

Ethnic Minorities Development Framework

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Viet Nam: Greater Mekong Subregion Biodiversity Conservation Corridors Project – Additional Financing

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ABBREVIATIONS

ADB	-	Asian Development Bank
BCI	-	Biodiversity Conservation Initiative
BCC	-	Biodiversity Conservation Corridors
CEMA	-	Committee For Ethnic Minorities Affairs
CPC	-	Commune People's Committee
CPIU	-	Commune Project Implementing Unit
CPMU	-	central project management unit
DPIU	-	District Project Implementing Unit
DPC	-	District People's Committee
EMDF	-	Ethnic Minority Development Framework
EMDP	-	Ethnic Minority Development Plan
EMP	-	Ethnic Minority Plan
FGD	-	focus group discussions
GMS	-	Greater Mekong Subregion
MONRE	-	Ministry of Natural Resources and Environment
PPC	-	Provincial People's Committee
PPMU	-	provincial project implementing unit
R-PPTA	-	regional project preparation technical assistance
SIA	-	social impact assessment
SPS	-	Safeguard Policy Statement

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TABLE OF CONTENTS

I.	PROJECT DESCRIPTION	1
	A. Project description	1
	B. Rationale for the EMDF	4
II.	OBJECTIVES OF THE UPDATED EMDF	5
	A. Principles and Objectives.....	5
	B. Legal and Policy Framework.....	6
	C. Subproject Selection Criteria	9
III.	ETHNIC MINORITIES IN THE PROJECT AREAS	10
	A. Screening for Ethnic Minorities	10
	B. Ethnic Minorities	11
	C. Project Benefits and Potential Impacts.....	17
IV.	SOCIAL IMPACT ASSESSMENT AND ETHNIC MINORITY PLANNING.....	19
	A. Social Impact Assessment.....	19
	B. Ethnic Minorities Planning.....	20
V.	INFORMATION DISCLOSURE, PARTICIPATION, CONSULTATION.....	22
	A. Information Disclosure	23
	B. Consultation and Participation	23
VI.	GRIEVANCE REDRESS MECHANISMS	27
VII.	INSTITUTIONAL ARRANGEMENTS.....	29
	A. National Level.....	29
	B. Provincial Level	29
	C. District and Commune Level.....	29
VIII.	MONITORING AND REPORTING ARRANGEMENTS.....	30
VIII.	BUDGET AND FINANCING	30
APPENDICES		
1.	BCC and Additional Financing Project Sites in Viet Nam.....	26
2.	Decrees/Resolutions Affecting Lives of Ethnic Minorities in Viet Nam.....	28
3.	Equivalence and Gaps of the Government and ADB Policy on Ethnic Minority.....	29
4.	Guide Questions in Ascertaining the Presence of Ethnic Minorities	31
5.	Social Impact Assessment Concepts and Methods	32
6.	Outline of an Ethnic Minority Development Plan	43
7.	Suggested Internal Monitoring Indicators.....	45

LIST OF TABLES

Table 1.	Eight Protected Areas in the Trung Truong Son landscape
Table 2.	Vietnamese Ethnic Groups by Mode of Agricultural Production
Table 3.	Distribution of Ethnic Minorities in Project Sites
Table 4.	Ethnic Groups Found within Project Sample Sites
Table 5.	Distribution of Poor Project Households
Table 6.	Red Book Distribution of Agricultural Lands in Communes of Tay Giang, Quang Nam (as of 2010)
Table 7.	Red Book Distribution of Agricultural in Select Communes of Quang Tri Province (as of 2008)
Table 8.	Budget Items for Activities in Support of Ethnic Minorities
Table 9.	Consultation and Participation Plan: Summary Chart

LIST OF FIGURES

Figure 1.	Corridor Design and Coverage
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I. PROJECT DESCRIPTION

A. Project description

1. The Socialist Republic of Viet Nam is part of the Greater Mekong Sub-region along with the Royal Government of Cambodia, Lao PDR, Myanmar, People's Republic of China, and Thailand. In 1992, the countries collaborated to form the Greater Mekong Subregion (GMS) Economic Cooperation Program with assistance from the Asian Development Bank to facilitate "sustainable economic growth and reduce poverty by strengthening economic linkages among member countries. Further, it aimed to realize and enhance development opportunities, encourage trade and investment, streamline cross border arrangements, and meet common resource and policy needs. The cooperative initiative adopts the following strategies: (i) increasing connectivity through sustainable development of infrastructure and transnational economic corridors; (ii) enhancing competitiveness through efficient cross-border movements of goods and people, and integrated markets and production processes; (iii) building a greater sense of community that mutually recognizes and jointly address shared environmental and social concerns.

2. The Biodiversity Conservation Corridor Initiative (BCI) is the flagship program of the Core Environment Program¹ of the GMS endorsed by the GMS Leaders at the Second GMS Summit in July 2005. BCI-Phase I was implemented from 2006-2009 as a pilot phase in the provinces of Quang Nam and Quang Tri of Viet Nam. Biodiversity Corridors are geographic areas within or cutting across the GMS Economic Corridors that need to be placed under sustainable management regimes to secure local livelihoods and investments and maintain ecosystem services for future generations.

3. The Government of Viet Nam requested the Asian Development Bank (ADB) to follow up BCI-Phase I with an investment framework (\$30 million loan project) to replicate positive results of BCI in target communes in Quang Nam, Quang Tri, and Thua Thien Hue Provinces, which fall within the proposed Biodiversity Conservation Corridors (Figure 1) establishing North–South connectivity between Ngoc Linh / Song Thanh Nature Reserves to proposed Sao La Nature Reserves in Quang Nam and Thua Thien Hue, touching on Xe Xap National Protected Area in Lao PDR, connecting to the Phong Dien Nature Reserve in Thua Thien Hue and connecting to North Huong Hoa Nature Reserve in Quang Tri . At the same time, there is an East West connectivity between Bach Ma National Park in the East and Xe Xap NPA in the West.

¹ Implemented under RETA 6289: Core Environment Program and Biodiversity Conservation Corridors Initiative in the Greater Mekong Subregion.

Figure 1. Corridor Design and Coverage



4. The overall aim of BCI is to secure forest areas for the local communities against further outside pressure/economic concessions by delineating and demarcating community forest areas and protected forest areas and giving tenure instruments to communities and not resettle them or restrict access. Any restrictions on use of community forests will be made by them (local people). Capacity building leading to community empowerment is built in to address such and eventually, any activity will be the choice of participating communities. Connectivity between forest-blocks will be restored as a result of broad community support generated through appropriate consultation and participation modalities. Preference for BCC is a linear design of the biodiversity corridor, but may resort to the stepping stone model anchored on decisions of target communes within the landscape.

5. The project has four components, (i) Institutional and community strengthening for biodiversity conservation management, (ii) Biodiversity corridors restoration, ecosystem services protection, and sustainable management by local resource managers, (iii) Livelihood improvement and small scale infrastructure support in target communes, and (iv) Project management and support services.

6. **The Additional Financing.** The ongoing BCC Project was originally prepared with the understanding that co-financing by the Global Environment Facility (GEF) would be available to address geographical and thematic gaps of the ongoing BCC Project. The funding was to become available under the regional Program Framework entitled the

“Greater Mekong Sub-region Forests and Biodiversity Program” which was approved in November 2011. Under this umbrella program framework, a Viet Nam national project titled “Integrating Biodiversity Conservation, Climate Resilience and Sustainable Forest Management in Central Annamite Landscape” was approved by the GEF Council in November 2012 (hereinafter “the Additional Financing”). A Resettlement Framework has been prepared for the ongoing BCC Project and this Resettlement Framework is updated based on the approved Resettlement Framework for the ongoing BCC Project.

7. Overall, the Additional Financing aims to integrate biodiversity conservation, climate change mitigation, climate resilience, and sustainable forest management in Trung Truong Son Landscapes. Its specific objective is to strengthen the management and ecological integrity of the protected area network in the Trung Truong Son region of the country. This is to be achieved by maintaining and restoring forest biodiversity, ecosystems and related watershed processes, strengthening species conservation, enhancing forest carbon stocks and strengthening climate resilience at the landscape level,² and actively encouraging the participation and sharing of conservation benefits with local people. The project supports a unified approach for development of regional ecosystem connectivity, addressing forest land degradation, filling gaps in capacity required for sustainable forest management, and supporting climate mitigation, habitat restoration, and biodiversity protection³ within and outside protected areas.

8. In conjunction with the ongoing BCC Project, the Additional Financing will develop tangible on-the-ground activities targeting spatial and thematic gaps within the Central Annamite landscape conservation framework. It was designed consisting of 2 components with 7 sub-components and targeted 12 communes and 40 villages, of which some communes (to be identified during project implementation) overlap with BCC project communes and 5 communes are of the new protected area (Ngoc Linh protected area):

- (i) **Component 1: Strengthened planning and management of the biodiversity and forests in the protected areas and their buffer zones in the Trung Truong Son landscapes.** This component seeks to ensure that government institutions responsible for protected area management have the capacity to use appropriate tools and methods and apply these tools and methods for effective and sustainable protected area, protected area’s buffer zone and corridor management. This component includes 4 sub-components:
 - a. Sub-component 1.1: Improving Protected Area Operational Management. The Additional Financing will (i) update and assist implementation of priority activities under all eight existing Operation Management Plans (OMPs); (ii) develop new strategic OMPs in 5 focal protected areas, (iii) establish one new protected area (Ngoc Linh); (iv) establish two new management boards (Ngoc Linh and Ho Chi Minh Legendary Trail); (v) develop an Protected Area Investment Plan (Ngoc Linh); and (vi) prepare master plans for two protected areas (Ngoc Linh and Ho Chi Minh Legendary Trail). (see Table 1 for details of protected areas in the Trung Truong Son landscape).
 - b. Sub-Component 1.2: Enhanced community participation in benefit sharing from conservation and sustainable use of biodiversity in protected areas and their buffer zones.⁴

² An unit of land that contains a mosaic of land uses, but typically would include one or more protected and their buffer zones, and connecting biological corridors (the latter including protection and production forests, agricultural and other productively used lands, and village settlements).

³ A mandate shared by Ministry of Agriculture and Rural Development (i.e. for forests and protected areas) and Ministry of Natural Resources and Environment (i.e. for biodiversity coordination).

⁴ Through benefit sharing from assisted natural regeneration, forest co-management and sustainable alternative livelihood mechanisms.

