



## CENDI YEARLY NARRATIVE REPORT TO MISEREOR

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

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

**1.2. Project location/ region:** Vietnam.

**1.3. Reporting period:** From January 1 to December 31, 2017.

**1.4. Legal Holder of the project (organization):**

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

b) **Postal address:** 12C Pham Huy Thong street, Ngoc Khanh ward, Ba Dinh district, Hanoi, Vietnam

c) **Phone (landline):** 0084 24 3 771 5690; **Fax:** 00 84 24 3 771 5691

d) **Email:** [cendi@cendiglobal.org](mailto:cendi@cendiglobal.org)

e) **Bank details:** *Name of bank:* Vietnam Bank for Agriculture and Rural Development - Operation Centre

*Account holder:* Community Entrepreneur Development Institute

*Account number/IBAN:* 1200208030762

*SWIFT:* VBAA - VNVX 405.

1.4.1. Official representative of Legal Holder

**Name:** Tran Thi Lanh

**Skype:** [cendiglobal.org](https://www.skype.com/user/cendiglobal.org)

**Email:** [ttlanh@cendiglobal.org](mailto:ttlanh@cendiglobal.org)

**Phone (landline):** 0084 24 3 771 5690

1.4.2. Person responsible for financial management

**Name:** Nguyen Minh Phuong

**Skype:** [nmpuong.cendiglobal](https://www.skype.com/user/nmpuong.cendiglobal)

**Email:** [nmpuong@cendiglobal.org](mailto:nmpuong@cendiglobal.org)

**Phone:** 0084 39 655 9220 (II); 0084 98 571 3430

(mb).

1.4.3. Project manager/coordinator (please notify us here of any changes since funding was originally applied for)

**Name:** Dang To Kien

**Skype:**

**Email:** [dtkien@cendiglobal.org](mailto:dtkien@cendiglobal.org)

**Phone:** 0084 243 771 5690 (II)

**Date/place:** \_\_\_\_\_

**Signature of person responsible for the report:** \_\_\_\_\_

## **1. Brief description of the report preparation**

People who involved in this report preparation are as follows: 1) Young eco-farming activists from MECO-ECOTRA<sup>1</sup> secretariat and the Ka Dong indigenous villagers, especially key persons (please see detail in Annex 5). The young eco-farming activists have collaborated with CENDI staff to work at the field and provide activity reports reflecting the implemented activities. All the views and comments during the implementation from stakeholders, especially ideas and suggestions from villagers have been incorporated. 2) A senior expert (Mr. Le Van Ka) involves directly in facilitating the methodology during field-research and also the customary-based conflicts resolution processes. Via working closely with villagers of different villages during undertaking the field-based indigenous knowledge-based mapping techniques with emphasis upon customary norms from the villages, the expert has been able to collect these information for writing the report, presentations and reflects field situations and activity results after field-works. 3) Other CENDI staff also assists in providing further details and critical comments during the activities in order to ensure progress through current mapping and social analysis especially conflicts resolutions have been respecting villagers' inputs and suggestions. And, 4) CENDI project staff also provides independent comments for ensuring the project conduct in consistency and also information analysis.

Sources of information for writing this report include: note taking and stories from the fields, direct villagers' inputs, village meeting, negotiation between villagers and local authorities and specialized staffs during working in the fields, seminar presentations, field reports, administrative filing system (official letters, decisions, and notification of project approval, working plans, fieldtrip outlines, pictures, video clips, and records from the field).

## **2. Changes in the project context**

### **2.1. Important changes in the project condition**

1. Forestry Law has been newly approved on 15 November 2017, and there are major progressive changes: Ethnic minority (EM) communities are legally recognized as forest owners; EM communities have legal rights to receive government fees for forest protection and payments for environment service (PES), to practice forest belief, establish ecotourism business organizations, to own planted trees that have been invested by communities themselves (Article 86). Traditional forests of EMs (sacred forests, water source forests) are legally recognized as special use and protection forests and the mentioned forests can be legally allocated to EMs for management and protection (Article 16). EM communities and households have legal rights to involve in forestry activities (forest management planning, forest land allocation, etc.) to promote transparency and gender equality (Article 3 and Article 10).

---

<sup>1</sup> Mekong Community Networking for Ecological Trading (MECO-ECOTRA) is a community-based network, long-term partner of CENDI.

2. On 6<sup>th</sup> January 2017, the Government enacted Decree No. 01/2017/ND-CP amending a number of articles of the few earlier Decrees detailing the implementation of the Land Law. This Decree clarifies a section of the 2013 Land Law, which ***“had previously stated that only organizations could benefit from the allocation of production forests”***. This revised Decree now states that households, individuals, and communities who are living in forest areas can be legally allocated these forest areas as natural forest for production. This is a legislative positive improvement for supporting land allocation and granting land certificates to communities and households.
3. On 12<sup>th</sup> January 2017, the Communist party Secretariat enacted Directive 13-CT/TW on the management, protection and development of forests, which emphasizes: ***“Urgently check, assess and supervise socio-economic plans, projects which impact negatively forest areas and forest quality; build up mechanism for management and supervision of projects relating to the transformation of natural forests into other purposes, including rubber plantation; monitoring and assess effects and impacts of those projects of transformation of natural forests”***. This document reflects the policy makers’ urgent concern over the use and protection of natural forests, and that creates a basis for local communities to further push for claim of their rights to involve in forest management and protection against outside actors, who want to get land concession and exploit forests.
4. Decision 886/QD-TTg by Prime Minister dated 16 June 2017 on the enactment of the programme for sustainable development of forestry for period 2016-2020 sets a target of an expansion of 100,000 hectare (ha), adding to the current area of special-use forest. In addition, this programme aims at reforestation of 1,025,000 ha on the exhausted forestland. That means it is likely that more opportunities would be offered to state management boards such as through national parks and nature reserves to have access to more land, and chances for private investors to compete with local people and communities for involving in the larger-scale reforestation scheme(s). This type of programme might conflict with existing programs/policies on ensuring residential and production land and forest for mountainous, ethnic minority people.

## 2.2. Changes in target group

Via land survey on site, it was discovered that the Dak Ring hydropower plant-induced resettlement program had caused a land overlapping between the five households who had had 100 ha of land allocated and the irrigation system built for the new resettled community. In addition, the payment for forest environmental service has resulted in the Xo Thac villagers’ discontent because of conflict between traditional collective egalitarian share of resources, responsibilities and benefit and the formal bureaucratic approach and procedure. Concretely, this payment scheme does not pay to community as a whole for their self-management, but pays direct to 7 households on the basis of forest protection contracts offered by Thach Nham forest protection management board (FPMB). Therefore, the network of forest protection groups and communal officers intend to discuss and solve this issue in the coming time.

### 2.3. Important changes within the implementing organization

There are no major administrative, structural or personnel changes within CENDI in this reporting period. In addition, CENDI's cooperation with relevant organizations has been tightened for smooth implementation of the project. In order to get project approved and project profile completed, CENDI has obtained official approval of Contract 339-004-1013 ZG via Decision No. 62-2016/QD-TWH dated 29th November 2016, which was signed by the Chairperson of the Central Standing Committee of the Asian Research Association of Vietnam (SEARAV).

