



CENDI NARRATIVE REPORT TO MISEREOR (January-December 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: Dak Nen commune, Kon Plong district, Kon Tum province, Central Highlands region of Vietnam.

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

1.4. Legal Holder of the project (organization):

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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 activities' progresses, achievements and difficulties, and further comments, ideas and suggestions from the villagers, communities and stakeholders' engagement. A CENDI expert was in charge of writing up this narrative report.
- **Sources of information:** field reports, plans, notes, presentations and other materials (such as pictures, video clips, records from the field, etc.).

2. Changes in the project context

2.1. Important changes in the project setting

At the country level, with the recently approved 15 November 2017 and newly enacted Forestry Law of Vietnam (taken effects on 1 January 2019), further processes throughout 2018 and beyond for setting up by-law document(s) for implementation/enforcement of the Forestry Law has been undergoing. To achieve this up to the Law level, long-process from previous years of hard works and efforts and results/inputs contributed by the project itself and also various other projects of CENDI efforts have been heard and realized. For enforcing the newly enacted Forestry Law, on-going activities and processes engaging local communities/villages and civil society organizations, stakeholders and other networks, Alliances have been integrated to gather and document their ideas to the by-law draft document(s) in order to clarify and ensure the community forestland rights (especially sacred forests, watershed protection forests) and benefits to be effectively enforced. The on-going achievements and difficulties of the participatory land/forest allocation project in Dak Nen commune are a good evidence for advocacy for the community forestland rights, especially the right to sacred forests and watershed protection forests along this process. A clear instance is that, it is significant to emphasize/involve the community's active involvement/participation in surveying and mapping their land, forest, water sources by their tradition and local ecological knowledge, and description and recognition of local indigenous names into the formal cadastral profile and mapping is currently ensured. This is the first fundamental step in making local contributions/recognition be formally recognized by institutional, mapping and agencies.

Followed the positive country-level changes by the Legal framework, at the Kon Tum provincial authority level and Kon Plong district authority level, they have further recognized and requesting for supports to advance the community forestland rights in the area. The Official Letter Number CV 424/UBND-NN of the Kon Plong District People's Committee released dated May 18th, 2018 providing more than 10,000 hectares in the area in the District needed to be allocated for communities, which require further assistance.

2.2. Important changes of the target group

Through the participatory land and forest allocation process in 2017, the Ka Dong people from the first three targeted villages of Tu Ngu, Tu Thon and Tu Ret and other villages recognized the significance of confirming community forestland rights. They showed their needs for obtaining community forestland rights especially sacred forests and watershed protection forests for all villages in the Dak Nen commune. Local villagers, youths, women and communal and district authorities have both actively engaged in participating to identify/making clear village boundaries and solving conflicts during land/forests allocation processes. The results from the year 2017 of the first three villages Tu Ngu, Tu Thon and Tu Ret have been encouraging them and the other 07 villages to engage actively in activities this year.

CENDI works, in the people-led development approach, with the target groups not only identified at the village /community level; but within the socio-political circumstances of Vietnam, also engaging authorities at different levels and concerned stakeholders to facilitate changes within the system is crucially a significant part. At the commune and district levels, both Dak Nen communal officials and Kon Plong district authority have indicated their legal supports to CENDI community forests and land allocation program for further phase. The Official Letter Number 424/UBND-NN of the Kon Plong District People's Committee dated May 18th, 2018 suggesting the need to allocate more than 10,000 hectares of forestland to communities in the district is a remarkable indicator of significant improvement of local authorities' awareness and recognition of community's needs and aspiration.

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

Lessons learnt and results of the participatory forest and land allocation in Dak Nen commune become one of the good examples that CENDI can use in the advocacy and continued using as an example for clarification of the rights and benefits of ethnic minority communities in enforcement of Forestry Law in the coming years. CENDI has so-far built the series of on-going collecting information/evidences for advising the following themes: 1) ensuring community's rights to benefit from payment of Forest Environmental Services if they have forestland titles allocated; 2) clear recognition of ethnic community's customary laws or village regulations in forestland management/governance; 3) acknowledgement of the values of community's sacred forests, watershed protection forests and used forests in livelihood and cultural practices.

At the Kon Plong district authority level, the Chairperson of the Kon Plong District People's Committee has actively supported to speed up community forests and land allocation

procedure by requesting District People's Council to organize a special meeting for early approval of the forests and land allocation project in Dak Nen commune. Therefore, the project does not have to wait longer until the usual District People's Council meeting at the end of the year to get approval. This movement is significant and meaningful indicating positive institutional changes and supports for CENDI and villages/communities' further works in promoting respecting ethnic indigenous people's rights to their cultural spaces and co-management of forestland resources.

This project targeting community forests and land rights confirmation process is very significant in the Kon Plong district, because the traditional socio-political community structure of villages/communities in the area still remains highly unique in the locality, and also for the Central Highlands region of Vietnam. Further assistance and supports for CENDI and concerned local stakeholders/agencies will help local communities to retain and strengthen their village structure in harmonious existence and interaction with local forest structure and resources. Promotion of remaining traditional socio-political community structure of communities is a relevant strategy, which encourages the small farmers' application of agro-ecology in response to climate change in an effective way. This is also in-line with ongoing recognition in the international debate such as New UN Declaration on the Rights of Peasants Enshrines Farmers' Right to Seeds¹, and recent recommendations from Friends of the Earth International and other relevant Alliances².

The achievements and deep cultural and socio-political implications of community forests and land allocation program have brought about positive views and changes among the local officials. A clear evidence is a Decision of the Kon Plong District People's Council in organizing a special unusual meeting in order to approve the community forests and land allocation proposal for the communities in the two communes of Dak Nen and Po E. Accordingly, the district authorities enacted Official Announcement No. 126/TB-HDND dated 25 October 2018, which requires the District People's Committee, relevant

¹ <http://undocs.org/en/A/C.3/73/L.30?fbclid=IwAR0bPqDRfBZHYYV9UTLdmejAneSPegtKVaeLV-gpbExFv4NWPV9BKVFpmMk>

² The paper can be downloaded from: <https://www.foei.org/resources/publications/agroecology-innovating-for-sustainable-food-systems-and-agriculture>

The paper provides recommendations to guide the formulation of sound public policies in order to create an enabling environment to unlock the transformative power of agroecology to achieve food sovereignty and sustainable agriculture and food systems. Some of these are:

- Mainstream peasant, family farm-based and other small-scale food producers' agroecology into regional and national agricultural policies and programs.
- Ensure small-scale food producers' collective rights, control over and access to the commons. Carry out integral land reforms, through a variety of legislative systems that fully recognize the laws, traditions, customs, tenure systems, and institutions of peoples in their respective territories.
- Ensure women's access to and control over land, territories, water and seeds; safe and dignified working conditions; control of income; access to training and information; and direct access to markets.
- Support young people in accessing land and in taking over or establishing new farms; improve physical and social infrastructure, in particular access to information and communication technology.
- Protect peasants' seed systems from the privatization of resources through intellectual property rights; guarantee their collective right to save, select, breed and exchange their seeds.
- Shift policies away from carbon offset schemes towards real smallholder agro ecological practices, which support communities to adapt to the impacts of climate change and to mitigate to reduce the scale of the crisis, as well as strengthening their resiliency against future shocks.

departments and communal officers to speed up community forests and land allocation process (***Please see Annex 4 for more detail***). This endorsement also helps to shorten the time for requesting and getting provincial authority approval for the completion of land allocation profile and granting community forests and land certificates to the communities.