- c. Sub-Component 1.3: Strengthened conservation management of target species.
 - d. Sub-Component 1.4: Strengthened biodiversity planning and management at the Provincial level.
- (ii) **Component 2: Landscapes conservation measures at the community level in protected areas and their surrounding.** This component provides critical technical linkage between protected area management, sustainable buffer zone forestry and community and smallholder livelihood improvement measures to protect and enhance forest carbon stocks, reduce forest degradation and improve habitat connectivity. The component is consist of 3 sub-components:
- a. Sub-component 2.1: Improving financial sustainability through ecosystem services and Payment for Ecosystem Services.
 - b. Sub-component 2.2: Improving sustainable forest management and carbon sequestration in forest landscapes.
 - c. Sub-component 2.3: Established Provincial Monitoring system.

Table 1: Eight Protected Areas in Trung Truong Son landscape

Protected Area	Legal Status of PA	Management Board for PA Exists	Master Plan Completed	Operational Management Plan Current	Area of PA (ha)	Area of Buffer Zone (ha)
North Huong Hoa	+	+	+	-	23,456.72	34,600
Dak Rong	+	+	+	-	37,681	88,755.90
Ho Chi Minh Legendary Trail	+	-	-	-	5,237.40	6,064
Phong Dien	+	+	+	+	41,508.70	43,600
Sao La TTH	+	+	+	+	15,519.93	16,533.90
Sao La QN	+	+	+	+	15,380	33,039.20
Song Thanh	+	+	+	-	75,274	135,477.90
Ngoc Linh	-	-	-	-	17,141	36,331.50
Total (hectares)					231,198.75	394,392.40

The BCC project and the additional financing will cover 52 communes in the provinces of Quang Nam, Quang Tri, and Thua Thien Hue in Viet Nam as presented in Appendix 1.

B. Rationale for the EMDF

9. The 2009 ADB Safeguards Policy Statement (SPS) that covers Ethnic Minorities is triggered if a project directly or indirectly affects the dignity, human rights, livelihood systems, or culture of ethnic minorities or affects the territories or natural or cultural resources that ethnic minorities own, use, occupy, or claim. Based on the socio-demographic and anthropological characteristics of Project site beneficiaries in the three provinces, an Ethnic Minorities Development Framework (EMDF) is prepared and hereby presented. This EMDF is envisaged to provide guidance in the preparation and implementation of Ethnic Minorities Development Plans (EMDP) based on the secondary documents (books and articles, statistic data of GSO, Annual commune socioeconomic reports) and results of social impact assessment (SIA) conducted per commune.

10. Technically and ideally, BCC promotes a sequential and sector-like approach at implementation. The necessary land use and capability assessment, and participatory management planning have to be in place prior to subproject implementation. However, it is recognized that planning is an ongoing facet of natural resource management and as such, some subprojects may be ready for implementation within the whole planning phase for the landscape. Specifically under Component 1 (Institutional and community strengthening), the

Project aims to secure forest areas for the local communities against further outside pressure/economic concessions by delineating and demarcating community forest areas and protected forest areas. It will provide tenure instruments to communities that are found peripheral to protected areas, which by law have defined uses. Communities will craft restrictions appropriate to their concerns and needs in order to protect their rights to the land and the natural resources therein and in so doing, protect the biodiversity. Capacity building leading to community empowerment is built in to address the need for balancing resource use and protection and eventually, within this context, any activity will be the choice of participating communities.

11. While an indicative menu of options for Component 3 (Livelihood improvement and small scale infrastructure support in target communes) were identified by stakeholders, specific activities under Component 1 still have to be undertaken/processed. Technical inputs for land use planning together with executing and implementing agencies, local government units, relevant Ethnic Minorities Offices, and the Viet Nam Women's Union. Community ownership to subprojects is still subject to processing for and documentation of broad community support imperative not only for subproject investments, also to ensure sustainability towards biodiversity conservation and protection. All these are processed during Component 1 geared at strengthening local institutions for biodiversity conservation management. Thus, it was deemed premature to craft an EMDP during the regional project preparation technical assistance (R-PPTA) stage. This Framework document therefore is deemed sufficient to take into account the possibility of preparing and implementing an EMDP for later selected subprojects.

12. The EMDF takes into account the uniqueness of prevailing conditions in Viet Nam. Due considerations are made in the preparation of this framework document as follows: (i) a significant number of the population in the biodiversity corridor areas are ethnic minorities, who generally have higher poverty rates compared to the nationally dominant groups; and (ii) impacts are expected to be positive as ethnic minority concerns have been incorporated in the overall project design.

13. The additional financing contributes to strengthening the management and ecological integrity of the protected area network in the Trung Truong Son region of the country. This is to be achieved by maintaining and restoring forest biodiversity, ecosystems and related watershed processes, strengthening species conservation, enhancing forest carbon stocks and strengthening climate resilience at the landscape level, and actively encouraging the participation and sharing of conservation benefits with local people. Therefore, the additional financing will bring benefits to local people. Some negative impacts on local people may be restriction of land use or access to natural resources of local people due to establishment of one protected area in Ngoc Linh commune, Nam Tra My district, Quang Nam province. However, these impacts are very minor and mitigatable.

14. This EMDF is updated for the additional financing based on the approved EMDF for BCC project. The EMDF will be used for both BCC project and the additional financing.

II. OBJECTIVES OF THE UPDATED ETHNIC MINORITY DEVELOPMENT FRAMEWORK

A. Principles and Objectives

15. **Objective.** The main objective of the updated EMDF is to help ensure that subprojects of BCC project and sub-components of the additional financing are designed and implemented in a way that fosters full respect for ethnic minorities' identity, dignity,

human rights, livelihood systems, and cultural uniqueness as defined by the ethnic minorities themselves to enable them to (i) receive culturally appropriate social and economic benefits; (ii) do not suffer adverse impacts as a result of the project; and (iii) can participate actively in the project. This EMDF safeguards the rights of ethnic minorities to participate and equitably receive culturally appropriate benefits from the project. For this purpose, an EMDP will be prepared and updated in participating communes.

16. **Principles.** In pursuit of the abovementioned objective, BCC project and the additional financing will be governed by the following principles:

- (i) Early screening to determine ethnic minority presence and/or collective attachment to, the project area as well as potential project impacts on ethnic minorities;
- (ii) Conduct of culturally appropriate, gender-sensitive and technically backed-up social impact assessment where full consideration to ethnic minority-generated options as regards benefits and mitigation measures are taken into account and translated into ethnic minority plans that includes a framework for continued consultation and culturally appropriate disclosure modalities during project implementation, specifies measures to ensure ethnic minorities receive culturally matched benefits, identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts, and includes culturally acceptable grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures;
- (iii) Undertake meaningful consultations with affected ethnic minority communities and concerned organizations to solicit their participation across project cycle to avoid adverse impacts or in cases when avoidance is not possible, to minimize, mitigate, or compensate for such effects by establishing culturally appropriate and gender inclusive capacity development modalities and grievance mechanisms;
- (iv) Ensure consent of affected ethnic minority communities to project activities that may impact on livelihoods of ethnic minorities. Consent refers to a collective expression by affected ethnic minority communities, through individuals and/or their recognized representatives; and
- (v) Avoid restricted access to and physical displacement from protected areas and natural resources but when not possible, ensure that affected ethnic minority communities participate in all aspects of the project cycle and that their benefits are equitably shared.

B. Legal and Policy Framework

1. National Policies and Programs for Ethnic Minorities Definitions

17. The Vietnamese government does not use the term “indigenous peoples” for any groups, but generally refer to “ethnic minorities” as those who are living in mountainous areas. The term ethnic minority is thus often used interchangeably with indigenous peoples. In official wording, indigenous peoples in Viet Nam are referred to as ethnic minorities (*dantochieu so, dantoc it nguoi*). The government has defined ethnic minorities as “those people who have Vietnamese nationality, who live in Viet Nam but do not share ‘Kinh’ characteristics such as language, culture and identity”. The definition of ethnic minorities in Viet Nam is based on four criteria: (i) a language different from the national language; (ii) long traditional residence on, or relationship with, land and long traditional social institutional system; (iii) a self-provided production system; and (iv) a distinct cultural identity, and self-identification as a distinct cultural group that is accepted by neighboring ethnic groups.

18. Viet Nam upholds non-discrimination of ethnic minorities hence their representation through the Ethnic People Committee in the National Assembly. Article 94 in the Constitution stipulates that the Ethnic People Committee has the right to submit proposals, plans or related issues of ethnic minorities to the National Assembly, monitor, control the implementation of national policies, development programs on various areas such as, education, health care, and the like. Specifically, Article 5 of the Constitution prescribes that “The State of the Socialist Republic of Viet Nam is the unified State of all nationalities living together in the land of Viet Nam. The State implements the policy of equality unity and mutual assistance among the nationalities and strictly prohibits all national discrimination and division behaviors. The nationalities have the right to use the spoken and written languages, preserve the national identity and promote the customs, habits, fine traditions and cultures of their own. The State implements the policy of all-sided development and step by step improves the material and spiritual life of ethnic minorities”.

19. Under the supervision of the Prime Minister is the Committee of Ethnic Minority Affairs (CEMA) (equivalent to a Ministry). Development programs are supervised by CEMA.

20. It is a requirement in Viet Nam that the adaptation of economic and social policies to each region and each group should take into account the needs of ethnic minorities. The Socio-Economic Development Plan and Socio-Economic Development Strategy of Viet Nam specifically call for attention to ethnic minorities. Major programs targeting ethnic minorities include Program 135 (infrastructure in poor and remote areas) and Program 134 (eradication of poor quality houses). A national policy on education and health care for ethnic minority is in place. The national legal framework has been updated in 2007 with several documents relating to regional planning, the Program 135-Phase 2, land administration and compensation. Main legal documents regarding ethnic minorities are in Appendix 2.

21. **Program 135.** Promulgated in 1998, Program 135 focuses on poverty reduction in ethnic minority groups in mountainous areas or communes with special difficulties. In the first phase of Program 135 (1998-2005) livelihood improvements were promoted largely through construction of small scale, village or commune based infrastructure, such as intra-commune roads, small irrigation schemes. The second phase (2006-2010) also allocated a lot of the budget to small infrastructure, but put a new emphasis on support for economically productive activities. The target of Program 135 – the third phase (2012-2015 and 2016-2020) is poverty reduction by 4% per annum and income per capita in target communes/villages equal to 50% of average income per capita in rural area of the whole country. The third phase supports infrastructure construction and improvement, and productive development for poorest communes, communes in border areas, and villages in harsh conditions in mountainous areas. Agriculture extension, livelihoods models, and access to credit supported by the BCC Project are of relevance to Program 135.

