

Critical Ecosystem Partnership Fund

**Involuntary Resettlement safeguard - Process Framework for
Involuntary Restrictions**

&

Indigenous Peoples safeguard - Social Assessment



Cao Vit gibbon Species and Habitat Conservation Area, Trung Khanh © Tho Duc Nguyen/FFI

Transitioning to Sustainable and Equitable Protected Areas for Vietnam's Primates (2018-20)

Organization: Fauna & Flora International

Application Code: 103485

Date: November 2017

1 Statement of Need

In line with CEPF requirements, we confirm that the proposed project does work in areas where ‘indigenous peoples’ (ethnic minorities) live and the proposed activities might change their behaviors in relation to natural resources management and utilization. Together with local partners and stakeholders, FFI’s Vietnam Country Programme has prepared this document to demonstrate how the project will comply with CEPF’s Safeguard Policies on Indigenous Peoples and Involuntary Resettlement.

2 Project Background

The areas in which the proposed project will be undertaken are populated by some of the most impoverished communities in Vietnam. Ha Giang and Cao Bang Provinces, where proposed project activities will be undertaken, are ranked as the second and fifth poorest provinces in Vietnam, with poverty rates at 71% and 53% respectively and the districts in which the interventions occur having even higher rates than the province average. All three proposed project sites are characterised by having a high proportion of ethnic minorities residing along the borders of the Protected Areas where FFI will work.

FFI has a long history of working at all three priority Key Biodiversity Areas (KBAs) targeted for interventions under this proposal; in Trung Khanh Species Habitat Conservation Area (SHCA) since 2002, in Khau Ca SHCA since 2002 and in Tung Vai since 2008. FFI works closely with, and has a strong presence amongst, the local communities where we have supported local ethnic minorities to protect their natural resources and develop alternative livelihoods.

Tung Vai Commune, Khau Ca SHCA, and Trung Khanh SHCA all fall within areas largely, if not entirely, populated by indigenous ethnic minorities who are amongst the most disenfranchised communities in Vietnam. Tung Vai and its bordering communes are home to Tay, Black Dzao and H’mong; Khau Ca’s population is comprised of Tay and Dzao; and Trung Khanh is largely populated by Nung, Tay and H’mong, all of which are represented in the patrolling Community Conservation Teams (CCTs) and the Management Advisory Committees (MACs). Activities detailed in this proposal include components that are culturally relevant to the various indigenous communities, including using the various CCT members to address their own communities, having collateral and educational materials published in minority specific languages, and using community-developed SCAPs to address indigenous concerns on protected area development management.

3 Social and Threats Analyses

Trung Khanh Species Habitat Conservation Area (VNM98)

No villages fall within the boundaries of the Trung Khanh SHCA, however there are 13 villages living in close proximity and who have or do rely on the protected area for various forest products. These include Dong Si – Na Rao – Tu Ban, Phia Siem, and Pac Nga – Bo Hay of Ngoc Con commune (3); Lung Hoai, Gioc Sau, Ta Nay, and Gioc Sung of Ngoc Khe commune (4); Pac Dong, Gioc Rung, Na Thong, Na Hau - Na Chang,

Da But - Da Loan, and Da Be of Phong Nam commune (6). These 13 villages have 687 households and 2,945 people.

In terms of household wealthy, based on the criteria of household ranking of government (Directive of the Prime Minister No. 1752/CT-TTG dated 21.9.2010 for the period 2011 – 2015), there are none of advanced and rich households in these villages. Table 2 shows that most of them are average households (64.04 %), poor households are 15.72 %, and close-poor households are 20.23 %. However, number of poor households in Phong Nam commune are still high with 20.61 %. This suggests more intensive local capacity building and livelihood development interventions to these villages, focusing on communities of Nung people.

Table 1. General household ranking of three communes

Commune	No. of households	Poor households		Close-poor households		Average households	
		No.	%	No.	%	No.	%
Ngoc Con	195	25	12.82	73	37.44	97	49.74
Ngoc Khe	264	36	13.64	20	7.58	208	78.79
Phong Nam	228	47	20.61	46	20.18	135	59.21
Total	687	108	15.72	139	20.23	440	64.04

Source: FFI Social economic report 2016



Map 1 - Priority villages that impact on Trung Khanh SHCA.

