



EVALUATION REPORT

Forest and Land Allocation in Kon Plong district, Kon Tum province, Central Highlands facilitated by Community Entrepreneur Development Institute (CENDI)

By: Independent Monitoring and Evaluation Assembly of MECO-ECOTRA

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Part I. MECO-ECOTRA Organizational structure

Mekong Community for Ecological Trading or MECO-ECOTRA is a **voluntary organization of communities and regions, which has clear philosophy and purposes with a professional and close organizational structure of high qualified personnel that operates effectively under the support of the LISO Alliance and CENDI in particularly.**

- A voluntary organization of communities and regions

Upon the conducting of survey, assessment and recognition of difficulties and challenges of ethnic minority groups living in forests, the LISO Alliance has carried out direct activities to facilitate and support the communities to exercise their community rights, advise and support them to solve their problems. Hence, the communities and regions have recognized the importance of connecting with each other to establish a key farmers (KF) network named MECO-ECOTRA in the regions in order to proactively implement community activities and critiques over the problems they have faced.

- An organization with clear philosophy and purposes:

MECO-ECOTRA aims at connecting key farmers from different regions and areas into one network to **proactively and confidently implement activities in communities, and critiques over the problem they have faced.**

- A professional and close organizational structure of high qualified personnel

- The KF network organized an assembly with the participation of village elders, village leaders, prestigious people and youths who are knowledgeable and devoted to community activities. Most capable and outstanding people who were voted to form MECO-ECOTRA to connect key farmers from the provinces of Lao Cai, Nghe An, Ha Tinh, Quang Binh, Kon Tum, etc.
- MECO-ECOTRA has designated CENDI, a prestigious research institute having much experience in working with ethnic minority communities to be their legal representative to work with government functional agencies and international donors. Thanks to the CENDI's facilitation and support, MECO-ECOTRA has effectively operated so far.
- Also at the assembly, MECO-ECOTRA had voted an Independent Monitoring & Evaluation Assembly of MECO-ECOTRA consisting of prestigious, experienced and responsible members.

- MECO-ECOTRA operates effectively

Under the consultancy and support of the LISO Alliance and particularly CENDI, MECO-ECOTRA has well implemented their set tasks; provided training courses to young farmers through study tours, exchanges, researches on local culture and knowledge, workshops and seminars...; the communities have maintained and developed their values of local culture, wisdom and customary laws while living in harmony with nature and respecting nature through their voluntarily and friendly behaviors toward environment and ethical behavioral norms to their ancestral forest and land; used the donors' financial support for right and committed purposes. They have also taken initiatives in proposing their recommendations to local authorities at all levels to secure their legitimate rights and interests, contributing to the amendment of inadequacies

in government policies, particularly those regarding forest and land. Their voices have been listened and their recommendations have been legalized in the new Forest Law 2017.

Part II: MECO-ECOTRA Tasks

II.1 Evaluation of MECO-ECOTRA task designing

- Through analyzing and assessing of the result of task implementation, it is showed that this KF network has designed their tasks in compliance with the organization's philosophy and purposes, which suits capability of farmers and ethnic minority people in general. Good implementation of the KF network tasks would create favorable conditions for the ethnic minority people to ensure their fundamental rights, which are: (i) The right to land, forest and water (*basic*); (ii) The right to maintain one's own religion (*unique*); (iii) The right to live according to one's own way of life and values of happiness and wellbeing within one's own natural environment (*practice*); (iv) The right to operate according to one's own knowledge and decide what to plan, initiate, create and invent on one's own land (*holistic*); (iv) The right to co-manage and co-govern natural resources with neighboring communities and local authorities (*strategic*)

- The process of the MECO-ECOTRA's tasks implementation is also the process of training of a new force to become a young leadership network of those who confidently and proactively implement community activities, provide critique and resolve conflicts among the communities, who are called "*community entrepreneurs*".