### 2.4. Implication of the changes

While it is good to have such a progressive legislation as the new Forestry Law (Articles 2, 8, 10, 14, 16, 81, 83 and 86), implementation is another story in the context of Vietnam. Whenever people, especially EM people are strong enough to address their customary rights and claim their legal rights, their right to access to land use, land allocation will be implemented according to the law. Otherwise the gap between law and reality could be widening in Vietnam, especially in the context of EM regions because of cumbersome procedures set by different by-law documents and administrative actions by local authorities. Many FPMB keep their mediate role to manage forestland (even part of the land traditionally belongs to ethnic minority/EM communities), and offer forest protection contracts to local EM people. In this situation, it is necessary to strengthen the role of EM customary institutions, local voices to claim their legitimate and legal rights in order to improve enforcement of laws and EM forestland rights, simultaneously advocacy to improve by-law regulations and procedures relating to EM forestland rights.

## 3. Implementing the project and achieving its objectives

### 3.1. The project achieved values

Objectives/ Indicators	Baseline value	Interim value	Current value (December 2017)
<b>Objective 1.</b> 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.	Re-allocation of village land and forest in accordance to the Ka Dong customary law has been successfully in-placed for approval and implementation by formal authorized agencies at both communal and district levels; and the transformation from	Documentation and dissemination (continuous sharing) of information of the case for lobbying for a change of policy on natural resource management is being taken place. On 18 December 2017, the Kon Plong DPC provided Decision

		the earlier unclear individualized land titles to the alternative community land title today (via Decision 844/QĐ UBND of Kon Plong DPC dated 12 December 2017).	1127/QĐ UBND approving land allocation scheme for communities of the three villages of Tu Thôn, Tu Rét and Tu Ngú of Dak Nen commune.
<b>Indicator 1.1.</b> Registrations, which have been issued by the respective authorities, are available	The previous formal land allocation in Kon Plong district had not involved local names or indigenous ecological knowledge into the mapping and cadastral system.	The involvement of the local Ka Dong elders and leaders has helped to identify the meaning and names of local areas, mountains, streams and sacred places according to the Ka Dong knowledge, culture and community customs. When the village elders have a chance to survey onsite, they feel happy and get more confidence. It is significant that the traditional boundaries and land areas of villages ( <i>P'loi</i> ) are identified and transferred onto the official map, which is recognized by the judicial, cultural, natural resources and other relevant government departments.	When the district officers and professional technicians (include those of FPMB) are involved in the land allocation process, they had the opportunity to listen to local people and understand more about the wisdoms, culture and customs of the Ka Dong ethnic community. On this basis, the involved officials feel comfortable to endorse the cadastral dossier and support the approval of granting land certificates to the local Ka Dong communities.  On 29 December 2017, the Kon Plong DPC chairperson signed Decision 1175/ QĐ UBND to <b>grant a total 1,021.4 ha of forestland</b> to communities of three villages of Tu Ngú, Tu Rét and Tu Thôn.
<b>Objective 2.</b> The customary law of 10 villages are considered and legitimized by the local authorities	There had not any ethnic minority village regulations on forest governance been approved by the local authorities.	There is a great transformation in the attitude of the local authorities and district staff toward better understanding and hence, respect and admiration of the Ka Dong villagers' knowledge and their capabilities in natural resource management.	Legalization i.e. formal recognition of the Ka Dong customary governance of natural resource management has been achieved (Decision 242/QĐ-UBND of the Kon Plong DPC dated 3 April 2017. Please see detail content of a sample of community regulation in Annex 5).
<b>Indicator 2.1.</b> The respective commitments of the authorities are available	Local authorities had not yet opportunities to learn, understand and recognize local ethnic minority	Community leaders and members of 10 villages in Dak Nen commune completed 10 sets of village regulations (or community customary law) on forestland management and	The district, communal authorities, technical staff and the research team members have been very lucky to learn and obtain much better understanding of the Ka Dong

	people’s customary laws, their knowledge and practices of forestland use and governance.	protection. The mentioned village regulations are transferred to be reviewed, recognized, and certified by communal and district authorities.	culture, ways of life, their own indigenous knowledge, traditional cultivation practices, current social structure, community organization, ritual ceremonies and belief. The group also felt they can understand better the changing process and recent challenges being faced by local villagers and communities.
<b>Objective 3.</b> 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.	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’s better awareness and ability to present their cultural values have contributed to preservation of the traditional livelihood identity of the Ka Dong through integrating and interacting with stakeholders such as the H’re ethnic key-farmers from Po E commune, the Dak Nen communal authorities, the District department of Agricultural and Rural Development and the District NRM Department.	A common understanding of what defined as sustainable development built from the grassroots and from the ground-people’s perspective and that has a strong base and reflection with the five rights of the livelihood sovereignty.  Exchanging of cultural values and customary law has been offered to the Ka Dong and H’re ethnic groups via a field survey with the involvement of representatives from the two mentioned communities.
<b>Indicator 3.1.</b> It is documented that either new groups are founded according to the purposes respective to the aims or that existing groups in the villages feel themselves obliged to these purposes	Before CENDI project implementation, Kon Plong district officers and villagers in Dak Nen commune had never experienced people-led development activities, particularly in land allocation process	The people-led and participatory land allocation process has offered a collective decision-making mechanism for a fair share and access of all villagers to community forestland. That process allows a possibility to resolve existing conflicts and prevent future disputes between different stakeholders.	The 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. To learn and base on the local belief, customary law and cultural practices, the forestland allocation taskforce experienced a slow process, but this process will offer a solid result at the end.

### 3.2. Activities and outputs

Activities	Outputs
<p><i>1. Conduct research on Ka Dong culture in 10 villages over months</i></p> <p>CENDI field staff and villagers conducted research in the manner of action-based and attempt to make observations of research through engaging at different activities such as land survey, linking Ka Dong community and key-persons with key-farmers from H're community, the young eco-farming activists and local authorities.</p> <p>We are in the process of writing and updating a 143-page report on studying Ca Dong ethnic culture identity and customary law, especially focus on forest land governance, traditional boundary and the way to settle land conflict, land overlapping.</p>	<p>The current 143-page research report of the Ka Dong cultural identity and customary laws has been on-going gather information and analysis.</p> <p>Insightful knowledge of the Ka Dong community and their culture have help CENDI staff and local officers and technicians to facilitate the further process of land conflicts/overlapping resolution on the basis of traditional <i>Ploi</i> (village) cultural identity.</p> <p>Having involved in the participatory research, staff and local officers had opportunities to learn the Ka Dong's cultural values and also listen to Ka Dong people to present their own knowledge.</p> <p>Ka Dong villagers through practicing presentation, they also learn to build their greater confidence, ethnic pride and skills to re-sharing their spiritual beliefs, ecological knowledge and customary practices of natural resource management in front of a team of local officials and staff.</p>
<p><i>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).</i></p> <p>Practical training conducted after various villages' meetings and villagers' consultation in order to obtain and integrate their insightful knowledge and understanding.</p> <p>Key issues and learning from the Ka Dong ecological knowledge, and customary laws in natural resource management and forest protection were integrated into the training.</p> <p>At the same time, local officers, technicians and CENDI staff also trained and shared with villagers' statutory regulations on land and forest use, protection and management.</p> <p>The working team consists of one Dak Nen</p>	<p>A practical training document integrated of customary law and also statutory law was formulated.</p> <p>MECO-ECOTRA secretariat activists and CENDI field staff worked with elders, village leaders and key persons at 10 villages surveyed and drawn their traditional village boundaries and community forests.</p> <p>During training, we studied Ka Dong cultivation experiences, livelihood, and income sources, their customary law on land use, forest protection, village history, community social structure, and belief and ritual ceremonies. And this information has added on the earlier 143-page research on-going document.</p> <p>During field-based training, CENDI identified 35 key persons/villagers from Ka Dong ethnic group, whom will be able to cooperate in the forest land co-management network with the existing 24 members of H're ethnic group from Po E commune.</p> <p>This network of indigenous members from different ethnic groups (i.e. the Hmong, the Ka Dong and the H're)</p>

