

## **Process Framework for Involuntary Restrictions**

**Date: 09 April 2021**

**CEPF Grant: CEPF - 112003**

**Fauna & Flora International**

**Securing the future of Delacour's langur in northern Vietnam  
Kim Bang, Ha Nam, Vietnam**

## **Grant Summary**

1. Grantee organization: Fauna Flora International
2. Grant title: Securing the future of Delacour's langur in northern Vietnam
3. Grant number: CEPF – 112003
4. Grant amount (US dollars): 150,000 USD
5. Proposed dates of grant. 01.07.2021 – 30.06.2023
6. Countries or territories where project will be undertaken: Vietnam
7. Date of preparation of this document: 09.04.2021

## **A. Project background**

The Delacour's Langur is endemic, critically endangered, and one of the world's rarest primates. There are an estimated 250 left in the world, all living on one last block of limestone forest in Vietnam. This block, which covers around 10,000-15,000 ha, is protected at the northern and southern extremes, via two small protected areas. However, the central area, Kim Bang Forest, of around 4,000 ha, (the largest and most intact Langur forest habitat), is currently unprotected and faces ongoing destruction from limestone quarries, and other threats. This project is designed to halt the advance of cement mining operations, by developing sustainable, green-growth investment strategies, and to set up and fully operationalize the new protected area, whilst providing ongoing support to local rangers and community patrol teams, and community outreach. Without this project, there is a significant likelihood that Kim Bang will be destroyed, and the Langurs located there lost, resulting in around 50% of the global population disappearing, along with the majority of the occupied habitat and connectivity between the remaining sites. Such a loss would greatly increase the possibility of the species becoming extinct.

## **B. Participatory implementation**

### ***(1) Procedure of development***

FFI has a position statement and guidance document related to displacement (including economic displacement i.e. the loss of or restricted access to livelihood resources) that was approved by FFI's Council in 2016. FFI endeavors to ensure that our conservation activities do not disadvantage or undermine poor, vulnerable or marginalized people who are dependent upon or live adjacent to natural resources, and wherever possible we seek to conserve biodiversity in ways that enhance local well-being and social equity. We are committed to respecting human rights, promoting their protection and realization within our conservation programme, and supporting the governance systems that can secure those rights. We are one of the founding members of the Conservation Initiative on Human Rights

(<http://www.thecihr.org>), a consortium of international conservation NGOs that seek to improve the practice of conservation by promoting the integration of human rights in conservation policy and practice. FFI seeks to uphold this position in all of its partnerships, including with government departments, the corporate sector and civil society organizations.

This draft procedure has been developed by FFI as part of the CEPF proposal development process. Prior to proposing this project proposal, the FFI team had conducted many consultation meetings with commune representatives, local people, including those potentially being affected once the new nature reserve is gazetted. By applying a participatory approach, the FFI team gathered comments and feedbacks from local communities on the project's proposed objectives and activities. The team had also discussed issues that may occur and solutions to mitigate during the project implementation period. Before finalizing and implementing this framework, the project team will further discuss with local relevant stakeholders and communities. It will be discussed, revised and approved by at least the following stakeholders:

- Ha Nam Department of Rural Development (DARD) – the key project partner in Ha Nam;
- Ha Nam provincial Forest Protection Department (FPD) – the project implementation partner;
- Kim Bang district Forest Protection Department – supervising Community Conservation Team;
- Authorities of Kim Bang and Thanh Liem district;
- Authorities of Thanh, Son, Lien Son, Ba Sao communes;
- Representatives of 18 villages.