II.2. Evaluation of task implementation

No	Task	Evaluation
1	Identify local traditional unique products in the project areas	Excelently completed
2	Recognize cultural identity, local knowledge, customary law and local native species	Excelently completed. 3 research reports completed: 1) Report on the H're spiritual ecosystem; 2) Report on the Ka Dong's customary law; 3) Report on the H're's customary law in Vi Klang 2.
3	Record and document (photo, video) local traditional unique products, local native species and endangered species for further appropriate solutions	Excelently completed
4	Facilitate to collect local knowledge and wisdom, and promote community initiatives toward intellectual property and trademarks	Ongoing. No specific outputs
5	Training on documentation, making leaflets and building library for introducing local unique products, native tree	Excelently completed

	species. Organize study tours for sharing and exchange; Conduct research on local culture, wisdom and local specialties	
6	Strengthen connections in applied researches through pilot nurseries	This task has been maintained regularly
7	Register copywrights, trademarks	Efforts have been made but no outputs are shown
8	Establish an inter-village network for post-allocation community forest co-governance, and legalize customary laws for governance of allocated forests with the participation of all community members	Excelently completed
9	Conduct preparatory activities for agro-ecological farms planning in villages	Need to be facilitated more drastically
10	Connecting local products value chain for marketing and forming a niche market	Not clearly shown

Part III. M & E of the impleametnation of the forest co-management, protection and development program in Kon Plong district, Kon Tum province.

III.1 FLA Cultural approach

The FLA to communities in Po E and Dak Nen communes has been successfully implemented based on the cultural approach of respecting customary laws, local knowledge and the role of village elders, which has been reflected in the contents and results of activities as bellow:

- The FLA program aims to support the communities to maintain and develop their cultural values, local knowledge and customary laws of living in harmony with nature through behavioural norms of nurturing nature.

- The FLA main approach is based on the good values of the community customary laws in order to integrate them into the process so that to enable all villagers and land users to engage in the FLA. Villagers have been informed, discussed, then decided, implemented and finally been satisfied. After the FLA, the villagers continue to collaborate with other forest owners to share challenges and solutions to further manage and protect forest effectively on the foundation of the inter-stakeholder mechanism.

- During the FLA, the following activities have been well implemented:

- Conducted research for learning and understanding of the good values of the community customary laws in natural resources management, protection and development;

- Facilitated the community to set out village regulations for community-based forest management, protection and development;
- Enriched local knowledge and experience through training in order to enhance skills in planning and system design of pilot ecological farms for key farmers; built up agro-ecological models right after the FLA completion;
- Created opportunities and favourable conditions for the village elders and prestigious people in the community to share their knowledge and wisdom with the young farmers for further nurturing nature and for application in using forest and land agro-ecologically;
- Created opportunities for sharing of customary laws among the villages of different ethnic groups for lessons learnt and together finding appropriate and effective solutions in land use planning for agro-ecological models after the FLA;
- Reviewed and published documents of community-based forest and land methodology for scaling up. FLA cases have been documented.

III.2. Village elders' findings of unique forest products during the FLA

Our observation shows that, through the FLA process, the village elders have discovered many unique and valuable wildlife species, like medicinal herbs, trees for fermentation, etc. However, due to the fact that the name and quantity of those products have not been elaborated in the report, we have no basis for evaluation.

III.3 Village Elder's Council's recognition of rituals and ceremonies during the FLA

The accurate recognition of the landscape, the role of customary laws, rituals, ceremonies, village elders and village leaders is an excellent success of the program, which has created the fundamental conditions for the effective customary law-based forest and land co-governance, protection and development, and secured the sustainability for further scaling up.

The recognitions are:

- Rituals and ceremonies are an inevitable part of the material and spiritual life of the H're and Ka Dong groups in Kon Tum province. Approx. 15 rituals and ceremonies like the Forest Spirit ritual, the Water Spirit worshipping, the ritual for welcoming sacred water to the village, the rituals for buffalo house cleaning, rice planting and the rat ceremony, etc. have been recognized;

- The H're and Ka Dong view their landscape and living space as a spiritual ecosystem which is governed by Yang (Nature Spirit) and nurtured and maintained by the whole village through their customary laws;

- The H're and Ka Dong customary laws serve as a tool for adjusting and regulating social relations such as: individual to individual, individual to family and kinship, individual to village, society, nature and even supernatural force in order to stabilize an order which benefits the whole community rather than a tool for maintaining social position for dominance;

- Traditional leaders or "Village Elders" are voted by community based on their real prestige and talent, which are formed by their ethics and leadership rather than their power.

- Village community and community forest are the two fundamental factors that create a sustainable living space for both the Ka Dong and the H're people.