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 (June 2018)	Current value (December 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.	<p>In 2017, the land allocation activities are completed for communities of the first three villages of Tu Thôn, Tu Rét and Tu Ngú of Dak Nen commune. By Decision 1175/QĐ UBND dated 29 December 2017, the Kon Plong DPC granted a total 1,021.4 ha of forestland to communities of three villages of Tu Ngú, Tu Rét and Tu Thôn.</p> <p>In 2018, forests and land allocation process is focusing on 7 new village communities, namely Dak Lup, Dak Lai, Xo Luong, Lang Vuong, Xo Thac, Dak Puk and Dak Tieu. There are total 382 households and 1,580 direct beneficiaries in the 7 mentioned villages.</p>	<p>After 2 years, there are 2,224 people, 531 households becoming direct beneficiaries in the 10 villages.</p> <p>After 2 years, total allocated land areas to the 10 villages are summed up to 2,223.3 ha.</p> <p>In 2018 alone, 132 land contract holders have signed in documents for voluntary returning 1,436.38 ha of contracted forestland areas to the communities. Because a part of the mentioned land area was converted to cultivation land, so there are 1,201.85 ha of forestland available for allocation to the village communities.</p>
Indicator 1.1. Registrations, which have been issued by the respective authorities,	The previous formal forests and land allocation in Kon Plong district had not involved	Community forests and land titles replaced the earlier unclear individual land titles.	Villagers involve in land survey to identify local names and community land borders. The field

Indicator	Baseline value (January 2017)	Interim value (June 2018)	Current value (December 2018)
are achieved and available.	local names or indigenous ecological knowledge into the formal mapping and cadastral system.	<p>Three village communities recovered land and forest in accordance to the Ka Dong customary law.</p> <p>The meaning of Ka Dong ethnic identity names of local areas, mountains, streams and sacred places are identified and transferred onto the official map.</p>	<p>survey found a total 1,201.85 ha of forestland, which was available for allocation to the 7 communities.</p> <p>The District People's Council has approved the master plans for forestland use, management and protection of the 7 villages.</p> <p>With Decision 967/QD-UBND dated 28 December 2018, the District People's Committee grants land certificates to the 7 villages.</p>
Objective 2. The customary laws of the 10 village communities are considered and legally recognized by the local authorities.	There had not been any ethnic minority village regulations/customary laws on forest governance been approved by the local authorities.	<p>Local authorities and district staff got better understanding and respect of the Ka Dong villagers' knowledge and their capabilities in natural resources management.</p> <p>Decision 242/QD-UBND of the Kon Plong DPC dated 3 April 2017 endorsed village regulations of the Ka Dong customary governance of land and forests.</p> <p>Dak Nen communal authorities endorsed the inter-village networking action plan for co-management of forests.</p>	<p>The relevant district departments such as (Agriculture, Natural Resources, and Justice) involved in many series of discussions on inter-commune network for co-management of forestland. They endorsed the network, linkage mechanism and supported the network to operate in the district.</p> <p>Community regulations are applied and enforced by villagers for forest protection and land management, especially community sacred forestland.</p>
Indicator 2.1. The respective commitments of the	Local authorities had not yet had opportunities to learn,	Communal and district authorities endorsed 10 sets of village	The district and communal authorities endorsed the inter-

Indicator	Baseline value (January 2017)	Interim value (June 2018)	Current value (December 2018)
authorities are achieved and available.	understand and recognize values and importance of local ethnic minority people's customary laws, their knowledge and practices of forestland use and governance.	regulations on forestland management and protection (or community customary law) of the 10 villages in Dak Nen commune. Local officials further recognized the importance of community regulations and supported people to implement.	village regulations and plans for co-management of forestland in Dak Nen commune. Furthermore, with support of district officials, an agreement has been made for setting up inter-commune network for co-management and protection of forestland, expanding to the 9 communes of Kon Plong district, which is highly significant of horizontal social capital building towards resources management at the grassroots level.
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/confidence to present their cultural values, livelihood identity of the Ka Dong ethnic group to reflecting rights-based of the livelihood sovereignty. The two ethnic groups of Ka Dong and H're had opportunities to exchange their cultural values and customary law, experiences in forests and land allocation, co-management of forestland, traditional ecological practices,	A network of inter-village forest protection is formed in Dak Nen commune. They set up forest protection plan, and implement community regulations in forest protection. The inter-village network coordinate with each other and send a team to visit forest every week. Villagers involved in identifying locations of the native mother trees. GPS locations of these nurseries of native mother sources have been identified. A raw list of 38 species for local indigenous tree species of the Dak Nen

Indicator	Baseline value (January 2017)	Interim value (June 2018)	Current value (December 2018)
		nursery, and restoring native species.	area and also 31-page length for herbal species has been on-going gathered and documenting. This will signify a pioneering movement of CENDI together with indigenous peoples and local communities for identifying and recognizing local ecological knowledge associated with IP's intellectual property rights claim towards their effective use and protection of forestland and reforestation utilizing local native forest-based species/varieties.
<p>Indicator 3.1. It is documented that either new groups are founded according to the common purposes or that existing groups in the villages feel themselves obliged to these purposes.</p>	<p>Before CENDI project implementation, Kon Plong district officers and villagers in Dak Nen commune had almost none experienced people-led development activities, particularly in community forests and land allocation process.</p>	<p>The community forests and land allocation process enables everyone to understand and respect the belief of the local Ka Dong ethnic people in the <i>Yang</i>, or the superpower of forest spirits. The people-led and participatory forests and land allocation process has offered a collective decision-making mechanism for a fair share and access of all villagers to community forestland.</p>	<p>According to the recommendations and wish of the people of Lang Vuong and Xo Luong villages, the sacred forest areas above the old submerged village areas must be re-allocated to the communities, though they have formally resettled about ten kilometers away from the old area.</p> <p>Through involving in land survey, villagers, especially key persons got more confidence and pride of their own cultural values whenever the local names were recorded on the mapping and</p>

Indicator	Baseline value (January 2017)	Interim value (June 2018)	Current value (December 2018)
			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 (Completed 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; and in the process of further ideas for knowledge generation (with respect to Ka Dong indigenous knowledge documentation).</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 exchanges of local customs, local knowledge, practices and confidence whilst grassroots solidarity is strengthened.</p>
<p>3. Training of Trainer (ToT) on how to integrate 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 forests and land allocation process. Villagers contributed ideas to identify community forestland areas, traditional boundaries, local names of mountains and streams. GPS application is coordinated and integrated with local knowledge to help correct cadastral data and mapping and community forestland 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 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. Social awareness raising for legalized customary law (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. Proceedings for conversion of individual titles to community forest and land rights titles (Done in 2017 for three villages of Tu Ret, Tu Thon and Tu Ngu. Continue in 7 other villages in 2018)</p>	<p>The participation and involvement of community members and local authorities in the process of land conflict resolution was replicated in the new seven beneficial villages in 2018.</p> <p>Through community discussions, 32 groups representing for 132 contract holders in the seven beneficial villages have signed in documents for voluntary returning 1,436.38 ha of contracted</p>

<p><i>7. Legalization of community right title of 1,701.1 ha forest for 10 villages (forest inventory, monitoring, evaluation, mapping, processing into Community Rights Titles)</i></p> <p>In 2017, there are 149 households, 644 villagers and 328 women in the three target villages of Tu Ngú, Tu Rét and Tu Thôn directly benefiting from community forests and land allocation activities. The mentioned three villages received a total 1,021.4 ha of forestland. Land allocation process is continuous for 7 other villages of Dak Lup, Dak Lai, Xo Luong, Lang Vuong, Xo Thac, Dak Puk and Dak Tieu in 2018.</p> <p>In the first nine months of 2018, CENDI staff and has facilitated 7 villages with a total 379 households and 1,563 beneficiaries to complete the following activities: 1) Confirming land allocation plan. 2) Training on new regulations (i.e. updating all concerned actors) in the recently approved Forestry Law 2017 for 60 key-farmers from 10 villages of Dak Nen commune. This training was integrated with discussion on the harmfulness of pesticides and herbicides. All participants from 10 villages committed to reject using herbicides and pesticides. 3) The 56 villagers from 7 villages involved in initial survey of current land areas managed by communal authority, to identify land-overlapping and solve conflicts at the same time. 4) Detailed survey on forestland areas managed by communal authority and traditional village borderline to identify land areas, situation and borderlines for setting-up better informed grassroots based mapping and cadastral data. A total 1,201.85 ha of forestland of the 7-targeted villages has been surveyed and identified. 5) Identify forestland samples, counted number of trees and</p>	<p>forestland areas to the communities.</p> <p>In the fourth quarter of 2018 (October to December 2018), the following activities were carried out in Dak Nen commune, especially in the 7 targeted villages:</p> <p>1) Complete procedures for granting Land Use Right Certificates to 7 villages in Dak Nen commune: CENDI staff and the district functional departments supported the contracted consulting company to complete legal procedures and to process internal documents for the legal rights of communities, especially the boundaries and local names governed by customary law. As results, The Kon Tum Provincial People's Committee issued Decision No. 1433 / QD-UBND dated 24 December 2018 on the approval of the FLA plan of 7 villages in Dak Nen commune. Next, the Kon Plong District People's Committee issued Decision No. 967 / QD - UBND dated 28 December 2018 on LFA and granting land use right certificates to 7 villages.</p> <p>2) Organization of land allocation in the field and the ceremony of awarding land use right certificates: After having the decision on land allocation from the District People's Committee, residential communities of 7 villages including village elders, local people, youths and women participating in the boundary determination with the support of Dak Nen commune People's Committee, the Kon Plong district Department of Agriculture and Rural Development, Department of Natural Resources and Environment. Accordingly, 70 concrete landmarks are supposedly fixed in traditional village boundaries in January 2019.</p> <p>3) Build a Google MyMaps of the allocated land: On the basis of the working process and information obtained from the 7 village communities and the Dak Nen commune People's Committee, CENDI staff has compiled information for Google MyMaps. This mapping system with information on forest land use rights, traditional cultural values of Ka Dong ethnic people of the 10 communities is on-going editing for final post on Google MyMaps. This activity is significant for transparent informing community land and forests rights and preventing outside companies from encroaching community forestland.</p> <p>4) Training workshop on forestland co-management and protection</p> <p>Training workshops on Forestry Law and promotion of customary law-based network of co-management of forestland was held at Kon Plong district on 18-19 December 2018. There are over 70 participants, of which four key-farmers from Cao Quang commune, Tuyen Hoa district, Quang Binh province participating in the workshop. Delegates discussed to find ways</p>
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measured **forests volume within the sampled community forests** for completing cadastral data and this acts as the foundation for calculation of environmental service fee. **6) Setting up master plans for forestland use, management and protection** on the basis of community regulations, with the participation of total 379 households in 7 villages. These master plans were completed and sent to the District People's Council for approval. **7) Complete cadastral profile for land allocation procedure:** Representatives of the seven beneficial villages involved to complete a set of cadastral profile and sent to the District and Provincial People's Committee for review and approval. **8) On-site land demarcation and confirmation,** especially confirm landmarks and borderline of the related villages. **9) Basic training on eco-farming system/principle with relevance to nursery of native species for key farmers:** Via field survey, villagers identified mother trees, coordinated GPS, took photos and recorded relevant information of the trees. **10) Strengthen key farmers capacity through identifying the natural nursery areas for future native seeds collection and restoration** in the four villages of Tu Thôn, Tu Ngú, Đăk Lup and Đăk Lai. **11) Training workshop (updates and issues) on Forestry Law and GMO** for representatives from 10 villages, and then for 528 households in the 10 villages. 80% of the villagers understood duties, obligations and rights of forestland users and community now as one of the forest owners. At least 5 villagers in one village could share the learnt knowledge with other villagers. **12) Basic training on eco-farming system design with relevance to use of solar energy** for total 54 participants, about seven are from Dak Nen. Participants can link the