22. **Resolution 30A.** The Government of Viet Nam has recently initiated a new program in poverty reduction, based on Resolution No.30a/2008/NQ-CP dated 27 December 2008 on rapid and sustainable poverty reduction. This Resolution targets 62 extremely poor districts, in mainly mountainous and international boundary areas, with a total population of 2.4 million persons, 90% of whom are of ethnic minorities. The poverty rate in these districts is on average 3.5 times higher than the national average. The Resolution calls for a 12-year accelerated development program to be based on District level comprehensive socio-economic development Master Plans. The program, to be executed by Ministry of Labor, Invalid and Social Affairs, sets specific interim targets:

- (i) By 2010 to reduce poverty by 40%;
- (ii) By 2015 to reach the average poverty rate of the whole province; and
- (iii) By the end of the program in 2020, to reach the average poverty rate of the whole region.

23. Program 30A focusing on 61 poor districts is predicated on mobilizing substantial funding from three main sources: (i) private sector; (ii) government; and (iii) international donors.

24. Two main agencies are mandated on matters relating to ethnic minorities:

- (i) Ethnic Peoples' Council of the National Assembly, which is responsible for submitting proposals and plans for ethnic minority groups and controlling and monitoring the implementation of national policies and development programs targeted at ethnic minorities;
- (ii) CEMA, which is responsible for proposing policies and supervising development programs for ethnic minorities. It is the implementing agency for P135; and
- (iii) Other decrees/decisions affecting lives of ethnic minorities in Viet Nam (see Appendix 2).

2. ADB's Policy on indigenous people⁵

25. ADB recognizes the rights of ethnic minorities to direct the course of their own development. Ethnic minorities do not automatically benefit from development, which is often planned and implemented by those in the mainstream or dominant population in the countries in which they live. Special efforts are needed to engage ethnic minorities in the planning of development programs that affect them, in particular, development programs that are supposedly designed to meet their specific needs and aspirations. Ethnic minorities are increasingly threatened as development programs infringe into areas that they traditionally own, occupy, use, or view as ancestral domain.

26. ADB's Safeguard Policy Statement 2009 (SPS), uses the term of indigenous people to refer to (i) a distinct, social and cultural group who self-identify as members of a distinct indigenous cultural group and recognition of this identity by others; (ii) have collective attachment to geographically distinct habitats or ancestral territories in the project area and to the natural resources in these habitats and territories; (iii) have customary cultural, economic, social or political institutions that are separate from those of the dominant society and culture; and (iv) a distinct language, often different from the official language of the country or region. Equivalence and gaps between the Government and ADB Policy on ethnic minority are analyzed and presented in Appendix 3).

27. The ADB Policy on involuntary resettlement has been integrated with ethnic minorities under the ADB SPS and shall likewise govern this EMDF. The social safeguards on involuntary resettlement are triggered by proposed BCC subprojects as some may necessitate the acquisition of private land for road widening or improvements and by the additional financing as a subcomponent may cause restriction of land use or access to natural resources.

28. The ADB Policy on Gender and Development adopts gender mainstreaming as a key strategy for promoting gender equity, and for ensuring participation of women and that their needs are explicitly addressed in the decision-making process for development activities. For projects that have the potential to have substantial gender impacts, a gender plan is prepared to identify strategies to address gender concerns and the involvement of women in the design, implementation and monitoring of the project. The findings of a gender analysis are to be included in the EMDP, and at all stages: ethnic minorities' identification, planning, and management will ensure that gender concerns are incorporated, including gender-specific consultation and information disclosure. This includes special attention to guarantee women's assets, property, and land-use rights; and to ensure the restoration of their income

⁵ The term indigenous people is equivalent to ethnic minorities in Viet Nam.

and living standards.

29. The ADB Public Communications Policy seeks to encourage the participation and understanding of people and other stakeholders affected by ADB-assisted activities. Information on ADB-funded projects should start early in the preparation phase and continue throughout all stages of project development, in order to facilitate dialogue with affected people and other stakeholders. The executing/implementing agency should, as necessary, develop a project communications plan and designate a focal point to maintain contact with affected people.

30. The objective of the safeguard requirements are to ensure that projects are designed and implemented in a way that respect ethnic minorities' rights and allow ethnic minorities to benefit and participate actively in projects and mitigate adverse impacts as a result of projects. The ethnic minorities safeguards are triggered if a project positively or negatively affects the dignity, human rights, livelihood systems, or culture of ethnic minorities or affects the territories or natural or cultural resources that ethnic minorities own, use, occupy, or claim as their ancestral domain.

C. Subproject Selection Criteria

31. All ADB projects are screened to determine whether or not they have potential impacts on ethnic minorities. For all projects with impacts on ethnic minorities, an EMDP, including SIA, is required. The plan's level of detail and comprehensiveness will be commensurate with the degree of impacts.

32. Projects are categorized by the significance of their impacts on ethnic minorities. The significance is decided by scrutinizing the type, location, scale, nature, and magnitude of a project's potential impacts on ethnic minorities. The degree of impacts is determined by evaluating (i) the magnitude of the impact on ethnic minorities' customary rights of use and access to land and natural resources; socioeconomic status; cultural and communal integrity; health, education, livelihood systems, and social security status; or indigenous knowledge; and (ii) the vulnerability of the affected ethnic minorities. The categories are as follows:

- (i) **Category A.** Such projects are expected to have significant impacts on ethnic minorities. EMDP and SIA are required.
- (ii) **Category B.** Such projects are expected to have limited impacts on ethnic minorities. An EMDP and SIA are required.
- (iii) **Category C.** Such projects are not expected to have impacts on ethnic minorities and, therefore, do not require special provisions.

33. A project is Category A, if it is likely to have a significant positive or negative impact on ethnic minorities. Category A applies to a project where ethnic minorities maintain distinctive customs or economic activities that may make them particularly vulnerable to hardship and also applies where a project is likely to adversely affect or disrupt community life. Specific circumstances are considered when assessing impact:

- (i) Positive or negative effects on customary rights of use and access to land and natural resources;
- (ii) Positive or negative effects on their socio-economic and cultural integrity;
- (iii) Positive or negative effects on their health, education, livelihood and social security status;
- (iv) Impacts that may alter or undermine indigenous knowledge preclude customary behaviors or undermine customary institutions;
- (v) Project will be located in or pass through areas of significant ethnic minorities' settlement and/or use; and

- (vi) Project proposes to target ethnic minorities specifically in one or more of its main activities or is anticipated to have significant negative effects on ethnic minorities.

34. A project is Category B if it will have limited impacts on ethnic minorities or when there is a risk that the project may not bring the intended benefits to the affected ethnic minorities within a specific plan. The BCC project and the additional financing belong to Category B, screening for subproject selection shall ascertain the following:

- (i) The Project will benefit or target ethnic minorities;
- (ii) The Project will not impinge on ethnic minorities' traditional socio-cultural and belief practices (e.g. child-rearing, health, education, arts, and governance);
- (iii) The Project will not affect the livelihood systems of ethnic minorities (e.g., food production system, natural resource management, crafts and trade, employment status) without the necessary mitigating measures;
- (iv) The Project will be in an area (land or territory) occupied, owned, or used by ethnic minorities; and
- (v) The Project will not promote any of the following activities without free and prior informed consent or as initiated by them as well as the necessary mitigating measures:
 - a. Commercial development of the cultural resources and knowledge of ethnic minorities;
 - b. Physical displacement from traditional or customary lands;
 - c. Commercial development of natural resources (such as minerals, hydrocarbons, forests, water, hunting or fishing grounds) within customary lands under use that would impact the livelihoods or the cultural, ceremonial, spiritual uses that define the identity and community of ethnic minorities;
 - d. Establishing legal recognition of rights to lands and territories that are traditionally owned or customarily used, occupied or claimed by ethnic minorities; and
 - e. Acquisition of lands that are traditionally owned or customarily used, occupied, or claimed by ethnic minorities.

35. Should results of screening identify potential impacts of the above statements, an EMDP will be prepared for subproject. Any triggers corresponding to item (v) above shall necessitate compliance to the SPS indigenous peoples special requirements.

III. ETHNIC MINORITIES IN THE PROJECT AREAS

36. The BCC Project and the additional financing will cover 52 communes in three provinces of Viet Nam, with a total population of approximately 126,000 persons or 28,835 households. The biodiversity corridors are predominantly in mountainous areas covered with protection areas and forests, where ethnic minorities comprise 85% of the total population. Of the total households, an average of 30% is considered poor, ethnic minority households.

A. Screening for Ethnic Minorities

37. Communes that are deemed covered by BCC subproject and the additional financing will be consulted by the Executing/Implementing Agency and project consultants adhering to existing protocols of the Ethnic Minorities Office and Peoples' Committee at different levels. Qualified project social scientists will undertake a screening for the presence of ethnic minorities with the guidance of ethnic minority leaders and local authorities. The screening process will use the within each target commune (see Appendix 4: Guide Questions in Ascertaining the Presence of Ethnic Minorities).

B. Ethnic Minorities

1. Status of Ethnic Minorities in Viet Nam

38. There are 54 different ethnic groups acknowledged in the current classification by the Vietnamese government. The majority Kinh (or Vietnamese) make 87% of the total population while the 53 ethnic minority groups (13%) vary in population composition from 500,000 to a few hundred members each.

39. The Kinh traditionally inhabited lowland and coastal areas in and around Viet Nam's two densely populated deltas (the Red River Delta and the Mekong River Delta) while the Hoa tend to live in urban areas (especially Ho Chi Minh City). Most other ethnic groups are scattered across Viet Nam's upland and highland areas while the Khmer are concentrated in the Mekong Delta and the Cham along the southern coast. Ethnic minorities are found in areas that stretch from the northern border with China through the Annamites in North-Central Viet Nam to the Central Highlands, which border the South Central Coast (McElwee, 2004). Ethnic groups like the Tày, Thái, Mường, Nùng with populations of close to one million each are found in upland and highland areas and specialize in wet-rice cultivation and usually live in the flat, lower areas along the valley bottoms.

40. The Hmong, Dao and Kho-mu of the Northern Uplands as well as the Ede, Bana and Hre of the Central Highlands generally are found in higher, more mountainous areas and belong to less populous ethnic groups. Seventeen ethnic groups have less than 10,000 population but possess distinct identities.

