should be conducted through publicity of information on contents of land use plans and planning, conferences and direct consultation.

The Land Law sets out the responsibilities of the State on adopting policies on residential land and land for community activities for ethnic minorities in conformity with their customs, practices and cultural identities and the practical conditions of each region, and to adopt policies to facilitate for ethnic minorities who are directly engaged in agricultural production in rural areas to have land for agricultural production (Article 27). This Law also includes provisions for exemption from or reduction of land use levies or rental charges for households and individuals of ethnic minorities living in areas with especially difficult socio-economic conditions, in border areas or on islands, and for agricultural land use by households and individuals of ethnic minorities (Article 110). It states that during the process of land allocation or land lease, ethnic minority households and individuals in the locality that have no land or lacking production land, shall be prioritized (Article 133), and affirms the right for Households and individuals of ethnic minorities using allocated land under the support policies of the State to transfer or donate land use rights after 10 years from the date of issuance of the decisions on land allocation in accordance with the Government’s regulations (Article 192).

**Biodiversity Law (2008)** stipulates that organizations and individuals entitled to exploitation and utilization of “biodiversity” should share the benefits with stakeholders, equalize the State benefits; combine biodiversity conservation, exploitation and utilization and poverty reduction, ensure the livelihoods for households, individuals who legally reside in the conservation areas; stipulating rights and benefits of households, individuals legally residing in the conservation areas i.e. they can exploit legal benefits in the conservation area, participate and enjoy benefits from business and service activities in the conservation area, organizations, individuals that use the biodiversity environment services should pay for the organizations and individuals providing the services. The Law creates favorable legal framework for communities living inside and near the forests, taking part in forest protection and development activities and can share benefits from these forests.

**Environmental Protection Law** (**2014)** stipulates that the climate change management agencies are responsible for providing information, organizing activities to increase the community awareness and create good conditions for the community to take part in coping with climate change; one of the activities to manage GHG emission is to sustainably manage forest resources, restore and improve forest carbon stock; establish and develop a carbon credit market in the country and participate in international markets, returns from bio-diversity used to establish an environment protection fund.

**Stipulated by Forestry Law (2017),** provide wider recognition to ethnic minorities ‘s right to ownership of their forests although it remains limited in nature. Forest titles are valid usually for 50 -70 years. This is the first time that a policy recognized the cultural and spiritual significance of sacred forests (Article 4). Under this policy, sacred forests are classified as Special use forests (Article 5), which the state can allocate to communities to manage (Article 14). Articles 2, 4, 5, 14, 16 (Allocation), and 86 mention that community was recognized as one of the seven main forest owners; areas of spiritual forest and community-managed water protection forests have also been upgraded. This is considered an important step forward and opens up new opportunities in maintaining and promoting the community forest model, towards the sustainable management, protection and development of these forests in the future.

**6. Objective of the EMPF**

The main objective of this EMPF is to help ensure that project activities are designed and implemented in a way that fosters full respect for the identity, dignity, human rights, livelihood systems, and cultural uniqueness of the ethnic minorities (or IPs), including to (i) receive culturally appropriate social and economic benefits; (ii) do not suffer adverse impacts as a result of the project; and (iii) can participate actively in the project. The EMPF is intended to safeguard the rights of ethnic minorities to participate and equitably receive culturally appropriate benefits from the project. An ethnic minoring plan (EMP) that is equivalent to an IPP will be developed in the initial part of the project period to safeguard the rights of the ethnic minority communities. The EMP will be developed on the basis of broad principles of UNDPs Standard 6 principles (Box 1), as relevant:

**Box 1: Requirements for Standard 6**

* ***Respect for domestic and international law:*** *Ensure respect for domestic and international law regarding rights of customary communities.) (Requirement 4)*
* ***Identification of customary communities:*** *Identify customary communities who may be affected by Project activities utilizing range of criteria (Req. 5)*
* ***Land, territory and resources:*** *Recognize rights of customary communities to lands, territories and resources. Include measures to promote such recognition when necessary for Project activities (Req. 6)*
* ***Legal personality****: Recognize rights of customary communities to legal personality. Include measures to promote such recognition when necessary for Project activities (Req. 7)*
* ***Involuntary resettlement:*** *Prohibit forcible removal of customary communities from lands and territories and ensure no relocation without free, prior and informed consent (FPIC) (Req. 8)*
* ***Full, effective and meaningful participation:*** *Ensure full, effective meaningful participation of affected customary communities throughout project cycle and seek FPIC on any matters that may affect rights and interests, lands, territories, resources, and traditional livelihoods (Req. 9) (also relocation and appropriation of cultural heritage)*
* ***Prior social and environmental assessment:*** *Ensure prior social and environmental impact review/assessment if Project may affect rights, lands, territories and resources of customary communities (Req. 10)*
* ***Appropriate benefits:*** *Ensure equitable sharing of benefits in culturally appropriate manner (Req. 11)*
* ***Support rights implementation:*** *Support countries to implement their human rights duties and obligations regarding the rights of customary communities (Req. 12)*
* ***Special considerations:*** *Pay particular attention to rights and special needs of women and girls and marginalized customary communities; respect, protect and promote rights of un-contacted or voluntarily isolated peoples; respect, protect, and conserve cultural heritage of customary communities and ensure FPIC before use or appropriation (Req. 13)*
* ***Customary communities******Engagement Plan:*** *Develop CEPP for Projects that may affect rights, lands, territories and resources of customary communities. CEPP summarizes potential impacts and documents culturally appropriate mitigation measures (Req. 14)*
* ***Monitoring:*** *Ensure participatory approach to verifying Project designed in manner consistent with Standard 6 and ensure arrangements for participatory joint monitoring of Project implementation with customary communities (Req. 15)*

**Potential Impacts**

The Project is classified as ***Substantial Risk*** based on the SESP. The Project will be implemented in the mountainous areas where inhabit of more than 30 EM groups in two provinces, however mainly affected are the Jrai and Banah EM groups in Gia Lai and Ede group in Phu Yen that live within protected areas of the two landscapes corridors.

The potential impacts are assessed on the basis of initial desk-based screening and on preliminary free and prior informed consultations for disseminating information to ethnic minority communities in the project area during the PPG stage. Evaluation results are also based on key informant interviews of stakeholders in these areas. Information on the consultations have been conducted and shown in Annex 2 and demonstrate the extensive nature of these consultations, the numbers of all different ethnic minorities consulted, the issues raised and the locations where these consultations were undertaken

The Project is designed to bring about positive impact not only on biodiversity conservation but also social and economic development of those areas, particularly on the livelihoods of EMs through taking into consideration the EM perspective and concerns. However, it could also cause negative impacts because of the forest dependence of the EMs, demands on production forest land for livelihood, for food security and different demands on forest products and non-forest products for everyday life of the EMs, especially for women and the poor. This is further affected by the lack the capital resources or technical knowledge of market-driven approaches to economic development and hence are being left behind despite tremendous support from the government and other donor project/programs that target the EM and poor people.

***Potential Positive Impacts on EMs***

A significant portion of the Project’s resources will be provided indirectly and directly to EMs and other members of the community (women and men) and it is expected that such resources will bring about the benefits as outlined below:

1. Strengthening the role of local communities (including ethnic minorities) by promoting a holistic, multi-sectoral and integrated landscape management approach under the co-management of commune managed forests and biodiversity-friendly livelihood development in buffer zones of protected areas.
2. Improved socioeconomic development of EM communities via the integration into broader jurisdictional planning processes along with the improved conservation, restoration and mainstreaming of biodiversity across the range of forest management types.
3. Improved access to forest resources (natural capital): This benefit will be delivered through community forest co-management interventions
4. Improved (or maintained) supply of forest goods and ecosystem services (natural capital) as well as improved resilience of climate change to the local EM communities via the biodiversity conservation, forest restoration and more sustainable forest management.
5. Enhance the employment opportunities, improved incomes and sustainable/diversified livelihoods from forestry activities, including from forest protection and management, biodiversity conservation of the PAs as well as from non-forestry activities (financial capital). The project activities are designed with various measures aimed at supporting rural and forest-dependent households and communities, especially the poor, on sustainable agriculture livelihoods under the buffer zones of PAs. The social benefits of such measures will be greatest given they are implemented in project areas with a large proportion of poor and/or ethnic minorities households.
6. Improved awareness, knowledge and strengthening capacities of communities and private sector, NGO for implementing effective biodiversity-friendly income generation and livelihood activities, forest management and protection and NTFP harvesting/production and related business skills. In regards, the project will provide training and equipment for provincial and district stakeholders involved in forest monitoring (e.g. forest/PA rangers and communities with forest land allocations) to build their spatial literacy and capacity to use high-resolution spatial data and maps to support decision-making.
7. Empowered women (including the ethnic minority) role contributing to equality and equity, through the livelihoods development for women, including training in forest value chains and entrepreneurship, and establishment of women’s groups in forest-dependent communities as well as gender mainstreaming in all project activates as presented in GAP. Support to women’s livelihood activities would also contribute to improve the current children health and education status along with enhancing women inclusion and participation on family and community decision-making. In short, the positive impacts would strengthen living standards and improve income of EM households, where women would be contributing substantially.
8. Strengthen EM capacity to access current government financed support programs that are directed to EMS and poor households