## ***(2) Project implementation***

Within Kim Bang forest where the Ha Nam government is finalizing the boundary for the new nature reserve, around 40 households of Thanh Son and Lien Son are considered to be affected on their fruit trees planted since the 1980s in some valleys. This cultivated land is in fact without land title. However, the project and partners respect their rights and consider no major impacts on the process of nature reserve gazettelement and habitat of langurs. In addition, there are some local people who often go to the forest to collect non-timber forest products such as snails, bamboo shoots, and bananas as part of their livelihood incomes. The project will apply a participatory approach throughout this project by closely working with local people and partners, including:

- Transparency, accountability, legitimacy, fairness, and inclusivity
- Securing sufficient capacity for participants for discussions of any issues related to this project. If necessary, trainings will be provided prior to discussions;

- Participation of stakeholders will be equitable. The project will help those marginalized or vulnerable people/groups to ensure their voices are counted. This may involve technical support, time, and consideration of cultural factors;
- The project will encourage mutual respect amongst participants, including substantive roles and appropriate power sharing;
- The project will secure participation of stakeholders in any activity implementation.

Specific activities to that the project will secure a participatory approach, include:

- The project will further facilitate to support the process for the establishment of the new nature reserve. This will involve 40 local households who are cultivating crops and fruit trees in some valleys to negotiate the boundary of the new nature reserve. This will also involve some cement companies who currently are holding permission for mining in the areas overlapping with habitat of langurs. This process will include a further series of consultation meetings;
- Community Conservation Team (CCT) is on-going activity at the site. This model has been established since 2016 with technical and financial support from FFI in collaboration with Ha Nam DARD. The establishment was based on the need of forest patrol to limit the threats to langurs. The process of recruitment was by consent of local communities where the CCT candidates live. Through its operation, although they are contracted by Ha Nam FPD, they have no legal mandate to arrest people accessing the forest. Their roles are to detect illegal activities and report it to FPD, remove snares in forest, monitor langurs, and to stop people accessing the forest. However, it needs step-by-step professionalization. The project will work closely with Ha Nam FPD to go through a transparent recruitment process and adjust their working terms and conditions. In addition, during the process of finalizing the feasibility study, to establish the new nature reserve, the project will also facilitate a co-management model and develop a sustainable financial mechanism for this CCT model. It then will be formalized as part of the new nature reserve management structure.
- Building conservation capacity for local partners will enable them to later operate their new nature reserve independently. The project will work closely with Ha Nam DARD to prioritize those who are being assigned to be staff of the new nature reserve, as key participants for capacity building. The project will also build capacity for rangers and CCT members as they will be key actors for conservation in future;
- Women will be encouraged to participate in the project, especially during the process of developing a wildlife crime prevention strategy and awareness raising for communities. Both women and men will be consulted on the types of roles in which they would like to be involved in this activity. Based on their needs, the

project will provide sufficient trainings and where possible equipment to support their involvement.

The most significant matter of this project is the process of finalizing the boundary for the new nature reserve. FFI has conducted many consultation meetings with cement companies and advocated political will at all levels, from central to local governments. The project will facilitate this process to harmonize the economic development of the province and the conservation purpose. This will involve more consultation meetings and on-the-ground assessment to achieve a mutual agreement.

### **C. Criteria for eligibility of affected persons**

Criteria for eligibility of affected persons in this context, will be:

- Those who have formal legal rights to access the habitat. These are cement and mining companies who hold permission from the government;
- Those who are using the land for crop cultivation and fruit trees. In this case they are 40 households cultivating crops and fruit trees since the 1980s.
- Those who often go to the forest to collect non-timber forest products (NTFP). In this case there are around 10 persons from Thanh Son commune only.

### **D. Measures to assist the affected persons**

We do not anticipate that any individuals will be eligible for compensation as a result of this project. This is because the project itself will only facilitate the process of designating (gazettement) the new nature reserve that may limit future access to natural resources of around 50 people. The project will secure their participation in all discussions to harmonize their benefits with the project's conservation goal.

Specific measures will include:

- The project will facilitate the boundary demarcation and land use planning for those 40 households to achieve a mutual agreement. This may involve allowing them to continue to use those valleys that create no impact on langur habitat. The provincial government may then agree to schedule for compensation. The project will be willing to support alternative livelihoods creation through training and improving market access;
- For the c.10 persons who often go to the forest for NTFPs collection, the project will support them with sustainable livelihood models, which includes involving them in the CCT model or the potential eco-tourism model in the region.