41. Of the 17 ethnic groups, modes of production vary and can be classified into three types as shown in Table 2. With the Kinh/Viet into wet rice cultivation, it is noted that most (12) of the ethnic minority groups engage in swidden agriculture largely characterized by slash and burn and shifting cultivation.

Table 2. Vietnamese Ethnic Groups by Mode of Agricultural Production

Wet Rice Cultivation	Swidden / Slash and Burn	Combination
Kinh/Viet	Hmong	Thai
Se Dang	Dao	Coho
Cham	Bahnar	Sanchay
Hoa	Bo Y	
Tay	Ede	
	Van Kieu	
	Brau	
	Colao	
5 Ethnic Groups	8 Ethnic Groups	3 Ethnic Groups

Source: <http://www.vietnam-culture.com>

42. Ethnic minorities in Viet Nam went through improved legal and political status through the years receiving benefits as a result of government policies. Investments focused on upland ethnic minorities. Through all initiatives, ethnic minorities in Viet Nam remain disadvantaged. They have been living self-sufficient lives, conducting slash-and-burn farming. The construction of international roads like the Ho Chi Minh Highway greatly exposed socially and culturally unprepared ethnic minorities to the market economy.⁶

43. The poverty rate among ethnic minorities significantly dropped over the past 10 years

⁶ Result of FGDs especially in Huong Lam, A Luoi, TT Hue. June 2010. They consider the road to be a threat to their safety and quiet community life.

or so from 60% of the population in 1993 to 16% in 2006.⁷ Results of focus group discussions (FGDs) reveal improvements in ethnic minority standards of living today compared to about 10 years ago, though still not comparable with the rest of the country. Approximately one-third of people below the poverty line belong to ethnic minority groups⁸ mostly residing in remote, mountainous rural areas and are economically and socially disadvantaged across a range of dimensions.⁹

44. Factors that explain the prevalence of ethnic minority poverty include: (i) lack of endowments and assets such as land, physical capital, and human capital (education); (ii) lack of physical, human and social assets; (iii) remote geographical location, with limited infrastructure, constraining mobility and access to services and markets; (iv) dependence on low value subsistence cropping; (v) failure to benefit from poverty alleviation programs; (vi) socio-cultural factors keeping them out of mainstream economic development; and (vii) discrimination, with many Kinh holding stereotyped views of minorities as “backwards”.

45. Ethnic minority women face female prejudices, minority status, isolation in mountainous locations and often face heightened cultural barriers restricting their participation in decision-making. Ethnic minority women are disadvantaged in respects to access to production resources, social services, credit and extension services and, especially those who live in remote villages, have few opportunities to participate in community decision making. Many minority women have had no opportunity to go to school, and are illiterate in Vietnamese. These factors prevent them from accessing social services, limit their interaction with the outside world and prevent them from participating more actively in new economic opportunities.

2. Ethnic Minorities within BCC project and additional financing Sites

46. **Overview.** The distribution of ethnic minorities within the project areas can be seen that of the total beneficiaries, 73% are ethnic minorities. Quang Nam has the greater number of ethnic minorities (94.8%) compared to the other two provinces with Quang Tri next (84.2%) and Thua Thien Hue (42.8%) the least (see Table 3. Distribution of Ethnic Minorities in project sites). All ethnic minority groups within project sites belong to the Mon Khmer language group. All trace their productive activities to swidden agriculture with the Gie Trieng mostly shifting to wet rice cultivation. Of the five ethnic minorities, the most persistent in shifting cultivation is the Van Kieu of Quang Tri. (see Table 4) summarizes the ethnic minority groups found within the project provinces and a short description of each is provided.

Table 3. Distribution of Ethnic Minorities in project Sites

PROVINCE	DISTRICT	COMMUNE	TOTAL POPULATION	NO OF ETHNIC MINORITIES	% FROM TOTAL
3	6	34	75,705	64,009	85%
QUANG NAM	2	12	21,889	20,044	92%
	1. Tay Giang	1. A Nông	728	698	96%
		2. A Tiêng	2,575	1,964	76%
		3. A Xan	1,802	1,725	96%
		4. Ch'um	1,393	1,374	99%
		5. Ga Ri	1,337	1,321	99%
		6. Tra Hi	1,933	1,671	86%
		7. Lăng	1,058	1,033	98%
		8. Ba Hale	2,254	2254	100%
		9. A Vuong	2,025	2025	100%
	2. Nam Giang	10. Cà Dy	2,958	2,506	85%
		11. La Ee	1,771	1,681	95%

⁷ Viet Nam Household Living Standards Survey.

⁸ ADB. August 2009. *Ethnic Minority Development Plan for A Tieng Commune: Proposed Loan to the Socialist Republic of Viet Nam: Central Region Rural Water Supply and Sanitation Sector Project*. Manila.

⁹ Poverty Task Force, 2002. Hoang et al., 2007.

PROVINCE	DISTRICT	COMMUNE	TOTAL POPULATION	NO OF ETHNIC MINORITIES	% FROM TOTAL
		12. La Đê	2,055	1,792	87%
QUANG TRI	2	12	36,380	28,108	77%
	1. Huong Hoa	1. Huc	3,181	503	16%
		2. Huong Lap	1,412	1,290	91%
		3. Huong Phung	4,850	2,716	56%
		4. Huong Son	1,786	1,750	98%
		5. Huong Viet	1,288	1,282	100%
		6. Huong Linh	2,891	2,870	99%
	2. Dakrong	7. Bang Nang	2,821	2,492	88%
		8. Huc Nghi	1,396	1,295	93%
		9. Huong Hiep	4,190	3,895	93%
		10. Ta Long	2,927	2,619	89%
		11. Ta Rut	3,836	3,268	85%
		12. Dakrong	5,802	4,128	71%
TT HUE	2	10	17,436	15,857	91%
	1. A Luoi	1. A Roang	2,444	2,433	100%
		2. Hong Ha	1,271	1,429	112%
		3. Hong Kim	1,819	1,779	98%
		4. Hong Trung	1,845	1,825	99%
		5. Hong Van	2,517	2,373	94%
		6. Huong Nguyen	1,155	1,091	94%
		7. Huong Phong	358	-	
		8. Huong Lam	1,928	1,674	87%
	2. Nam Dong	9. Thuong Quang	1,761	1,004	57%
		10. Thuong Long	2,338	2,249	96%
	LEGEND:	Sample Communes			

Table 4. Ethnic Groups Found within project Sample Sites

PARAMETER	VIET / KINH (MAJORITY)	BRU-VAN KIEU	CO' TU	TA-OI / PA CO / PA HY	GIE-TRIENG
Population	65,795	55,569	50,458	34,960	30,243
Language	Viet-Muong of Austro-Asiatic family	Mon-Khmer	Mon-Khmer	Mon-Khmer	Mon-Khmer
Location / Inhabitation Area	Mainly in plain, midland, island, mountainous regions of the country	Mountain areas of Quang Binh, Quang Tri & TT Hue provinces	Mountainous areas of Quang Nam & TT Hue	Huong Hoa district of Quang Tri; A Loi & Huong Tra districts of TT Hue	Giang, Phuoc Son districts of Quang Nam & some districts of Kon Tum
Origin / History	Settled in Phong Chau in island and plain regions	Permanent residents in the Truong Son region	Long established residents of the Truong Son region	Long time inhabitant of Truong Son	Long inhabitants of the Tay Nguyen region
Production Activities	Wet rice production as well as other agri crops and raise poultry & livestock. Also weaving, carpentry, embroidery	Swidden agriculture	Slash & burn; animal husbandry, hunting & gathering, basketry/ pottery (traditional weaving with courbary & leaden patterns)	Wet rice cultivation (though traditionally swidden); hunting, gathering & fishing; animal husbandry. Plaited & woven bamboo products	Swidden fields; though now wet rice; hunting, gathering, fishing, animal husbandry & basketry/weaving
Family Organization	In the past, men played decisive roles but now egalitarian	Patriarchal. Oldest man is master. Male is inheritor & holds power	Patrilineal. Master of family & inheritance belong to the male	Matrilineal; though now with some nuclear/ patrilineal	Large families; matrilineal
Beliefs / Religion	Ancestor worship; House of God, Kitchen God, Buddha, God of Wealth. & Mother worshipping	Ancestor worship	Genie-worship	Animist & observe altar per lineage	Belief in spirits; each lineage have sacred object
Festivals	Lunar New Year biggest festival followed by Tich dien, Thuong Nguyen, Doan Ngo, 15 th of the 8 th lunar month (Autumn Festival)... etc.	Before sowing seed	Buffalo sacrifice	Buffalo sacrifice	Significant events for women – pregnancy, childbirth, naming of child as well as agri-related rites. Most important is buffalo sacrifice
Houses /	House built on ground.	Built on stilts; divided into	On stilts arranged	Longhouses on stilts	Long houses on stilts with

PARAMETER	VIET / KINH (MAJORITY)	BRU-VAN KIEU	CO' TU	TA-OI / PA CO / PA HY	GIE-TRIENG
villages	Ancestor's altar is central. Village is crowded surrounded by bamboo rows with village gate.	smaller bedrooms; houses near streams, arranged along the current; in flat terrain, circular around a communal house.	elliptically with communal house. Houses with vault & wooden finish	with bamboo walls. Roofs have 2 rounded ends curved towards gable with final carved khau cut at top.	many kitchens. Some longhouses is village itself or houses in circular form around a communal house

Source: Viet Nam: The Great Family of Ethnic Groups in Viet Nam. 2009.

47. In terms of family organization, the Gie-Trieng have both matrilineal and patrilineal family systems and Van Kieu, Ca Tu Ta Oi/Pa Co/Ta Hy have patrilineal family system. Common to the Mon Khmer group, community life revolves around the buffalo as can evidenced by stilt houses/communal houses accented by symbols, buffalo horns in particular. There is similarly a common belief in supernatural powers of ancestors, genies and spirits.

48. In as much as ethnic minorities are dominant at the commune level, representation to commune formal decision-making bodies is ensured. For instance, in Huong Lam, A Luoi District of TT Hue 30 Co' Tu and three Kinh constitute the Commune People's Committee (CPC). In Dakrong Commune, 20 Van Kieu are in the CPC with only seven Kinh. On the other hand, the CPC in Huong Linh Commune of Huong Hoa, Quang Tri have 11 Kinh and 11 Van Kieu.

49. **Poverty.** Table 5 presents the distribution of poor households within the intended project sites. Within the total project sites, approximately 32% are considered poor, using the MOLISA¹⁰ classification provinces and 87% of the total poor are ethnic minorities.