<p>communal officer, 4 MECO-ECOTRA secretariat activists, and 3 CENDI/ LISO<sup>2</sup> staff.</p>	<p>would be expected to further contributing into enrichment of knowledge and exchanges of local customs and practices and self-ethnic-identity pride whilst strengthening the grassroots solidarity.</p>
<p><i>3. Training of Trainer on how to integrated between customary laws and state law for 35 key farmers and 10 authority and professional staffs during two days at the commune location</i></p> <p>Training of Trainer conducted on the law on land, law on forest protection and development and ways to combine/integrate customary law and statutory law for further people's awareness on their forestland rights and responsibilities and importance of co-management of forests.</p> <p>Training of Trainer conducted by the earlier key persons to train and outreach wider villagers, community members.</p>	<p>With wider engagement of Ka Dong community in the training, further information on customary laws, cultural values, and land and forests conflicts resolution processes included the survey were understood and better clarified.</p> <p>With wider engagement, we also became learning better of the social relationship, societal structure amongst community members. Through interactions and respect, elders and youths and villagers feel more trusted and obtain more confidence to speak. Local technicians and authorities and CENDI staff also learnt more and recognized clearer the strengths and values of the Ka Dong people. Authorities also became more willing to support legalization of community customary law on forestland management.</p> <p>During the training, the working group completed the traditional mapping describing local names and many of their meanings by Ka Dong customary laws of all the 68 mountains in the ten villages of Dak Nen commune. This is exceptionally significant as no initiative(s) yet in Vietnam has attempted to conduct and integrate indigenous knowledge based from local communities into the formal mapping.</p> <p>These results achieved have been a good process of learning and reflecting people-led documentation and people-led tools for directly engaging community inputs and their rules and norms in managing and using each type of forestland, rice field, local stream, and reservoir. This is a part of the fundamental steps to transform local landscape design, local geographical names, knowledge and customs into formal mapping system and integration of community regulations for the next steps.</p>
<p><i>4. Administrative proceedings and lobbying for legalizing customary laws for 10 villages</i></p> <p>With CENDI's facilitation, the draft village regulations on land use, management and forest protection were firstly formulated by community members and leaders and gone through a long process of consultation, then</p>	<p>Ten sets of village regulations (or community customary law) on forest protection have been discussed and contributed by community members and drafted by leaders; and later, certified by the communal and district authorities.</p> <p>The mentioned regulations become legalized, and have been applied by the local Ka Dong people for their</p>

<sup>2</sup> Livelihood Sovereignty (LISO) is a network of local NGOs, of which CENDI is a member.

<p>transferred to communal and district authorities for consideration and approval.</p> <p>CENDI also facilitated village representatives to present the results of village survey, village transect mapping and village regulations to many stakeholders included representatives from Kon Tum provincial Unions of Science and Technology Associations (KUSTA), Kon Plong DPC and DARD, progressive journalist/media and concerned stakeholders.</p>	<p>forestland management and forest protection activities.</p> <p>On the basis of formal recognition, these regulations do not only take effects within each village, but also apply for outsiders.</p>
<p><i>5. Social awareness raising for legalized customary law</i></p> <p>Community representative's presentation and voices and sharing were recorded and video production was made by the provincial TV and district media news.</p>	<p>Two videos were produced reflecting people's voices and key messages reflecting importance of customary law in forest governance of the Ka Dong community. The videos were shooting in the provincial media channels and also shared locally and at the district and among the Alliance for awareness raising.</p> <p>Further sharing and engagement was promoted between CENDI leadership and key actors and stakeholders such as members of National Assembly (NA) from varied provinces included Kon Tum, Quang Binh, the LISO Alliance and also direct to members of the drafting team of the revised Law on Forest Protection and Development 2017. Information from the Ka Dong case was useful for direct inputs into policy advocacy campaign, which is good advocacy activity for the process of reviewing the draft version of the revised forestry law.</p>
<p><i>6. Proceedings for conversion of individual titles to community forest and land rights titles</i></p> <p>Many community meetings were organized to engage and incorporate ideas from entire community members, elders, youths, women and men in order to obtain community agreement on revoking 51 individual land titles and transferring to community, which took a long process.</p> <p>The district, communal officials and technicians worked with 12 key farmers of the three villages of Tu Thôn, Tu Rét and Tu Ngu of Dak Nen commune to conduct a survey on 1,000 ha of forestland, which was</p>	<p>The results of community meetings and discussions have been reflected in the minutes and agreement on the transferring of land and land certificates from households to the community, which has been confirmed by all related villagers, communities, communal and district officers. This process would have been fully completed by much earlier timing if the last two households had been found and met by the FLA taskforce for their signatures and commitment of revoking individual/household land certificates to transfer to community. At the end of September, 49 out of the 51 households who got land right certificates in 2014 have completed and signed the document to show their agreement for returning their individual land certificates to the community. Only two households have not yet returned certificates to community until</p>

<p>allocated to 51 households in 2005. During the field survey and mapping processes in the third quarter of 2017, CENDI found that there was some unresolved land overlapping matters. CENDI field staff facilitated local authorities and engaging actors to support local people to resolve most of the land conflict and overlapping cases successfully and peacefully.</p> <p>For the procedure of revoking 51 individual land certificates, the district officers, technicians and communal cadastral officers worked with elders and village leaders to organize village meetings for villagers' discussion and agreement on the revoking of individual land certificates for the next process of confirming legal land rights for the community. The community traditional land and community land use plan has been informed to all villagers, especially 51 households who used to have land titles granted. CENDI expert keep monitoring this process and work closely with DARD staff and communal authorities and also community members to keep informing the last two households who had not signed to transfer their land titles to the community.</p>	<p>November 2017 because they had moved to live in other villages in the neighboring Quang Ngai province. The FLA taskforce have tried their best to get contact with the two mentioned households and get their agreements as well as signatures, and completed this process in December 2017. The results have impressed the district officers, as one of them admitted that it was hard for revoking and transferring individual land titles to community in the case of lowland Kinh majority group, but it was successful in the case.</p> <p>CENDI supports land rights allocation on the basis of respecting the rights and voices of the villagers, farmers at the grassroots level i.e. people-led approach. This has been fully incorporated during land conflict resolution processes. To ensure correctness and long-term results, and consensus building amongst all villagers' members, villages in the commune, as well as between villages and local authorities and relevant agencies during the forest land allocation, there was a need to attain thorough resolution for the past land overlapping and thorough conflict resolution between households/ individuals and community as a result of the previous state land allocation in 2005.</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 Right Title)</i></p> <p>Numerous on-site participatory survey, assessment and clarification of the allocated forestland areas and traditional village boundaries conducted.</p> <p>The district technicians provided practical training on using GPS and mapping for people of the three villages of Tu Thôn, Tu Ngú, and Tu Rét also conducted.</p> <p>District, communal professional officers and CENDI expert (Mr. Le Van Ka) facilitated meetings with village elders and village leaders to discuss and set up three sets of land allocation and land use planning</p>	<p>The participants applied techniques in identifying village borders, setting up village ecological transect maps and analyzing their natural potentials. They completed description of the situation of 1,300 ha of forest, and that become a good foundation for the further procedure of land re-allocation to community.</p> <p>The traditional boundaries have been brought to the cadastral profile and the formal VN2000 mapping system. Involving in this process, the community representatives once again confirmed the actual boundaries and their consistency with the boundaries reflected on the official map.</p> <p>Local names of mountains and forests set by the Ka Dong ethnic people have been recorded. After this field survey, the 1,300 ha forestland area of the sub-zone 375 has been measured and recorded for setting up mapping. Villagers of the three villages of Tu Thôn, Tu</p>