Key economic activities which impact the protected area include fuel-wood collection, collection of timber for construction of houses and waterwheels and cattle grazing. Activities under this grant aim to reduce the dependence of local

ethnic minorities on these resources through provision of acceptable alternatives such as fuel efficient stoves, wood lots and metal waterwheels. Additional information on the local ethnic communities economic activities surrounding Trung Khanh SHCA can be found in:

FFI Vietnam Programme. 2016. Socio-economic Assessment in Ngoc Con, Ngoc Khe, and Phong Nam communes of Trung Khanh district, Cao Bang province. Fauna & Flora International Vietnam Programme, Unpublished report, Hanoi.

Khau Ca Species Habitat Conservation Area (VNM50)

There are only 7 villages with high impacts on the Khau Ca SHCA. This includes Hong Minh and Khuon Pha villages of Tung Ba commune; Khuoi Loa and Phia Deng villages of Minh Son commune; Na Loa, Lung Tam and Ban Bo villages of Yen Dinh commune. Those people having the most significant impact on the Khau Ca SHCA are the about 300 H'mong ethnic minority villagers living in the immediate vicinity of the protected area in the villages of Phia Deng and Khuoi Loa of Minh Son commune.

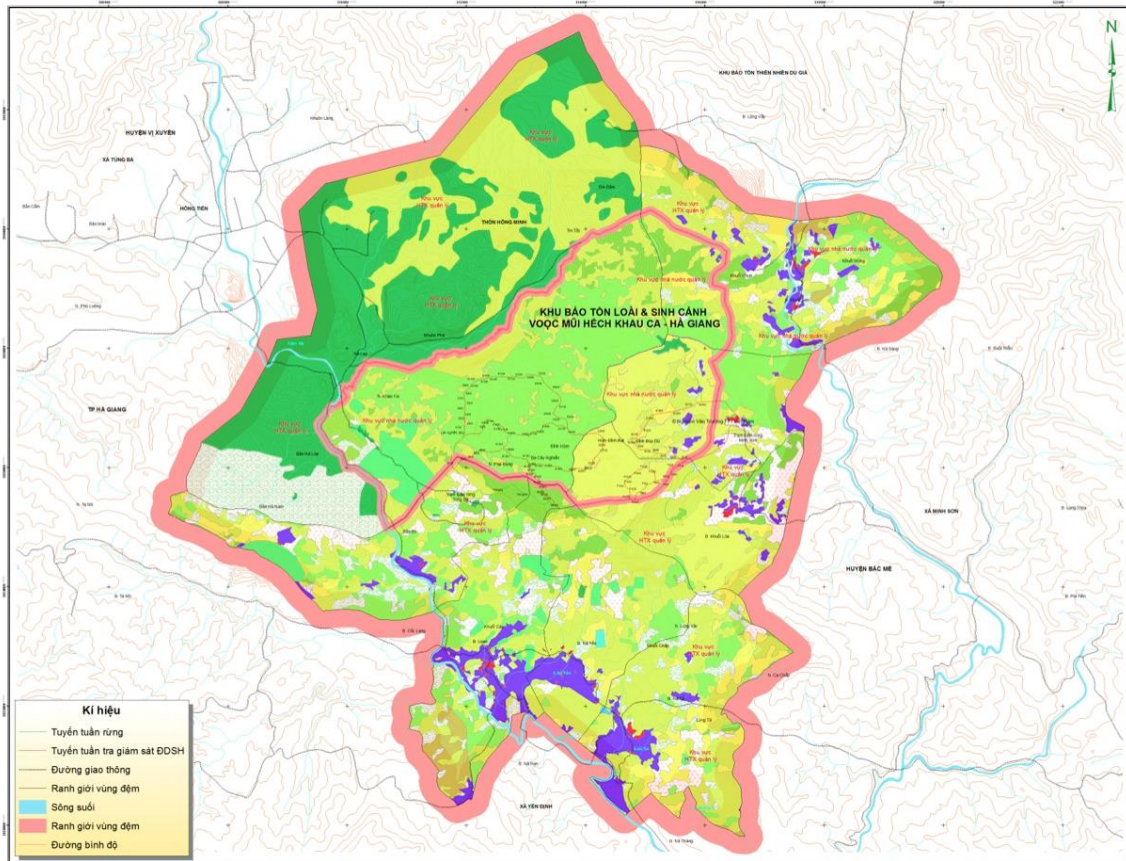
In terms of household wealthy, based on the criteria of household ranking of government (Directive of the Prime Minister No. 1752/CT-TTG dated 21.9.2010 for the period 2011 – 2015), there are none of advanced and rich households in these villages. Table 4 shows that most of them are average households (43%), poor households are 27%, and close-poor households are 30%. However, number of poor households in Minh Son commune are still high with 37%. This suggests more intensive local capacity building and livelihood development interventions to these villages, focusing on communities of Mong people.

