



CENDI NARRATIVE REPORT TO MISEREOR (January-March 2018)

1.1. Project No.:339-004-1013 ZG.

Title: Customary Law in Natural Resources Co-governance in Kon Tum province, Vietnam.

1.2. Project location/ region: Vietnam.

1.3. Reporting period:From January 1 to March 31, 2018.

1.4. Legal Holder of the project (organization):

a) **Name and legal form as registered:** Community Entrepreneur Development Institute (CENDI)

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Account holder: Community Entrepreneur Development Institute

Account number/IBAN: 1200208030762

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1.4.1. Official representative of Legal Holder

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Date/place: _____

Signature of person responsible for the report: _____

1. Brief description of report preparation

- People involve in report preparation: CENDI staff, expert and young eco-farming activists who involved in carrying out project activities and provided activity reports reflecting views comment, ideas and suggestions from villagers. A CENDI expert was in charge of selecting suitable information and writing up this narrative report.
- Sources of information: field reports, plans, notes, presentations and other materials (pictures, video clips, records from the field, etc.).

2. Changes in the project context

2.1. Important changes in the project setting

While the new enacted Forest Law will come into effect on 1 January 2019, there is a process of setting up Draft Decree guiding Forestry Law. Local communities and civil society organizations can contribute their ideas to that by-law draft document in order to clarify and ensure the community forestland rights and benefits to be effectively enforced.

2.2. Important changes of the target group

Through the participatory land allocation process, the Ka Dong people from the first three targeted villages of Tu Ngu, Tu Thon and Tu Ret as well as from other villages recognized the significance of confirming community land rights, and they showed the needs for forest land rights for the whole Dak Nen commune.

2.3. Important changes within the partner organization

There are no administrative, structural or personnel changes within CENDI in this reporting period.

2.4. Implications of the above mentioned changes

Beside the project activities, in the coming time, lessons learnt and results of participatory land allocation in Dak Nen commune could be one of the good examples, that CENDI and LISO will be able to use in the advocacy process in order to clarify the rights and benefit of ethnic minority community in setting up by-law document in the coming time.

3. Implementing the project and achieving its objectives

3.1. Achievement of the project objectives (in this reporting period)

Indicator	Baseline value (January 2017)	Interim value (December 2017)	Current value (March 2018)
Objective 1. In the 10 project villages a total of 1.700 ha forest area are registered for the local communities	There existed forestland overlapping between traditional community land rights and formal land allocation to individuals.	Village communities recovered land and forest in accordance to the Ka Dong customary law. Community land titles replaced the earlier unclear	In 2018, the follow up land allocation activities are extended outside the first three villages of Tu Ngu, Tu Thon and Tu Ret.

Indicator	Baseline value (January 2017)	Interim value (December 2017)	Current value (March 2018)
		<p>individualized land titles via Decision 844/QĐ UBND of Kon Plong DPC dated 12 December 2017.</p> <p>On 18 December 2017, the Kon Plong DPC provided Decision 1127/QĐ UBND approving land allocation scheme for communities of the three villages of Tu Thôn, Tu Rét and Tu Ngú of Dak Nen commune.</p>	
<p>Indicator 1.1. Registrations, which have been issued by the respective authorities, are available</p>	<p>The previous formal land allocation in Kon Plong district had not involved local names or indigenous ecological knowledge into the mapping and cadastral system.</p>	<p>The meaning and names of local areas, mountains, streams and sacred places according to the Ka Dong knowledge, culture and community customs, and the traditional boundaries and land areas of villages (P'loi) are identified and transferred onto the official map and recognized by relevant authorities.</p> <p>On 29 December 2017, the Kon Plong DPC chairperson signed Decision 1175/ QĐ UBND to grant a total 1,021.4 ha of forestland to communities of three villages of Tu Ngú, Tu Rét and Tu Thôn.</p>	<p>Villagers involve in land survey to identify local names and community land borders.</p>
<p>Objective 2. The customary law of 10 villages are considered and legitimized by the</p>	<p>There had not any ethnic minority village regulations on forest governance been</p>	<p>Local authorities and district staff got better understanding and respect of the Ka Dong</p>	<p>Community regulations are applied and enforced by village communities for forest</p>