<p>strategy and methods for co-management of forestland for the three targeted villages. Then the villagers involved in village meeting to discuss on the strategy and methods before their approval conducted.</p> <p>Officials and professional staff from Kon Plong district's department of Justice, Agriculture, Forestry, Natural Resources and Environment, together with the CENDI expert (Mr. Le Van Ka) have working on the document and data as well (for cross-check) in order to complete the profile to submit to the district authorities for their approval and grant of land certificates to the three target village communities.</p>	<p>Ngú, and Tu Rét have identified their traditional boundaries and current forest situation. There are 149 households, 644 villagers and 328 women in the three target villages becoming direct beneficiaries.</p> <p>On the basis of land allocation strategy set out by local people, community representatives, local professional staff, CENDI staff and expert presented the results to communal authorities and related villages. The profile was then transferred to communal authorities for their approval before sending to the district People's Council and district People's Committee for their consideration and approval. Finally, the Kon Plong DPC chairperson signed Decision 1175/ QD UBND dated 29 December 2017 to grant a total 1,021.4 ha of forestland to communities of three villages of Tu Ngú, Tu Rét and Tu Thôn.</p>
<p><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 field.</p>	<p>The contracted senior expert involved facilitating entire democratic discussion process to involve 51 households in the agreement of transferring individual land titles to community. Cooperation and coordination between district, communal authorities, technicians and community members have been facilitated well.</p> <p>Via monitoring land allocation process, the expert has advised local officers and community members to review, supplement local names on the maps and revise the community map within the cadastral dossier. Furthermore, the expert combine field works with taking notes and writing research report on the Ka Dong cultural identity and customary law, which are very helpful for advocacy for confirmation community regulation and land rights.</p>
<p><i>9. Costs of outcome and impact assessment for two key farmers who come from the Key Farmer Assembly for Monitoring and Evaluation</i></p>	<p><i>This activity is not yet done. It is planned to be conducted in 2018.</i></p>
<p><i>10. Advocacy for legalization of co-monitoring and co-managing of forest preservation by joint Ka Dong and Local Authority Departmental staff teams for 35 people (20 Key Farmers + 2 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,</i></p>	<p>As mentioned in Section 2.3, CENDI has obtained SEARAV official approval of Contract 339-004-1013 ZG (at Central level) for legitimacy of the entire project conducting in Vietnam, under the supports of MISEREOR.</p> <p>In cooperation with local authority, a Memorandum of Understanding (MoU) has been signed between CENDI and Kon Plong district People's Committee (DPC) on the</p>

<p><i>Commune People Committee staff)</i></p> <p>CENDI has contacted with relevant State agencies and completed legal procedures for submission and get legal approval for the project implementation in the locality. Legalization process of co-monitoring and co-managing of forest is also informed to authorized agencies through our Umbrella, concerned agencies, media and official high-ranks.</p>	<p>implementation of Project 339-004-1013 ZG in Dak Nen commune was also conducted.</p> <p>Base on the MoU, the DPC has enacted a Decision to establish a taskforce for land and forest allocation. Then a group of project implementing members was established, and the members have completed their job descriptions. Those members have facilitated village meetings and discussed with representatives from all households in the 10 villages to set up detail 3-month, 6-month and yearly plans. Therefore, villagers understood and support the project activities, especially forestland co-management and forest protection.</p> <p>Throughout the process, engagement and interaction between authorized agencies and local community representatives strongly facilitated.</p>
<p><i>11. Presenting Ka Dong traditional wisdom and local customary law on healing by herbal medicinal plant in daily livelihood identity to District Health Clinics, Culture Dept., NRM Dept., and Vocational Technical Schools by 5 selected presenters/ speakers from Dak Nen and 2 from Po E.</i></p>	<p><i>This activity is not yet done. It is planned to be conducted in 2018.</i></p>
<p><i>12. Documentation and dissemination of information for lobbying for a change of policy on natural resource management</i></p> <p>CENDI organized a series of five seminars for the research team to present results of the field studies and get comments from experts and other CENDI staff.</p> <p>CENDI cooperates with CODE and the Alliance to organize a workshop for reflecting local voices for advocacy of the revised Forestry Law on 22 August 2017.</p> <p>CENDI worked with Kon Tum provincial television to conduct video recording and cover news on the process and results of land allocation for Ka Dong ethnic minority people in Dak Nen commune.</p>	<p>Upon the information shared in the seminars organized by CENDI, the responsible staff and expert have completed their field activity report and research, exchanging on the possible solutions, and prepared planning and adjusted working approaches for the coming activities.</p> <p>Two videos have been released through provincial and district media channels and also outreach/presented to all LISO Alliance. Information and practical experiences from the Dak Nen were useful immediately for the advocacy campaign in 2017 lobbying the revised Forest Law 2017.</p> <p>Besides research reports, notes and other materials served for writing about the significance of the Ka Dong ethnic culture, customary laws in land and forest allocation process, CENDI photo and video documentations have been created and used effectively for sharing to local officers, the media and policy makers, and become one of the sources for the recommendations contributed to the draft revised Forestry law, which was approved on 15 November 2017.</p>

### 3.3. Other effects

CENDI on-field activities, experiences and evidences from localities have become the foundation for various forums included policy advocacy at different levels as well as providing materials for the provincial and district television to complete the documentary on local land allocation and land rights for ethnic minority people with respect to indigenous local knowledge and customary-based co-management model. In combination with other achievements, lessons learnt, knowledge and experiences from the key-farmers in many other regions, the on-going progresses and lessons from the case of Dak Nen community land allocation has recently been contributing to the recognition of community land, especially spiritual forestland and community ownership of forest which is endorsed by the Law drafting team and formally recognized by Articles 2, 8, 10, 14, 16, 81, 83 and 86 of the Forestry Law 2017.

YIELDS-AGREE strongly connected GMO and Biodiversity regional conference, which involved 7 Ka Dong ethnic key farmers from Dak Nen commune to attend. In addition, farmers from Dak Nen commune involved in workshop on Interdependence of Rain forestation Farming and Role of Indigenous Knowledge organized at the Farmers Field School Human Ecology Practical Area (HEPA). After the forums, the participants went home, shared their understanding with other villagers and concerned stakeholders of the values of indigenous knowledge, and also realized the importance of native species for forest development and also livelihood sovereignty. Some other Ka Dong participants were also invited to attend the GMO meeting in Hanoi and learnt about the harm of herbicide and pesticides associated with GMO and hybrid species.

In addition, CENDI and LISO Alliance have cooperated with the Law drafting team and the Ethnic Council of the National Assembly to organize a National workshop for lobby endorsement of community spiritual forests on 22nd August 2017 to contribute ideas and evidence-based cases engaged with local authorities, community representatives, civil society organizations, scientists and the media. The contribution from the workshop has resulted in good recommendation for the law drafting team to adopt and transfer into the draft revised law on Forestry Law, which was approved by the National Assembly on 15 November 2017. With this legislative improvement, 16 million ethnic minority people are beneficiaries, especially in terms of community sacred forests and forest ownership. This is the most influential and meaningful legal Impact also contributed by Dak Nen villagers supported by Misereor into the advocacy processes.