Table 2. General household ranking of three communes

Commune	No. of households	Poor households		Close-poor households		Average households	
		No.	%	No.	%	No.	%
Minh Son	6244	2300	37%	1200	19%	2742	44%
Tung Ba	7340	1700	23%	2670	36%	2970	40%
Yen Dinh	3665	680	19%	1350	37%	1635	45%
Total	17249	4680	27%	5220	30%	7347	43%

Key economic activities conducted by local communities which impact the protected area are similar to many in northern Vietnam. Local communities utilize the forest for collection of fuel-wood, timber for construction and non-timber forest products. Based on ongoing field assessments of threats, the most significant threats to Tonkin snub-nosed monkeys driven by local communities forest use practices and that require mediation are timber extraction and hunting. Second tier issues include NTFP harvesting and cattle grazing. Additional updated information is required to better understand how local communities and forest intersect, especially since the designation of the protected area. Additional information on the local ethnic communities economic activities surrounding Trung Khanh SHCA can be found in:

FFI Vietnam Programme. 2016. Socio-economic Assessment in Minh Son, Tung Ba, and Yen Dinh communes around Khau Ca Species and Habitat Conservation Area, Ha Giang Province. Fauna & Flora International Vietnam Programme, Unpublished report, Hanoi



Map 2 - Map of Khau Ca SHCA and surrounds

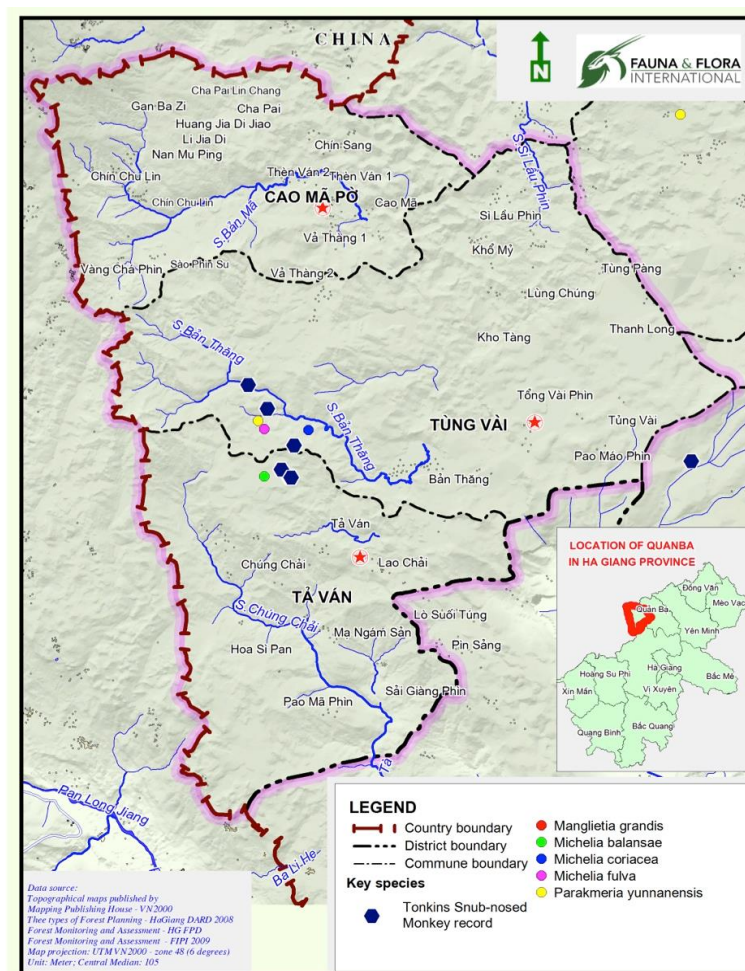
Tung Vai Commune and Protection Forest (VNM100)