**Potential Adverse Impacts on IPs**

Notwithstanding the aforementioned benefits, the Project could also bring about a number of adverse impacts, such as the ones outlined below:

1. **Potential restriction to access to forestlands and forest resources.** Although EMs do not live within the PAs and the forest company lands, they do access resources (mainly NTFP collection based on agreement with the Forest Owners) from these areas. Although every effort will be made to avoid any access restriction, the enhanced management of PAs/FMUs, new PA establishment (Tram Lap and Dakrong), targeted forest restoration could inadvertently result in changes or restrictions in access to forest lands and forest resources presently available to EMs for household use or for livelihood.
2. **Cultural identity and cultural heritage.** The project sites could potentially intersect with globally and locally important sites with cultural, historical, religious, artistic and traditional values. It is unlikely that the project activities will have structural adverse impacts on these sites but may adversely impact traditional knowledge and practices that are part of the communities for centuries and that are deep-rooted in their cultural practices.
3. **Gender biases,** especially in the gender pay gap, unintentionally discriminate against women, limiting or adversely impacting their possibilities for accessing opportunities and/or influence on project activities including forest protection and management, biodiversity monitoring that may not adequately reflect women’s concerns, respond to gender specific needs, or ensure women’s participation in consultations and decision-making processes.

In view of the aforementioned concerns, the Project will secure the services of Safeguard Expertise (Environment, EM and Gender) to assist Project Management Unit within the FIPI in the preparation of required safeguard document()s such as EM Plan, and will support in the development of the SESA and scoped ESIA(S) where necessary. The two (2) PPMUs (working via the respective PMUs and CPPs) will play an important role in the coordination of project activities at the field level and interaction with EM communities.

Positive and potential adverse impacts of the project shall be identified through meaningful consultations with the affected EM communities during the planning of activities when implementation starts. Gender sensitive analysis of EM vulnerability and risks brought about by the project in comparison to other groups will be made a key focus of the assessment. Table 4 of the ESMF provides a list of potential risks and impacts of key project activities and a menu of options for mitigation and/or management these risks that FMUs will use to manage them. If avoidance is not possible, mitigating activities will be mutually agreed upon with the EM communities through meaningful and constant consultation to ensure that EMs receive culturally appropriate benefits under the project. No activity will be undertaken in areas that have EM populations prior to consultations with EMs and obtain of their consent and participation.

**Procedures**

Based on the potential adverse impacts outlined below, UNDP SES 6 puts emphasis on measures to ensure that the IPs received social and economic benefits that are culturally appropriate, and gender responsive and inclusive. The table below identifies appropriate management measures that can be conjunctively considered along with specific mitigation measures proposed in Table 4 of the ESMF, as well as those that will be articulated via the scoped ESMP(s) and as a product of the SESA for the project.

**Table 4: The potential negative impacts and indicative mitigation measures**

|  |  |
| --- | --- |
| **Adverse Impacts on IPs** | **Management Measures** |
| **Restriction to access to forestlands and forest resources.** Enhanced management of PAs/FMUs, new PA establishment (Tram Lap and Dakrong), targeted forest restoration could result in changes or restrictions in access to forestlands and forest resources presently available to EMs for household use or for livelihood. | * The project will mainstream the participatory approach during the implementation processes particularly to those activities that related to restriction to access to forestlands/forest resources of EM to ensure that effective consultation and community consent based on FPIC procedures prior to deciding on specific location, nature and scope of project activities to reduce potential adverse impacts/conflicts. * Stakeholder Engagement Plan (Annex 9) has been developed that defines the clear role and responsibilities of each stakeholder, including local communities and EMs in the implementation of the project * Grievance Redress Mechanism for the project, based on the existing government and UNDP mechanisms to provide an avenue to articulate any project specific grievances and have a transparent system address such grievances * Livelihood Action Plan will be developed in Year 1 of the project in in case there is any inadvertent restriction on access to resources by communities on account of project activities in the buffer zone of existing PA and new planned PAs. Particularly, the potential affected EM households would be provided with sustainable biodiversity-friendly livelihood models sustainable or/and co-management mechanisms for forest protection, plantation and rehabilitation activities with existing PA and new planned PAs. * Implementation of the EM Plan based on the EM Framework that was prepared at PPG stage and addresses specific concerns relating to EMs, * The PMU will include consultant expertise in safeguards (FPIC, EMs and M&E) to ensure that EM issues are adequately addressed and monitored. |
| **Cultural identity and cultural heritage.** The project sites could potentially intersect with globally and locally important sites with cultural, historical, religious, artistic and traditional values. It is unlikely that the project activities will have structural adverse impacts on these sites but may adversely impact traditional knowledge and practices that are part of the communities for centuries and that are deep-rooted in their cultural practices. | * The implementation of the EMF prepared during PPG implementation will form the basis for dealing with the interests of the EMs and other special interest groups. * Any project related economic development initiatives proposed by communities and EMs will rest on the maintenance of the integrity of their culture and defined through the use of FPIC procedures. * The effective operationalize of the Grievance Redress Mechanism to address any specific concerns from EMs; * The use of a screening checklist (refer SESP/ESMF) to screen all investments from an environmental, social and cultural perspective to ensure that these take into consideration all potential impacts and implementation would be monitored to ensure that there is no impacts on cultural heritage of EMs or special interest groups. * Safeguard (Gender/ participatory) expertise will be secured during the project to guide and monitor these activities, establish procedures for identification and managing such risks. |
| **Gender biases,** especially in the gender pay gap, unintentionally discriminate against women, limiting or adversely impacting their possibilities for accessing opportunities and/or influence on project activities including forest protection and management, biodiversity monitoring…that may not adequately reflect women’s concerns, respond to gender specific needs, or ensure women’s participation in consultations and decision-making processes. | * During the PPG phase, a comprehensive Gender Analysis (GA) has been developed based on a number of extensive consultations with Women Unions (from provincial to district/commune/village levels) to clarify relevant gender concerns and determine how mainstreaming of women into the project interventions can be ensured. It focuses on specific measures to ensure gender discrimination is avoided and provides a means to improve women’s participation in decision-making, have access to natural resources and other benefits from the project and that there are specific capacity building, KM and trainings that are specifically targeted at women, as well as special livelihood investments that benefit women. * The GAP (Annex 11) has specific actions targeted to women (and in particular EM women), including: (i) specific awareness and training sensitize central and local level SFM, PA and Management Board staff on gender related issues and opportunities to improving women roles in decision making and access to benefits; (ii) ensuring adequate representation and active participation of women in relevant decision-making bodies (Forest Management Boards, community forest management units, commune/village development funds); (iii) involving women in sustainable forest management and livelihood development activities at the Project site; (iv) provide technical trainings for women on organic farming, sustainable tourism, medicinal plantation, non-timber forest product collection, handicraft production, start up and business development and support commune’s women union to promote women’s participation in all livelihood activities. These activities have been also presented under Output 2.5: Livelihoods development for women, including training in forest value chains and entrepreneurship, and establishment of women’s groups in forest-dependent communities. The gender mainstreaming plan will be updated as required * Safeguard Specialist support (including Gender) will be obtained to work with the Management Unit and will be supported by technical staff members in both central and provincial level. * Monitoring Plan has gender responsive indicators to access gender dimensions, including that the project scores a Gender Scorecard 2 Marker. |

In addition to the above-mentioned mitigation measures that will be employed by the project to management Standard 6-related risks/impacts, further screening assessment and management of Standard 6- related impacts will also be embedded within SES-related assessments and managements plans that will be developed during project implementation/inception. The procedures for this are outlined below:

**Screening**

The SESP has identified foreseen project impacts which apply across the established demonstration sites, and which may occur as a result of ‘upstream’ policy/strategy initiatives under components 1 and 2 of the project. The process has established significance ratings for each identified risk, and prescribed measures for further assessment. The risks are based on the broad scope of project activities, outputs, and outcomes as currently identified.

Potential risks and impacts to indigenous people associated with project activities that have not yet been fully specified will be screened as part of the development of a a full Ethnic Minorities Plan (covering each on the demonstration= sites under Component 2), which must be produced within the first year of project inception and before any activities are implemented which may affect ethnic minorities or their resources.