Indicator	Baseline value (January 2017)	Interim value (December 2017)	Current value (March 2018)
local authorities	approved by the local authorities.	villagers' knowledge and their capabilities in natural resource management. Decision 242/QD-UBND of the Kon Plong DPC dated 3 April 2017 endorses village regulations or the Ka Dong customary governance of land and forests.	protection and land management, especially community forestland.
Indicator 2.1. The respective commitments of the authorities are available	Local authorities had not yet opportunities to learn, understand and recognize local ethnic minority people's customary laws, their knowledge and practices of forestland use and governance.	Communal and district authorities endorsed 10 sets of village regulations on forestland management and protection (or community customary law) of the 10 villages in Dak Nen commune.	Communal and district authorities recognize the importance of community regulations and support to enforce them.
Objective 3. The target villages have created structures, which allow a further commitment with regard to the sovereignty of indigenous communities, which anticipate self-determination, the preservation of cultural knowledge and cultural identity, especially with regard to the protection and sustainable use of natural resources	Local Ka Dong people had not been very confident to express and share their cultural values, social structures, traditional land governance and ecological knowledge, especially on the formal forums or platforms.	The community members, especially representatives got better awareness and ability to present their cultural values, livelihood identity of the Ka Dong ethnic group to match the five rights of the livelihood sovereignty. The two ethnic groups of Ka Dong and H're had opportunities to exchange their cultural values and customary law.	More exchange between the local Ka Dong ethnic people and outsiders, including key farmers from H're ethnic group, district and communal officers and CENDI staff.
Indicator 3.1. It is documented that either new groups are founded according to the purposes respective	Before CENDI project implementation, Kon Plong district officers and villagers in Dak Nen commune had never	The land allocation process enables everyone to understand and respect the belief of the local Ka Dong	Villagers, especially key persons in the community involve in land survey. They got more confidence and

Indicator	Baseline value (January 2017)	Interim value (December 2017)	Current value (March 2018)
to the aims or that existing groups in the villages feel themselves obliged to these purposes	experienced people-led development activities, particularly in land allocation process	ethnic people in the <i>Yang</i> , or the superpower of forest spirits. The people-led and participatory land allocation process has offered a collective decision-making mechanism for a fair share and access of all villagers to community forestland.	pride of their own cultural values whenever the local names are recorded on the mapping and cadastral system.

3.2. Current status of implementation and outputs

Activities	Outputs
<p>1. Conduct research on Ka Dong culture in 10 villages over months (Carried out in 2017).</p>	<p>CENDI staff and local officers had opportunities to learn the Ka Dong's cultural values and local knowledge. The 143-page research report of the Ka Dong cultural identity and customary laws has been composed.</p>
<p>2. Training for total 35 persons, including 2 selected key farmers/one village/10 villages + two traditional leaders + all 10 official village leaders by 3 key activists from Po E commune and YIELDS leader (Hmong Staff of CENDI). (Completed in 2017).</p>	<p>The people drew traditional village boundaries and community forests for the 10 villages.</p> <p>After the training, 35 key persons/villagers from Ka Dong ethnic group involve in the forest land co-management network with the existing 24 members of H're ethnic group from Po E commune. The network of different ethnic groups (i.e. the Hmong, the Ka Dong and the H're) is contributing to enrichment of local customs, knowledge, practices and confidence whilst grassroots solidarity is strengthened.</p>
<p>3. Training of Trainer (ToT) on how to integrated between customary laws and state law for 35 key farmers and 10 authority and professional staffs during two days at the commune location (Done in 2017).</p>	<p>ToT enables more Ka Dong people to involve in land allocation process. Villagers contributed ideas to identify community forestland areas, boundaries, local names of mountains and streams. GPS application is coordinated with local knowledge to help correct cadastral data and community land certificates.</p>
<p>4. Administrative proceedings and lobbying for legalizing customary laws for 10 villages (Done in 2017).</p>	<p>The community regulations, which were composed by community members and endorsed by district and communal authorities, are now enforced by</p>

	<p>the local Ka Dong people for their forestland management and forest protection. The regulations become good base for villagers to prevent from outside infringement upon community land and forest resources.</p>
<p>5. <i>Social awareness raising for legalized customary law</i> (Done in 2017)</p>	<p>People’s voices were raised via the produced videos and forums between local authorities, community representatives and policy makers. These activities contributed to the advocacy process of reviewing the draft version of the revised Forestry Law.</p>
<p>6. <i>Proceedings for conversion of individual titles to community forest and land rights titles</i> (Done in 2017 for three villages of Tu Ret, Tu Thon and Tu Ngu)</p>	<p>The involvement of community members and local authorities in the process of land conflict resolution can be applied well in the new villages in 2018.</p>
<p>7. <i>Legalization of community right title of 1,701.1 ha forest for 10 villages (forest inventory, monitoring, evaluation, mapping, processing into Community Right Title)</i> (Carried out in 2017 and complete in early 2018 for three villages of Tu Ret, Tu Thon and Tu Ngu)</p>	<p>The participants applied techniques in identifying village borders, setting up village ecological transect maps and analyzing their natural potentials. They completed description of the situation of 1,300 ha of forest of the sub-zone 375, and that become a good foundation for the further procedure of land re-allocation to community, such as setting up mapping. There are 149 households, 644 villagers and 328 women in the three target villages becoming direct beneficiaries.</p> <p>The traditional boundaries have been brought to the cadastral profile and the formal VN2000 mapping system. Involving in this process, the community representatives once again confirmed the actual boundaries and their consistency with the boundaries reflected on the official map.</p> <p>After completing the cadastral profile, the Kon Plong DPC chairperson signed Decision 1175/ QĐ UBND dated 29 December 2017 to grant a total 1,021.4 ha of forestland to communities of three villages of Tu Ngú, Tu Rét and Tu Thôn.</p> <p>Fixing landmarks along village boundaries: 48 representatives from three villages of Tu Thôn, Tu Ngú, Tu Rét (including village leaders, elders, women and youths) involved in rechecking, confirming village borderlines and fixing a total of 30 landmarks during 22 January to 3 February 2018. The involvement of the representatives of the two adjacent villages enables them to discuss and come up with an agreement on how to</p>