Key villages which rely on forest resources and impact Tonkin snub-nosed monkey habitats include, in particular, Ban Thang which is comprised of 128 households of mainly Tay and Nung ethnic minorities, and Tung Vai Phin, comprised of 102 households of predominantly H'Mong ethnic minorities. In these two key target villages, poverty levels are high, with the proportion of poor households being 41% and 53% respectively. The average income in Quan Ba District as a whole was still below 7,500,000 VND/person/year in 2015 (~USD\$320) (verbal discussion with district authority). Approximately 7 per cent is income derived from selling forest products with the rest split between agriculture and livestock. Data provided by Quan Ba Agriculture and Rural Development Office and commune and village interviews suggest that the cultivation of cardamom and *Lysimachia* is the single greatest source of income for local people. Approximately 80% of households cultivate these two types of plant. Some households at Va Thang 2 Village can receive up to 200,000,000 VND (~USD\$9,500) from selling cardamom.

Cao Ma Po, Ta Van and Tung Vai and are recorded as three communes with the largest areas of Cardamom in Quan Ba District. These communes account for 60% (1,257 ha) of the total area (2,126 ha) in Quan Ba District under production (Quan Ba DARD, 2015). Our interview data recorded about 379 – 406 (63%-67%) households in the 7 target villages cultivating Cardamom/*Lysimachia*. However, the number of households having fields in the forest where TSNMs are living is not clear as households also plant outside of the boundary of the watershed protection forest.

The efforts of the local authorities and communities over past years have significantly improved the size and productivity of crops and livestock but agro-forestry productivity remains low. However, there are some models of good practice that can be evaluated as potential opportunities to improve their livelihoods and increase incomes of local people as the traditional skills of sustainable farming on sloping land, beans-corn mixed planting in Cao Ma Po, tea plantation in Ta Van, forest development as nurseries of Magnolia and other timber trees in Tung Vai commune.

The infrastructure in this region has concrete inter-communal road system. Roads from commune centers to the villages are however in bad condition. Due to the poor road infrastructure, it is difficult in terms of accessing markets for products produced and therefore for livelihood development.



Map 3 – Quan Ba District villages in relation to records of Tonkin snub-nosed monkey

So far, household subsistence mainly relies on agriculture and forestry production, such as crops and livestock, as is tradition. Paddy-rice and corn are grown for food for people, hybrid-maize for poultry and livestock. Livestock and poultry meat are a luxury for people with low-incomes who lack grazing land and food sources for livestock development. Major income sources of households primarily come from the sale of cattle, poultry and cardamom and *Lysimachia*. A few NTFPs are exploited to sell to traders. Fuel sources of people are mainly wood collected from local forests.

4 Indigenous people

Indigenous communities around Trung Khanh SHCA

Ngoc Con, Ngoc Khe, and Phong Nam are three communes living adjacent to the Trung Khanh SHCA. These three communes have total 28 villages and 1,545 households consisting of 7,530 people. These communes are largely populated by the Tay ethnic minority with 91.38%, following by Nung people with 8.46%, only 2 are Dao and 3 are Kinh people (FFI data, 2015). A full breakdown of the number of households and people in villages closest to the protected area and that represent priorities for conservation interventions are listed in Table . In comparison with database in 2005, the number of villages remain as same as 28 villages, but the number of households increased from 1,487 in 2005 to 1,545 in 2015 (3.9%) and number of people increased from 6,402 in 2005 to 7,530 in 2015 (17.6%). All three communes have car-accessed roads to commune center. Ngoc Con and Ngoc Khe have one shared secondary school and Phong Nam has one secondary school. Each commune has one primary school. All villages have national electricity.



Trung Khanh, CVG SHCA. @ FFI

Table 3 – Number of priority villages in three communes surrounding Trung Khanh SHCA with statistics on ethnicity.