Table 5. Distribution of Poor project Households

PARAMETER	QUANG			TOTAL
	NAM	QUANG TRI	THUA THIEN HUE	
No of Household(s)	4,390	6,942	4,025	15,362
No of poor Households	2,894	854	1,172	4,920
No of ethnic minority Households	4,039	5,345	3,663	13,058
No of poor ethnic minority Households	2,878	724	697	4,299
% Poor Households	66%	12%	29%	32%
% Ethnic minority Households	92%	77%	91%	85%
% Poor ethnic minority Households from total Households	66%	10%	17%	28%
% Poor ethnic minority Households from total poor Households	99%	85%	59%	87%
% Poor ethnic minority Households from total ethnic minority Households	71%	14%	19%	33%

Source: R-PPTA 7459: Greater Mekong Subregion Biodiversity Conservation Corridors Project.

50. Majority of poor households are found in Quang Nam (66%) followed by TT Hue at 17% and Quang Tri (10%). The highest percentage of poor ethnic minority households from the total poor households similarly are found in Quang Nam (99%), with Quang Tri second at 85% and TT Hue third at 59%. Poor ethnic minority households among the total ethnic minority households show that again Quang Nam the highest (71%) followed by TT Hue (19%) and Quang Tri with 14%.

51. **Farming Systems.** Subsistence farming persists to be a part of farm households despite difficulties, as it remains to be the only option to prevent starvation. In some areas, subsistence farming is economically efficient due to high rainfall levels with various crops that can be produced throughout the year. Production levels are then sufficient to provide for

¹⁰ Income amounting to 200,000 VND/month or less per person.

subsistence farm households.

52. Household income (cash and non-cash) from farming was estimated during FGDs and this was estimated at \$79.4-\$132.3 per household per month across communes. Agriculture is the primary means of livelihood in all sample communes with variations in levels of mode of production. Aside from agri-crops, TT Hue communes are more advanced with the introduction of tree plantation establishment, largely using acacia and for Thuong Long, acacia and rubber. Quang Tri communes, as well as Lang in Quang Nam have likewise engaged in tree plantation establishment. Dakrong, Quang Tri in particular started with acacia plantations, which FGD participants, claim to generate \$200/ha at maturation. Acasia is sold to nearby factories for pulp and paper

53. Subsistence farming augments cash income generation activities such as tree plantation development, which takes about 5-6 years before these are sold. Subsistence farming is more rice-based (combination of paddy and rainfed) with livestock and poultry. Integrated farming systems are found throughout the project sites. Fishponds are also part of the farming system as introduced by Ministry of Agriculture and Rural Development-Aquaculture. Some farms like in Dakrong, Quang Tri grow cassava and corn.

54. To date, La De, Quang Nam and Huong Linh, Quang Tri engage in farming solely for household consumption with minimal options for other sources of income. Other sources of cash income are (i) as hired labor; (ii) collection of non-timber forest products like rattan, and materials for broom and hat making; (iii) sales from acacia, rubber, and cassava; (iv) limited business of the buy and sell type, as Government employees; and (v) small scale mining in Lang, Quang Nam.

55. **Household labor.** Household size in project sites of 4.7 persons is generally higher by 1 person compared to the District average. The main crop generally is rice, with two croppings per year in paddy rice fields and rain fed areas. Other crops are cassava, banana and the typical home gardens for herbs and other local vegetable crops for home consumption. Some households would have enough surplus to sell in local markets, which on the average across the six sample communes is about 32.5 km away, the closest is 3 km (Thuong Long), the farthest 100 km (La De) and all others not more than 25 km. The figure also identifies the 4th quarter of the year as the ideal time to conduct intensive training activities, as well as introduction of alternative livelihood as this is the slack period in the project communes.

56. **Landholding.** The average agricultural land area issued by Red Book¹¹ process per household differs between communes and provinces. Based on available data in select communes, it was determined that farms in Quang Nam are larger with an average size of 4.8 ha per individual (Table 6) issued with the Red Book for agricultural purposes. Further, the table shows that only 23.6% of the total population has availed of this land reform system. In Quang Tri communes, Table 7 shows that the average land holding for agricultural purposes is 0.4 ha issued to about 13.3% of the total population (see Table 6. Red Book Distribution of Agricultural Lands in project Communes of Tay Giang, Quang Nam (as of 2010) and Table 7. Red Book Distribution of Agricultural Lands in Select BCC Communes of Quang Tri Province (as of 2008).

¹¹ The Red Book process is an initiative on land ownership where farmlands in general are distributed to individual farms in proportion to the total number of family members, or adult family members.

Table 6. Red Book Distribution of Agricultural Lands in Communes of Tay Giang, Quang Nam (as of 2010)

Commune	Commune Data		Red Books to individuals for agricultural lands				
	Total Area (ha)	Total Population	N	% From Total Population	Area (ha)	% From Total Area	Ave Land Holding
1. Anong	5,670	771	149	73	40.32	0.7	0.3
2. A Tieng	6,450	1,682	772	200	1,288.79	20.0	1.7
3. A Vuong	14,780	2,025	484	124	1,268.25	8.6	2.6
4. Bhalee	7,110	2,254	834	180	1,229.74	17.3	1.5
5. Chom	4,510	1,633	96	30	281.91	6.3	2.9
6. Gari	4,710	1,332	58	21	153.26	3.3	2.6
7. Lang	22,340	1,775	493	255	9,670.90	43.3	19.6
8. TrHy	8,180	1,046	69	19	262.84	3.2	3.8
Total	73,750	12,518	2,955	23.6	14,196.01	19.2	4.8

Table 7. Red Book Distribution of Agricultural Lands in Select Communes of Quang Tri Province (as of 2008)

Commune	Commune Data		Red Books to individuals for agricultural lands				
	Total Area (ha)	Total Population	N	% From Total Population	Area (ha)	% From Total Area	Ave Land Holding
Dakrong District							
1. Ta Long	18,620	3,025	390	12.9	126.5	0.7	0.3
2. Huc Nghi	13,390	1,425	140	9.8	15.7	0.1	0.1
3. Huong Hiep	14,230	3,855	1064	27.6	340.5	2.4	0.3
4. Dakrong	10,950	4,564	367	8.0	48.3	0.4	0.1
5. Ta Rut	6,220	3,739	356	9.5	110.2	1.8	0.3
Huong Hoa District							
1. Huong Lap	15,540	1,578	99	6.3	400.0	2.6	4.0
Total	78,950	18,186	2,416	13.3	1,041	1.3	0.4

57. **Opportunities for Credit.** Available sources of credit for project communes are the Social Policies Bank, Bank for Agriculture and Rural Development through the Women's Union and Association of Farmers, Youth Union, and Veteran's Union. The farthest distance to credit sources is 3 km and these are with communes in TT Hue. All others are within their respective CPC units.

58. Available credit portfolios of said sources are largely for poor households and poor ethnic households at 0% interest rate for the following uses: (i) employment; (ii) education; (iii) migration; (iv) agricultural production in difficult areas; (v) House construction and repair; and (vi) plantation establishment.

59. All households in Huong Lam, Thuong Long, La De, and Dakrong have in one way or another availed of credit. The minimum amount borrowed is 2 to 3 million VND and the highest is 30 million VND, which they are able to pay in five years spread. If the loan amount exceeds 30 million VND, they have to mortgage their land use certificate especially if through the Bank for Agriculture and Rural Development. In Lang and Huong Linh, households hardly ever avail of credit since they have no clear purpose for its use and uncertainty of repayment.

60. For those who do borrow, the amount is mostly spent for animal production, plantation forest, and children's education. There are cases however, that funds are diverted from the original intention. Some households purchase motorbikes and thus are not able to pay back their loans.

61. **Access to Information.** Types of information that are of great interest to households are about (i) news/current events, (ii) health especially for children and the elderly, (iii) farming techniques, and (iv) local application of national laws. Information generally are accessed through community meetings, television, radio, newspaper, community public address system, posters, phone, and the internet.

62. In 2008, farmers have been engaged through TV programs found to be a highly effective means of technology dissemination especially in regard to responsible use of pesticides. TV contests were introduced that appeal to farmers for their entertainment value, and yet are educational for farmers to keep abreast of the latest tips on improving farm techniques.¹²

63. **Constraints to Agricultural Production.** During FGDs, BCC farmers identified constraints to agricultural production, and community life in general. Most often cited were (i) lack of rural infrastructure and social services (i.e., roads, irrigation, water supply, and health and sanitation); (ii) natural calamities like flooding 3 to 5 times a year and whirlwinds; (iii) lack land for production; and (iv) diseases in poultry and cattle.

64. **Gender Issues at the Commune Level.** Assessment of power relations and household labor allocation in project sites reflect the invisibility of women's domestic work with the invisibility of women's work in other income generating activities. Unpaid work in the project sites is regarded mainly as women's domestic work and distinctive from other types of work. Access to and control over resources is reportedly for males in Dakrong and also for males as regards animal production in Huong Linh.

56. The 24-hour male-female household schedules in sample project sites show that women's work hours exceed those of males by about 3 hours and that these are largely unpaid tasks. In La De of Quang Nam province, there appears to be more egalitarian responses. La De project beneficiaries belong to the Gie Trieng ethnic minority group characterized to be two lined family system (song hệ) (matrilineal and patrilineal) compared to other ethnic groups thus there is no such sharp distinctions. By and large, women dominate in almost all aspects of household activities, being more male-dominated (though minimally) only in commercial crop production and community-related activities.

57. Huong Linh has less working hours inasmuch as other sources of income are extremely limited within the area and most productive activities are generally subsistence in nature. Huong Linh is a resettled (hydropower) community mostly Van Kieu. Thuong Long in TT Hue mostly belong to the Co Tu ethnic minority group. Productive activities are more accessible to both males and females with the advent of tree plantation establishment specifically acacia and rubber thus the workload of women increased.

58. In a study by Bussarawan, et.al (2008),¹³ noted the husband's increased involvement in reproductive activities, but that it does not appear to be accompanied by any significant decline in the wife's contribution. Pronounced gender segregation in domestic roles is still pervasive in project sites and Viet Nam in general.