There may also be people who are inadvertently negatively affected by the project who have not been identified during the development of this process. If this situation arises during consultation on this process, the process will be adapted to account for their situation. If this situation arises during implementation of the project, the people concerned will be able to seek redress through the grievance mechanism outlined below.

## **E. Conflict resolution and complaint mechanism.**

In line with CEPF requirements, FFI (Vietnam Programmes) previous grants from CEPF, and FFI's own policies relating the rights of indigenous peoples (see also Section F), a complaint (or grievance) redress mechanism and conflict resolution system will be put in place for the project. At the community meeting house of each village, in each of the six project communes meeting halls, at the local FPD offices, and cement and mining company communal areas, the project will provide a poster which describes the project and gives information relating to laws, rights and grievance redress. The poster will state the names, addresses and phone numbers of the stakeholder units (see below), in order to create maximum conditions to help people to provide information and seek resolution to any challenges, conflicts or complaints related to the project activities, including but not limited to, the PA gazettement and associated restrictions of access.

If a complaint or similar is submitted, or any kind of concerned feedback from the local people, the project will immediately share with relevant parties responsible for the case, including state agencies. Reacting no later than 15 working days from the submission, the project will coordinate with stakeholders to take appropriate action to remedy the issues and reply in writing to the persons or person who raised it. Should FFI, or our counterparts, be unable to resolve the complaint ourselves, having been already notified, we will elevate the issue to CEPF for their direct involvement and resolution, as below.

The information provided will include:

- Project summary, location and map
- List of related rights and laws (key clauses)
- Email and telephone contact information for FFI (grantee organization).
- Email and telephone contact information of local partners, namely FPD and DARD
- Email and telephone contact information for the CEPF Regional Implementation Team.
- The email of the CEPF Executive Director: [cepfexecutive@conservation.org](mailto:cepfexecutive@conservation.org)
- A statement describing how you will inform stakeholders of the objectives of the project and the existence of the grievance mechanism (e.g., posters, signboards, public notices, public announcements, use of local languages).
- You should include the following text, exactly, in any grievance mechanism: "We will share all grievances – and a proposed response – with the Regional Implementation Team and the CEPF Grant Director within 15 days. If the claimant is not satisfied following the response, they may submit the grievance directly to the CEPF Executive Director at [cepfexecutive@conservation.org](mailto:cepfexecutive@conservation.org) or by surface mail."

## **F. Implementation Arrangements**

Consultation activities are conducted prior to implementation of this project. After the project is approved, the review and investigation of impacts and solutions to the affected people will be carried out in addition to other conservation promotion activities. When we have full information of impacts and solutions from previous surveys, the project will begin implementation of activities to gradually improve livelihoods and adopt an adaptive management approach to tailor to the needs of each affected group.

Project information provision and the grievance mechanism will be implemented from the beginning of the project. In each village, the project will hold a village meeting and instruct how to use of the information on the poster to ensure that all people have the right to access the information and all the information is fully received, and that individuals' information is kept confidential and is respected as much as possible.

FFI has undertaken significant consultation and engagement with a range of stakeholders to date, including a range of discussions and meetings at local, provincial and central levels, with the state agencies but also private sector and other NGOs. FPIC voting was key to this, for local people, and will continue. This consultation and engagement is part of the Process Framework (and beyond) and there is a plan in place for ongoing engagement, as outlined here. This table provides a summary of the stakeholder analysis, engagement/involvement in the project to date, and the plan for future engagement under this CEPF project. It should be noted that it includes the local community members, who are the focus of this Process Framework, but also all other stakeholders:

<b>No.</b>	<b>Name of stakeholders</b>	<b>Descriptions of stakeholders</b>	<b>Stakeholders engagement in Delacour's langur conservation project to date</b>	<b>How the CEPF project plans to engage the stakeholders</b>
1	Ha Nam Provincial People's Committee	Government of Ha Nam Province. The highest authority at the sub-national level, and answerable only to the Communist Party. Key decision maker.	<ul style="list-style-type: none"> <li>- Approved for the activities of FFI and counterpart cooperative activities, as below, for District PCs (x2) and DARD;</li> <li>- Provided written and verbal approval for the gazettelement scoping / planning process to take place</li> </ul>	<ul style="list-style-type: none"> <li>- Continue to approve for FFI / CEPF project activities in Ha Nam, following Decree 80</li> <li>- Attend high level workshops / consultations on the new PA, and ultimately provide the approval (Decision) on the establishment of the PA</li> </ul>
2	Kim Bang District People's Committee	Government (local) of Kim Bang district, and key decision maker at the local and day-to-day level for the project	<ul style="list-style-type: none"> <li>- Provided information on land use / plans for the district;</li> <li>- Endorsed conservation activities being implemented in Kim Bang district;</li> <li>- Provided comments and inputs to the feasibility study;</li> <li>- Engaged in consultation meeting to prioritize urgent conservation activities.</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in project activity planning;</li> <li>- Allow district mass organizations to engage in project activity implementation once required.</li> </ul>

3	Thanh Liem District People's Committee	Government of Thanh Liem district	<ul style="list-style-type: none"> <li>- Provided information on land use plan of district;</li> <li>- Endorsed activities being implemented in Kim Bang district;</li> <li>- Provided comments and inputs to the feasibility study.</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in project activity planning;</li> <li>- Allow district mass organizations to engage in project activity implementation once required.</li> </ul>
4	Ha Nam Department of Agricultural and Rural Development (DARD)	Ha Nam DARD is a provincial government agency being in charge of agricultural and forestry sectors in Ha Nam province, and as such line-manage the Forest Protection Department (FPD). Ha Nam DARD has been main partner of FFI in Ha Nam since 2016 (Delacour's baseline surveys/ project launch) through a signed MoU between the two parties.	<ul style="list-style-type: none"> <li>- Led on the process of developing the feasibility study to establish Kim Bang Special Use Forest – e.g. Nature Reserve;</li> <li>- Assigned Ha Nam FPD to work with FFI's conservation project in Ha Nam;</li> <li>- Engaged in at least 40-50 consultation meetings to prioritize urgent conservation activities, and cooperate on gazettement.</li> </ul>	<ul style="list-style-type: none"> <li>- Facilitate the consultation meetings with cement companies and communities in the process of land use zoning and boundary demarcation;</li> <li>- Technical support to finalize the feasibility study and submit it to Ha Nam PPC for approval;</li> <li>- Assess capacity gaps and provide training on protected area management to key (potential) staff of the new nature reserve, with support from FFI;</li> <li>- Engage in project activity planning and approvals.</li> </ul>
5	Ha Nam Forest Protection Department (FPD)	Ha Nam FPD is a government agency under Ha Nam DARD being in charge of forestry law enforcement in Ha Nam. Ha Nam FPD, with authorization of DARD, signed annual MoA with FFI on the payment and operation of the Community Conservation Team (threat and langur monitoring)	<ul style="list-style-type: none"> <li>- Ha Nam FPD has been directly engaging in FFI project activities since 2016, including capacity building, forest patrol, biodiversity assessment, awareness raising, and village level consultations (FPIC);</li> <li>- Engaged in consultation meeting to prioritize urgent conservation activities.</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in forest patrol activities of CCT, including snare removal campaigns;</li> <li>- Engage in managing the operation of CCT;</li> <li>- Engage in awareness raising campaigns;</li> <li>- Engage in village level consultation (FPIC);</li> <li>- Engage in project activity planning.</li> </ul>