Further screening and identification of ‘downstream’/site specific risks to indigenous peoples will be captured within the subsequent EMP for the relevant sites under Component 2. In addition to the risk screening that will occur as part of the conduct of the EMP(s), continuous screening and monitoring of project environmental and social risks will take place. This process is further elaborated in the project’s ESMF. Another entry point for the screening of standard 6 related risks is within the site-specific scoped ESIA’s that will be required. These scoped ESIAs will include detailed screening of Standard 6 specific risks in each of the project’s target areas specifically under Output 2.6.1. Both the scoped ESIAs and the EMP that are to be developed will follow UNDP SES requirements/guidance and international best practice.

‘Upstream’ risks to ethnic minorities (and/or their rights, resources, territories or cultural heritage) will also be further screened during project inception. The main entry point for future screening of policy/strategy induced risks will be through the conduct of a SESA. The SESA will adhere to the principles/standards as outlined in UNDPs SES, as well as host country law/regulation, and will identify/establish a procedure for how to screen for Standard 6-related risks/impacts that may emanate from any policy/strategy initiatives that are supported by the project.

**Assessment**

The project preparation phase included initial consultations with key stakeholders and ethnic minorities at each of the potential intervention sites.

Whilst indicative impacts/risks to ethnic minorities have been identified and assessed in a broad sense, the specific in-depth/targeted assessment of Standard 6 related risks will need to be further undertaken during project inception, once more detail on the project is known/clarified. This would be included in the EMP(s) which is to be developed at the beginning of project inception.

Identification and assessment of Standard 6 -related risks will also be incorporated into the scoped ESIAs which are to be undertaken to assess risks and opportunities at each of the demonstration sites under Component 3. The scoped/targeted ESIAs will follow UNDP SES best practice and guidance, and will include a full assessment of potential standard 6-related risks.

With respect to the upstream elements of the project that may have an impact on indigenous peoples, which has been identified during the conduct of this IPPF as Outputs 1.2.3, 2.2.7, 2.3.1, 2.4.3, 2.5.3, 2.7.4 [[3]](#footnote-3) the Strategic Environmental and Social Assessment (SESA) which will be conducted early in project inception will also assess impacts to indigenous and vulnerable communities.

Risks identified during these processes will also be continuously incorporated into the overall project SESP, which will be updated annually during project implementation.

**Management**

As a result of the detailed consultations that have been conducted during the PPG phase , a comprehensive stakeholder engagement plan has been prepared as an annex to the full project document.

The consultations undertaken during the PPG phase included awareness raising with local ethnic minority communities in the relevant sites where project activities may be implemented. Those EMs consulted were informed of their rights and their ability to withhold consent on certain activities during implementation. FPIC has not been achieved at every intervention site (as some exact areas/sites are not known at the time of project preparation), and so FPIC will be required before any such activities are implemented. FPIC has also not been undertaken as part of the design of policy/strategy level activities (most notably under Components 1 and 2). FPIC and meaningful engagement of indigenous peoples groups will be required before any of the policy interventions under these outputs are finalised.

A grievance redress mechanism has been designed and incorporated within the project’s ESMF and this EMPF. Monitoring and evaluation process have been designed to record any complaints or grievances that arise within the project and wider community, with attention being brought to the Project Board. The GRM has been designed to be culturally sensitive and accessible to all stakeholders.

Through the framework and required activities of the Stakeholder Engagement Plan, and the EMPF, continuous consultation and participation of indigenous people will be sought and monitored throughout project implementation.

An Ethnic Minority Plan (EMP) will be developed based on the information gathered during the additional assessments and further refinement of project site-specific activities/decision during early project inception. The EMP will be built upon the IPPF and regularly reviewed and updated during project implementation. The scale and scope of the IPP will be specific to the elements of the project where risks and potential impacts to ethnic minorities were identified. At project design stage this has tentatively be defined as the following:

|  |  |
| --- | --- |
| **Activity No.** | **Description** |
| 1.2.3 | Preparation of BA River Strategy |
| 2.2.7 | Implement priority management activities for biodiversity conservation, SFM, etc. |
| 2.3.1 | Development of proposal for inclusion of forest areas into existing PAs |
| 2.4.3 | Development SFM plans for community forest co-management |
| 2.4.4 | Implementation of community enterprise development activities |
| 2.5.3 | Establish mechanisms for implementation of livelihood support for women |
| 2.6.2 and 2.6.4 | Development and implementation of forest restoration activities |
| 2.7.4 | Investigation of options for PFES extension into new areas |

However, this list of outputs requiring FPIC could expand as the project further refines its key intervention sites and activity scope. Given the nature of the project, it may be deemed that one single EMP (which in turn would cover the scope of all potential demonstration sites targeted by Component 2), is not appropriate. In such instance, separate free-standing EMPs for each demonstration site may be required.

**7. Participation, Consultation, and FPIC Processes**

***7.1. Participation***

Based on UNDP guidelines on Indigenous Peoples: A Policy Engagement, participation is defined as a process of promoting democratic governance, the rule of law, social inclusion and economic development, as well as in the advancement of all human rights. Incorporating “right to development” in its work, UNDP fosters the full participation of indigenous peoples (EM) in its development processes and the incorporation of indigenous perspectives in development planning and decision-making. This right is of particular significance to indigenous peoples because in their experience, development has tended to be imposed upon their communities from outside, often resulting in violations of their “right to development,” by damaging ancestral lands, water and natural resources.

***7.2. Consultation***

It is imperative to conduct free, prior, and informed consultations at each stage of the project; to fully identify EM perspectives, issues and concerns by way of validating broad community support for the project. Consultation is a mode of social preparation that entails the process of informing and generating awareness and understanding of the concerned public about the Project in a manner that will enable them to effectively participate and make informed and guided decisions. Social preparation enables community participation. This requires strong and localized information, education, and communication (IEC) strategies.

***7.3 Consultation in the project preparation process***

Initial consultation with EMs during the PPG stage were undertaken in a culturally-sensitive manner at the potential project sites in Gia Lai and Phu Yen. This initial consultation was undertaken to inform EMs of their rights, discuss potential models for obtaining and undertaking FPIC during project inception and implementation, and to ensure that all proposed activities of the project will receive broad community support from EM groups who may be affected the project activities. The process engaged with communal authorities, village heads, women group to identify potential impacts and benefits on EM communities. Consultation was carried out through focus group discussions with a small sample size from 10 to 15 people (Implemented in December and January of 2020 in context of COVID 19 impact). The participants were selected randomly, combined with purposeful sampling to collect more points of view. Group discussion was an effective means of consultations because it encourages the sharing and discussion of views and ideas related to the proposed project. To ensure the full participation of EM including women, the defined schedules and locations of their best convenience. The topics discussed included project information on potential impacts on cultural, costumes, traditions, livelihood practices of EMs, or on their social capital and networks. The project supported and provided with spaces to dialogue and address community aspirations and priorities identified in a participatory manner. They support the project as well as the need to protect forest and biodiversity conservation and expect the project will soon be implemented. However they also express their concerns the access to forest resources would be restricted and expect the alternative livelihood support. Refer Annex 2 for detailed information on consultation with key stakeholders, including EMs.

***7.4 Consultation in the project implementation***

Conducting consultations with EMs during project implementation aims to gather and document information about the needs and specific challenges they are facing, and identify any potential areas of additional or other forms of support. Those selected by the project will build the processes and guide counseling to ensure that consultations will be done in a suitable place and in a timely manner. In addition, the consultation should be conducted in an appropriate way that can be accessed by EMs as well as ensure that all vulnerable groups are involved in the consultation process to create a friendly and honest environment without interference or threats from outside.

The consultation process should ensure that the affected EM communities: (i) understand their rights within the framework of this project (ii) understand that they can withdraw their consent at any point during project implementation, (iii) broadly support the objectives of the project; (ii) are aware of the project’s benefits and believe that the benefits are suitable with their culture; (iii) have had sufficient opportunities to identify their priorities and limitations related to social and environmental issues, particular the livelihood supports.

Stakeholder Engagement Plan (Annex 9) has been developed that defines the clear role and responsibilities of each stakeholder, including local communities and EMs in the implementation of the project. This Plan will be followed to ensure that stakeholders are engaged in project implementation and particularly in the further assessment of social and environmental impacts and the development of appropriate management measures. Project Stakeholder Engagement Plans will be updated during project implementation.