C. Project Benefits and Potential Impacts

1. Potential Positive Benefit

59. Potential benefits of project to ethnic minorities in the project area are:

¹² Viet Nam's farmers harness technology to raise crop yields. Crop Life Asia. 2008.

http://www.croplifeasia.org/ref_library/croplifeAsia/VietnamCase

¹³ *Op. cit.*

- (i) Capacitation of local institutions that enable/ensure community participation in resource planning and management.
- (ii) Improved quality of life and food security among ethnic minorities through (a) provision of nondestructive livelihood opportunities; (b) improved availability of resources: water, timber, and other forest products; (c) improved soil fertility, decreased soil movement and reduced vulnerability to risks of climate change; and (d) enhanced biodiversity.
- (iii) Empowering ethnic minorities to legitimately utilize their natural resources, the framework for which will be spelled out by commune land use/development plans that the affected ethnic minorities themselves will design and agree on.
- (iv) Improved access to market and social and community services. Rehabilitation of farm-to-market roads will improve the local people's access to social services, like education and health.
- (v) The rehabilitation of farm-to-market roads and communal irrigation systems as well as technical assistance extended for appropriate nondestructive livelihood will improve farm productivity.
- (vi) Downloading of commune development funds further allow for ethnic minority community empowerment in project activities as they address organizational, community and household needs. This will be most significant if the women's union at the commune level is further capacitated in fund and associated technology management.
- (vii) Contribute to poverty reduction for poorest communes/villages in harsh condition areas and border areas.

2. Potential Negative Impacts

60. Notwithstanding the aforementioned benefits, the Project could also bring about or reinforce a number of adverse social impacts that can be mitigated, such as the ones outlined below.

- (i) Encroachment due to improved access. With the rehabilitation of rural infrastructure, there is potential for increasing access to conservation sites especially by outsiders or those not belonging to the same ethnic minority group within a BCC-assisted area aggravating current resource use competition. Zoning and land use certification provide the necessary tools to regulate such threats.
- (ii) Social exclusion/elite capture. Protocols in a number of these communities require that project entry seek prior approval from commune/district heads, District Offices and other local governance structures. This includes how benefits are distributed, which have to be coursed through these entities. While protocols are imperative for project acceptability these can pose a challenge to ensuring that there is broad community support for the project and that members of the ethnic minorities benefit from it, regardless of social status. Participatory, multi-stakeholder consultations and priority identification as well as project social and participatory monitoring tools will be used to mitigate this.
- (iii) Increase in value of land in project sites. Investments introduced through the project increase the likelihood of land speculation, which may increase selling of ethnic minorities land rights to the likes of tree plantation investors. Benefits derived from such transactions will be transitory but their effects could be further marginalization of ethnic minorities. BCC therefore provides measures in mitigating such deals through collective land use certification.
- (iv) Increase developmental dependency. Commune development grant arrangements may further encourage dependency to donors and government institutions. Such livelihood grants if not handled sensitively may result in corruption; thus BCC provides the necessary capacity building in funds

- management and financial auditing of Commune Development Funds (CDFs). The CDFs are to generate self-sustaining projects and encourage communes to start their own enterprises and account for their own finances.
- (v) The additional financing will establish Ngoc Linh protected area. This activity may cause restriction of land use and access to natural resources of ethnic minorities.

IV. SOCIAL IMPACT ASSESSMENT AND ETHNIC MINORITY PLANNING

61. This section describes the essential steps in preparing an EMDP and provides suggested actions for inclusion in an EMDP. Through the SIA, each subproject will identify key project stakeholders, beneficiaries and ethnic minority groups and undertake a culturally appropriate and gender-sensitive process for meaningful consultation. The Project will retain qualified and experienced experts to carry out a SIA for each subproject, to determine the impacts on ethnic minorities and prepare an EMDP in conjunction with the feasibility study. The subproject's potential social impacts and risks will be assessed against the findings and requirements presented in the SIA and EMDP.

A. Social Impact Assessment

62. Qualified and experienced experts will be contracted to conduct a full SIA in a gender-sensitive manner in meaningful consultation with ethnic minorities. The SIA will (i) establish the baseline socioeconomic profile of ethnic minorities in the project area and the project impact area; (ii) assess opportunities to avail of basic social and economic services; (iii) determine the short- and long-term, direct and indirect, and positive and negative impacts of the project on each group's social, cultural, and economic status; (iv) assess and validate which ethnic minorities will trigger the SPS principles; and (v) assess subsequent approaches and resource requirements for addressing the various concerns and issues of projects that affect them. An EMDP in conjunction with the subproject feasibility study will be prepared if impacts on ethnic minorities are established.

63. "Inclusive social development" is considered essential to the reduction of poverty and achievement of development goals. In this SIA outline, "social development" refers to equitable and sustainable improvements in the physical, social, and economic well-being of individuals and social groups, especially those that are socially or economically disadvantaged. The SIA concepts and methods are enclosed in Appendix 5.

64. **Data Collection and Analysis.** The SIA will be a field based exercise in which primary socio-economic data as well as the opinions and needs of the affected communities are collected through surveys, interviews, focus groups and participatory meetings conducted for each subproject feasibility study. The SIA will identify the project-affected ethnic minorities and the potential impacts of the proposed subproject on them. Whether potential effects on ethnic minorities are positive or negative, each subproject will prepare a SIA that will:

- (i) Provide a baseline socioeconomic profile of the ethnic minority groups in the subproject area. Baseline information will include ethnicity and sex disaggregated data on demographic, social, cultural, and wealth status (poverty levels) characteristics of the affected ethnic minority communities;
- (ii) Identify the land and territories that ethnic minorities have traditionally owned or customarily used or occupied; and the natural resources on which they depend;
- (iii) Assess their access to and opportunities to avail themselves of basic social and economic services;

- (iv) Include a gender-sensitive assessment of the affected ethnic minorities' perceptions about the project and its impact on their social, economic, and cultural status. A gender-sensitive analysis is critical to the determination of potential adverse impacts, relative vulnerability and risks to the affected ethnic minority communities given their particular circumstances and lack of access to opportunities relative to those available to other social groups;
- (v) Assess the potential adverse and positive effects of the subproject. These should be assessed for the short- and long-term, direct and indirect, and positive and negative impacts of the project on each group's social, cultural, and economic status;
- (vi) Assess and validate which ethnic minority groups will trigger the ethnic minority safeguard requirements; and
- (vii) Identify and recommend measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects. Such measures must ensure that the ethnic minorities receive culturally appropriate benefits under the project.

B. Ethnic Minorities Planning

65. By initial screening, if an EMDP is required for a subproject, it will respond to the issues identified in the SIA and through meaningful consultations with ethnic minorities and will set out the measures whereby the Provincial Project Implementing Unit (PPMUs) will ensure that:

- (i) Affected ethnic minorities receive culturally appropriate social and economic benefits;
- (ii) When potential adverse impacts on ethnic minorities are identified, these will be avoided to the maximum extent possible; and
- (iii) Where this avoidance is proven to be impossible, based on meaningful consultation with ethnic minority communities, the EMDP will outline measures to minimize, mitigate, and compensate for the adverse impacts.

66. Qualified and experienced experts will prepare the planning documents through meaningful consultation with affected groups to ensure that affected ethnic minorities will receive culturally appropriate social and economic benefits and that when potential adverse impacts on them are identified, these will be avoided to the maximum extent possible. When avoidance is deemed impossible, the EMDP will identify measures to minimize, mitigate, and compensate for adverse impacts. If ethnic minorities will be the majority of direct project beneficiaries, and when only positive impacts are identified, elements of the planning document may be included in the overall project design in lieu of preparing a separate EMDP. The planning document will establish requirements for meaningful consultation and how benefit sharing are fulfilled and integrated into the project design.

67. The level of detail and comprehensiveness of EMDPs will vary depending on the specific subproject and the nature of impacts to be addressed. If ethnic minorities are the sole or the overwhelming majority of direct project beneficiaries, and when only positive impacts are identified, the elements of an EMDP could be included in the overall project design rather than preparing a separate EMDP. In such cases, the project document will include a summary of about how the project complies with the ethnic minority safeguards. In particular, it will explain how the requirements for meaningful consultation are fulfilled and how the accrual of benefits has been integrated into the subproject design. Also where appropriate, combined resettlement and ethnic minority plans will be prepared.

68. Appendix 6 of this report provides an outline for an EMDP report, based on the subproject outputs and potential positive and negative impacts on local ethnic minorities

arising from SIA.

69. Following the completion of detailed engineering design and detailed measurement surveys, the EMDP will be updated. Mitigating measures to avoid adverse impacts on ethnic minorities and measures to enhance culturally appropriate development benefits will be adjusted, but the agreed outcomes as specified in the draft EMDP will not be lowered or minimized. If new groups of ethnic minorities are identified prior to submission of the final EMDP, meaningful consultation will be undertaken with them also.

70. The PPMU should ensure that the resources, including financial and human resources, are sufficient before implementing the EMDP. The PPMU should also ensure that the Provincial Committee for Ethnic Minorities and local authorities are fully informed the plan of EMDP implementation.

71. The PPMU, in coordination with the Provincial Committee for Ethnic Minorities and local authorities, implements the ethnic minority development activities and the potential negative impact mitigation measures that specified in the approved EMDP, following the plan that was already agreed with local people and ethnic minorities in the subproject area during the EMDP preparation. The activities and the outcomes of the EMDP implementation should be recorded and placed in communal, district levels, at PPMU office and at the office of the Provincial Committee for Ethnic Minorities (see Table 8. Budget Items for Activities in Support of Ethnic Minorities).

Table 8. Budget Items for Activities in Support of Ethnic Minorities

ACTIVITY	DESCRIPTION	DURATION
1. Social Assessment	Sample communes with ethnic minorities Conduct social impact assessment and benchmarking	3 months: before any subprojects are implemented
2. Processing of Red Book for poor and ethnic minority Households	Land delineation and certification/titling	Variable but before subprojects are implemented. May be during land use planning and delineation
3. Preparation of EMDP and Resettlement Plan		Cost and duration generally same for Social Assessment per study
4. Monitoring for EMDP as built into the project design.	<u>Internal Quarterly Monitoring.</u> The PPMUs and consultant will be required to conduct quarterly monitoring of EMDP and Resettlement Plan implementation activities. <u>Post-Evaluation.</u> This activity will be undertaken one year after the completion of a project/ subproject in order to determine whether the social and economic conditions of the affected ethnic minorities have improved or have been restored to pre-project levels.	Quarterly
7. Preparation of IEC materials	Aside from those enumerated in this Table, refer to GAP and coordinate activities/costs	Print materials
8. Capacity building for Gender Mainstreaming	Annual. Targets are beneficiaries, implementers and local government officials; integrate with GAP and RF costs/activities.	Annual for project as a whole and specific to subprojects separate.
9. Sensitivity to Ethnic Minorities Culture	Target is project implementers and local government officials/staff	Project onset, mid and post project
10. Capacity building for Ethnic minority communities	Organizational/Financial development and management, Biodiversity Conservation, climate change and PES	
11. Hiring of National Consultant for Social Safeguards		45 person-months

72. An updated EMDP may be necessary to reflect mitigating measures to avoid adverse impacts on ethnic minorities as well as measures to enhance culturally appropriate development benefits following the completion of detailed measurement surveys. These may be adjusted, but agreed outcomes as specified in the developed framework documents will not be lowered or minimized. If new groups of ethnic minorities are identified prior to submission of the final planning document to ADB, meaningful consultation will likewise be undertaken with them.