In combination with other project, CENDI has cooperated with a SPERI expert to complete and publish MyMap on Google Map for the three villages of Tu Thon, Tu Ret and Tu Ngu, offered in two languages English and Vietnamese, reflecting the entire land and forest allocation process (See detail links in Annex 6). The results of the field survey carried out by elders, community representatives, district and communal officers and professional technicians and all concerned are information delivered and reflected on the MyMap. This MyMap has become a good source for the district authorities to proceed with a land allocation procedure and granting land certificates for the communities as well as others to learn on how to do land allocation by Dak Nen experience. In addition to land area, boundary, local names of significant points,

mountains, streams, etc. are shown on the MyMap and also local formal mapping system. Based on this published map, the traditional land and forest of the three villages is depicted clearly and hopefully will obtain further recognition and social awareness raising. In the coming time, CENDI expects to continue working on MyMap and complete it for the rest of the 7 villages of the Dak Nen commune in combination with land allocation activities.

### **3.4. Risks and opportunities**

The completion of the cadastral profile, mapping and granting land certificates to the community is slower than it was expected because of the following reasons: 1) The revoked forest land titles from the 51 households and individuals for land reallocation to community are related to the sub-zone 375, which belongs to three villages of Tu Thon, Tu Ngu and Tu Ret which take long process involved community meetings. Among the 51 households, 15 households are outside the mentioned three villages, and two of them have not signed the document committing to return land titles. The two mentioned persons are veteran and security man of Dak Nen commune, but often live in the near village belonging to Quang Ngai province. It took time from July to November to involve several officers from DARD, communal party leader, CPC chairperson, cadastral staff and community key farmers to persuade those two persons to return land to community and prevent them from transferring legal individual land right to outsiders. This movement shows how strong community spirit of the Ka Dong people, the engagement of local authority for enabling the three target villages to obtain agreement on the mechanism to share benefits with the 15 related households and get their full consent and commitment of returning land to community. 2) While there is a formal transfer of mapping system from UTM to VN2000, those two systems are inconsistent. Besides, the old system contains a lot of inaccuracy, so the forestland allocation taskforce needed more work and time to review profiles, check boundaries and areas on-site and complete data in accordance with the requirement of the new mapping system (VN2000). 3) More time is needed to identify the boundaries of the resettled communities of Xo Luong and Lang Vuong villages, who were displaced by bureaucratic, top-down decision in favour of building the Dak Rinh hydroelectric dam. 4) The figures in the formal communal land review and classification, especially the land areas temporarily managed by the communal authority are not correct and overlapped with the villagers' traditional cultivation areas, the village sacred and watershed forests. That is why FLA taskforce and community members must re-check and confirm land boundaries and areas in the field as well as adjusting the maps. 5) Concerning herbicide application in the region, it is not simply to accelerate land allocation activities. Although this sounds not directly concerning but practically the two interrelated in the lives of the local Ka Dong communities. In the land allocation process, it is more important to share and enhance local villagers' awareness of the issue in order to stop the use of these poisonous chemicals on the land. Those are the reasons for our suggestion of continuing thorough processing data from the field, correcting maps and completing them in Quarter 4 of 2017 before the final step of the district authority's decision and granting land right certificates.

The newly approved Forestry Law is a good legislative base for the local people to claim their rights to access to and confirm community forestland rights, especially the sacred and watershed ones. To bring this legislative progress into practice, such civil society organizations as CENDI need to continue working closely with local people and concerned stakeholders to further realize and valuing role of their cultural identity and customary laws in forestland management and forest protection as a great option for forest protection and sustainable resources management; and ultimately convincing local authorities to further granting legal land claims to more communities in-need.

### **3.5. Evaluations in the reporting period**

Via internal monitoring and evaluation, CENDI staff found that the project activities have been implemented in a right-based approach, culturally relevant while it is necessary to extend the time to check and confirm community forest land in a thorough process and simultaneously solve land conflicts or overlapping.

Through initial activities, CENDI has built up a good relationship with and gained trust from target communities, communal and district officers. This is a good foundation for the targeted community, CENDI staff, expert and members of the Young Indigenous Ethnic Leadership Development network (YIELDS) to continue the cooperation and further conducting activities in the future.

The critical basis of a thorough research (in-depth knowledge) of the Ka Dong cultural values, promoting local ecological knowledge and customary law on land management and forest protection is a key emphasis of all project activities. This process creates good opportunities for villagers to present, share their wisdoms and gain more confidence, while the involved local authorities and technicians can recognize and show more respect for local knowledge and values.

## **4. Conclusions**

1. Through working at the field with target communities, CENDI staff and expert have found that, it is highly efficient to involve MECO-ECOTRA secretariat activists in studying local ecological knowledge and exchanging cultural values with a new target community. Because the activists are indigenous ethnic people, and they have experiences of project activities in their own communities, so it is easy for them to relate, share and inspire a new target community. In comparison to new graduates who come from cities or lowland areas, young indigenous activists found it easier to overcome language barrier, to behave properly in cultural sensitivity and to avoid taboos while working with a new target indigenous community. Involving the mentioned activists is a good opportunity to connect youths from different cultural identities and localities to act for empowerment

- of young leaders, and simultaneously promote Agro Ecological Farming in Community Forest and Land Use Planning Strategy in Mekong region.
2. It is a good idea to bring people of different cultural backgrounds and professional expertise to study such a new target community as the Ka Dong. On the other hand, offering opportunities for the local Ka Dong key-persons to visit ecological farming models (such as Farmers Field School HEPA) and exchange ideas with ecological farmers from other regions would be an important experience for them to recognize values of their own indigenous knowledge and be inspired to maintain their traditional wisdom. Via observation at the exchanging events, we found a good cooperation and mutual help among the group of people with such diversified backgrounds.
  3. CENDI staff understand that it is important to facilitate and empower people to decide on whether to change themselves and change the perception of involved government officers. Reconciliation of the land allocation process does not result from outside facilitators' suggestions but should come from local customary law and required consensus building across stakeholders at the grassroots level which is more sustainable and this is seen as the ultimate solution to the land conflicts. Whenever local people take the full role and responsibility in solving problems, they will see more clearly their own cultural values and will be proud of their local knowledge or wisdoms and make the best of use of their resources and potentials for sustainability of their forestland and resources management.
  4. In working with the project staff and local officers, local Ka Dong people have created ecological transect mapping, so the targeted community gained more confidence, pride as well as self-responsibility for promoting their endogenous dignity and improving grassroots democracy. This approach brings about a win-win situation, where villagers could find out discrepancy relating to local forestland governance and solution for that; while local officials can get deeper understanding of the local Ka Dong ethnic minority's specific cultural identity, values, worldviews, environment-friendly cultivation practices and their role in forest protection. This process is very significant, especially in the situation that most of ethnic minority cultural aspects are seen by the mainstream lowlanders as backward or conservative.
  5. The project has provided good opportunities for different local stakeholders to join reflect and understand the Ka Dong ethnic cultural values, customary laws, norms and belief. Via participatory forestland survey and making ecological transect maps, local officers; professional technicians and FPMB could practice democratic, bottom-up land use planning. Via participatory transect maps, local names, knowledge and wisdoms could be transferred into formal dossier and formal mapping system. At the same time, the involved local officers recognize the top-down approach, particularly the imposition of herbicide and pesticide application as a wrong one.
  6. Because of a long time changes in local land governance, a lot of land conflicts or land overlapping have existed. Therefore, a correct land allocation programme should be on the basis of land conflict resolution in order to ensure community rights.
  7. CENDI field team found that the district officials were initially reluctant to discuss the existing issues concerning overlapping and local land conflicts. However, after a long time working closely with CENDI staff and experts, they are assured of the sincerity of

CENDI's involvement and trust CENDI staff and experts. This process has enabled the two sides obtain open discussion and cooperation for solving problems together.