to apply the exchanged lessons to their local actual situation. The topic of GMO is also integrated, so that participants can recognize the problem, and clearly identify the indigenous species as an alternative. Cao Quang key-farmers have clearly seen acacia plantation as monoculture in association with harmful chemical materials, so some households start a changing tendency to find indigenous forestry trees such as *Boi Loi*, *Lim Xanh* (Ironwood), *Red Goi*, *Red Sua* and combine agroforestry with livestock and bee keeping. The workshop also provides an opportunity for participants from different regions to discuss on how to build up groups and cooperate for forest protection.

5) Making video documentary: In order to reflect results and effects of land right for ethnic people's culture and environment, CENDI has contracted with VTC to complete the video documentary namely '*Nurturing our ecological home*'. This documentary introduces local traditional farming and initiatives in collecting native mother trees to enrich forest whenever the obtain community land right. These pioneering activities become an alternative to modern farming together with GMO and toxic chemicals. Local people's actions in Dak Nen commune as well as other areas are responses to deforestation and climate change. The documentary is a significant contribution to raise public awareness about the ethnic cultural values and can be a good evidence for advocacy for confirming sacred and watershed forests of the ethnic minority communities. Please see the film via this link: https://youtu.be/p_ePoKGDGvI

In addition, the following outputs were provided in combination with land allocation activities in 2018:

1) Establishment of inter-village forest management, protection and development network: With the support of staff of CENDI and Dak Nen Commune People's Committee (CPC), elders and key-farmers from 10 villages organized community meetings to propose action plans for the co-management of the allocated forests in 2019. Participants have established an inter-village network for forest co-management and protection with regulations and operational plans, which are certified by the Dak Nen CPC in November 2018.

2) Organizing a conference on Co-management and Protection of Forest at district level or inter-commune level: This activity involved the participation of Dinh Chat - member of YIELDS-AGREE and representatives of the Kon Plong District People's Committee, Department of Agriculture, Department of Natural Resources, Justice Department, Cultural Office, and Forest Protection Department. The Commune officials and key-farmers

<p>lessons from HEPA to their localities.</p>	<p>of the 9 communes of the Kon Plong district (namely Dak Nen, Dak Rinh, Dak Tang, Mang Canh, Ngok Tem, Dak Long, Hieu and Po E) discussed and developed a set of regulations on inter-village co-management of forestland, which were then endorsed by communal officials. Three thematic groups in communities: Law dissemination; implementation & law enforcement, and monitoring & supervision group. The meeting was combined with the exchange of 17 related articles of the Forest Law and the practice of ecological farming and the philosophy of nurturing nature.</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 community based forests and land survey, borderline identification and in the seven targeted villages, the expert further facilitating cooperation and coordination between province, district, communal authorities, technicians, media and community members to identify local names on the maps and revise the community maps for the formalization within the cadastral dossier. The expert also tries to facilitate and link local people with officials for speeding up the process of setting up participatory forestland use and management plan, sending the profile and get approval from authorities of different levels. In addition, he takes notes and writes field reports, which are helpful for monitoring and evaluation. He provides very useful insights into all levels of people-led approaches for successful outcomes of this Project.</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>In December, two independent evaluators (Mr. Tran Quoc Viet, a representative of the key-farmers network and Mr. Nguyen Van Tien, former Deputy-Head of the Ethnic Council of the National Assembly at the Committee for Ethnic Minority Affairs, who involved in drafting Forestry Law 2017) carried out an evaluation in Dak Nen commune. Please see Section 3.5 for the detailed results and comments from the evaluators.</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 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>In 2017, 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. 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>Followed upon 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.</p> <p>Legalization process of co-monitoring and co-managing of</p>

	forest is also informed to authorized agencies through our Umbrella, concerned agencies, media and official high-ranks.
<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>	Study and exchange Ka Dong people's knowledge and customary laws on daily use of herbal medicine: Community representatives including village elders, key-farmers, youths, and women from the 10 villages, Dak Nen commune People's Committee, YIELDS-AGREE network involved in exchanging and sharing on site about herbal medicine knowledge. Then representatives from the network presented the results with the related communal and district professional departments. This activity is resulted in a set of document on the medicinal plants of the Ka Dong ethnic people in Dak Nen commune, (i.e. the 31-page length for herbal species have been on-going gathered and documenting mentioned above) which will be released and shared with the relevant people and agencies.
<i>12. Documentation and dissemination of information for lobbying for a change of policy on natural resource management (This activity has been done in 2017)</i>	The products of the previous phase (two videos, research reports, notes and other media materials have been released through provincial and district media channels. In this reporting period, CENDI has collected and done documentation of the indigenous knowledge in collecting native seeds; making and using production tools. CENDI cooperated with VTC10 to make video film at the field focusing on community-based co-management of forest in September 2018. This product is on-going editing. This documentation will be used for different communities in other project sites and the public and multi-stakeholders to understand more about the Ka Dong ethnic people and project activities in Dak Nen commune in the near future.

In addition to the above mentioned activities and outputs, CENDI has conducted the following activities using the unforeseen budget from the project:

3.2.a. Practical exchange and training on Agro-ecology on slope-land farming design

Nine exchanging participants, including six from Caritas Da Lat project area, one CENDI facilitator, one camera-man participated in the practical training on Agro-ecology on slope-land farming design at HEPA from June 10 to July 6, 2018. This activity is an effort to empower network of young ecological farmers to detect structural poverty on the basis of customary law and local knowledge. The participants had opportunities to share and practice the following topics: 1) Designing ecological farming on slope land. 2) Designing irrigation system. 3) Designing and practicing to make terraces on slope land. 4) Practicing to make ferment to prepare to make Ghe wine of the H're ethnic group and wine from rice of the Kinh (Vietnamese) ethnic group. 5) Practicing process of making Ghe wine and wine from rice. After the training course, the nine participants understood well and could apply, practice the mentioned topics in their own specific conditions.

3.2.b. Training on Forestry Law in Da Lat, Lam Dong province

Followed the needs of the community representatives within the project site of Caritas Da Lat, CENDI cooperated with two experts, who have rich experience in drafting the law, to provide training on Forestry Law for 41 participants in Da Lat. The participants have captured the main legal provisions relating to the forestland rights of the ethnic indigenous peoples, especially the provision in Article 86 of the Forestry Law. They understood clearly the forestland rights of ethnic people, especially right to spiritual forests, watershed and livelihood forests. Via this training and informal discussions with participants, CENDI recognized the urgent needs for confirming land rights for local ethnic minority communities in the 6 districts in Lam Dong province.