V. INFORMATION DISCLOSURE, PARTICIPATION, CONSULTATION

73. The Project will undertake meaningful consultation with affected ethnic minorities to ensure their informed participation in (i) designing, implementing, and monitoring measures to avoid adverse impacts on them or, when avoidance is not possible, to minimize, mitigate, and compensate for such effects; and (ii) tailoring project benefits that accrue to them in a culturally appropriate manner.

74. The Project will be responsible for carrying out meaningful consultation for each subproject. The Project will identify appropriate ethnic minority representatives at district, commune and village level, and use consultation methods appropriate to the social and cultural values of the affected ethnic minority communities. This will include consultation with ethnic minority women and special attention will be given to the concerns of women and youth. The Project will ensure that representatives of the Committee for Ethnic Minorities and the Viet Nam Women's Union attend consultation meetings. Translation must be provided where required and simple graphics should be used to illustrate main points, particularly for the non-literate.

75. To ensure meaningful consultation, the Project will ensure the process (i) begins early in the project preparation stage and is carried out on an ongoing basis throughout the subproject cycle; (ii) provides timely disclosure of relevant and adequate information that is understandable and readily accessible to affected people; (iii) is undertaken in an atmosphere free of intimidation or coercion; (iv) is gender inclusive and responsive, and tailored to the needs of disadvantaged and vulnerable groups; and (v) enables the incorporation of all relevant views of affected people and other stakeholders into decision making, such as project design, mitigation measures, the sharing of development benefits and opportunities, and implementation issues.

76. Consultation will be carried out in a manner commensurate with the impacts on affected communities. The consultation process and its results will be documented and reflected in the EMDPs. This will include:

- (i) a description of the information disclosure, consultation and participation process with the affected ethnic minority communities that was carried out during subproject preparation;
- (ii) a summary of their comments on the results of the social impact assessment and identification of concerns raised during consultation and how these have been addressed in subproject design;
- (iii) documentation of the process and outcome of consultations with affected ethnic minority communities and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities;
- (iv) description of the consultation and participation mechanisms to be used during implementation to ensure ethnic minorities participation during implementation; and

- (v) confirmation of the disclosure of the draft and final EMDP to the affected Ethnic minorities communities.

A. Information Disclosure

77. **Information disclosure.** Disclosure modalities will be in accordance with prevailing customs and traditions, written in the ethnic minority language as authorized by community elders/leaders, delivered and posted in conspicuous places or if lengthy, copies provided to community elders/leaders. Popular forms of printed materials include fact sheets, flyers, newsletters, brochures, issues papers, reports, surveys etc. Popularized materials aim to provide easily read information. These materials should be in the local language enhanced with drawings, to inform a wide range of ethnic minorities about the planning and assessment processes and activities.

78. **Documents disclosure.** For ADB, the following are required: (i) draft EMDF and/or EMDP as well as the social impact assessment, as endorsed by the government before appraisal; (ii) final EMDF and/or EMDP; (iii) new or updated EMDF and/or EMDP; and (iv) monitoring reports. These documents will be generated and produced in a timely manner, in both the ADB/BCC website or any locally accessible place in a form and language understandable to the affected ethnic minorities and other stakeholders.

79. For ethnic minority communities, pertinent information for disclosure are: (i) notices of meetings/consultation; (ii) BCC concept and implementation arrangements; (iii) results/minutes/agreements made during meetings/consultations, grievance redress mechanisms, results of assessment studies, EMDF and/or EMDP, and M&E results.

80. The ADB SPS requirements (Safeguard Requirements 2 & 3) as well as the ADB Public Communication Policy will serve as guide. The documents listed above will be uploaded in the BCC website as well as the ADB website.

B. Consultation and Participation

1. Consultation Across Project Cycle

81. Meaningful consultation with ethnic minorities will be ensured through harnessing of culturally appropriate communication strategies and use of local language. Consultation and Participation Plan (Table 9) presents the definitive points for stakeholder participation across within the project cycle under BCC and additional financing, specific to subproject preparation and implementation. The Plan will be undertaken to ensure informed participation in all facets of the project cycle such that project benefits that accrue to them shall be in a culturally appropriate manner. Timely disclosure of relevant and adequate information will be made that is understandable and readily accessible to affected people/gender, in an atmosphere free of intimidation or coercion. The approach is anchored on improving development outcomes for ethnic minorities through their informed participation and decision-making. Culturally sensitive social participation modalities are central to project operations. The approach involves building on peoples' knowledge and capacities. Safeguarding the rights and interests of ethnic minorities are basic elements to the main activities of the project development process.

Table 9. Consultation and Participation Plan: Summary Chart

ITEM	Stakeholder Group				
	Executing/ Implementing Agency	Ethnic Minorities Office and PPCs	Ministries: Planning & Investments	Vulnerables: Ethnic Minorities, Farmers & Women (Commune Level)	Civil Society (i.e., Academe, &NGOs)
A. Project Cycle: Task/Objective of Stakeholder Participation					
1. Project identification	Prepare sectoral development framework plans and guidelines/strategies for programming & prioritization of subprojects requiring assistance			Prepare and prioritize community needs/ plans/ programs/ projects Discussion and briefing on bottom-up planning and community participation	Participate in consultations within mandated areas
	Subproject screening			Briefing on meaningful consultation and aspect of free prior informed concerned, and how to attain broad community support	
2. Project Preparation	Identify subproject proposals for possible foreign and local assistance in close coordination with implementing units and other appropriate government agencies	Coordinate and oversee all consultations to project preparation in areas with ethnic minorities.	Provide technical staff support to subproject coordination & review	Meaningful consultation and discussion: understanding and agreeing aspects of EMDF and Resettlement Framework	Consultation and participation
	Recommends criteria and system for evaluating projects; and	Coordinate preparation of appropriate social safeguards			Preparation of Social Assessment
	Information disclosure				Preparation of Ethnic Minority Development Plan (if applicable)
					Preparation of Resettlement Plan (if applicable)
3. Appraisal	Coordinate the conduct of subproject appraisal;	Ensure preparation of appropriate social safeguards;	Monitor status of proposed subprojects for possible funding assistance by the project	Participation broad community support and discussion of document	Participate in validation of safeguards documents
		Verify adequacy of the policy and legal framework; adequacy of allocated technical, financial, & human			

ITEM	Stakeholder Group				
	Executing/ Implementing Agency	Ethnic Minorities Office and PPCs	Ministries: Planning & Investments	Vulnerables: Ethnic Minorities, Farmers & Women (Commune Level)	Civil Society (i.e., Academe, &NGOs)
		resources.			
		Examines whether ethnic minorities have participated in EMDP formulation			
4. Project Implementation (including inception, detailed engineering, monitoring, & review)	Provide basic policies, systems and procedures for the effective & efficient implementation of subproject;			Spearhead preparation of detailed engineering design of subprojects	Conduct external M&E and performance/impact assessment
	Provides technical assistance in detailed design, project monitoring and assessment;			Implement & manage subproject	Develop & implement IEC plan (to include disclosure measures), materials and/or training
	Monitor performance and impact of project in coordination with donor and oversight government agencies;			Involvement in participatory monitoring, provide template for monitoring and reporting	
	Coordinate with funding/donor/ oversight agencies in project programming and monitoring;			Attend to capacity building activities	
	Oversee & coordinate subproject, EMDP & Resettlement Plan implementation;		Ensure project compliance to loan agreements/ commitments;		
	Prepare, conduct and attend (depending on nature of capacity building)subproject capacity building initiatives				
5. Completion & post evaluation	Evaluate project performance and impact in coordination with donors and oversight government agencies;			Participate in project & subproject impact assessment/post project completion	Conduct impact assessment/post project completion
	Document, disseminate lessons learned, & when applicable mainstream experiences gained and technologies generated from the subproject, and provide policy recommendations with reference to development initiatives and implications to future projects;			Ensure operation and maintenance/ sustainability of subproject	
	Coordinate with funding/donor/ oversight agencies in project evaluation;				
	Conducts post project evaluation and impact analyses.				
		Coordinate project evaluation in ethnic minority project areas.			

82. Every aspect of the subproject idea is subject to systematic and comprehensive evaluation hence a project C&P plan is prepared. Inasmuch as the ADB-SPS is operational under the project, the consultation processes must address the following: (i) ethnic minorities customary rights pertaining to lands and resources, and access issues in regard to sustainability of their cultures and livelihood systems; (ii) protection of lands, and resources against illegal intrusion or encroachment; (iii) cultural and spiritual values that ethnic minorities attribute to such lands and resources; (iv) indigenous knowledge systems and practices vis a vis long-term sustainability of such practices; and (v) rehabilitation of ethnic minorities livelihood systems especially among those who may be restricted from their lands.

83. Since BCC involves activities that are contingent (BCC Components 2 and 3) on establishing legally recognized rights to lands and territories that ethnic minorities have traditionally owned or customarily used or occupied, an action plan for the legal recognition of customary rights to such lands and territories shall be integrated in the EMDP, prior to actual implementation. Similarly, the additional financing will establish a protected area which may restrict land use and access to natural resources of local ethnic minorities, so an EMDP needs to be prepared and implemented.

84. The project implementers will conduct consultation during the project planning process and preparations phases to initially commence with a social assessment where stakeholder identification and analysis is made. Records of consultation will be kept in particular those identities of recognized community representatives, respected key informants, and legitimate representatives of subgroups (i.e., women, farmers, and youth).

85. Individuals or groups identified to be vulnerable to adverse project impacts and risks will be consulted as regards mitigative measures to the satisfaction of these groups. It is imperative that vulnerable ethnic minority groups are consulted in (i) identifying potential impacts and risks; (ii) assessing the consequences of these impacts and risks for their lives; and (iii) providing input into the proposed mitigation measures, the sharing of development benefits and opportunities and implementation issues. If new impacts and risks are foreseen or shall crop up during the planning and assessment process, then appropriate consultative measures are made and taken into account in the overall project and subproject designs.