***7.5 FPIC Processes***

FPIC, for the purposes of the project, is defined in Box 2 below:

**Box 2: FPIC Principles:**

FPIC principles will be based on the following principles:

**FREE** refers to a consent given voluntarily and absent of coercion, intimidation or manipulation. Free refers to a process that is self-directed by the community from whom consent is being sought, unencumbered by coercion, expectations or timelines that are externally imposed:

* *Stakeholders determine process, timeline and decision-making structure;*
* *Information is transparently and objectively offered at stakeholders’ request;*
* *Process is free from coercion, bias, conditions, bribery or rewards;*
* *Meetings and decisions take place at locations and times and in languages and formats determined by the stakeholders; and*
* *All community members are free to participate regardless of gender, age or standing.*

**PRIOR** means consent is sought sufficiently in advance of any authorization or commencement of activities. Prior refers to a period of time in advance of an activity or process when consent should be sought, as well as the period between when consent is sought and when consent is given or withheld. Prior means at the early stages of a development or investment plan, not only when the need arises to obtain approval from the community:

* *Prior implies that time is provided to understand, access, and analyze information on the proposed activity. The amount of time required will depend on the decision-making processes of the rights-holders;*
* *Information must be provided before activities can be initiated, at the beginning or initiation of an activity, process or phase of implementation, including conceptualization, design, proposal, information, execution, and following evaluation; and*
* *The decision-making timeline established by the rights-holders must be respected, as it reflects the time needed to understand, analyze, and evaluate the activities under consideration in accordance with their own customs.*

**INFORMED** refers mainly to the nature of the engagement and type of information that should be provided prior to seeking consent and also as part of the ongoing consent process. Information should:

* *Be accessible, clear, consistent, accurate, constant, and transparent;*
* *Be delivered in appropriate language and culturally appropriate format (including radio, video, graphics, documentaries, photos, oral presentations);*
* *Be objective, covering both the positive and negative potential of project activities and consequences of giving or withholding consent;*
* *Be complete, covering the spectrum of potential social, financial, political, cultural, environmental impacts, including scientific information with access to original sources in appropriate language;*
* *Be delivered in a manner that strengthens and does not erode indigenous or local cultures;*
* *Be delivered by culturally appropriate personnel, in culturally appropriate locations, and include capacity building of indigenous or local trainers;*
* *Be delivered with sufficient time to be understood and verified;*
* *Reach the most remote, rural communities, women and the marginalized; and*
* *Be provided on an ongoing and continuous basis throughout the FPIC process.*

**CONSENT** refers to the collective decision made by the rights-holders and reached through the customary decision-making processes of the affected peoples or communities. Consent must be sought and granted or withheld according to the unique formal or informal political-administrative dynamic of each community. Consent is:

* *A freely given decision that may be a “Yes” or a “No,” including the option to reconsider if the proposed activities change or if new information relevant to the proposed activities emerges;*
* *A collective decision determined by the affected peoples (e.g. consensus, majority, etc.) in accordance with their own customs and traditions;*
* *The expression of rights (to self-determination, lands, resources and territories, culture); and*
* *Given or withheld in phases, over specific periods of time for distinct stages or phases of the project. It is not a one- off process.*

During the PPG phase, the preliminary phases of FPIC have been undertaken (for a full list of initial consultations, including with potentially affected ethnic minorities, please see Annex II of this EMPF) . These initial consultations do not equate to obtaining full FPIC for the project, and thus any activities which may require FPIC (i.e. Outputs 1.2.3, 2.2.7, 2.3.1, 2.4.3, 2.4.4, 2.5.3, 2.6.2, 2.6.4, and 2.7.4) cannot proceed to implementation until the requirements of FPIC have been satisfied and local EM communities have been engaged in meaningful way during the design of site-specific activities.

During the PPG, the following initial/preliminary steps of the FPIC process have been undertaken, please note that the below does not equate to FPIC, rather these preliminary steps have been undertaken in order to inform/establish an engagement/consent process that is agreeable to potentially affected ethnic minorities within the area of influence of his project.

- Step 1: Consultation with key informants: Before the commencing of the consultation with EMs, the PPG member has consulted with key informants (CPCs, village head, especially patriarch) to understand the baseline of socio-economic conditions of the EM groups as well as their culture, language, knowledge, ethnicity. Based on the provided information, the consultations were tailored to overcome barriers (language, crop season, gender, location, time, etc.) with the EMs to participate freely in the consultation process.

- Step 2: Consultation with EMs groups : Consultations were carried out through focus group discussions with a small sample size from 10 to 15 EMs (in context of COVID 19 impact). The participants were selected randomly, combined with purposeful sampling to collect more points of view. Group discussion was an effective means of consultations because it encourages the sharing and discussion of views and ideas related to the proposed project. To ensure the full participation of EM including women, the defined schedules and locations were made according to their schedule and availability (culture houses at village for their ease of access)

**Contents and key issues assessed during consultations:**

* Gathered information about current socio-economic situation, environment, the forest management and protection, problems needed to be invested which are related to forest management, livelihoods, issued problems, etc.;
* Gathered perceptions and levels of acceptance or refusal from local people to the project; and jointly determined expected impacts social environmental impacts of the project
* Identified leaders organizations and individuals who are currently possessing and managing forests, interests and conflicts between the parties that may occur during the project implementation, defined proposed solutions.
* Confirmed current livelihoods activities of people, and the impacts that may occur; documented existing demining situation in the project regions and areas that should be assessed before implementing project activities.
* Identified problems that may occur during the project implementation, such as restriction to forestland and forest resources, and livelihood impacts
* Identified impacts on EM communities, vulnerable groups such as the poor, the landless, elder, women and children.

Having complied with the above FPIC, during the project implementation phase, EMs will be consulted in all the activities of the project that may have potential positive or negative impacts to them. All efforts will be made to engage EMs in the planning, design, implementation and monitoring of measures to increase the benefits from the project and to avoid negative impacts.

The Provincial Project Management Unit (PPMU)/FMUs with the technical support from Implementing partner (FIPI/MARD) equipped with safeguard specialist (environment, EM, gender) will be responsible for ensuring the participation of the community through the People's Committee of communes, community groups/associations, local leaders and EM leaders, women association and fatherland front, and local agencies. It is essential to invite local people to participate in meetings, including separate meetings with women, to know their views on project activities and identify the positive and negative impacts on their lives from the project.

PPMUs/FMUs will hold regular meetings with the People's Committee of communes, women's associations, village headman and local communities to ensure that all involved persons are fully aware of and understand the contents of the project. The purpose of the consultations is for all EM expected to be affected by the project to gain sufficient information about the project components, the project activities, the mitigation and compensation measures, and mechanisms established for redress of grievances. These meetings will be planned and the PPMUs/FMUs will coordinate with the CEMA at the provincial level or/ and officers in charge of EMs at the district to ensure that all impacts are identified and addressed.

Through the consultation process, PPMUs/FMUs will notify the EM people of their rights, the project’s scale, and the potential impacts on the livelihoods, environment and natural resources. When there a difference or conflict between EMs and the project implementing agencies emerge, PPMUs will need to put in place a mediation and negotiation approach resolve those differences. Negotiation includes mutual respect for cultural differences, discussion of the issue with the legitimate representatives of the EMs, allowing sufficient time to make decisions, and willingness to compromise and record results. Without evidencing the broad support of the community for the subproject or project activities, the UNDP/GEF will not finance such activities. These evidences include the whole process: calls for the meetings (printed announcements, radio clips etc.); list and signature of participants/attendees with representation of women; photos; summary of the discussions; concerns posed and alternatives that respond to local aspirations.

It should be noted that many EMs in Vietnam, especially women, the elderly, and those who live in EM communities in remote rural areas, have limited Vietnamese reading skills. Educational attainment and literacy capabilities of affected EM communities will be determined through the applicable scoped ESIAs and through social impact assessment conducted as part of the EMP. These methods and methods of suitable communication/media for culture and gender will be used to eliminate communication barriers. This may include translation of documents into ethnic languages, using interpreters in community meetings, greater use of communication methods with virtual aids in EM communities with high illiteracy or low educational qualifications, and holding separate meetings for women and men according to local cultural traditions in the necessary places.

**8. Appropriate Benefits**

At the PPG stage, numerous consultations were held with the affected EM groups from December 2020 to January 2021. The results of consultations were incorporated across the all the components, namely:

*Component 1*: Mainstreaming biodiversity and ecosystem services into landscape-level planning, monitoring and enforcement; *Component 2*: Conserving globally significant biodiversity and ecosystem services in forested landscapes of Ba River basin; and *Component 3:* Policy mainstreaming replication and knowledge exchange

Full articulation of support to affected EM groups to enable them benefit from project interventions are well articulated in the following annexes, namely: Annex 11 Gender Analysis and Gender Action Plan. In addition, a Stakeholder Engagement Plan has been developed to ensure participation among stakeholders during implementation. The Project would promote the collaborative and participatory approach in all project activities. It would also employ FPIC procedures during negotiation and tools of knowledge management, to build community (including EM) consent to act on what can be done now, and together, at the landscape level.