III.4. Recognition of difficulties and challenges

- According to the Law on Forest Protection and Development 2004, the classification of forests based on legal forest use purposes is not compatible with community actual forest use purposes. As a result, community spiritual forest has not been recognized, by law as special use forest, community watershed forest has not been recognized as protection forest, and community traditional production forest is different from production forest stipulated by Law. This incompatibility has affected rights and interest of communities when they use and manage spiritual forest and traditional watershed forest without receiving any benefits as stipulated by Law applicable for special use and watershed forest. *(These inadequacies, however, have been then recognized and amended by the Forest Law 2017).*

- Currently, there is a big demand for FLA to communities in Kon Plong district over a total area more than 10,000 ha. This process, however, requires a huge budget to cover costs for measuring, mapping, identifying forest volume and quality, administrative procedures, community capacity building, etc., while the state budget allocated for FLA is quite limited, which means fund raising must be mobilized from community, society and donors resources.

- There are difficulties and challenges in protecting natural resources and ecological environment against the profit-driven market economy.

In the three recent years, a movement of planting industrial cassava for generating income has been mushrooming throughout Kon Plong district. This profit-driven farming results in forest land encroaching, destruction of natural ecological environment and soil erosion. In addition, the abuse of herbicide in some villages is getting worse and worse, damaging soil and water, negatively affecting the human's health. Although CENDI has conducted a series of training courses on these issues together with the providing of documents about the consequences of GMO and herbicide, actions must be taken more drastically, and a strategy of mobilizing more involvement from the local authorities must be set to stop the situation immediately.

- The post-FLA targets set by CENDI including land use planning toward agro-ecology and processing of post-harvest products over the past 3 years have not seen clearly.

- Due to the fact that the FLA process under the KfW10 project¹ has not followed the community-based allocation steps, an area of 34.85 ha of forest land in Vi Klang 2 has been overlapped by those of the Vi K Tau, causing a remarkable discrepancy between the actual forest area and the published one, making CENDI work much harder to help the villagers with administrative paperwork in order to get the approval from the local authorities for adjustment.

- Under the FLA program facilitated by CENDI, 3,158.3 ha of the community spiritual forest and watershed forest have been allocated. However, due to the fact that these types of forest

¹KfW10 is a project on protection and inclusive management of forest ecosystems in Quang Nam, Kon Tum and Gia Lai provinces, which is funded by the Government of Germany via German Reconstruction Bank (KfW) and managed by Ministry of Agriculture and Rural Development of Vietnam. The project holders are Management Board of forestry projects under MARD and Provincial Department of Agriculture and Rural Development of Quang Nam, Kon Tum and Gia Lai. The project has been implemented in 7 districts of Quang Nam, Kon Tum and Gia lai provinces, among those Kon Tum province has 2 districts which are Kon Plong and Dak Glel. Kon Plong district has 3 communes of Hieu, Mang Canh and Po E involved in the project, while Po E commune has 3 villages of Vi K Tau, Vi Po E 1 and Vi K Lang 1.

haven't yet been legalized as special-use forest and protection forest respectively according to the Law on Forest Protection and Development 2004, they have still been considered as production forests in local legal profiles. Therefore, together with the recent legal recognition of these types of forests as special-use forest and protection forest under the new Forest Law 2017, it is essential for CENDI to assist the communities to complete legal papers to gain the same recognition from local authorities, which will enable the communities to receive the State budget for forest protection and development in compliance with the Forest Law 2017.

III.5 Recommendations for further collaboration and cooperation of the independent M&E Assembly in the coming years

- Collaborate with CENDI and experts to develop indicators for the three big strategies of the community development program toward the community economy so that the M&E Assembly can be able to proactively and systematically undertake the evaluation to meet the targets set by MECO-ECOTRA in which CENDI acts as a facilitator to develop young ecological farmers into Community Entrepreneurs or YIELDS-AGREE

- Collaborate with CENDI and experts to develop indicators of Community Entrepreneurs.

Part IV. M & E Indicators

IV.1. Outputs

- FLA implementation: The project has excellently supported the communities to maintain and develop their cultural values, local knowledge and customary laws for living in harmony with nature through voluntary and friendly behaviors toward the environment, and maintaining of behavioral norms and life quality of themselves on their ancestral forest and land.

- From 2014 to 2018, there have been 3,158.3 ha of sacred forest and watershed forest allocated to the communities, among which 936.9 ha located in Po E and 2,221.4 ha located in Dak Nen commune.

- 1,036 households with 4,301 people have benefited from the community FLA program

- 1,696.1 ha of allocated forest area to 139 households with land titles has voluntarily been returned back to the local authority by those households for reallocation to the whole community for co-governance and development in compliance with the local customary law on forest management and protection, which has been legalized by the local government.