8. Given the confirming community land right is the first priority, CENDI senior expert and field staff are interested in observing, discussing and finding out solutions for reduction and stop application of herbicide and pesticide in the locality. It is suggested to carry out this activity in the coming time, when community land right certification process is completed. In addition, an inter-village network of forest protection should be set up in order to get better exchange and mutual support between the village communities who already got forestland certificates and others, who will embark upon the process in the next phase.

## Annex:

### Annex 1: Pictures reflecting project activities



Field survey of forestland



Discussing land use plan and forest land allocation



Surveying and discussing in the field



Discussions at the village, Dak Nen commune



Discussing mapping in Dak Nen commune



Key-farmers of Tu Ret village involved in land allocation process



Surveying village land and forests



Studying and collecting local rice seeds



Villagers agree to get community land allocated instead of forestland title granted to household



A woman representing her family to sign agreement to transfer household forestland title to community



A villager performing traditional music instrument at a community meeting



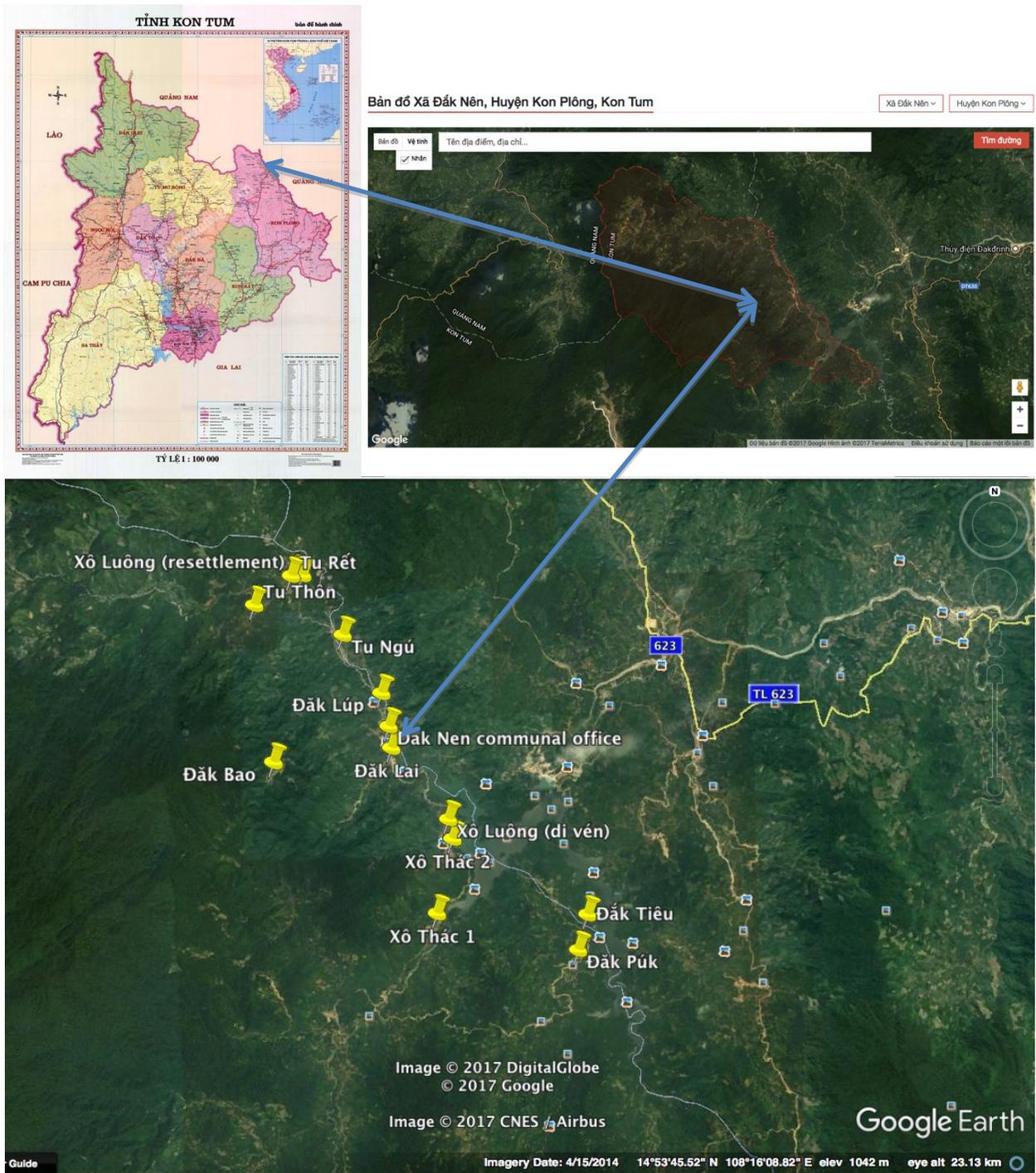
Villagers practicing ritual ceremony in the forest

## Annex 2: Demographic figures of Dak Nen commune

*(Statistics provided by Dak Nen officials, as of 30<sup>th</sup> June 2017)*

#	Village	Households	No. of persons	Women	Labour
1	Đăk Tiêu	58	245	123	131
2	Đăk Puk	60	242	122	118
3	Xô Thác	58	261	132	127
4	Làng Vương	45	157	79	88
5	Xô Luông	52	203	99	125
6	Đăk Lai	54	232	115	131
7	Đăk Lup	55	240	122	132
8	Tu Ngú	27	113	58	62
9	Tu Rét	77	340	174	167
10	Tu Thôn	45	191	96	108
	<b>Total 10 villages</b>	<b>531</b>	<b>2,224</b>	<b>1,120</b>	<b>1,189</b>

### Annex 3: Map and Google Earth image of Dak Nen commune (updated 15 April 2014)



Source: Google Earth and  
<http://stnmt.kontum.gov.vn/index.php?name=Albums&op=viewcat&catid=5>  
<http://www.diachibotui.com/ban-do/kon-tum.html?dId=376&wId=6643>

#### Annex 4: List of key persons involving in conducting project activities and reporting

#	Name	Ethnic group	Locality	Role
1.	Vang Sin Min	H'mong	Si Ma Cai district, Lao Cai province	Young eco-farming activist
2.	Dinh Chat	H're	Po E commune, Kon Plong district, Kon Tum province	Young eco-farming activist
3.	A Long	Ka Dong	Tu Ngu village, Dak Nen commune, Kon Plong district	Key person
4.	A Gieng	Ka Dong	Tu Ngu village, Dak Nen commune	Key person
5.	Y Han	Ka Dong	Tu Ngu village, Dak Nen commune	Key person
6.	A Ho-rum	Ka Dong	Tu Ret village, Dak Nen commune	Key person
7.	Y Tho	Ka Dong	Tu Ret village, Dak Nen commune	Key person
8.	A Xuong	Ka Dong	Tu Thon village, Dak Nen commune	Key person
9.	A Zai	Ka Dong	Tu Thon village, Dak Nen commune	Elder
10.	A Khun	Ka Dong	Tu Thon village, Dak Nen commune	Key person
11.	Trinh Xuan Quy	Kinh	Deputy head of Kon Plong DARD	Local officer
12.	Dang To Kien	Kinh	CENDI vice director	Coordinator, facilitator
13.	Le Van Ka	Kinh	CENDI senior expert	Facilitator
14.	Le Hong Giang	Kinh	CENDI field staff	Researcher, Facilitator