Commune	No. of villages	No. of households	Increased (%)	No. of people	Increased (%)
Ngoc Con	9	582		3,435	
Ngoc Khe	10	630		2,751	
Phong Nam	9	333		1,344	
Total (2015)	28	1,545		7,530	
Data (2005)	28	1,487	3.9	6,402	17.6

Source: FFI Social Economic Report 2016

Indigenous communities around Khau Ca SHCA

The human population in the area around Khau Ca SHCA is largely comprised of ethnic minorities. Minh Son, Tung Ba, and Yen Dinh are three communes living around the Khau Ca SHCA. These three communes have total 44 villages and 3,328 households consisting of 17,249 people. The largest ethnic group is Tay with 11,575 people, followed by Mong with 3,190 people and Dao 879 people based on 2015 figures. A full breakdown of the number of households and people and their ethnicity in villages closest to the protected area and that represent priorities for conservation interventions are listed in Table 4.

Table 4 - List of priority villages in three communes surrounding Khau Ca SHCA with statistics on ethnicity

Commune	Tay			Mong			Dao			Other			
	No. of people	No. HH	%	No. of people	No. HH	%	No. of people	No. HH	%	No. of people	No. HH	%	
Minh Son	6244	1748	28%	308	2934	47%	517	330	5%	1873	312	5%	55
Tung Ba	7340	7262	99%	1363	73	1%	15		0%	120		0%	5
Yen Dinh	3665	2565	70%	507	183	5%	37	549	15%	109	366	10%	72
Total	17249	11575		2178	3190		569	879		2102	678		132

Source: FFI Social Economic Report 2016

Indigenous communities around Tung Vai Forest

The three communes of Cao Ma Po, Tung Vai and Ta Van have 26 villages (7, 11 and 8 villages respectively) with a total of 1,909 households and 9,175 people (Quan Ba Statistics, 2014). Of these, residents of the seven (7) villages that are closest to the forest are the main forest resource users. The majority of households in the Tung Vai Commune KBA and surrounds are comprised of ethnic minorities. However, ethnicity is highly diverse and includes Han, Dzao, Tay, Nung, H'mong, Pu Y, Day, and Dao. A breakdown of the number of households and their ethnicity in villages closest to the KBA and that represent priorities for conservation interventions are listed in Table 5.

Table 5 - Overall demographic data of the seven selected target villages

Commune/ Village	No. of households	Ethnicity	No. (%) of poor households
Cao Ma Po			
<i>Vang Cha Phin</i>	40	Han	70
<i>Va Thang 2</i>	49	Dzao	43
Tung Vai			
<i>Ban Thang</i>	128	Mainly Tay and Nung, with a few H'Mong, Pu Y, Day, Han, Dao, Kinh	41
<i>Tung Vai Phin</i>	102	H'Mong	53
Ta Van			
<i>Ta Van</i>	62	H'Mong	51
<i>Chung Trai</i>	68	H'Mong	46
<i>Lo Suoi Tung</i>	92	H'Mong, Nung (1)	67

5 Project Impacts

In this proposed project, interventions may create negative impacts on local communities of ethnic minorities through the following components: **Component 1** is aimed at improving the long term protection of Tonkin snub-nosed monkey in Tung Vai Protection Forest, through gazettelement of a new protected area (Special Use Forest) and sustainable cardamom production. **Component 2** is aimed at increasing protection and availability of habitat for TSNM at Khau Ca SHCA (and Du Gia NP). **Component 3** is aimed at maintaining collaborative PA management and community-based forest protection, and have increased revenue from diversified sources of income. **Component 5** is aimed at improving operational capacity for community-based forest monitoring and law enforcement efforts, including new technologies and performance-based incentives.

Project activities to be conducted which *may* impact local communities of ethnic minorities and/or their access to natural resources and therefore trigger safeguards include:

Activity 1.1 & 1.3: Intension to develop Tung Vai Forest a Special Use Forest. This activity may imply negative impacts to local communities who are current using forest land to cultivate cardamom and *Lysimachia* in the area.

Activity 2.2: Improvement of PA management and habitat corridor planning. This activity may imply negative impacts to local communities who are currently using the areas proposed to develop habitat corridor.

Activity 3.1 & 3.2: Sustaining finance and business planning. This activity will create positive impacts to local communities.

Activity 5.1; 5.2; 5.3; 5.4: Improving forest patrol and species monitoring through CCTs. These activities may imply negative impacts to local communities who are currently living close to the forest(s) and utilize forest resources in some way for their livelihoods.