**9. Capacity support**

In addition to capacity development interventions that have been built in across the three components, a set of capacity development program covering the following topics, is planned: (1) **Training** local/provincial/district personnel and communities in counter wildlife and forest crimes include skills and method on monitoring, surveillance of wildlife poaching and trafficking and improve wildlife enforcement in 3 protected areas and 2 selected protection forests; (2) trainings to build capacity for PAs, FMUs and Community in the Bar river basin on selected forest and biodiversity protection and conservation skills include: forest and biodiversity inventory; forest and biodiversity monitoring using GIS and real-time tool; Community-based forest and biodiversity Monitoring; Sustainable forest management; community-based assessment on HCVF forest; participatory forest resource planning and management; Ecotourism/community-based tourism; (3) Training on community-based monitoring for flagship wildlife species in the Ba River Basin. The training will focus on monitoring the following key/flagship species: Yellow-cheeked gibbon (*Nomascus gabriellae*), grey-shanked douc (*Pygathrix cinerea*) (Kon Ka Kinh, Con Chu Rang, Tram Lap-Dak Rong) and monitoring muntjac species (*Muntiacus* spp.) in Krong Trai reserve.(4) Training on UNDP environmental and social standard; (5) Training on EPIC and EM including GRM; (6) livelihood investments and sustainable forest management.

Specialists with relevant expertise in social and environmental safeguards will be engaged to support on safeguards responsibilities and approaches.

**10 Grievance Redress Mechanism**

The FIPI will establish and implement the GRM as described in Section 6.2 of the ESMF, a transparent, fair and free-to-access project-level Grievance Redress Mechanism (GRM), approved by stakeholders, which will be put in place at the start of implementation. Interested stakeholders may raise a grievance at any time to the Project Management Office, the Executing Agency, Implementing Agency (UNDP), or the GEF.

The project will assign a staff who will be responsible for operating and monitoring grievance redress from national to local level, and for reporting periodically on the project progress report. The project will provide training and support to strengthen implementation of the GRM. The grievance mechanism will apply to people or groups affected directly or indirectly by the project as well as those who may attain benefits. All inquiries and grievances will be documented and kept in the Settlement of Complaints at commune and district levels, to be resolved in consultation and transparent way. Notably, the records and reports of complaints may be publically accessed.

The implementing partner (FIPI)/PPMU will inform EMs about this system at the start of project implementation. Project’s GRM, however, should not impede access to the country’s jurisdiction or administrative remedies. To the extent possible, the resolution of grievances will be through traditional EM grievance resolution processes. All costs involved in resolving the complaints (meetings, consultations, communication and reporting/information dissemination) will be borne by the Project.

**11. Monitoring, Reporting, Evaluation**

A two level monitoring and evaluation mechanism - internal monitoring and external monitoring- will be done to determine if the project is being implemented in line with the ESMF. The PMU (FIPI) shall conduct the in-house monitoring of the EMPF and will be guided by the M&E framework of the Project. The external monitoring independent expert will validate the internal in-house monitoring reports. Prescribed indicators for internal monitoring are presented in Table 5 below.

The main purpose of monitoring and evaluation is to ensure that all expected measures of EMPF and EMPs are conducted in accordance with relevant government policies and procedures. Monitoring will be done by the Provincial Project Management Unit (PPMU) with support and oversight of the Project Management Unit through progress reports and internal monitoring.

PPMUs have responsibility for internal monitoring in the implementation progress of EMPs. PPMUs will set and submit monitoring reports to PMU on a quarterly basis. The periodic monitoring in the EMDPs and integrated activities related EM includes some indicators:

**Table 5: Internal Monitoring Indicators**

|  |  |
| --- | --- |
| **Monitoring Indicators Basis for Indicators** | **Baseline for Indicators** |
| 1. Budget and timeframe | * Have capacity building and training activities been completed on schedule? * Are funds for the implementation allocated to the proper agencies on time? * Have agencies responsible for the implementation of the EMPF received the scheduled funds? * Have the consent of the EM community in the affected ancestral domain been obtained? |
| 2. Public Participation and Consultation | * Have consultations taken place as scheduled including meetings, groups, and community activities? * Have appropriate leaflets been prepared and distributed? * Have any APs used the grievance redress procedures? What were the outcomes? * Have conflicts been resolved? * Were separate consultations done for EM? * Was the conduct of these consultations inter-generationally exclusive, gender fair, free from external coercion and manipulation, done in a manner appropriate to the language and customs of the affected EM community and with proper disclosure? * How was the participation of EM women and children? Were they adequately represented? |
| 3. Benefit Monitoring | * What changes have occurred in patterns of occupation, production and resources use compared to the pre-project situation? * What changes have occurred in income and expenditure patterns compared to pre-project situation? * What changes have taken place in key social and cultural parameters relating to living standards? * What changes have occurred for EMs? * Has the situation of the IPs improved, or at least maintained, as a result of the project? * Are EM women reaping the same benefits as EM men? * Are negative impacts proportionally shared by IP men and women? |

*Adapted from UNDP SES Guidance Note on Indigenous Population, January 2015 and ADB’s Handbook on Resettlement: A Guide to Good Practice, 1998.*

The monitoring will be achieved under the internal continuous monitoring of process indicators and outputs. Monitoring reports will summarize progress of EMP and activities on EM, collate indicators, and if necessary, propose changes to ensure implementation EMPs and the integration of activities with expected objectives and procedures. PMU will submit quarterly monitoring reports to the UNDP/GEF. The report will summarize the progress of EMP’s implementation.

External Monitoring Expert (EME). External Monitoring will be commissioned by the PMU to undertake independent external monitoring and evaluation of the EMP. The EME for the Project will be either a qualified individual or a consultancy firm with qualified and experienced staff. The TOR of the EME shall be prepared by the PMU and shall be acceptable to UNDP prior to engagement. The PMU is responsible for the engagement of the EME; ensures that funds are available for monitoring activities; and submits monitoring reports to UNDP.

Indicators for external monitoring are presented in Table 6.

**Table 6: External Monitoring Indicators**

|  |  |
| --- | --- |
| **Monitoring Indicators Basis for Indicators** | **Baseline for Indicators** |
| 1. Basic information on AP households | * Location * Composition and structures, ages, education and skill levels * Gender of household head * Ethnic group * Access to health, education, utilities and other social services * Housing type * Land use and other resource ownership and patterns * Occupation and employment patterns * Income sources and levels * Agricultural production data (for rural households) * Participation in neighborhood or community groups * Access to cultural sites and events * Value of all assets forming entitlements and resettlement entitlements |
| 2. Levels of AP Satisfaction | * How much do EMs know about grievance procedures and conflict resolution procedures? How satisfied are those who have used said mechanism? * How much do the affected EM communities know about the IP framework? * Do they know their rights under the EM framework? * How much do they know about the grievance procedures available to them? * Do they know how to access to it? * How do they assess the implementation of the EMDP? |
| 3. Other Impacts  4. EM Indicators | * Were there unintended environmental impacts? * Were there unintended impacts on employment or incomes? * Are special measures to protect EM culture, traditional resource rights, and resources in place? * How are these being implemented? * Are complaints and grievances of affected EMs being documented? * Are these being addressed? * Did the project proponent respect customary law in the conduct of public consultation, in IPP implementation, in dispute resolution? * Did the project proponent properly document the conduct of public consultations, the formulation and implementation of the IPP? * Were the public consultations inter-generationally inclusive? * Were women and children proportionally represented? * Were representatives of the PMU/PPMU/FMUs present in the public consultations? During the monitoring of EMDP implementation? |

*Adapted from UNDP SES Guidance Note on Indigenous Population, January 2015 and ADB’s Handbook on Resettlement: A Guide to Good Practice. 1998.*

Schedule of Monitoring and Reporting The PMU shall establish a schedule for the implementation of EMPs taking into account the project’s implementation schedule. It is expected that one month prior to the start of project implementation, internal and external monitoring key actors shall have familiarized all EMP activities.

Internal monitoring will be done by the PMU, while external monitoring will be carried out by an EME to be commissioned by the Project.

Compliance Monitoring. This is the first activity that both internal and external monitoring entities shall undertake to determine whether or EMP was carried out as planned and according to this policy. The EME will submit an Inception Report and Compliance Monitoring Report one month after receipt of Notice to Proceed for the engagement. The engagement of the EME is scheduled to meet the Policy’s requirement of concluding EMP implementation activities at least one (1) month prior to the start of PA management/zoning and/or civil works.

Quarterly Monitoring. The EME will be required to conduct quarterly monitoring of EMP implementation activities

Final Evaluation. Final evaluation of the implementation of the EMP will be three months after its completion.

Post-Evaluation. This activity will be undertaken one year after the completion of a project/subproject in order to determine whether the social and economic conditions of the affected EMs have improved or have been restored to their pre-project levels.

Internal and external monitoring reports will be made available to all implementing units, including the IP communities. The EME is accountable to the PMU. The PMU submit copies of internal and external monitoring reports to UNDP.