6	Kim Bang Forest Protection Station	Is a government agency under Ha Nam FPD responsible for forest protection and management, and a key counterpart for this project whom FFI are in daily or weekly contact	<ul style="list-style-type: none"> <li>- With authorization of Ha Nam FPD, Kim Bang FPS has directly been managing CCT since 2016, engaged in all village level consultation meetings, engaged in awareness raising campaigns, engaged in biodiversity assessment as part of the feasibility study;</li> <li>- Engage in project activity planning, including monthly CCT/SMART meetings</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in forest patrol planning and activities of CCT, including joining some patrols and assisting with snare removal campaigns;</li> <li>- Engage in managing the operation of CCT;</li> <li>- Engage in awareness raising campaigns;</li> <li>- Engage in village level consultation (FPIC);</li> <li>- Engage in project activity planning.</li> </ul>
7	Thanh Liem Forest Protection Department	Is a government agency under Ha Nam FPD (sister department to Kim Bang FPD)	<ul style="list-style-type: none"> <li>- Engaged in village level consultation meetings and engaged in consultation meetings with mining and cement companies within Thanh Liem district.</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in village level consultation meetings;</li> <li>- Engage in consultation meetings with mining and cement companies;</li> <li>- Engage in boundary zoning and demarcation.</li> </ul>
8	Xuan Truong Enterprise – Tam Chuc Tourism Company	A large private tourism and construction group in the region, who own and manage Tam Chuc Pagoda which is contiguous to Kim Bang KBA. Powerful and influential.	<ul style="list-style-type: none"> <li>- Managing a forest area which they agreed and is being included in the new protected area (around 1,600 hectares);</li> <li>- Engaged in boundary negotiation process with cement companies and DARD, etc;</li> <li>- Provided some financial support to forest protection;</li> <li>- Supported community outreach activities and awareness raising for school children</li> <li>- Lobbying central and provincial governments, including the Prime Minister, to halt limestone quarrying and establish the PA</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in and lobby for an effective process, and outcome, of finalizing the proposal and boundary for the proposed new protected area</li> <li>- Engage in community outreach and awareness raising activities.</li> </ul>
9	Kim Bang Police Office	A district police office, under the Department of Security	<ul style="list-style-type: none"> <li>- Secured the safety for project staff and experts working in the area;</li> <li>- Engaged in consultation meeting to prioritize urgent conservation activities.</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in development discussion and actions, where appropriate;</li> <li>- Lead on wildlife crime prevention and enforcement, working in cooperation with FPD (and FFI)</li> </ul>
10	Long Thanh cement company	A private cement company with some exploratory mining areas (concessions) overlapping with the core habitat of the langurs	<ul style="list-style-type: none"> <li>- Participated in boundary negotiations and joined a ‘team’ of people put together by DARD to confirm the location of the langurs inside the mining zone (successful)</li> </ul>	<ul style="list-style-type: none"> <li>- Engage though consultation in finalizing the PA feasibility study (i.e. primarily the eastern boundary where interests overlap)</li> </ul>