6 Measures to avoid impacts and monitoring

In this proposed project the aforementioned interventions may impact on local community members, but measure will be put in place to facilitate that impacts are net positive, through avoidance, mitigation, and alternatives – as follows:

Proposed Positive Impacts – High Level

Component 1 is aimed at improving the long term protection of Tonkin snub-nosed monkey in Tung Vai Protection Forest, through gazettement of a new protected area (Special Use Forest) and sustainable cardamom production. Under this component, local villagers will be involved in whole process of developing a new protected area through FPIC, boundary and land use planning, forest patrol and species monitoring, and sustainable cardamom strategic planning and implementation.

Component 2 is aimed at increasing protection and availability of habitat for TSNM at Khau Ca SHCA (and Du Gia NP). Under this component, the project will mainly involve local villagers in habitat corridor planning through FPIC and consultative workshops.

Component 3 is aimed at maintaining collaborative PA management and community-based forest protection, and have increased revenue from diversified sources of income. Under this component, local villagers will be directly involved in forest patrol activities.

Component 5 is aimed at improving operational capacity for community-based forest monitoring and law enforcement efforts, including new technologies and performance-based incentives. Under this component, local villagers will involve in forest patrol and species monitoring and will receive trainings.

Avoiding and Measuring Potential Negative Impacts – Detailed/Activity Level

Activity 1.1 & 1.3: Develop Tung Vai forest a Special Use Forest.

To avoid negative impacts to local communities who are currently using forest land to cultivate cardamom and *Lysimachia* in the area the project will employ Free Prior and Informed Consent (FPIC), together with further consultation on project/activity design and land use planning, and seek to clarify user rights. In addition, (see also proposed Activities 1.8 & 1.9) there will be the provision of technical support, to mitigate the negative impacts on local communities, through an offset mechanism (to offset the opportunity costs presented by increase forest protection). The mechanism will be in form of a strategic design and business plan for improved livelihoods of cardamom growers, via a supply chain analysis and market

development of sustainable and high(er) value cardamom; an increase in market access, and potentially higher price (value) and yields.

Measured through: FPIC/social baselines and safeguard monitoring (including key socio-economic indicators).

Activity 2.2: Improvement of PA management and habitat corridor planning.

The Khau Ca SHCA and Du Gia Nature Reserve are being integrated as a single national park. The project will bring opportunity for local villagers to participate in the design and eventual operation of the PA through landuse planning, developing a management board capacity building plan, management objectives and actions, conservation management funding projections and sources. In addition, a feasibility study for habitat corridor will also be developed and will be based on both scientific information and local knowledge and needs.

Habitat restoration actions and livelihood intervention will be identified jointly with village stakeholders through village meetings, and must ensure equality amongst participants, and therefore include, men, women, villagers of low and high social standing, elderly, and representatives of all ethnic minority groups. This process may identify issues relating to natural resource management and land use planning and may recommend approaches to reducing damaging impacts (including the presence of farms in the corridor) and increasing sustainability.

Therefore the habitat corridor plan may suggest reductions in access to natural resources and/or farmland, although for only a very small number of households; estimated to be less than five in total. While the process of determining the ideal land use scenario will be based on the recommendation of scientists (around concept of ensuring the long-term survival of TSNM) it does not come without some livelihoods risks, albeit to a small number of households.

With a very real possibility that farmland may need to be taken out of production to establish the habitat corridor linking Khau Ca and Du Gia, for approximately 3-4 families, it is vital the rights and livelihoods of those affected are upheld (safeguarded). Through a process of consultation, FPIC and grievance redress (see following sections), the project will ensure that any change in land use would be voluntary, and options will be developed to provide compensation for affected households, either through cash or the provision of alternative, like-for-like (or better) farmland in the same village – which the People’s Committee has the power to grant.

The actions of the Government of Vietnam, with regard to the new national park, which encompasses Khau Ca, Du Gia and the corridor area, whose establishment was not the result of any FFI or CEPF funded activity, are beyond the control of this project, or CEPF. However, this project shall ensure that through its own actions, there are no forced evictions and compensation is provided to those who give up farmland, freely, in the name of sustainable development and conservation.