- 14 customary law-based regulations on community forest protection and management have been legalized by the Kon Tum PPC.

- 139 individual land use Certificates or Red Books of the households residing in 7 villages (4 villages in Po E commune and 3 villages in Dak Nen commune) have been merged into community land use Certificates.

- During the community-based FLA process facilitated by CENDI, it has been found out that 34.85 ha of forest land of Vi Klang 2 has been overlapped by Vi K Tau village as a result of the FLA implementation under the KfW10 project.

- 4 nurseries have been built with thousands of forestry seedlings.

- 14 village and inter-village forest protection teams have been set up.
- The identification of local native forestry species has been carried out in the forest areas of the villages.
- 15 training courses have been conducted on topics such as: forest evaluation via ecological transects, GPS use, State policies on forest land management, customary law and regulations on forest management and protection, Forest Law 2017, the risks of herbicide and GMO...
- Approx. 40 local women have received the training to revive their traditional textile handicraft
- Approx. 20 Ghe wine artisans have shared their knowledge regarding the Ghe-related rituals, ceremonies and offerings with villagers.
- Approx. 30 youths have received training to revive their traditional weaving.
- Village rituals and ceremonies related to cultivation and harvesting of forest products have been documented in forms of books, video...

IV.2. Outcomes

- As the community-based FLA program has followed 6 steps: (*step 1: Understanding village culture and customary law on forest protection; Step 2: Understanding village traditional forest land use planning; Step 3: Meeting with village elders, village head and all villagers; Step 4: Conducting field surveys of traditional boundaries with participation of all villagers and neighboring villages, and resolving conflicts; Step 5: Identifying current forest land use; Step 6: Evaluation of forest volume and quality*), it has avoided land overlapping among communities; the identification of actual boundaries has been matched with the traditional boundaries; communities and villagers have engaged in discussions and resolving issues, therefore the mutual agreement has been quickly reached among the villages; positions, boundaries and areas have been identified accurately on maps vs. field-site, and among the villages. Thanks to the participatory FLA methodology, the village elders with those from the neighboring villages have discovered the land overlapping between Vi K Tau and Vi Klang 2 caused by the FLA program implemented under the KfW10 project.

- When the community spiritual forests have been legally recognized and granted community land title, the self-reliance, confidence and proud of all village members in organizing rituals and ceremonies have been remarkably enhanced. They all have the feeling that the spirits of nature have come back to their villages, therefore they have been so happy to prepare for the celebration traditionally.

- Upon the legal recognition of community spiritual forests, community members have more voluntarily managed, protected and developed forests, demonstrating their responsibility for forests at the highest level through their following of the customary law-based community regulations on forest protection. They have also set up the forest protection teams. Their enhanced voluntarism and responsibility toward spiritual forests have clearly proved the appropriateness of the “customary law-based community management, protection and development” approach consulted and facilitated by CENDI. This achievement has met the aspiration of the communities and the independent M&E Assembly of the MECO-ECOTRA.

- The close inter-village connection in taking responsibility and enriching legalized sacred forests have been much more enhanced through the engagement of the village elders and village representatives in boundary demarcation, land-marking, mapping, setting out the inter-village forest protection regulations and respecting other villages' regulation.

- Ethnic minority groups have well understood how important watershed forests and sacred water sources are to the community daily life, and that protecting forests and water sources means protecting themselves. This is not only the responsibility but also the right of each individual and the community as a whole.

In summary, the implementation of the FLA program in Kon Plong district has proved that once forests are allocated to communities for management, protection and development based on their good customary laws legalized by local authorities, the responsibility of each individual and the whole community will be enhanced. We have clearly identified benefits, responsibilities and obligations of villagers and communities toward forest, therefore, forests have had their own real owners.

IV.3 Effects

- After the completion of the FLA to community with the participation of the village elders and villages based on local knowledge and customary law, the local officials and functional staff have become aware of the vital role of village elders and customary law on forest management, protection and development in the natural resources governance of the ethnic minorities. Therefore, the local authorities have accepted and legalized the customary law-based regulations on community forest protection, accepted community as a forest owner like many other forest owners in forest management, protection and development. The local authority at all levels have supported and collaborated very closely during the project implementation.