	<p>identify the borderlines and fix the landmarks. This becomes a good foundation for members of related communities to cooperate and share responsibilities in co-management and protection of forest and land resources. The direct beneficiaries of this activities are 149 households, 644 people, including 328 women of the three villages of Tu Ngu, Tu Thon and Tu Ret. Besides, indirect beneficiaries will be all Ka Dong people in Dak Nen commune (528 households, 2,207 people, including 1,120 women), because the results will be applicable for other villages.</p> <p>Ceremony for granting land certificates: On 5 February 2018, representatives from the three villages of Tu Ngu, Tu Thon and Tu Ret participated in the ceremony. CENDI representative, Dak Nen communal authority, and representatives from Kon Plong district involved in and facilitated this activity. Upon receiving community land right certificates, villagers of the three beneficial villages are very happy, more confident in managing and protecting their land and forest.</p> <p>Meeting and discussion on the plan: CENDI staff worked with the land allocation taskforce, communal and district officers to set up plan of 2018. They have come up to an agreement on 10 March 2018 for immediate implementation of the land allocation activities.</p>
<p><i>8. One daily contract for a senior expert on Forest category and Land Conflict resolution in Re-allocation and mapping at 120 days/during 24 months</i></p> <p>One senior expert is on the contract and is responsible for facilitating field activities, providing advice and involving in project coordination and monitoring/evaluation at the field.</p>	<p>The contracted senior expert continues facilitating participatory land survey, in Lang Vuong and Xo Luong villages. The expert also facilitate cooperation and coordination between district, communal authorities, technicians and community members to identify local names on the maps and revise the community map within the cadastral dossier. In addition, he takes notes and writes field reports, which are helpful for monitoring and evaluation.</p>
<p><i>9. Costs of outcome and impact assessment for two key farmers who come from the Key Farmer Assembly for Monitoring and Evaluation</i></p>	<p><i>This activity is not yet done in 2017. It is planned to be conducted in 2018.</i></p>
<p><i>10. Advocacy for legalization of co-monitoring and co-managing of forest preservation by joint Ka Dong and Local Authority Departmental staff teams for 35 people (20 Key Farmers + 2</i></p>	<p>CENDI has obtained SEARAV official approval of Contract 339-004-1013 ZG (at Central level) for legitimacy of the entire project conducting in Vietnam, under the supports of MISEREOR.</p>

<p><i>traditional Leaders from Dak Nen + 2 Key Activists from Po E commune + 11 people who on behalf of District Authority, NRM Department, Justice Department, Watershed Management Staff, Commune People Committee staff)</i></p> <p>CENDI has contacted with relevant State agencies and completed legal procedures for submission and get legal approval for the project implementation in the locality. Legalization process of co-monitoring and co-managing of forest is also informed to authorized agencies through our Umbrella, concerned agencies, media and official high-ranks.</p>	<p>A Memorandum of Understanding (MoU) has been signed between CENDI and Kon Plong district People’s Committee (DPC) on the implementation of Project 339-004-1013 ZG in Dak Nen commune was also conducted.</p> <p>Base on the MoU, the DPC has enacted a Decision to establish a taskforce for land and forest allocation. Then a group of project implementing members was established for facilitating village meetings and discussed with representatives from all households in the 10 villages to set up plans. Therefore, villagers understood and support the project activities, especially forestland co-management and forest protection. This process enables strong engagement and interaction between authorized agencies and local community representatives.</p>
<p><i>11. Presenting Ka Dong traditional wisdom and local customary law on healing by herbal medicinal plant in daily livelihood identity to District Health Clinics, Culture Dept., NRM Dept., and Vocational Technical Schools by 5 selected presenters/ speakers from Dak Nen and 2 from Po E.</i></p>	<p><i>This activity is not yet done in 2017. It is planned to be conducted in 2018.</i></p>
<p><i>12. Documentation and dissemination of information for lobbying for a change of policy on natural resource management</i></p> <p>(This activity has been done in 2017)</p>	<p>The products (two videos, research reports, notes and other media materials have been released through provincial and district media channels and also outreach/presented to local officers, policy makers and LISO Alliance. Information and practical experiences from the Dak Nen were used for the advocacy campaign in 2017 lobbying the revised Forest Law 2017, which was approved on 15 November 2017.</p>