Measured through: FPIC/social baselines and safeguard monitoring (including key socio-economic indicators).

Activity 3.1 & 3.2: Sustainable finance and business planning.

This activity does not imply any negative impacts to local communities. Rather, it will help finance emerging community-based conservation initiatives at all three sites, via investment, sourcing, donation or in-kind support, and benefit sharing. The project will however ensure the equity and the rights of vulnerable groups, especially women, and at the forefront of the business plan and benefits sharing design processes.

Measured through: FPIC/social baselines and safeguard monitoring (including key socio-economic indicators).

Activity 5.1; 5.2; 5.3 and 5.4: Improving forest patrol and species monitoring through CCTs.

Community Conservation Teams (CCTs) composed of local community members are already functioning in Tung Vai, Khau Ca and Trung Khanh. Enforcement by CCTs represent a potentially involuntary restriction to access of natural resources through improved protection and exclusion of people from legally protected areas. All enforcement activities conducted by CCTs are however in line with national legislation and therefore represent a curtailing of activities which are illegal, unsustainable and destructive. Additional avoidance of negative impacts achieved through FPIC and participatory project design, improved livelihoods/yields to offset losses, ongoing monitoring and development of a grievance redress mechanism (see below).

Measured through: FPIC/social baselines and safeguard monitoring (including key socio-economic indicators).

7 Free, Prior and Informed Consent

As noted above, FFI has a long history of working at all three priority KBAs targeted for interventions under this proposal; in Trung Khanh SHCA since 2002, in Khau Ca SHCA since 2002 and in Tung Vai since 2008. FFI works closely with, and has a strong presence amongst, the local communities where we have supported local ethnic minorities to protect their natural resources and develop alternative livelihoods. All activities are conducted in cooperation with local community members and protected area managers.

In the beginning of this project, a Free, Prior and Informed Consent (FPIC) with relevant local communities will be developed together with relevant partners and stakeholders. This consent will provide the guiding principles during the project implementation. FFI and all partners will make sure this consent is agreed by, satisfied, available and accessible to local communities, and also adaptive to changing situations.

Project will conduct a thorough FPIC process before beginning any activities which may result in restriction of access to resources of the local communities. This process will be conducted at all three sites and endeavoured to reach as many households as possible rather than just working at the village leader level. FFI endeavour to have as broad a group of local stakeholders involved in the FPIC process as possible. To

ensure equitable representation of women in the FPIC process it is important to not only have village meetings or meetings among household representatives, as these are unlikely to be adequate to ensure that women's voices are heard. As such, it will be necessary to organize separate, women-only consultations, facilitated in the relevant ethnic minority languages (like all FPIC meetings).

Listings of people attending the FPIC meetings for each village and their affiliations where they exist (e.g. Veterans, Women's Union) will be provided where they are known.

The project will work with Forest Protection Department to convene village leaders and commune leaders at each site for an initial meeting. During this meeting, FFI will present an overview of the project to be implemented and the proposed FPIC process and grievance mechanism for initial support for help in implementing the FPIC process at the village level. Roles and responsibilities will be identified for all these stakeholders and an implementation plan.

The project, together with local stakeholders, will organise village level meetings based on timetable discussed in the commune level meetings. Village leaders will determine the timing of meetings to ensure the most number of households could attend. Village leaders will work with each household to make sure one member of the household will participate in the meeting and be responsible for representing that household. Project staff will ask village leaders to ensure broad stakeholder representation across age, sex and socio-economic brackets, and to support in setting up the women-only FPIC sessions, as mentioned above.

At all meetings, FFI staff will provide an overview of the project activities being implemented under this project. The project will also provide additional information about the sites and the threatened target species, to ensure local people understand the context of the interventions. FFI staff will provide all participants a summary document on previous project activities, planned activities under the coming project and information about the grievance mechanism. After presenting each activity, FFI staff will discuss the activity following some general principles of enquiry. Specific focus of discussions will be the following issues:

- Discuss and evaluate possible adverse effects on the economy, society, culture, environment and ways to avoid or mitigate;
- Discuss and evaluate the potential benefits of the project and how to enhance these;
- Discuss and evaluate land use and natural resource management and how resource management can be strengthened;
- Determine the rights and traditions in land use and natural resource use and how these can be strengthened/promoted/enhanced;
- Discuss and evaluate conflicts with other communities and how to avoid these;
- Discuss and evaluate food security and how it can be enhanced through the project interventions;
- Create conditions for broad supports from the community for the project;

- Develop strategies for the involvement of local people (including women) and consultation during project implementation, including monitoring and evaluation.