11	But Son cement company	A government owned cement company with some areas overlapping with habitat of langurs	<ul style="list-style-type: none"> <li>- Participated in boundary negotiation;</li> <li>- Engaged in consultation meeting to prioritize urgent conservation activities.</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in finalizing the feasibility study (boundary)</li> </ul>
12	Lac Thuy Forest Protection Department (Hoa Binh province)	Is a government agency under Hoa Binh provincial FPD	<ul style="list-style-type: none"> <li>- Participated in awareness raising campaigns conducted in Lac Thuy;</li> <li>- Engaged in consultation meeting to prioritize urgent conservation activities.</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in community outreach activities in Lac Thuy;</li> <li>- Patrol adjacent forest habitat in Lac Thuy.</li> </ul>
13	Van Long Nature Reserve (Management Board)	The nature reserve to the direct south of Kim Bang forest	<ul style="list-style-type: none"> <li>- Participated in discussion of potential habitat corridor to the south of Kim Bang</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in habitat corridor assessment and development;</li> <li>- Engage on species conservation action planning</li> </ul>
14	Community Conservation Team (CCT)	6 members, all are local people. Mostly ex-hunters. Some have been working from 2016, while two only recently joined the team. A vital part of the past project and coming CEPF project, providing data on threats (which have mounted as gazettelement has neared) and langur occupancy, etc.	<ul style="list-style-type: none"> <li>- Engaged in patrol forest and threat data collection using SMART;</li> <li>- Engaged in key species (Delacour's langur) monitoring;</li> <li>- Engaged in community outreach activities, and school programmes;</li> <li>- Engaged in capacity building (recipients)</li> </ul>	<ul style="list-style-type: none"> <li>- Continue to patrol forest, collect SMART data including snare removal;</li> <li>- Engage in improved langur monitoring, including use of grid cells;</li> <li>- Engage in further community outreach activities</li> </ul>
15	Commune People's Committees (Thanh Son, Lien Son, Ba Sao, Kha Phong, Tan Son, Thi Son)	Local governments at local level, instrumental in local mobilization, facilitation and logistics	<ul style="list-style-type: none"> <li>- Allowed relevant stakeholders at commune level to engage in project activities;</li> <li>- Participated in negotiation of boundary for new nature reserve;</li> <li>- Engaged village level consultation meetings (FPIC);</li> <li>- Engaged in consultation meeting to prioritize urgent conservation activities.</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in project activity planning and assign relevant stakeholders to engage in project activities;</li> <li>- Engage in finalizing feasibility study;</li> <li>- Engage in village level consultation meetings (FPIC).</li> </ul>

16	18 villages, with around 40 potentially impacted households who are the focus of engagement, and that are located around the Kim Bang KBA and forest (of the 6 communes above)	Local people	<ul style="list-style-type: none"> <li>- Attended consultation meetings and provided feedback related to the new PA, landuse, possible impacts etc;</li> <li>- Participated in community outreach activities;</li> <li>- Participated in boundary and zoning discussions</li> <li>- An FPIC process was undertaken, and combined with the socioeconomic and knowledge/attitude (KAB) assessments</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in consultation meetings (continued FPIC, including voting);</li> <li>- Participate in awareness raising campaigns;</li> <li>- Participate in boundary demarcation</li> <li>- Ongoing KAB surveys (project start and end) to investigate project impacts</li> </ul>
17	Resource Center and Forest Environment (FREC)	FREC is a government agency under Forest Inventory and Planning Institute (FIPI)	<ul style="list-style-type: none"> <li>- FREC was hired to conduct the feasibility study to establish Kim Bang nature reserve (2018-2019)</li> </ul>	<ul style="list-style-type: none"> <li>- FREC will continue to help Ha Nam DARD finalize the feasibility study;</li> <li>- Project will facilitate and engage FREC in the consultation meetings with villagers and stakeholders</li> </ul>
18	Center for Nature Conservation and Development (CCD)	A local NGO	<ul style="list-style-type: none"> <li>- CCD has been implementing langur monitoring at Kim Bang since 2019, in a loose partnership with FFI (discussion on methodology and alignment, sharing CCT members and sharing data);</li> <li>- Inputted to draft feasibility study</li> </ul>	<ul style="list-style-type: none"> <li>- Engage in species monitoring – maximize efforts to align and synergize;</li> <li>- Engage in species conservation action planning with FFI</li> <li>- CCD and FFI have agreed to share data</li> </ul>
19	Media	Newspapers, online news sites and TV	<ul style="list-style-type: none"> <li>- To date, the project has had numerous articles in print or online (over 25) and at least 8 separate news items, features or documentaries, on national TV, related to this project, the langurs and the PA gazettelement process</li> </ul>	<ul style="list-style-type: none"> <li>- The project will continue to engage with the media as a very effective way to spread important and accurate information, raising awareness locally and with decision makers, and applying gentle pressure on high level government</li> </ul>