3.2.c. Capacity building for farmers, especially young ones:

Local villagers, officers and youths have some opportunities to exchange experiences in promoting traditional cultivation as ecological farming. At this stage there are few good pilots found existing in Dak Nen commune, such as the garden of elder A Dai in Tu Thôn village where banana, herbs, different types of vegetables and cassava are grown on the terraces. Mr. A Long and some other households in Dak Puk and Tu Ngu villages have similar gardens, which can become pilot models for other villagers. But these have not yet been fully documented for local indigenous knowledge documentation. Villagers showed their need to find out suitable trees and animal species for their good production whilst resilient to climate change impacts.

Basic knowledge on budget planning, financial management and monitoring community activities have shared to the villagers during this process. In addition, local Ka Dong ethnic people need to improve their skills in writing up, recording and documenting local farming knowledge, especially reflecting advantages and disadvantages of the farming pilot models for further learning and improvement purposes.

3.2.d. Survey native species and natural nursery areas:

With CENDI staff's facilitation, villagers involved to conduct the survey in July, 2018. The participants found, recorded and documented total 38 native species, of which 8 belongs to cultural and spiritual values; 30 species are wooden trees, which are popularly used every day. The survey team has identified three areas, which can become natural nursery for the communities.

3.3. (Unintended) effects

3.3.1. Local community's participation and capacity building

After completion of community forests and land allocation activities and grant of land certificates to the first three 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 villages. It creates more favorable conditions for the community forests land allocation taskforce to work with representatives of the seven-targeted villages in 2018.

Through various discussions during reviewing and surveying traditional village forestland areas and boundaries in the seven villages during April - May 2018, villagers knew exactly their traditional village forestland areas. Furthermore, villagers have had opportunities to discuss and compare between actual boundaries at the field and those in the cadastral mapping in order to discover and solve land overlapping and conflicts during these processes. They agreed with adjacent village representatives about principles of respecting traditional land areas and boundaries. Therefore, all formal decisions on land allocation should be adjusted in order to fit with the traditional settings. Accordingly, a group of household of Đăk Puk village agreed to return land to the community of Đăk Tiêu village. So, the traditional boundaries between the two villages of Dak Puk and Dak Tieu became an interesting issue. Previously, the village elders of the two villages agreed to take the Dak Tong Cho (Stream of Trough) as the boundary of the two villages. When carrying out the procedures for contracting forestland in 2015, the technical staff took the mountain edge above Dak Tong Cho near Dak Tieu village as the boundary. Within our project in 2018, when village elders and villagers discussed, negotiated and redefined the boundaries, they reconciled themselves and agreed to respect the old traditional boundary, i.e. the Dak Tong Cho as the boundary between Dak Puk and Dak Tieu villages. Mr. A Dai, an elder of Dak Puk said: “In the past, officials did not allocate land in a right way, now we are willing to return land area to Dak Tieu village. So, we can obtain exact village borderline and strengthen solidarity between different villages”.

In addition to the main activities of land allocation, local villagers' awareness of the harm of herbicides has been improved through several discussions. It is estimated a reduction of herbicide application by at least 30% this year in comparison to the starting time of the project. Except some households in Dak Tieu and Xo Thac villages who continue using some herbicides, almost all households in other villages in Dak Nen commune no longer use harmful chemicals. For example, the household of Mr. A Hrum in Tu Ret village is pioneering to determine to give up using herbicide.

3.3.2. Expansion of network for forestland co-management and protection

After land allocation to the communities in Dak Nen commune, villagers are happy to join groups of forest protection, so sacred forests are well protected. There are no violations against sacred forest reported in 2018. There is a good indicator of the community's higher level of proactive forest protection. Specifically, the state budget for building of community houses in Tu Ngu and Tu Thon villages requires a purchase of wood taken from the forest. Knowing that problem, elder A Dai of Tu Thon village and other leaders and villagers did not allow anyone to take wood from their allocated forest. Finally, the house builders have to find wood from other side of the mountain range, near Quang Nam province.

The adjacent villages such as Tu Thon and Tu Ret; Dak Tieu and Dak Puk; Dak Lup and Tu Ngu have set up inter-village mechanism for coordination and cooperation to organize visits to the forest. At the beginning time, they agreed to cooperate with each other to have weekly forest check, then they take turns to visit the forest once every week.

The commune forest management board has three components: 1. law propaganda; 2. performance and rule enforcement; 3. monitoring activities. Village level management board has also been organized in a similar setting, with the operation of 3 such thematic groups.

With CENDI facilitation, representatives from Dak Nen commune involved in lobbying relevant district departments to set up community supervision and co-management and protection of forestland. They have been forming inter-village and inter-commune networks for co-management of forestland. While the inter-village network has been completed in Dak Nen commune, representatives from 9 commune communes in the Kon Plong district have endorsed an agreement on co-management of forestland. In addition, connecting traditional production groups, including: weaving, blacksmith, traditional handicraft weaving has been facilitated across those involved communes.

The legalization of customary law in forest protection in Dak Nen commune has become a pilot model for other communes in Kon Plong district. Mr. A Binh, a leader of Dak Ring People's Committee (Dak Ring commune) expresses his wishes to set up community regulations like those in Dak Nen commune. In a recent meeting held in Dak Nen commune with participation of Mr. Nguyen Van Tien (former Deputy-Head of the Ethnic Council of the National Assembly at the Committee for Ethnic Minority Affairs, and the evaluator at this time), representatives from Dak Ring and Mang Canh communes have shown their need to follow Dak Nen commune to set up community rules for forest co-management and protection.

3.3.3. Improvement of local officials' view and support

Upon the basis of the results of community forests land allocation program in the locality and the trust built between CENDI and local authorities and villagers, the Kon Plong People's Committee has sent an official letter to request CENDI to support further land allocation activities in the other communes of the district in the next three years. The district authorities have estimated a total 10,428.94 ha of land under the management of communal authorities as the areas available for allocation to traditional village communities (i.e. the above-mentioned Official Letter number 424/UBND-NN of the Kon Plong District People's Committee dated May 18th, 2018).

The district request is not simply for supporting technique, but more importantly, it reflects a significantly changing awareness and movement to return forestland as the living spaces to the local ethnic peoples and to return traditional cultural and socio-political structure to the villages. This change implies that the coming land allocation scheme includes an ecosystem science, which is based on local wisdom and customary law while forests for livelihoods, spiritual forests, and watershed forests are included in the scheme. With CENDI facilitation and consultancy, the future directing board for land allocation must incorporate the role of traditional villages, such as elders. Changes in land allocation approach will be an important turning point introduced in Kon Plong district, where the traditional village structure is clearly maintained in association with the forest structure. This scheme should become an opportunity for indigenous people and CENDI and relevant agencies to show evidences and analyze the importance of the community spiritual forests for the socio-political and cultural structure of a

village. On the basis of promoting customary law and community voluntary contribution, land use planning, agro ecology for small-scale farmers will become reality. In this model, households and individual ownership of the forest can be enhanced while community can keep forestland well included sacred forestland and no one can sell land to outsiders.

From the training courses in Dak Nen commune, Kon Plong district officials found the needs for improving awareness of the new Forestry Law, so they have sent request to CENDI to support training on Forestry Law for relevant district officers and leaders of other communes in the district. In addition, the involved Kon Plong district officials have changed their mind and behavior in considering the use of herbicide and adoption of GMO in a serious manner.

In addition to other field activities, CENDI has cooperated with Kon Tum Provincial Television to cover the news on training on community's rights according to Forestry Law and avoidance of GMO, herbicide and pesticide in April 2018. Please see the link: <http://cendiglobal.org/index4.php?act=popvd&cid=322>

3.3.4. Scaling up CENDI network with other partners

After two years facilitating and working closely with communities and other local partners, CENDI's negotiation skills in mobilization of the local people and authorities' contribution have been improved at the same time. The exceeding success of over 500ha of allocated land area (i.e. after 2 years, actual total allocated land areas to the 10 villages are summed up to 2,223.3 ha, against the initial proposal committed 1,700 ha over 10 villages) has demonstrated the credibility and prestige of CENDI in constructive collaboration with positive efforts from many local stakeholders, departments and agencies.