3.3. (Unintended) effects

After completion of land allocation activities and grant of land certificates to the three first villages of Tu Ngu, Tu Thon and Tu Ret, people of other villages appreciated the results and showed their needs for forestland allocation for their own village. It creates more favorable conditions for the land allocation taskforce to work with villagers in the next phase.

3.4. Risk and unexpected opportunities

In 2015, in order to get forest environmental service fee, Dak Nen communal authorities contracted with some households for forest protection. Because the authorities wanted to share the fee equally to each village, so they let some households from one village to protect forest area (even sacred forests) of other adjacent village (such as the case of Dak Puk and Dak

Tieu villages). For the coming land allocation, we should base on traditional village land areas, so we will be able to see land overlapping or conflict of interest between the formally contracted households and traditional village. Besides, some households are cultivating on the forestland areas, and that will reduce the intended allocation areas to the communities.

3.5. Evaluation

There is no formal evaluation carried out during this period.

4. Conclusions

1. The first phase of supporting land allocation for three villages of Tu Ngu, Tu Thon and Tu Ret has been completed. Participatory approach allows us to involve many people of different background into the process, and promote local Ka Dong value, norms, regulations or rules for solving land overlapping and conflict between individual and community interests.
2. Land allocation process creates good chances for district and commune officials, cadastral technicians and even policy makers to meet, discuss and understand more about the Ka Dong ethnic values and the need to involve people in solving problems by themselves.
3. On the bases of the achieved results in the first phase, CENDI will continue applying participatory approach in the forest land allocation process in the other seven villages in Dak Nen commune. Meanwhile, the enforcement of community regulations in combination with the practicing community rights set by the new Forest Law will be an important activity, that could assure local effective use and protection of forest land and other resources.

Annex:**Action plan for second quarter (April-June 2018)**

#	Activities	Outputs	Participants	Time
1	Training workshop on the new Forest Law and harmful impacts of herbicides and pesticides	Villagers aware of their rights in getting allocated sacred forest and watershed, forest use and benefit from forest protection Villagers identify harms of herbicides and pesticides and decide on reducing and giving up those chemicals Get agreement of the 10 villages on limitation and stop use of herbicides and pesticides. Obtain agreement on land allocation in the seven villages of Dak Nen commune.	Elders, village leaders, women, youths, key persons from 10 villages of Dak Nen commune	April 2018
2	Initial survey of forest land situation of 7 villages	Every location of sacred forest, watershed or used forest is recorded via GPS. Borderlines of the intended allocated forestland areas are identified. Find out overlapping and conflicts in forest land use	Representatives of 7 target villages, CENDI, Kon Plong district Agriculture Department and cadastral consultancy	April 2018
3	Working with community and related households to get agreement on transferring land contracts to individuals to community land	Obtain decision by communal authorities on quitting individual contracts on forest use and protection.	Village leaders, elders, related households, CENDI, Kon Plong district Agriculture Department and cadastral consultancy	May 2018
4	Set up community plans for the use and protection of forest land	Complete community plans for the use and protection of forestland as a basis in cadastral profile for receiving and practicing community formal forestland rights. The plans are set up by village community and are approved by communal authorities.	Village leaders, elders, cadastral officers, forest rangers, KUSTA	June 2018

Pictures reflecting project activities



Figure 1 Villagers are making concrete landmarks



Figure 2 Villagers join fixing landmarks at the field



Figure 4 Identify boundaries on the map



Figure 3 Villagers from Tu Thon and Tu Ret villages fixing landmarks together



Figure 6 Women are happy joining to fix landmarks



Figure 5 Representatives from two adjacent villages shake hand and agree on the boundaries



Figure 8 Landmarks of Tu Ngu village



Figure 7 Officials of Kon Plong district grant land certificates to communities in Dak Nen commune



Figure 9 Land rights certificates of the three villages of Tu Ngu, Tu Thon and Tu Ret



Figure 11 Mr. A Chon, H're ethnic leader sharing on GMO and Forestry Law with Ka Dong ethnic people



Figure 10 Two H're young leaders sharing on GMO and Forestry Law with Ka Dong people



Figure 13 Villagers agree to stop using herbicides



Figure 12 Initial survey onsite preparing for community land allocation



Figure 15 Practical training on how to use GPS



Figure 14 Surveying community forest land areas