Consent will be sought as the collective decision made by the community members and reached through methods which reflect the customary decision-making processes of the affected ethnic minority people. Consent will be sought and granted or withheld according to the formal or informal political-administrative dynamic of each community. Usual this granting of consent (or not) will involve an anonymous vote, freely given, at the end of a session (or sessions) of information sharing and discussion, (prior to the vote). In particular consent is:

- A freely given decision that may be a “Yes”, a “No”, or a “Yes with conditions”, including the option to reconsider if the proposed activities change or if new information relevant to the proposed activities emerges;
- A collective decision (e.g. through consensus or majority) determined by the affected peoples in accordance with their own customs and traditions;
- The expression of rights (to self-determination, lands, resources and territories, culture) within the political and legal frameworks of Vietnam; and
- Given or withheld in phases, over specific periods of time for distinct stages or phases of the project activities. It shall not be a one-off process.

It terms of documenting the FPIC process and results (consent or otherwise), the project will document the proceedings and outcomes of the discussions and make them available to all parties, and thereafter document the agreement process and outcome in forms and languages accessible and made publicly available to all members of the community, providing for stakeholder review and authentication. The written document will clarify if consent was given or withheld and affirm that the decisions therein are binding and enforceable. It will also include the issues raised, so that it is possible to review the whole process in the event of a grievance or dispute. For sensitive issues, the affected community will be asked what is permissible to document.

The agreement should include the following:

- Signatory parties and/or customary binding practice that will be used to close the agreement, indicating the chosen representatives, their role in the community, how they were chosen, their responsibility and role as representatives;
- Mutually agreed substantive evidence of consent;
- Summary of project information (duration, area of influence, objectives);
- Communication arrangements

8 Grievance Mechanism and Development Process

As a vital part of the on-going FPIC process, the project will make available appropriate and inclusive channels for feedback and complaints to ethnic minorities

and their representatives throughout each phase of the project. This feedback will ensure timely information regarding, for example, whether targeting was correct, the project is being implemented appropriately, and what impact it is having, whether intended or unintended, positive or negative.

Feedback channels will not only respect the right of local communities to have a say, but will hopefully also improve the efficiency and effectiveness of the project. In an FPIC process, a feedback and complaints mechanism is fundamental to people's operationalization of their right to give or withhold consent, especially during project implementation. By establishing a mutually agreed mechanism, FFI will promptly and transparently address concerns that may arise throughout the life of a project, and support the quality assurance imperatives for project management

The project will thus develop a grievance redress mechanism in line with guidelines provided under the CEPF Process Framework for Involuntary Restrictions to provide an avenue for local communities to raise concerns or complaints about project implementation. The grievance mechanism is underpinned by two basic concepts as follows:

- (1) All community members should be made aware of the grievance mechanism developed and be able to make complaints known.
- (2) Local communities and other interested stakeholders are able to raise a grievance at any time during the project.

During the FPIC process, FFI staff will explain the grievance mechanism to local communities and adapt for local conditions. In each target village, three representatives will be identified to act as focal points for any grievances in the community. These three people will be responsible for leading the process of grievances with the grantee (FFI) or if no action is undertaken, to CEPF and/or the World Bank. Representatives will be selected by consensus by local villagers.

During project implementation, a multi-level grievance mechanism will be established and communicated to local communities that may be impacted by project activities. Avenues for community members to make grievances directly to project staff will be formulated, as aforementioned, with mechanisms for consideration, reply and notification to the CEPF RIT for forwarding to the CEPF secretariat as per CEPF's Environmental and Social Management Framework.

We will share all grievances – and a proposed response – with the Regional Implementation Team (Mr Nguyen Duc Tu at the IUCN office in Hanoi) 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 or by surface mail. If the claimant is not satisfied with the response from the CEPF Executive Director, they may submit the grievance to the World Bank at the local World Bank office in Hanoi.