**12. Institutional Arrangements**

At the **national level,** the Ministry of Agriculture and Rural Development (MARD) will collaborate with donors, related ministries, and departments to steer the project. MARD will consult with relevant departments on appropriate policy, frameworks and project implementation and they will evaluate the project performance. Project Management Unit (FIPI) is responsible for all operational activities and the implementation activities of social safeguard plans supported by safeguard specialist (consultants). The consultants are required to collaborate closely with the Provincial Project Management Unit (PPMU) in implementing and conducting activities at town and community levels.

At the **provincial level,** PPMU will work with Vietnamese stakeholders at province, town and village levels on activities related to; social safeguards, training, performance and awareness enhancement. PPMU and the safeguard specialist of PMU are responsible for monitoring implementation activities relating to safeguards (including EM issues).

Non-governmental organizations (NGOs) often have experience in implementing similar projects in rural areas. Therefore, seeking NGOs guidance and pertinent lesson learned for project implementation.

**13. Budget and Financing**

**Table 7: Budget for Activities in Support of EM(including the implementation of the EMPF and the development of the EMP)**

|  |  |
| --- | --- |
| National IPP Specialist (for turning EMPF to an EMPP/IPP)  40 Days @ 192 USD/Day | $7,680 |
| International SESA Specialist  70 Days at 800 USD/Day | $56,000 |
| Travel expenses for consultations (national consultants) | $3,000 |
| Awareness raising and capacity development around GRM | $6,000 |
| Total | 72,680 USD |

***Annex 1 Indicative outline of Indigenous Peoples Plan (IPP) or Ethnic Minority Plan (EMP)***

Please refer to the [UNDP SES Guidance Note on Indigenous Peoples](https://info.undp.org/sites/bpps/SES_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/Final%20UNDP%20SES%20Indigenous%20Peoples%20GN_Jan2017.pdf) and the [IPP Outline](https://info.undp.org/sites/bpps/SES_Toolkit/SES%20Document%20Library/Uploaded%20October%202016/Livelihood%20Action%20Plan%20-%20Template.docx?Web=1) for additional information.

**Background:**

Where there is presence of indigenous peoples and/or communities, an EMP will be prepared and implemented for relevant target project sites where project interventions could potentially affect the rights, lands, resources, or territories of indigenous peoples (IP) communities. The EMP will be developed and implemented following the UNDP Social and Environmental Standards 6 on Indigenous peoples with details appropriate to the Project’s complexity and scale of interventions and its effects on the IPs, and their lands, resources, and territories. A Free and Prior Informed Consent (FPIC) will be procured prior to any project activities in areas where presence indigenous community or people have been recorded or registered and/or in line with UNDP Social and Environmental Standards 6 on Indigenous peoples.

The outline provided below will guide the preparation of the EMP

**1. Executive Summary of the EMP**

Under this Section, describe the EM communities that will be impacted by project interventions, potential impacts of the project, including its nature, extent, and scale, on the EM communities as well as recommended strategies and actions necessary to mitigate adverse impacts of project interventions.

**2. Project Description**

Define project objectives, target outputs and activities with elaborate discussions on activities that will have adverse impacts of Project interventions.

Explain project interventions that will result in impacts to EM communities. Explain impacts resulting from and management measures that will help avoid, minimize, and mitigate adverse impacts and maximize positive impacts and opportunities.

**3. Project Impact Analysis for Affected Ethnic Minorities**

**3.1 Profile of Affected EM Communities**

Establishing EM presence in the project sites is the first step to identifying risk mitigation measures necessary to ensure equitable benefit sharing of Project gains. Under this sub-section, discuss:

EM presence and claims covering the Project sites that will be affected;

Areas where transient, migrant and permanent indigenous peoples are found;

Tenure systems of the land and territories that EMs inhabit or customarily used or occupied, and the natural resources on which they depend;

Baseline information on the size of EM population and number of EM households affected by Project interventions, including the vulnerable groups,

Elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with EMs at each stage of project preparation and implementation, taking the review and baseline information into account;

Climate risks faced by EM communities in the project sites;

Resource dependence of EM communities that will be affected in the Project sites, including: (i) types of livelihood activities of EM communities; (ii) specific location and size of areas utilized by EMs; (iii) frequency, extent and period of utilization of resources by EM communities; and (iv) alternative livelihoods of EM communities in the Project sites. It is important that data on available livelihood options for EM communities are documented for strategic intervention planning;

Level of participation of EM communities in resource use management;

Challenges and opportunities of affected EM communities in the target sites, including economic risks and opportunities.

**3.2 Potential Impacts of Project Interventions to EM Communities**

The interventions developed for Project sites will determine the ecosystem and community-based interventions that will be undertaken for the sites. Provide the details below.

Project interventions that will have impacts on EM communities’ economic activities. While the project is projected to have no adverse impacts on indigenous peoples, an impact analysis on the Project’s interventions vis-à-vis indigenous peoples in the areas will be undertaken as a form of validation. For one, displacement or disruption of economic or livelihood activities of indigenous peoples will have to be taken into account.

Magnitude of impacts of project interventions on EM communities’ economic activities,

**4. Summary of Substantive Rights and Legal Framework**

Discuss the international multilateral agreements and protocols supported at the National and Provincial levels, and the local policies recognizing and protecting the rights and vulnerability of the indigenous peoples in the country.

Discuss key provisions of local legislation, policies, and regulations

Provide an analysis of project activities that are contingent on establishing legally recognized rights to lands, resources, or territories. In cases where these contingencies exist, include:

Provide an analysis of Project activities that are contingent on the recognition of juridical personality of affected Indigenous peoples. In capes where these contingencies exist include:

**5. Summary of Social and Environmental Assessment and Mitigation Measures**

EM Plans will be developed for Project sites where necessary. EM Plans supported by the ESMP preparation during the project implementation will be developed as guidelines to addressing issues related to the needs of EMs in relation to the Project interventions. Under this Section, provide details on:

Potential adverse and positive environmental, economic and socio-cultural impacts, risks and opportunities of the Site Intervention activities to affected EM communities, based on meaningful consultation with affected EMs;

Management measures that will help avoid, minimize, and mitigate adverse impacts and maximize positive impacts and opportunities.

Project interventions where EM participation can be significant and through which EM benefits can be maximized.

Grievance redress mechanism; and

Cost, budget, timetable, and institutional arrangements for the implementation of EM Plans

**6. Participation, Consultation, and FPIC Processes**

Discuss EM engagement in the implementation processes, including:

Ethnic minority community engagement in planning, implementation and, monitoring, evaluation and reporting phases of the Project;

Securing free, prior and informed consent of indigenous peoples who will be affected by Project interventions or;

Data collection activities undertaken: (i) from CEMA; (ii) through conduct of Focus Group Discussions (FGDs) among 2 landscapes; and (iii) conduct of Key Informant Interviews with non-government organizations (NGOs) working with EMs in the areas.

**7. Appropriate Benefits**

Discuss Project interventions where EM participation can be significant and through which EM benefits can be maximized.

Discuss measures to be taken to ensure that EMs 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**

Describe project activities aimed at increasing capacity within the government and/or the affected indigenous peoples, and facilitating exchanges, awareness, and cooperation between the two.

Describe measures to support social, legal, technical capabilities of ethic minority peoples’ organizations in the project area to enable them to better represent the affected indigenous peoples more effectively.

Where appropriate and requested, describe 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 Mechanism**

Discuss project-specific Grievance Redress Mechanism (GRM) that will be established to complement the existing mechanisms at the local level. In areas where EMs may be present, discuss the separate mechanism that will be established in consideration of their traditional grievance resolution processes and systems. Describe how this GRM for EM communities will take into account the different customary institutional practices of the concerned ethnic tribes and language barriers in the project sites.

Describe the institutional arrangements for the GRM. Discuss the feedback system that will be implemented, including identified responsible focal person from the IP communities, regional Project Team, and national Project Management Unit (PMU). Discuss how the GRM that will be developed will promote mutual acceptable resolution of issues.

Describe how the EM will be put in writing in languages that are understandable to the ethnic tribes concerned, translated into user-friendly Information, Education and Communication (IEC) materials, and distributed to concerned EM communities to facilitate accessible, fair, transparent and constructive process of resolving conflicts. Explain the GRM procedure on public posting, including the set period of resolving conflicts, necessary forms to be filled-up by the complainant and resolution procedure as well as appeals process.

Describe the formal documentation process of resolving conflicts, including the setting-up of the database on grievances and resolutions that will be undertaken. Discuss how this documentation process and grievance registry/database will form part of the Projects M&E system.