The reinforcement of CENDI's networking activities beyond Kon Tum province is based on people-led initiative. Specifically, after visiting thematic network of in Lam Trach of Quang Binh province with Mr. Manny (MISEREOR expert), particularly visiting Cao quang Community Based Forest and Land Governance together with CENDI staff and Many, Mrs. Dinh Thi Hong Phuc (Caritas Da Lat) wanted to replicate CENDI model of advocacy and right-based approach to community-based forestland in her locality. She had suggested CENDI and Quang Binh key-farmers network to support communities in Lam Dong province to obtain legal access to land and confirm their customary land rights. This will be a good initiative for MISEREOR to start expanding supporting local Vietnamese partners (e.g. CENDI and Caritas Da Lat and others) to join hands working together to support indigenous communities in Lam Dong province. So, it is reasonable for CENDI to decide on visiting and doing a survey in Lam Dong province, especially the Mo Nong ethnic community in Cil Mup village, Da Tong commune, Dam Rong district.

As the first MISEREOR supporting activity in the new target community in Lam Dong province, the training course on Forestry Law for 41 activists of the 6 districts of Lam Dong province was a clear evidence of our people-led approach. This activity was a quick response to the local people's concern on the implementation of the new Forestry Law. A surprising discovery during the training course was that, people there had not known very clearly about their rights to call back their traditional land. After the training, the participants understood their rights to spiritual forest (formally known as special use forests), watershed forest (formal protection

forests) and forest for livelihood (formally provided as production forests), which were not recognized before the new Forestry Law 2017. The most significant message from the training on Forestry Law was the local people's demand for community based forest and land titling. That is the reason for CENDI's survey Cil Mup village in Da Tong commune, Dam rong district of Lam Dong province, as one of the follow-up activities.

After the survey and other informal initial discussion with all CARITAS's staff with report to Farther of CARITAS in Da Lat, CENDI decided to choose Cil Mup as a strategic point to start supporting program in Lam Dong province. This strategy will help to expand the Kon Plong pilot model of right-based approach to confirm customary law in forestland management. Connecting between community representatives and officials from Kon Plong district to those in the new project site in Lam Dong province has resulted in trust building between CENDI and local officials. At the same time, support from MISEREOR and others could help to broaden and strengthen farmer's network in Kon Tum as well as Lam Dong province (where Caritas Da Lat has been working). Other development activities will allow connecting land right to seed sovereignty and agro ecology of small farmers as an alternative to response to the mainstream industrialized large scale mono plantation. The right based approach of the pilot model of Kon Plong could help to fulfill the gap in community land rights approach faced by Caritas Da Lat. This organization has broadened their connection from merely with Church to further connection and advocacy with the government agencies. This process also enables Caritas Da Lat to bring the government agencies closer to the church and build mutual understanding and trust between them (***Please see Annex 5 and 6 for the detailed illustration which reflect by Ms. Tran Thi Lanh which followed field exchanging visit between CARITAS and Key Farmer of CENDI in Quang binh***).

3.4. Risk and unexpected opportunities

In 2014, for the construction of the Dak Rinh Hydropower Dam, people from the reservoir area of Xo Luong and Lang Vuong villages were relocated in the new sub-zone No. 375. The State invested roughly VND 300 million per household for building house, electricity, roads, schools, and irrigation for 90 households of the two mentioned villages of Xo Luong and Lang Vuong in the new resettled sites near Tu Rét village. However, only one third of households moved to resettle at the new place. Most people are trying to stay beside road and sacred forest of the old villages, near the submerged reservoir and next to Xo Thac village. This is where there is a high risk of landslides. There exist inadequacies in the resettlement policy (requiring people to move to new resettle area and preventing people from staying near the old village as the landslide area). However, according to the Xo Luong and Lang Vuong villagers' aspirations, feelings and needs they want the village communities to have land allocated on the area of sacred forest, watershed forest near the reservoir of the old villages. Specifically, Xo Luong village has 103.42 ha, and Lang Vuong village reserves 80.20 ha. Although many households have settled in the new place, they always recall their ancestor land, where there are sacred forests, sacred mountains and spirits blessings for them. During the land allocation process, CENDI staff work closely with the communal officers to organize many village meetings at both resettled area and the areas near the old villages in order to get full participation of the people

in discussion and decision, and also avoid local authorities' sensitive view or misunderstanding. Finally, local authorities and villagers decided and support to allocate the remaining forestland near the old villages to the communities of Xo Luong and Lang Vuong villages.

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). A total area of 1,436 hectares has been allocated to individuals. In fact, some households are cultivating on a part of those forestland areas. This fact causes a reduction of the intended allocation areas to the communities, so there are actually 1,201 ha of natural forestland left, which can be allocated to 7 communities. After many discussions and meetings, the people of 7 villages have fully accepted and approved this reality. The land overlapping or conflict of interest between the formally contracted households and traditional village was discovered and solved at the beginning of the land allocation process.

As planned in the project, the allocated areas were expected to be 700 ha, and CENDI has signed a contract with DHF consulting company³ for completing procedures for allocation of 700 ha to the seven communities. Thus, an additional area of approximately 500 hectares is supposed to need an equitable addition of budget. Therefore, CENDI has negotiated with the district authorities and the DHF consultancy company to find additional sources of budget and contribution in kind in order to increase land allocation areas according to the reality and community needs.

Perceiving the importance of community land rights, the Kon Tum provincial authorities and the district People's Council need to review and endorse land allocation schemes before the formal decision granted by the district People's Committee. As usual, the District People' Council organize meetings twice annually, in the early time and the end of a year. The land allocation scheme of Dak Nen commune has been reviewed and sent from the district People's Committee to the district People's Council in August 2018, but the scheme was not approved until September 2018 because of waiting for the meeting of the district People's Council. Because of this process, the district People's Committee could not make final decision on land allocation to the seven villages. In this situation, CENDI and some district officials have tried to request the district People's Council to hold a special meeting in order to approve land allocation scheme earlier. This lobby results in the Official Notice 126/TB-HDND dated 25 October 2018 by the Kon Plong District People's Council on the results of the irregular plenary session of the District People's Council Term 14 (***Please see Annex 4 for more detail***). On December 24, 2018, the Kon Tum Provincial People's Committee approved the FLA plan of Dak Nen commune. Then, the Kon Plong district People's Committee on December 28, 2018, made a decision on land and forest allocation and issue Land use right certificates for 7 communities of Dak Nen commune. Therefore, the fixation of landmarks at the field cannot be done in 2018, and it should be carried out in January 2019.

³ According to land allocation regulation, an independent technical agency (in this case, DHF consultancy company) is required to involve in activities, such as measuring of land, transferring field data to the cadastral profile and process the data.

In addition, Dak Bao hamlet belonging to Dak Lai village is currently isolated from other residential areas in the forestland area, which is managed by Thach Nham Management Board (MB). Sacred forests, cemetery forests of this hamlet are also located in the land of Thach Nham MB. Therefore, in this phase, it is impossible to complete the forestland allocation procedures for Dak Bao hamlet, because this procedure needs longer time advocacy and cumbersome procedure (this process needs provincial authorities' decision). This case could be a suggestion for the support and advocacy for the community forestland rights in the coming time.

3.5. Evaluation

Representatives of the Independent Evaluation Board of the Mekong key-farmer network carried out a formal evaluation in December 2018. In addition, CENDI staff and community often review and informally evaluate progress and results during conducting each activity. The formal independent evaluation has released the following main conclusions:

- The Mekong Key-Farmers Network is a voluntary organization of different communities and regions. The network operates effectively with the help of CENDI. This network has clear purpose, mission and concrete coordination with good quality personnel.
- The program of allocating land and forest to communities in Dak Nen and Po E communes, Kon Plong district has excellently implemented the approach of cultural land and forest allocation on the basis of respect for local knowledge, customary laws and role of village elders.
- The accurate identification of the local livelihood spaces, landscape, the role of customary law, rituals, festivals, the role of village elders and village leaders is an excellent result of the program to create basic conditions for co-management, protection and development of forest land based on customary laws. This approach also enables the process of land and forest allocation to communities effectively and ensures sustainability and high ability to replicate this pilot model.
- When the law recognizes the community's sacred forest, all the community members voluntarily manage, protect and develop forests, and responsibly engage in enforcing community regulations on forests protection, which is based on customary law and is recognized by the government. The villagers work together to establish forest management and protection teams at village and inter-village levels; abide by the regulations and guidance of the village elders, the village head and the assignment of the Forest Management and Protection Team.
- The project provided local representatives with knowledge and skills to contribute to set up laws and policies. Their opinions and recommendations are respected and acknowledged in the meetings and seminars on the Forestry Law.
- The government has recognized the advantages of co-management of natural resources based on customary law, so there have been very positive changes in policy enforcement. For instance, changes have been made in legalizing customary laws of villages; decision to transfer ownership of land from households to common ownership

of the community; signing the minutes to manage watershed forest based on customary law; and putting the name of the spiritual places into the formal forest planning map.