- The right, role and position of ethnic minority groups in terms of forest and land have been legalized by the new Forest Law 2017, in which it is stipulated that:

- Community has been recognized as a forest owner;
- Community spiritual forest has been recognized as special use forest, watershed forest has been recognized as protection forest;
- Community and villagers are entitled to participate, discuss and make decision regarding forest land allocation and forest and land use planning;
- The State secures the access to forest and land of forest-dependent ethnic minority groups for protection;
- Living space of ethnic minority groups have been respected in FLA;
- Local knowledge, culture and spiritual beliefs of ethnic minority groups have been legalized, protected and encouraged for further development;

- The capacity, role and position of the Elder's Council and key farmers have been enhanced through advocacy forums;

- The community has been equipped with knowledge and skills in policy building;
- Their opinions and recommendations have been listened and respected in seminars and conferences for contributing opinion to policies in general and the Forest Law in particular;

- The community and villagers have understood their ownership, obligations and responsibility for forest and land.

- The decision-makers have realized the role of the community as a land owner, as well as their capability in customary law-based natural resources management and protection.

- There has been a change in the decision-makers' view on critique and recommendations contributed by NGOs and social organizations. Their voices have been listened, respected and considered for adjustment. The legalization of the 17 new points recommended by CENDI and other NGOs in the new Forest Law 2017 is a good example of this change.

V. Further discussions

V.1. Under the FLA program facilitated by CENDI, 3,158.3 ha of sacred forest and watershed forest have currently been allocated to the communities, among which 936.9 ha to Po E commune and 2,221.4 ha to Dak Nen commune. Although according the actual land use purposes of the communities, they are community sacred forest and watershed forests, they have been classified by the State under the Law on Forest Protection and Development 2004 as production forests. Therefore, it is necessary to find a solution to change the decision of the local authorities so that they recognize these forests as special use forest and protection forest respectively in legal papers in accordance with the new Forest Law 2017, which then enables the communities to enjoy their legislative benefits.

V.2. Discussion on how to handle the land overlapping issue between Vi K Tau and Vi K Lang 2 caused by the KfW10 project. This overlapping not just simply reflects the territory issue but also the spiritual issue, which may lead to a potential conflict after the village elders die. Actually, the overlapping in the spiritual forest between these two villages relates to some Articles of the Forest Law 2017 which stipulates rights and obligations of villages and policies to secure those benefits by the State. Therefore the resolution of this issue will help not only the KfW10 project and its top-down management system to be improved but also other Government's ODA projects to be implemented more effectively, avoiding potential conflicts that may arise during the natural resources use, management and development at the village level.

V.3. Discussion on how to implement the community-based FLA of the additional more than 10,000 ha in Kon Plong district to meet the desire of both local government and people.

V.4. At this moment, many natural forest areas, which have been converted to production forest areas, are of the community sacred forest. According to the Article 108 of the Forest Law 2017, after 12 months starting from the 1st January 2019, Provincial People's Committees must review all types of forest in their provincial territory. Therefore, CENDI should prepare a plan for lobbying the provincial authorities to strictly follow the principle of forestry activities, which require the public monitoring of local people during review process according to the Article 3 of the new Forest Law. This will help the government officials recognize those sacred forests and traditional watershed forests that have long been bureaucratically converted to the production forests.

VI. Conclusion

- MECO-ECOTRA is a voluntary organization with its clear philosophy and purposes and specific tasks that has been working effectively.

- The FLA program implemented in Kon Plong district has well completed the set targets.

Customary law-based FLA is a model that derives from objectives and practical requirements in maintaining livelihood in harmony with nature, respect for nature and conformity with wishes and mind of local people. It satisfies the people' ownership over natural resource governance without being imposed top-down and from outside. Therefore, after spiritual forests and water protection forests being allocated to the communities, the community's self-reliance, confidence and proud in practicing rituals and ceremonies in spiritual forests have been much improved for better forest protecton and development.

- Kon Plong district authority and Kon Tum provincial officials, having recognized the advantages of customary law-based natural resources co-governance, have made positive changes in their implementation of policies, such as: the legalization of the villages' customary laws; transforming household land title into community land title; signing the MOU for customary law-based co-governance of watershed forest, inserting names of sacred sites into the forest planning maps.

- The FLA outcome has a great impact on changing the view and understanding of the decision-makers in accessing the role of village elders, KF network and NGOs, etc. Therefore, legitimate rights and interest of ethnic minority communities over forest and land have been legalized in the new Forest Law 2017.