**Annex 5: A sample of community regulation approved by communal and district authorities**

**THE SOCIALIST REPUBLIC OF VIETNAM**  
**Independence – Freedom – Happiness**

**REGULATION**  
**ON CUSTOMARY LAW-BASED FOREST MANAGEMENT, PROTECTION AND**  
**DEVELOPMENT**

**Tu Ngu village, Dak Nen commune, Kon Plong district, Kon Tum province**



**THE SOCIALIST REPUBLIC OF VIETNAM**  
**Independence – Freedom – Happiness**

---

**REGULATION**  
**ON CUSTOMARY LAW-BASED FOREST MANAGEMENT,**  
**PROTECTION AND DEVELOPMENT**  
**Tu Ngu village, Dak Nen commune, Kon Plong district, Kon Tum province**

**LEGAL BASIS**

1. Land Law in 2013;
2. Law on Forest Protection and Development in 2004 (passed at the 6th session of 11th National Assembly on 3 December 2004);
3. Ordinance of 34/2007/PL-UBTVQH11 dated 20 April 2007 of the 11th National Assembly's Standing Committee on exercise of democracy in communes, wards and townships;
4. Decree 23/2006/NĐ- CP dated 3 March 2006 of the Government on implementation of Law on Forest Protection and Development;
5. Decision of 186/2006/QĐ-TTg dated 14 August 2006 of the Prime Minister promulgating regulations on forest management;
6. Joint Circular 03/2000/ TTLT- BTP- BVHTT- UBMTTQ dated 31 March 2000 guiding on establishment and implementation of regulations and rules of villages and residential areas;
7. Circular 70/2007TT-BNN dated 1 August 2007 of the Ministry of Agriculture and Rural Development on enacting and implementation of regulations on protection and development of village community forest;
8. Traditional customary law and experience of forest and land management and protection of the Ka Dong ethnic group in Tu Ngu village;
9. Contents of village meetings that have finally been agreed on 19 February 2017.

## **FOREWORD**

Tu Ngu village is located in the north of Dak Nen commune, Kon Plong district, Kon Tum province. It borders with Xo Luong village of Dak Nen commune in the north, with Son Tra district of Quang Ngai province in the east, with Dak Lup village of Dak Nen commune in the south and with Mang But commune of Kon Plong district in the west.

As of December 2016, there are 26 households with 110 people living in the village. All of them are of the Ka Dong ethnic minority group.

The Ka Dong community in Tu Ngu village manage, use, protect and develop their forest and land in order to maintain their cultural identity, secure the water supply for production and daily use, and secure a clean environment and safe life in line with the Government policies and guidelines.

To achieve these goals all the villagers in Tu Ngu have agreed upon the Regulation on forest management, protection and development with the contents as bellows:

### **Chapter I**

#### **GENERAL PROVISIONS**

##### **Article 1: Scope of regulation**

This Regulation prescribes behavioural norms of households and individuals living in Tu Ngu village, Dak Nen commune in forest management, protection and development.

##### **Article 2: Subjects of application**

All households and individuals living in Tu Ngu village, regardless of sex, ethnicity, age, political level, culture, religion and permanent or temporary residence, are equal in rights and obligations, and must strictly follow all the Articles prescribed in this Regulation.

### **Chapter II**

#### **LAND USE CLASSIFICATION BASED ON ECOSYSTEM AND CULTURAL CUSTOMS OF THE KA DONG IN TU NGU VILLAGE**

##### **Article 3: Sacred forests**

1. Defined as the forest areas where the Ka Dong in Tu Ngu village practice their ritual ceremonies to worship the Natural Spirits, such as Zàng Long (Tree Spirit), Zàng Ngok (Forest Spirit), Zàng Đăk (Water Spirit) and other Spirits, and to protect their water source and environment according to the Tu Ngu's traditional customs.

2. The sacred forests include:

- a. Ngok Mu Đok – Rock mountain
- b. Ngok Lọc Klich – Cemetery forest

#### **Article 4: Water source protection forests**

1. Defined as the forest areas to be managed and used in accordance with State law and for protection of water source and environment.

2. These forest areas include:

- a. Ngok Ro Si
- b. Ngok Kvang – Bird head-shaped mountain
- c. Ngok Cha Oc – Charcoal fire mountain
- d. Ngok Mo Plic – Bird cave mountain
- e. Ngok Krop

#### **Article 5: Areas for agro-forestry production**

1. Defined as the vacant forest areas for planting agro-forestry tree species with native tree species to enrich the forest;

2. Located at the foot of Ngok Mu Dok, Ngok Lọc Klich, Ngok Ro Si, Ngok Kvang, Ngok Cha Oc, Ngok Mo Plic and Ngok Krop mountains.

#### **Article 6: Areas for rice cultivation**

1. Defined as the areas for wet rice cultivation;

2. They are the traditional wet rice cultivation areas located in the east of Dak Meo

#### **Article 7: Grazing areas**

1. Defined as the areas for grazing cattle such as buffalo, cow, goat;

2. Fixed grazing areas are located in the flat land at the foot of Ngok Ro Xy and Ngok K Vong mountains;

3. Non-fixed grazing areas are the rice cultivation areas used during its land holiday period lasting from post-harvest in August until planting rice seedlings in March of the following year to make use of the cattle's manure for the next rice crop.

## **Chapter III**

### **ALLOWABLE ACTIVITIES**

#### **Article 8: Sacred forests**

1. To have access to the forest for collecting sacred leaves by hand to worship Yang;
2. To collect *Plo* leaves for fermentation to make wine for the village rituals.

#### **Article 9: Other forest areas, field areas and streams**

1. To have access to the forest for collecting firewood, non-timber forest products (NTFPs), such as bamboo shoots, mushrooms, leaves for fermentation to make wine, medicinal herbs and other traditional forest vegetables for daily livelihood of the whole village as well;
2. To collect small trees for building fences or animal cages traditionally with prior notice to the village leaders and forest protection Group;
3. To additionally plant rare and precious native tree species available in the Tu Ngu's forests for enrichment;
4. To harvest aquaculture products within Tu Ngu village in traditional methods and according to the village culture.

## **Chapter IV**

### **PROHIBITED ACTIVITIES**

#### **Article 10: Watershed forests and sacred forests**

1. All types of exploitation, deforestation and collection of forest products;
2. Slash and burn cultivation;
3. Wild animal poaching by all means;
4. Everyone must strictly follow forest fire prevention measures

#### **Article 11: Forests for traditional water source protection**

1. Slash and burn cultivation;
2. Exploitation of all types of timber for sale without prior approval of the competent authority;

3. Wild animal poaching by all means;
4. Exploitation and use by outsiders;
5. Everyone must strictly implement regulations on forest fire prevention;
6. Graze cattle in the newly planted forest areas

**Article 12: Animal husbandry areas**

1. Graze cattle, exploit timber and collect NTFPs by outsiders
2. Make traps and hunt animal;
3. Harm the local cattle.

**Article 13: Agro-forestry production areas**

1. Graze cattle in newly planted secondary crops areas;
2. Use herbicides to damage the environment.

**Article 14: Field land and streams**

1. Use herbicides to damage the living environment of human beings and aquatic species;
2. Use chemicals and electricity for catching aquatic species.