Describe the eligibility criteria that will be set by the concerned IP communities together with the PMU based on traditional decision-making structures and the Project GRM. Minimum eligibility criteria may include, among others:

**10. Monitoring, Reporting, Evaluation**

Describe the Project M&E system that will be developed will include M&E indicators related to the implementation of the IP/EM Plans.

Discuss how the project will ensure participation of EMs in the development of M&E indicators concerning IPP implementation.

• Define EM focal persons and PPMU which will form part of the project governance and technical committees.

**11. Institutional Arrangements**

Describe the institutional arrangement responsibilities and mechanisms for carrying out the measures contained in the ***EMP***, including participatory mechanisms of affected ethnic minorities. Describes role of independent, impartial entities to audit, conduct social and environmental assessments as required, and/or to conduct oversight of the project.

Describe the roles of the Safeguards focal point

For the EM communities that will be impacted or perceived to be impacted by project interventions, discuss how the PMU will work with the focal persons from the communities on the implementation of the EMP Plan

**12. Budget and Financing**

Present an appropriately costed plan, with itemized budget sufficient to satisfactorily undertake the activities described.

**Annex 2: Summary of meeting minutes during consultation**

In January 2021, preliminary consultations (i.e. that followed the requirements of followed Free, Prior and Informed Consent (FPIC)) were conducted by the PPG team. The methods were implemented in accordance with the local communities and affected ethnic minorities (EM). The concerns of vulnerable groups, especially the poor, landless, elder, women and children were carefully considered.

**Consultation objectives**: (i) inform EM of their rights within the auspices of this project (ii) undertake a mutually agreeable process of FPIC with the goal of obtaining consent from affected peoples (iii)provide Information about the project, including: general information, the scope of the project, the components of the project, the main activities of the project, the positive impacts, the negative impacts and mitigation measures, plans of the project; (iv) determine the existing management situation of existing PAs/FMUs and new PAs; (vi) determine EM people's current livelihood and propose effective livelihood activities due to restriction to resources access, grievance mechanism; (viii) understand the existing demining situation in the project regions and areas should be reviewed before implementing project activities.

**Consultation targets**: People's Committee of Provinces and relevant Departments; People's Committee of Communes and relevant organizations; Households and groups of households including the poor, average, well-to-do, single women, EMs. (PAs/FMUs and Forest protection departments have been also consulted during the PPG process, as reflected in the SEP.)

**Consultation process**: Consultation with EMs during the PPG stage in a culturally-sensitive manner at the potential project site (focusing on the newly established PA including Tram Lap and Dak Rong Forest Company lands in Son Lang and Dak Rong commune, Kbang district, Gia Lai province).

- Step 1: Consultation with key informants: Before the commencing of the consultation with EMs, the PPG member has consulted with key informants (CPCs, village head, especially patriarch) to understand the baseline of socio-economic conditions of the EM groups as well as their culture, language, knowledge, ethnicity. Based on the provided information, the consultations were tailored to overcome barriers (language, crop season, gender, location, time, etc.) with the EMs to participate freely in the consultation process.

- Step 2: Consultation with EMs (Bhanar groups): Consultations were carried out through focus group discussions with a small sample size from 10 to 15 EMs (in context of COVID 19 impact). The participants were selected randomly, combined with purposeful sampling to collect more points of view. Group discussion was an effective means of consultations because it encourages the sharing and discussion of views and ideas related to the proposed project. To ensure the full participation of EM including women, the defined schedules and locations were made according to their schedule and availability (culture houses at village for their ease of access)

**Contents and key issues assessed during consultations:**

* Gathered information about current socio-economic situation, environment, the forest management and protection, problems needed to be invested which are related to forest management, livelihoods, issued problems, etc.;
* Gathered perceptions and levels of acceptance or refusal from local people to the project; and jointly determined expected impacts social environmental impacts of the project
* Identified leaders organizations and individuals who are currently possessing and managing forests, interests and conflicts between the parties that may occur during the project implementation, defined proposed solutions.
* Confirmed current livelihoods activities of people, and the impacts that may occur; documented existing demining situation in the project regions and areas that should be assessed before implementing project activities.
* Identified problems that may occur during the project implementation, such as restriction to forestland and forest resources, and livelihood impacts
* Identified impacts on EM communities, vulnerable groups such as the poor, the landless, elder, women and children.