- With suitable methodology and approaches and clear land allocation steps, overlapping of community forestland areas has been avoided. The real boundaries are identified in accordance with the traditional boundaries. Community members are able to participate in discussions to create consensus to address and resolve problems that arise. This approach helps participants to identify exact community forestland location, areas and boundaries between villages on map as well as at the field.
- There are more than 10,000 ha of forestland in Kon Plong district, which need a right approach to community-based land and forest allocation. Currently, local authorities and people are looking forward to carry out land allocation, but they do not have sufficient resources and expertise to implement.
- In addition, there are difficulties in limiting the use of chemical fertilizers, pesticides and herbicides, which are used everywhere in the surrounding regions. In addition, sustainable and stable local market needs to be established for the ecological products of the farmer's network, especially young ecological farmers, who want to produce on the basis of forest land, ecological market.

4. Conclusions

1. After the first phase, 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. The local Ka Dong ethnic value, norms, regulations or rules are revived and activated for solving land overlapping and conflict between individual and community interests. This process created 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. Community regulations on forestland use and management have been composed by community members and endorsed by communal and district authorities. They become a good legal basis for community to claim their land rights and enforce their regulations in protecting community forests.
2. On the bases of the achieved results in the first phase, CENDI has been continuing to apply 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 Forestry Law can help assure local effective use and protection of forest land and other resources.
3. The final results in 1,201.85 ha of land area allocated to the seven villages of Dak Nen commune is beyond the expected plan set by the project proposal (i.e. allocation of 700 ha of forestland). This result demonstrates CENDI and local community's capacity and efforts in mobilizing local authorities and other stakeholders in contributing budget and other resources for completion of the project activities.
4. Training workshop on Forestry Law become an effective way to enhance awareness of local people and officials of the rights of ethnic people to forestland. Together with the

understanding and trust building between CENDI and local authorities, the improved perception of ethnic people's land rights has resulted in a movement in returning forestland, including spiritual, watershed and livelihood forests to the traditional village communities in Kon Plong district.

5. A network of inter-village forest protection is facilitated in Dak Nen commune. The network can help to enforce community regulations in forest protection, use and management in village forest protection. In addition, people in Dak Nen commune have identified native mother trees in order to have more seeds for their coming reforestation activities.
6. Land allocation programme in Dak Nen commune become a good example for other communes in Kon Plong district to follow. There have been positive appreciation of the participatory and customary law-based approach to land allocation and co-mangement of forestland. Therefore, leaders of other communes expressed their interest in replication of the Dak Nen experience in setting up the inter-village forest protection network. Furthermore, a network of inter-commune co-managment of forestland has been established in Kon Plong district. This movement will be able to help changes in the district and provincial policies in supporting local ethnic community's right over sacred forest according to the provision of the new Forestry Law.
7. Via sharing with and supporting Caritas Da Lat, CENDI has made great efforts to share knowledge and kind times on the basic right-based approach and advocacy to government agencies for minority people's land rights. Simultaneously, the sharing process fosters connections between CENDI and 41 activists from Lam Dong province. The network between young activists from Kon Plong district, Kon Tum province and those from Lam Dong province has been built and strengthened. For a long-term cooperation and support for ethnic peoples in Lam Dong province, Cil Mup was chosen as a suitable starting point or a pilot model for further sharing and replication in this province in the future.

Annex:

Annex 1. Recommendations for improving activities in 2019

1. The remaining activities of 2018 such as identifying and handing over the landmarks at the field and organizing the Ceremony of granting land use right certificates to communities should be implemented in early January 2019.
2. From 2019 on, there should be supporting activities to strengthen and promote the role of the inter-village and inter-commune network of co-management and protection of forests.
3. In 2019, it is necessary to identify and support to build eco-agricultural models in the commune as a continuous strategy after determining community forestland use rights.
4. In the real use of forests in many areas, villagers consider the allocated areas as sacred forests and forest for protection of water resources of the community. However, according to the forest classification according to the Law on Forest Protection and Development 2004, the state classified the mentioned areas as production forests. Therefore, it is necessary to have a solution to change the decision of the authorities to identify special-use forests or protection forests on the legal documents according to reality and the provisions of the Forestry Law 2017, and then the community will enjoy the benefits and rights according to the new Law.
5. Based on Official Letter 424 dated 18 May 2018 of the Kon Plong District People's Committee on proposing the CENDI to support the promotion of the FLA program in the district, it is necessary to set up projects to coordinate implementation of further land allocation in the locality.
6. Base on reality, CENDI financial regulation should be revised to increase daily wage to district officers at the rate applying for provincial officers.
7. Mr. Dinh Chat, a young ecological farmer who often involve in supporting villagers in other commune needs a camera for better capturing images of activities at the field. In addition, it is reasonable to support the forest protection members with protected labor costumes according to their request.

Annex 2. Detail identified community land areas of the 7 villages in 2018

Village	Đắk Lup	Đắk Lai	Xô Luông	Làng Vương	Xô Thác	Đắk Puk	Đắk Tiêu
Area (ha)	291.54	392.72	103.43	80.2	111.56	60.99	161.41

Total areas of the 7 villages are 1,201.85 ha.

Annex 3. Overview land allocation areas for 10 villages during 2017-2018

Year	No. of villages	Name of villages	No. of households	No. of people	Allocated land (ha)
2017	3	Tu Ngu, Tu Thon, Thu Ret	149	644	1,021.4
2018	7	Dak Tieu, Dak Puk, Xo Thac, Lang Vuong, Xo Luong, Dak Lai, Dak Lup	382	1,580	1,201.85
Total	10		531	2,224	2,223.25

Annex 4

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

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

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

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

Annex 5.

“Reflection of the field trip between Manny-MISEREOR’s consultant, Ms Phuc-CARITAS Dalat and Mrs Lanh- CENDI and follow up a head”

April 27th -30th ,2018

Background

Community-led development to optimize the community strengths and solutions to resolve their own problems and difficulties by themselves is the learning purpose of all members, who joined the Manny’s field trip to Lam Trach and Cao Quang communes, Quang Binh province from April 27 – 30, 2018 where TEW, the preceding organization of CENDI, had stuck to the community-oriented philosophy in its approach methodology between 1995 - 2005. Since then, the community members in these communes have been maintained the fundamental foundations launched by TEW and their communities through three thematic groups: 1) Animal husbandry – Veterinary; 2) Savings – Credit; and 3) Biodiversity Garden.

People accompanying this trip are:

Mr. Emmanuel Yap (Manny) - Misereor’s independent consultant;

Mrs. Tran Thi Lanh – CENDI Director and her staff (Mr. Pham Quang Vu, Mr. Nguyen Thanh Cong);

Mr. Hoang Huu Phuoc & Ms. Nguyen Thi Binh - MECO-ECOTRA coordinators;

Mr. Tran Quang Dung – member of YIELDS-AGREE;

Ms. Nguyen Thi Hong Phuc - CARITAS Dalat;

Mr. Mai Xuan Tuyen & Mr. Nguyen Van Huy - Cao Quang local authority officials, who have also been the key farmers of MECO-ECOTRA (1995-2005);

And other representatives from Cao Quang commune branches.

Lessons learnt from the field trip (from *the point of view of the CENDI Director*)

In Lam Trach commune, Bo Trach District, Quang Binh province MECO-ECOTRA⁴ 1995-2005 - 2015

1. Savings – Credit & Animal Husbandry – Veterinary thematic groups of Lam Trach commune should be upgraded to “*Community Development Trust*” to maximize the strong foundation in place for over 20 years of experience of savings management, risk prevention skills and inflation control of the local women. This “*Community Development Trust*” is a unique strategy and the most basic and effective empowerment approach towards gender equality in self-determination of household economy in order to coordinate ecological livelihood chains in a voluntary manner for self-determination and independence in the context of increasing market economy pressure imposed on women in the villages of Vietnam and other Mekong regions.

To achieve this breakthrough strategy, it is vital to conduct a field trip to evaluate 13 project communes that were involved in the project activities between 1995-2005 to see how they have been regulating and governing since then.

⁴ MECO-ECOTRA= Mekong Community Network for Ecological Trading 1995 - 2005 - 2015 and now YIELDS-AGREE (2015 - 2025)

This evaluation trip was conducted by the coordinators from 13 communes under the supervision of the independent experts who are the key farmers of the MECO-ECOTRA (1995-2015) and YIELDS-AGREE (2015-2025) networks, for example the Credit coordinators of Hanh Dich commune, Que Phong district, Nghe An province and Son Kim 1 commune, Huong Son district, Ha Tinh province.