**Chapter V**

**RESPONSIBILITIES AND RIGHTS OF COMMUNITY FOREST AND LAND  
MANAGEMENT AND PROTECTION GROUP AND  
COMMUNITY MEMBERS**

**Article 15: The establishment of the community forest and land management and protection group**

The community forest and land management and protection group is selected by all Tu Ngu villagers. The group's operation is assessed by the Elder's Council on a yearly basis. The number of the group's members can be changed every one or two years depending on specific circumstances.

In special cases the group can be added with more members or re-elected given no agreement is reached by the entire community.

**Article 16: The members of the community forest and land management and protection group, including:**

1. Village Party Secretary;
2. Village head;
3. Head of village Fatherland Front;
4. Village Elder;
5. Representative of the village Youth Union;
6. Representative of the Women's Union;
7. Representative of the War Veteran's Union;
8. Policeman;
9. Head of the village army force.

**Article 17: Functions and rights of the community forest and land management and protection group**

1. Represent the community to discuss and negotiate with relevant organizations and individuals on forest and land management and protection;
2. Collaborate with Thach Nham Watershed Management Board and Dak Nen communal authority in forest management and protection;
3. Make decisions on village issues related to forest and land management;
4. Undertake planning and implementation of the annual plan and 5-year plan for community forest management;
5. Disseminate and implement Regulation on forest management, protection and development;
6. Organize and assign teams and individuals to patrol forest for management and protection and forest fire prevention;
7. Set up nurseries at all village's households to plant forest tree species, such as fermentation tree, reconciliation vegetable and other forest vegetables in order to build nutrition gardens for each household;
8. Mobilize young people to go to the forest to collect seasonal fallen fruits for seeds to be planted at each household's garden and around the village sacred trees;
9. Handle violations against the village Regulation. More complicated cases beyond the Regulation will be transferred to the Communal People's Committee for handling;

10. Organize monthly meetings or unscheduled meetings, when necessary, to assess the group's activities and criticize those individuals and households that have violated of the village Regulation.

**Article 18: Responsibilities and Rights of community members**

1. Engage in the community forest and land management and protection activities assigned by the community forest and land management and protection group;
2. Well exercise forest fire prevention;
3. Participate in forest patrolling teams for forest protection and fire prevention;
4. Stop and report those who carry hunting tools/equipment and illegally exploit forest products in the community forest to the group;
5. Seize violators with tools/equipment and report to the group for making records.

**Chapter VI**

**REWARD AND PENALTY**

**Article 19: Reward**

1. Households or individuals that have well implemented the village Regulation will be rewarded in forms of: having their merits noted in the village traditional Golden Book; being praised by the village broacasting or at the village meeting as a good example; being recognized as a Cultural Family or receiving other types of rewarding decided by the Elder's Council and vilalge leadership;
2. Households that have well managed and protected forest and implemented the village Regulation, in addition to the village rewards, will be recommended for the State rewards and proposed to prioritise the needs for timber and forest products for renovation of house, buffalo house and rice store, and setting up new families when they reach adulthood.

**Article 20: Penalty**

Households or individuals that violate any Articles of the village Regulation, depending on cases, shall be under the penalty as bellows;

1. Be warned at the village meeting for a first and small violation;

2. Be criticized by the organization that the household or individual belongs to and at the village meeting; being not in the short list for consideration for recognition of being a Cultural Family (in case of the household) for the third time or more.

3. Violation committed in the sacred forest will be handled according to the regulations of the Elder's Council and the Tu Ngu's community forest and land management and protection group;

4. For violations related to wild animal poaching, hunting tools/equipment and the animal will be confiscated, then the case will be transferred to the Communal People's Committee and forest rangers for handling;

5. For violations related to the forest fire, the violators must re-plant trees if the volume of the damaged trees is small, or the case will be transferred to the Communal People's Committee for handling if the volume of the damaged trees is big;

6. For letting the cattle damage crops, negotiation must be made within the community for reasonable compensation;

7. For repetitive violations, a consideration of whether allowing violator(s) to participate in the village traditional activities may be made by the Elder's Council.

## **Chapter VII**

### **FUND FOR COMMUNITY FOREST MANAGEMENT AND DEVELOPMENT**

#### **Article 21: Purposes of fund raising**

The fund aims to nurture the sacred forests and meet the spiritual demands of the village, and to support other cultural and social activities for forest and environment protection in Tu Ngu village. In addition, the fund will be used for the following purposes:

1. Conduct training courses on methods of collecting forest products, planting precious and rare native species and building nurseries at the forest edge and the household's to enrich the community sacred and traditional water source forests and regeneration forests;

2. Upgrade forest spaces that are potential for cultural and ecological researches for experience sharing and exchange on ritual-based and customary law-based forest management;

3. Build systems of signboards, maps and diagrams in the sacred forests that are subject to strict protection for the sake of the village and the nation as a whole;

4. Meet spiritual and cultural demands of the village.

#### **Article 22: Sources of Fund**

1. From forest protection payments;
2. Voluntary contribution by the community members.

**Article 23: Fund management**

1. A monthly cost plan shall be approved by the Elder’s Council and the village leadership;
2. The community forest and land management and protection is responsible for making the monthly cost plan to be submitted to the Elder’s Council and village leadership for approval;
3. The Women’s Union is responsible for fund management and book keeping based on the approved monthly cost plan;
4. Once a month at the village meeting, the Women’s Union is responsible for notifying the monthly expenses incurred to the villagers and updating them with difficulties and challenges in fund management

**This Regulation is made in 11 pages being a legal document of Tu Ngu village, Dak Nen commune, Kon Plong district, Kon Tum province upon the agreement of all community members for implementation.**

*Tu Ngu, 24 February 2017*

**ON BEHALF OF TU NGU VILLAGE**

**Village Party Secretary**

**Elder’s Council**

**Village Head**

A Long  
(Signed)

A A  
(Signed)

A Diem  
(Signed)

**On behalf of Dak Nen Communal People’s Committee**

**Vice Chairman**

Ka Ngoc Nguyen  
(Signed and stamped)

## **Annex 6. My-Map completed by CENDI, reflecting forest land rights of the three villages**

### **1. Tu Thon village**

- Version in Vietnamese:

<https://www.google.com/maps/d/viewer?hl=en&mid=1RtRDFTWv8MzUkz8McaZnz5E2ti4&ll=15.00905689715789%2C108.22006570000008&z=14>

- Version in English:

<https://www.google.com/maps/d/viewer?hl=en&mid=1n844w6MLYVY9H6u-UrZcRhyNda0>

### **2. Tu Ngu village**

- Version in Vietnamese:

[https://www.google.com/maps/d/viewer?hl=en&mid=1Z\\_9Lbj0wWekMQ1T\\_7QEZyOHe0sE&ll=15.004357023998988%2C108.24509450000005&z=14](https://www.google.com/maps/d/viewer?hl=en&mid=1Z_9Lbj0wWekMQ1T_7QEZyOHe0sE&ll=15.004357023998988%2C108.24509450000005&z=14)

- Version in English:

<https://www.google.com/maps/d/viewer?hl=en&mid=1i6J3svWMxfXTaf2QnptkiYULVmc&ll=15.004357023998988%2C108.24509450000005&z=14>

### **3. Tu Ret village**

- Version in Vietnamese:

<https://www.google.com/maps/d/u/0/viewer?hl=en&mid=1t5LgzkBbEuAlqjNdzK4UIqZWob0&ll=15.008031613325528%2C108.23408649999999&z=13>

- Version in English:

<https://www.google.com/maps/d/u/0/viewer?hl=en&mid=1ZlsjUI3lf4m38XMCB9TwlbyiPg4&ll=15.008031613325528%2C108.23408649999999&z=13>