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| **No** | **Provinces, districts** | **Components** | **Consultation date** | |
| **I** | **Gia Lai province** |  |  | |
| 1 | Dak Rong commune, Kbang district |  | 26/1/2021 | |
| * Mr. Lê Văn Quang: Chairman of Dak Rong Commune People's Committee * Ms. Đinh Thị Thuên: Women's Union President of Dak Rong Commune People's Committee * Ms. Đinh Thị Luân: Farmers Association, Dak Rong Commune People's Committee   **Summary of results:**   * Dak Rong is located to the north of Kbang district, 50km from the district center, to the north and northwest borders Kon Tum province, to the south to Krong commune, to the east to Son Lang commune, to the west to Kon Pne commune * The total area of forest land of the commune is 27,672.72 ha, accounting for 81.17% of the total natural area of the commune; in which: land with production forest: 24,431.58 ha, accounting for 84.36% of the forestry land area, land with protection forest 1,044.76 ha, accounting for 3.06% of the area, land with special-use forests 2,196, 38 ha, accounting for 6.44 % of the area. * Dak Rong has an area of ​​Kon Ka Kinh National Park with biodiversity as well as rich conservation of natural resources, which is quite an ideal place for tourism development; Besides with more than 28,000 hectares of natural forest land, watershed of Ba River and Lake C of Vinh Son hydropower plant with a water surface area of over 400 hectares are attractive tourist destinations. Moreover, the climate is quite mild and cool all year round, which is the condition for developing ecotourism and exploring nature. Besides, with the villages of Bah nar ethnic group that have been established for many generations, there are unique folk culture, there are traditional festivals (buffalo stabbing festival, new rice festival ...) and the revolutionary base area is a condition to attract tourists. * There are 12 villages under the commune. The whole commune has 1,188 households, 4,013 people, of which ethnic minorities 1,087 households, 3,673 people; there are 81 poor households, accounting for 6.82% (2 Kinh households, 79 ethnic minority households); there are 261 poor households, accounting for 21.97% (8 Kinh households, 253 ethnic minority households); * In 2020, the per capita income will reach VND 30 million/person/year, an increase of VND 4 million compared to 2019; the poverty rate was 6.82%, down 10.98% compared to 2019. * The local people currently contract with the forest owners for forest protection and management. Particularly, the project contract with Kon Ka Kinh National Park of 1,750ha, with Dak Rong Forest Company of 3,900ha and Tram Lap Forest Company of 986.3ha. The rate is quite so low that with 300,000VND/ha/year could not encourage local people to fully participate in the forest protection and management. * The current model of agriculture production in the commune is mainly: * Support project to grow macadamia: 220 participating households in 11/11 villages; area 66 ha; with a total cost of implementation: 987,172,000 VND (of which: the state budget supports 430,000,000 VND, the people reciprocate 557,172,000 VND). * Intercrop of macadamia and coffee: 44.84 ha, 76 households participated, in the villages of Kon Von 1, Kon Von 2, Kon Lanh, with a total cost of 583,356,400 VND (of which: the state budget supports 293,959,040 dong, the people's counterpart 289,397,360 dong). * Afforestation project (hybrid acacia): implementing the project with 34 participating households in Kon Von 1 village, with a total area of 6.8 ha; total cost of implementation is 35,304,000 VND. * Project on growing medicinal herbs: implementing the project with 50 participating households in Kon Von 1, Kon Von 2, Kon Lanh, Kon Lanh Te and Suoi U villages with a total area of 2.15 ha; total cost of implementation is 380,000,000 VND. * The project of intensive rice cultivation: 16.84 ha, 97 participating households, in the villages of Ha Dung 1, Ha Dung 2, Kon Loc 1, with a total budget of 203,932,400 VND (in which: the state budget supports 130,425 ,800 VND, the people corresponded 73,506,600 VND). * Need support from the project: * Increase the cost norm for forest protection and management area contracted with current forest owners. * Provide the alternative livelihood activities for local people * Provide value chain support on the medical plant (*Amomum longiligulare*) in commune area * Should engaged local people during project implementation * CPC and local people are willing to support the project. | | | | |
| 2 | Consultations with households in Kon Lanh village, | A total of 174 households, in which 139 HH of Banahr group and 20HH of other EM group | | 26/1/2021 |
| * Participants: Đinh Thị Thuên (Women's Union President of Dak Rong Commune People's Committee)   Đinh Văn Chim (Village head); Đinh Văn Miên (Male); Đinh Thị Hằng (Female); Đinh Thị Hới (F)  Đinh Xuân Khoăn; Đinh Văn Bơm; Đinh Thị Nuôi (F); Phạm Văn Kệ; Đinh Văn Xuân ; Đinh Thị Yến (F); Đinh Thị Thuyên (F); Đinh Văn Thếch. All are Banahr people.   * Kon Lanh village inhabit in the area more than 100 year ago (4-5 generations). Currently the village includes 174 households, in which 139 HH of Bahnar group and 20HH of other EM groups. Only 9 EM households are poor. * The community has contracted with the forest owner more than 600ha with 90 millions VND/year. * The main livelihood of the villager is agriculture (coffee practice). Intercrop coffee with macadam is just piloted in the village area with potential positive impact for livelihood improvement and forestland protection. In addition, the black pig raising is also potential livelihood but no support from the government. * The project will bring more positive impact than negative impact. However, the new establishment of the new PAs would restrict the local people to access to the collect NTFP, the important income source for the local people. * Need support from the project: * Increase the cost norm for forest protection and management area contracted with current forest owners. * Provide the alternative livelihood activities for local people * Provide seed/fertilizer for macadam and coffee as well as black pig raising. * Should engaged local people during project implementation * Finally, the villager agree with the project activities. | | | | |
| 3 | Son Lang commune, Kbang district |  | 27/1/2021 | |
| * Mr. Lê Quý Truyền: Chairman of Son Lang Commune People's Committee * Mr. Đình Ngaj (Bhanar People): Village head, Đắk Tơ Nglong village, Sơn Lang Commune, Kbang district   **Summary of results:**   * Son Lang is a commune located to the northeast of KeBang District and 30 km from the district center along the Truong Son Dong Highway. Total natural area of the whole commune: 33,607.85ha. Agricultural land area is 31,307.5 ha, accounting for 93.16%; in which: agricultural land is 2,223.7 ha, accounting for 6.62%, the rest is forestry land with an area of 29,079.3 ha, accounting for 86.52% and aquaculture land with an area of 4. 5ha, accounting for 0.01% of the total natural area. Non-agricultural land 1,981.89 ha, accounting for 5.9%. Unused land is 283.67 ha, accounting for 0.84%, mainly the semi-submerged area of Lake B managed by Vinh Son hydropower plant. * Son Lang commune has 09 villages with total population: 1,226 households, 4,361 people with 08 ethnic groups living, the population is mainly distributed along the Truong Son Dong National Highway, running along the topography of the commune. from the South and the North. The farthest village is 17 km from the commune center, the Kinh ethnic group accounts for 50.97%, the Bahnar ethnic group accounts for 47.91%, the rest are other ethnic groups. * The labor structure is mainly agricultural production, mainly coffee ( the largest coffee area in Kbang district with nearly 1,300ha). * Large forest area (29,093.3ha) is rich in forest types, has both economic value and biodiversity conservation, part of Kon Chu Rang nature reserve, which plays an important role in development. Forest economy, eco-tourism development. * NTFP has high economic value and are a source of raw materials for the development of civil carpentry, rattan and bamboo craft, etc. for export. * In 2020, the per capita income will reach 41.3 million VND/person/year, an increase of 4 million VND/person/year compared to 2019. The total number of poor households is 36 households accounted for 2.96%, in the year 24 households escaped poverty; The rate of poor households decreased compared to 2019 by 1%. * CPC support the project activities in view of the sustainable forestland protection is important to the climate change resilient and water supply. However, the project should provide support to the local EM people namely increase the cost norm for forest protection and management, livelihood support, technical training on agroforestry (coffee…), medical planting under the forest canopy. | | | | |
| 4 | Consultations with households in Đắk Tơ Nglong village, Sơn Lang Commune, Kbang district | A total of 58 households in which 57/58 households are Bhanar people. | | 27/1/2021 |
| Participants: Mr. Đình Ngaj (Bhanar People): Village head, Đắk Tơ Nglong village, Sơn Lang Commune, Kbang district; Others villagers: Đinh A Nhúk ***(Patriarch);*** Đinh Văn Thoen, Đinh Uông, Đinh Văn Quyết, Đinh Ngọc Mẫn, Đinh Văn Hú, Đinh Thị Đót (Female). All are Banahr people.  **Summary of results:**   * Forest is important to the local people (supply timber for house making, NTFP, climate resilient, water supply…) * Forest quality and quantity has been reducing throughout the year (wild animal, defragmented forest area) * The area is strongly affected by climate change recently, drought, typhoon, no water for rice raising. * Main livelihood: coffee, rice, castle (cow, goat) gazing, and NTFP collection. * Their no conflict with the Tram Lap and Ha Nung Forest Company given the clear boundary that reduce the conflict. The Forest Company has allowed the villager to access to the natural forest to collect NTFP. * The local community has contracted with Kon Chu Rang Nature Reserve with 500ha forest area but the cost norm is low (only 400,000ha/year) and 200ha with Ha Nung FC (300,000ha/year). * People agreed with establishment of new PAs, however it is expect the ongoing access to the NTFP or alternative livelihood support. In this regard, potential livelihood in the area is bamboo shoot but it should secure the market output for the local people. * Community Eco tourism is high potential livelihood support given the unique, traditional cultural value of Bahnar people in the area as well as the great landscape. * Allocation of Community forest management: it is not potential given high responsibility and low support. | | | | |

***Annex 3: Photos during consultation***

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| /Users/ngohuytoan/Documents/MY DOCUMENT/Document for Independent Consultant/33.UNDP-T200907 “Sustainable Forest and Forest Land Management in Viet Nam’s Ba River Landscape/2.Report/2.SESP/IMG_20210126_1051228.jpg  Photos 1. Consultation with Dak Rong CPC | /Users/ngohuytoan/Documents/MY DOCUMENT/Document for Independent Consultant/33.UNDP-T200907 “Sustainable Forest and Forest Land Management in Viet Nam’s Ba River Landscape/2.Report/2.SESP/IMG_20210127_1034557.jpg  Photos 2. Consultation with Tram Lap Forest Company |
| /Users/ngohuytoan/Documents/MY DOCUMENT/Document for Independent Consultant/33.UNDP-T200907 “Sustainable Forest and Forest Land Management in Viet Nam’s Ba River Landscape/2.Report/2.SESP/IMG_20210126_0844250.jpg  Photos 3. Consultation with Dak Rong Forest Company | /Users/ngohuytoan/Documents/MY DOCUMENT/Document for Independent Consultant/33.UNDP-T200907 “Sustainable Forest and Forest Land Management in Viet Nam’s Ba River Landscape/2.Report/2.SESP/IMG_20210126_1415451.jpg  Photos 4. Consultation Bahnar group in Kon Lanh village, Dak Rong Commune, Kbang District, Gia Lai province |
| /Users/ngohuytoan/Documents/MY DOCUMENT/Document for Independent Consultant/33.UNDP-T200907 “Sustainable Forest and Forest Land Management in Viet Nam’s Ba River Landscape/2.Report/2.SESP/IMG_20210127_1421250.jpg  Photos 5. Consultation Bahnar group in Đắk Tơ Nglong village, Son Lang Commune, Kbang District, Gia Lai province | /Users/ngohuytoan/Documents/MY DOCUMENT/Document for Independent Consultant/33.UNDP-T200907 “Sustainable Forest and Forest Land Management in Viet Nam’s Ba River Landscape/2.Report/2.SESP/IMG_20210127_1425307.jpg  Photos 6. Consultation Bahnar group in Đắk Tơ Nglong village, Son Lang Commune, Kbang District, Gia Lai province |
| /Users/ngohuytoan/Documents/MY DOCUMENT/Document for Independent Consultant/33.UNDP-T200907 “Sustainable Forest and Forest Land Management in Viet Nam’s Ba River Landscape/2.Report/2.SESP/IMG_20210126_1526011.jpg  Photos 7. Culture house at the Kon Lanh village where the consultation (FPIC) taken placed | /Users/ngohuytoan/Documents/MY DOCUMENT/Document for Independent Consultant/33.UNDP-T200907 “Sustainable Forest and Forest Land Management in Viet Nam’s Ba River Landscape/2.Report/2.SESP/IMG_20210127_1618577.jpg    Photos 8. Culture house at the Đắk Tơ Nglong village where the consultation (FPIC) taken placed |

1. International Work Group for Indigenous Affairs Indigenous peoples (IWGIA), 2019. <https://www.iwgia.org/en/vietnam/3439-iw2019-vietnam.html>. [↑](#footnote-ref-1)
2. <http://www.ubdt.gov.vn/thong-bao/thong-cao-bao-chi-ket-qua-dieu-tra-thu-thap-thong-tin-ve-thuc-trang-kt-xh-cua-53-dtts-nam-2019.htm> [↑](#footnote-ref-2)
3. This indicative list of activities requiring SESA has been identify during project preparation. There is a potential that this list will need to be expanded/revisited during project inception to cover other policy/upstream elements of the project which are not yet known. [↑](#footnote-ref-3)