The outputs of this independent evaluation trip will serve as the inputs for the National Conference on “*Community Development Trust*” and *Local Seed Conservation Strategy* given that women are facing the consequences of GMOs, namely chemical fertilizers and herbicides.

2. Select key farmers from MECO-ECOTRA and YIELDS-AGREE networks from different regions, and key farmers of CARITAS Dalat to launch a campaign to save and develop the treasure of local varieties based on the savings - credit foundation in a flexible manner by setting up an in-kind local seed savings – credit system of under a seed bank, where all transactions shall be performed in forms of seeds, which is similar to the MASIPAG model.

In Cao Quang commune of Tuyen hoa district, Quang binh province MECO-ECOTRA 1995-2005 - 2015

1. Under the supervision of the Misereor’s consultant, a program to review the total 8000 ha of natural forest granted with Land Use Rights Certificate was conducted by the households from 9 communes, who are also the land owners. The output of the review will be a strategy to rationally use and plan natural resources in mountains, watershed forests, protection forests, livelihood forests, forest gardens and ponds in Cao Quang commune based on the agro-ecology philosophy (as recommended by Cao Quang commune Chairman cum Party Secretary at the round table meeting with Manny).

2. Select households to implement the program *Agro-ecology Family and Village Pilot Models* inter-generationally. The following program will be *Post-harvest Processing for the Niche market Agro-ecological Production and Marketing*.

The output of this strategy will serve as a foundation to compare the holistic view between Agro-ecology and GM Seed-based Agriculture in Co Noi commune, Yen Chau district, Son La province.

Outcomes of Lam Trach and Cao Quang field trip

1. Different exchanging tours for learning and sharing experiences between CARITAS Dalat’s targeting groups and Cao Quang community development key farmers will be followed up in the future. (*highly appreciated by Cao Quang key farmers and authority*).

2. CENDI will together with CARITAS Dalat to conduct a field trip to Lam Dong province in order to find out the solution for strengthening and sharing of development by people (People-led Development) for further strategies.

The follow-up of Lam Trach and Cao Quang field trip is a field trip to Cill Mup village, Da Tong commune, Dam Rong district, Lam Dong province conducted by CENDI Director and Maria Goi from CARITAS Dalat from 14-16 May 2018.

1. Background

The output of this field trip is a high consensus between CARITAS Dalat's representative Ms. Nguyen Thi Hong Phuc and CENDI Director Mrs. Tran Thi Lanh on a co-operative program on the community development in Cill Mup village with the key contents as below:

1.1. Conduct a holistic research on cultural, economic and social aspects, and the current situation of forest, soil and water resources management of the Mnong ethnic group in Cill Mup village;

1.2. Negotiate with Da Tong commune and Dam Rong district authorities to return Tinh Tang forest and waterfall back to the Mnong villagers of Cill Mup in accordance with the Article 86 of the Forest Law adopted by the Vietnam National Assembly;

1.3. Enhance capacity for the Mnong villagers of Cill Mup to become more confident and self-determined in lobbying and advocacy to conserve Tinh Tang forest and waterfall – a legacy of animals and plants, and genetic resources of biodiversity with local varieties to nurture the Cill Mup villager's livelihood so far, which confronts the risk of being grabbed by the private hydro-power plant;

1.4. Enrich traditional agro-ecological cultivation from top of the Tinh Tang waterfall down to the terrace rice fields relying on the Tinh Tang water source, and support a clean water system to water the gardens based on the traditional culture, local seeds and indigenous knowledge of the Mnong in the relation with the village ecology;

1.5. Create opportunities for the village youth to revive their traditional handicraft textile and build up a nursery of local tree species to green the bare hills, pathways and public places of the village. .

1.6. Create opportunities for learning and sharing about the close and integral connection between the Catholic religious practice and the preservation of biodiversity of the village ecological system through the local knowledge of the Mnong ethnic group in Cill Mup village;

1.7. To establish and promote, with the villagers, a credit program on 9 local rice varieties of the Mnong villagers in Cill Mup to create a pilot model of eco-farming'

1.8. Enhance the dynamism and environment management capabilities of the villagers to cope up with external factors. Strive to build a village environment to become a "non-plastic bag village";

1.9. Enhance awareness of the Cil Mup villagers, especially the youth to understand the vicious circle of making money and the useless of leaving the village for big cities for job seeking, so

that they value their currently sustainable life that has been secured and nurtured inter-generationally through the culture of sharing in every aspects of life, which is much different from the competitive and tough city life;

1.10. To build Cil Mup village to become a livelihood model of seed diversity based on eco-farming planning in replacement for the organic one to be introduced to CARITAS for further cooperation with CARITAS to restore “the Garden of Eden” ecology on earth, which has gradually been disappearing in other places where CARITAS works with;

2. Basic information of Cill Mup village (provided by the villager leader)

Cill Mup, a cultural village of the Mnong ethnic group, is located in Dam Rong district. The village has a total of 84 households, 76 among them are native, while the 8 remaining households are of the Kinh majority. The village population is 530 people, all of them are Catholic followers;

At present, the villagers have still preserved 9 local rice varieties to be cultivated seasonally. No GMO varieties, new varieties and chemical fertilizers are used in the village. Some Kinh households, however, have started to apply herbicide on the fields. They have also sold bad quality alcohol to poison the villagers in the recent years;

CARITAS Dalat has offered a credit program to support 50 households to raise cow. Besides, CARITAS Dalat also supports the villagers to practice organic agriculture and plant local trees species bought from other locations.

3. Legal basis of the program methodology

Official contact with Lam Dong provincial and Dam Rong district authorities for legal approach will be responsible by CENDI.

4. Action plan in June 2018

1. A meeting organize by CARITAS Dalat inviting 40 participants from 6 communes to share the new forest laws in June 26-27th, 2018;
2. A training of trainer the three selected key farmers from CIL MUP village to learn about the agro-ecology farming and traditional wine processing with traditional plant from June 9th to July 20th, 2018 at HEPA eco-farming school which organize by CENDI young eco-farmers;
3. Trip to visit Cil Mup from August 1st to 4th, 2018 from Hanoi with Policy Researcher at Communist Party Margazine which decided to follow up Cil Mup to come a pilot program for Community Rights Based Approach 2019-2021.

Annex 6

Cil Mup Comments for An Urgent Action 2019

Tran thi Lanh

Merry Christmas Visiting Cil Mup from December 22th - 27th, 2018

Following new discoveries made during a field trip to Cil Mup village at Christmas 2018, many questions have arisen that we can think about together, and develop answers collectively between the traditional village elders who are respected by Cil Mup community members, the Church elders who are initiated by the Church, and the village leader who is appointed by the state.

1) The elders and young both male and female in Cil Mup village together shared a meaningful signal on Christmas eve when the old people, especially women, put different local seeds in traditional baskets and brought them as an offering at the village chapel where they prayed and sang hymns. *From CENDI's perspective, while listening and observing this sacred moment, we thought about how we can learn from this by meeting and recording the different stories and understandings of the villagers about this moment. Then we could learn about how the elders in the village apply these sacred seeds in their farming year by year, and what their feelings are about exposing these seeds to chemical fertilizer pesticides and herbicides. Will these chemicals hurt God, or poison the spirit of God within the seed?*

2) How do villagers link between their traditional wisdom, custom and norms and Church teachings about God's will in terms of their behavior toward their land, forest, water and seeds. Do these ways of thinking and behavior match or is there a mismatch?

3) What and how do villagers feel about living in a village where their natural resources have been administratively mapped as belonging to another commune since 1993 to now?

4) What and how do villagers feel about the one time every year when they collect sacred water downstream from the waterfall to offer to the Father in the Church while upstream the waterfall is polluted by outsiders/tourists? What do the villagers think about this?

5) Do the villagers want to have ownership of Tinh Tang waterfall and forest belonging to the Cil Mup community, not to another commune? In 1991-1992, the Government did administrative mapping, but this was done bureaucratically without a proper survey, and the whole land of Cil Mup village, belonging to Da Tong commune, was mapped as belonging to Dam Rong commune.

As a result, an elder⁵ of Cil Mup village revealed that they need to see ownership of Tinh tang waterfall and the all farming land of Cil Mup village legalized for their stable farming and living. He expressed that this is the most urgent political need for all of the villagers.

⁵ Elder Mr. Ha Bang, the traditional prestige elder, shared his worrying every day for this illegal challenge over the decades of Cil Mup villagers living and farming in the situation of the land where belonging to Dam Rong commune.

A women⁶ of Cil Mup doing cultivation complained that they are threated everyday by farmers from Dam Rong commune. She shared how difficult the situation was that women doing farming every day are challenging by farmers from Dam Rong Commune.

A man stood up⁷ and said that they need to re-establish one day per year when the people wear nice clothes and go to the waterfall to hold the traditional rituals and ceremonies. He also wants to revive traditional music and traditional musical instruments, and to have traditional music whenever there are public meetings in the Church. He also wants to revive traditional handicraft clothing.

Another elder wanted to see the young people staying in the village and not leaving to go to the city to earn money, and then coming back to village with motorbikes, smart phones and dyed hair, and drinking not traditional wine, but 10,000 VND per litre of fake wine made from chemical enzyme that poisons the drinker such as happening many places in rural areas. Then, after drinking, driving their motorbike noisily inside village, damaging the peaceful environment and wellbeing of village's traditional culture.

Further than that, one elder, Ha Vang, at his hut in the rice and coffee field, shared that before in the village there was strong solidarity. There was only one elder as the leader, and everyone voluntarily follow that elder. Every year they would come to pray at the waterfall. The waterfall was very sacred to all the villagers and people protected it carefully, but today there are different opinions from different ways, the people are not fully connected and there is not full solidarity. The waterfall is no longer seen as a sacred place, rituals and ceremonies have not been held there for years, and anyone can entre there and leave rubbish. The elders are feeling very disappointed, but that there is nothing they can do.

From a CENDI perspective, the solution to these problems is that we go deeper to try to understand the following issues:

1) What exactly caused the territory of Cil Mup to now belong administratively to another commune? By doing research into the administrative system at the district and commune levels we can figure out a solution to this biggest challenge, that has been facing the M'ngong people in Cil Mup over the last 3 decades. Then we can try to persuade the local administration and the Father of the Church to participate in a meeting of all villages and let all the villages present to them what they have presented to CENDI, and see what and how we can develop as further steps to solve this problem.

2) Checking the administrative mapping system, which has had Cil Mup village belonging to Da tong commune over the last 3 decades, against the administrative profile of Cil Mup households, which has Cil Mup administratively under Dam Rong commune. We can highlight the problems arising from this discrepancy and see how it can be corrected.

⁶ Ms. Ka Hien, who is representative of Cil Mup Women, addressed her serious concern to all the elders of Cil Mup village at a meeting on December 26th, 2018, about the problem of farming land, which was mistakenly mapped by the bureaucratic administrative mapping process.

⁷ Mr. Ha Diep, who is MC in the Church, expressed his emotion of loving to enrich a special ritual day of Tinh tang ceremony for all M'Nong villagers to enjoy their responsibility to their traditional ritual.

3) Negotiate with local authorities at commune, district and province levels in order to submit to the National Assembly of Central Government according to *Article 74. Point 8. The Executive Committee of National Assembly is the decision maker for administrative map adjustment.*

4) Assist the district and different communes with re-mapping and re-master planning and other legal administrative logistics needed to give legitimacy back to Cil Mup village so they can live a stable and peaceful life in their own territory with no longer any conflict and illegality. Then, together with Church, local communal authorities and villagers, re-consolidate the villagers' customary law in order that they can feel confident to govern their village, and such territories as their waterfall, forest, water and land legally, and can continue loving God without forgetting Nurturing Nature. They can then feel confident to go to Church and be inspired by the Bible, but also come back to their traditional culture of going to the waterfall to hold rituals and ceremonies for nurturing the waterfall.

In summary, we are calling for a collective common understanding between loving God and nurturing nature, to facilitate the return of administrative legality of Cil Mup land to Cil Mup village, and the governance of that territory according to Cil Mup customary law.

Note. After visiting Cil Mup village four times, living overnight in the village, observing village ceremonies for building new houses and harvesting rice, and listening to men and women, couples and children, my seeing has led to many questions:

What is meant by people-led development in this Village?

How is people-led development understood and performance in this village?

What is the key challenge facing Cil Mup as a result of their situation of the de jure administrative territorial illegitimacy they have been suffering for over the last 25 years since 1993, while living de facto according to the principles of their own village?

What I have observed is that, superficially, people are happy going to church, but that in their daily lives, in their innermost feelings, elders and some young people feel a very deep dilemma. They are happy to go to church and learn the Bible in the moment, but later back in the village, and when going to the fields to farm on land that is not administratively not their own, they are frightened and faced with threats by people from another commune. Madam Hien, a women leader in the village, revealed this to me, and I could see in her eyes the seriousness of this situation. Different elders also addressed how worried they are, and how deeply they suffer by seeing their Tinh Tang waterfall being damaged everyday by outsiders, while they themselves have no legal access to it to perform their traditional rituals and ceremonies that are important to their cultural, spiritual and psychological wellbeing.

I know from talking to the father of the Church on May 21 2018, that he knows this situation very well, and that he takes care of his disciples in Cil Mup village. But I ask myself, would his involvement in trying to solve the villager's problem of no legal access to land be a violation of God? I am not a religious person, but I love Jesus and Buddha and Indigenous People who are living in and nurturing nature equally. And my love for them has led me in my life and action to defend them against any behavior that is against God and Buddha and Indigenous People. That

is why I choose to spend my energy to get people to recognize the situation of the people in Cil Mup village.

The M'Nong people in Cil Mup people are beautiful, but recently there are some young who have been influenced by the values of the market economy that is flooding into the village. So, they leave the village for the city to earn money to buy motorbikes and smart phones and dye their hair. And when they return to the village, they try to act 'the modern man'. They drive their motorbikes fast in the village and drink fake commercial wine. This causes suffering for too many wives and mothers. When I see this, I straight away want to bring policy makers to the village to see the whole situation caused by their administrative dispossession of the people of their land. And I want them to ease the people's suffering by paying back to the people of Cil Mup ownership of their land and their waterfall./.

Annex 7. Pictures reflecting project activities



Figure 1. Villagers are making concrete landmarks



Figure 2. Villagers join fixing landmarks at the field



Figure 3. Identify boundaries on the map



Figure 4. Villagers from Tu Thon and Tu Ret villages fixing landmarks together



Figure 5. Women are happy joining to fix landmarks



Figure 6. Representatives from two adjacent villages shake hand and agree on the boundaries



Figure 7. Landmarks of Tu Ngu village



Figure 8. 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 10. Mr. A Chon, H're ethnic leader sharing on GMO and Forestry Law with Ka Dong ethnic people



Figure 11. Two H're young leaders sharing on GMO and Forestry Law with Ka Dong people



Figure 12. Villagers agree to stop using herbicides



Figure 13. Initial survey onsite preparing for community land allocation



Figure 14. Practical training on how to use GPS



Figure 15. Surveying communities forestland areas



Figure 16. Dak Puk and Dak Tieu villagers agree on village boundaries at Dak Tong Cho area



Figure 17. Xo Luong and Lang Vuong villagers discuss on village boundaries



Figure 18. Villagers from Dak Lup and Dak Lai villages show their agreement on village boundaries



Figure 19. Forest inventory and measuring forest volume



Figure 20. Practice to use GPS



Figure 21. Villagers from Xo Thac, Dak Tieu, Dak Puk villages discuss on identifying boundaries



Figure 22. Consultation meeting on mapping and plan of land allocation



Figure 23. Villagers agree on land allocation plan



Figure 24. Identifying native forestry mother trees in Tu Ret village



Figure 25. Picturing and describing mother trees



Figure 26. Noting information of the mother trees



Figure 27. Elder A Giai of Tu Thon village identifying native forestry mother trees



Figure 28. Identifying native mother trees in Dak Lup village



Figure 29. Training workshop on Forestry Law in Dak Nen commune



Figure 30. Training workshop on Forestry Law in Dak Nen commune



Figure 31. Training handouts to households



Figure 32. Training on Forestry Law in Tu Ngu village



Figure 33. Mrs. Y Va of Dak Puk village



Figure 34. Elder A Tuan of Dak Lup village



Figure 35. Sharing on natural nursery before going to the field



Figure 36. Documenting mother trees



Figure 37. An elder in front of a mother tree



Figure 38. Recording mother tree at the field



Figure 39. Observing mother trees in the forest



Figure 40. Surveying mother trees in the forest



Figure 41. A Chat, a young ecological farmer coming from H're ethnic community in Po E commune, is sharing with Ka Dong people on how to use GPS



Figure 42. Study on herbal medicinal plants in Tu Ngu village



Figure 43. Mr. Nguyen Van Tien is presenting on new Forestry Law regulations



Figure 44. Mr. Ka Ngoc Nguyen, vice Chairman of Dak Nen commune is guiding how to set up inter-village forest protection network



Figure 45. Discussion on the inter-commune forestland co-management network