86. **Meaningful Consultations.** Executing/Implementing agencies will conduct consultations with recognized community representatives, respected key informants, and legitimate representatives of sectoral groups. Consultations are characterized as follows:

- (i) Consultation mechanisms must not have manifestations of coercion or intimidation;
- (ii) Lead time is made for the following: (a) project information to be interpreted/translated in the prevailing language common to the commune; (b) consideration for local inputs to subproject siting, location, routing, sequencing, and scheduling); and (c) attempts at consensus building for the choice and design of mitigation measures and sharing of development benefits and opportunities;
- (iii) Gender inclusive and responsive, tailored to the needs of disadvantaged and vulnerable groups; and
- (iv) Consultation with ethnic minorities will be scheduled and conducted based on adequate and relevant disclosure of project information.

87. The executing/implementing agency will be assisted by qualified consultants who will disseminate information about the project, in a manner appropriate for the ethnic minorities in the project area. Special efforts will be made to ensure that all sectors of the communities will have equal opportunities to express their respective issues and concerns. Consultations may be iterative to ensure affected groups understand the project thus they are able to form and express an opinion about the project.

2. Stakeholder Participation

88. Participation under the project will involve the transferring of power to ethnic minorities at the commune level enabling them to negotiate with development delivery systems, and deciding and acting on what is essential to their development. There are several types or forms of stakeholder participation that could range from shallow, or simply being informed, to deep, or actively participating to be responsible for their own actions and development pathways. Of these, the project shall adopt combinations of these participation types for ethnic minorities, summarized as follows:

- (i) **Collaboration/Decision-Making.** While ethnic minorities or their legitimate representatives are invited about a pre-determined objective, problems or issues are identified and discussed, and solutions are collaboratively made. Ethnic minorities or their legitimate representatives may not have initiated the collaboration, but they significantly influence the results. Their ideas may change the project design or implementation plan, or contribute to a new policy or strategy. A development professional or organization engaged to solicit stakeholder involvement takes the ethnic minorities' perspectives seriously and acts on them.
- (ii) **Joint Empowerment/Shared Control.** Shared control involves deeper participation than collaboration. Ethnic minorities or their legitimate representatives are empowered by accepting increasing responsibility for developing and implementing action plans. They become accountable for either creating or strengthening local institutions. Development professionals are mere facilitators of the locally driven process. Ethnic minorities assume control and ownership of their subproject component, and make decisions accordingly. Participatory monitoring is enabled where ethnic minorities assess their own actions using procedures and performance indicators they selected when finalizing their plans thereby reinforcing empowerment and sustainability.

3. Documentation of the Consultation Process

89. Process documentation¹⁴ is a process-oriented data-gathering tool that aims to enhance understanding of the relationship between process and structure. It is used to capture group dynamics, issues and concerns affecting decisions in support or against the project/subproject. It identifies the facilitating and constraining factors and eventually the consensus building process.

90. Results of documentation process should provide information sufficient enough to support decisions about the project/subproject C&P process. Reports should therefore be easy to read/use, and attached to all technical reports. The process documentation per commune/ethnic minority group will be validated and endorsed by the Ethnic Minorities Office observing inherent institutional protocols across levels (commune to district and province).

VI. GRIEVANCE REDRESS MECHANISMS

91. The mechanism to receive and facilitate resolution of the affected ethnic minorities' concerns, complaints, and grievances is provided and ethnic minority communities will be appropriately informed about such mechanism. A culturally appropriate, gender responsive, and accessible mechanism is formulated but shall not impede access to the country's judicial

¹⁴ Botengan, M.P. and Cacha, D.M. (2005) *Multi-Stakeholder Participation Handbook*. Strengthening the Environmental Performance Monitoring and Evaluation System of the Philippine Environmental Impact Statement System (SEPMES-PEISS). EMB-DENR and The World Bank. Institutional Development Facility (IDF) Grant No. TF050534.

or administrative remedies.

92. This EMDF shares the grievance redress mechanism developed for the uRF. Complaints will pass through 3 stages presented below before they could be elevated to a court of law as a last resort.

- (i) **First Stage, Commune People's Committee:** The aggrieved affected household can bring his/her complaint in writing or verbally to any member of the CPC, either through the Village Chief or directly to the CPC. It is incumbent upon said member of CPC or the village chief to notify the CPC about the complaint. The CPC will meet personally with the aggrieved affected household and will have 30 days and maximum of 45 days following the lodging of the complaint, depending on complicated case or remote area, to resolve it. The CPC secretariat is responsible for documenting and keeping file of all complaints that it handles.
- (ii) **Second Stage, District People's Committee:** If after 30 days or 45 days (in remote area) the aggrieved affected household does not hear from the CPC, or if the affected household is not satisfied with the decision taken on his/her complaint, the affected household may bring the case, either in writing, to any member of the District People's Committee (DPC). The DPC in turn will have 30 days or maximum of 70 days following the lodging of the complaint, depending on complicated case or remote area, to resolve the case. The DPC is responsible for documenting and keeping file of all complaints that it handles and will inform the District Resettlement Committee (DRC) of any determination made and the DRC is responsible for supporting DPC to resolve AH's complaint. The DPC must ensure their decision is notified to the complainant.
- (iii) **Third Stage, Provincial People's Committee:** If after 30 days or 45 days (in remote area) the aggrieved affected household does not hear from the DPC, or if the affected household is not satisfied with the decision taken on his/her complaint, the affected household may bring the case, either in writing, to any member of the Provincial People's Committee (PPC). The PPC has 30 days or maximum of 70 days, depending on complicated case or remote area, to resolve the complaint to the satisfaction of all concerned. The PPC is responsible for documenting and keeping file of all complaints that reaches the same.
- (iv) **Final Stage, the Court of Law Arbitrates:** If after 30 days following the lodging of the complaint with the PPC, the aggrieved affected household does not hear from the PPC, or if he/she is not satisfied with the decision taken on his/her complaint, the complainant can appeal again to the PPC. If the complainant is not satisfied with the second decision of the PPC, the case may be brought to a Court of law for adjudication. If the court rules in favour of the complainant, then PPC will have to increase the compensation at a level to be decided by the court. In case the court will rule in favour of PPC, then the complainant will receive compensation approved by PPC.

93. The above grievance redress mechanism will be disclosed and discussed with the displaced persons to ensure that the displaced persons understand the process. PPMU/DRCs and monitoring unit are responsible for follow up of the grievance process. Notwithstanding the provisions of the grievance process, local laws and regulations will take precedence. The executing agency will shoulder all administrative and legal fees that might be incurred in the resolution of grievances and complaints. All complaints received in writing from APs will be documented and shall be acted upon immediately according to the procedures detailed above.

VII. INSTITUTIONAL ARRANGEMENTS

94. The executing agency for the Project will be Ministry of Natural Resources and Environment (MONRE). The MONRE will delegate responsibility for overall project coordination to its Central Project Management Unit (CPMU) and that CPMU will be responsible for the day to day execution of national level initiatives. Consistent with the Government's desire to decentralize project implementation to the provinces and below, PPC will be the implementing agency.

95. At the provincial level, the PPCs will be responsible for overall subproject implementation. The PPCs will delegate responsibility to its PPMUs and the PPMUs will day to day manage the activities that related to the ethnic minorities issues.

A. National Level

96. The CPMU will be supported by a Social Safeguards Specialist (consultant) to support PPMUs and conduct semi-annual monitoring and final evaluation of EMDPs implementation.

B. Provincial Level

97. Overall implementation guidance in the provinces will be responsibility of the PPC. The PPCs will be responsible for reviewing and approving the SIA, the EMDP and enhancement or mitigating measures.

98. The PPMUs will be responsible for subproject implementation and will carry out the day-to-day management and other activities required for successful implementation. They will be responsible for ensuring all safeguard measures, including the preparation of EMDPs. PPMUs will:

- (i) Undertake preliminary screening to determine the categorization of ethnic minority impacts arising from the Project;
- (ii) Implement the SIA and undertake the meaningful consultation with ethnic minorities;
- (iii) Use feasibility study socio-economic surveys, including ethnicity and sex disaggregated data, to understand local ethnic minorities development issues;
- (iv) Undertake and document consultation with communities and local ethnic minorities groups to determine the appropriate interventions;
- (v) Design interventions to address identified issues relevant to the overall subproject;
- (vi) Recruit experienced local consultants as required to assist with social assessments, and prepare the relevant documentation; and
- (vii) Supervise the implementation and monitoring of the EMDPs implementation or the enhancement measures.

C. District and Commune Level

99. At the district and commune levels, the District Project Implementing Units (DPIUs) will be established in each subproject district. The DPIUs will be responsible for ensuring coordination of day-to-day activities at the district and commune level between the Project and district and commune authorities. This will include assisting the PPMU with data collection, undertaking the SIA and organizing meaningful consultations with ethnic minorities. The DPIUs will involve technical personnel from the district line agencies, including the Viet Nam Women's Union and the local agency responsible for ethnic minorities.

VIII. MONITORING AND REPORTING ARRANGEMENTS

100. There will be two monitoring mechanisms: internal monitoring and external monitoring that will determine if the EMDP is being carried out in accordance with this EMDF. The executing/implementing agency shall conduct the supervision and internal monitoring on implementation of the EMDP. The procedure for monitoring will be guided by the monitoring, evaluation, and reporting arrangements set forth in the EMDPs. For this project with category B in involuntary resettlement and indigenous peoples, an external monitoring organization is not required. Prescribed indicators for internal monitoring are presented in Appendix 7.

101. **Schedule of Monitoring and Reporting.** The Executing/ Implementing agency shall establish a schedule for the implementation of the EMDP taking into account the project's implementation schedule. PPMU should appoint one staff to be in charge of internal monitoring on implementation of all EMDP activities to determine whether or not the EMDP is implemented out as planned and according to this policy.

102. Internal monitoring reports will be made available to all implementing units, including the ethnic minority communities. The executing/implementing agency will submit copies of internal monitoring reports to CPMU, then CPMU include them in semi-annual progress reports and submit to ADB. Such submitted reports are subject to disclosure on ADB website. Costs of monitoring requirements will be reflected in project budgets.

VIII. BUDGET AND FINANCING

103. The EMDF provides the line item costs that will be subject to detailed planning and budgeting during implementation at the project and subproject levels. MONRE is responsible in the provision of necessary financing of all EMDF and EMDP activities. The EMDP will specify funding requirements for each of the actions in the plan. Cost estimates provided in the plans must be as detailed as possible, linked to specific activities. The EMDP will focus on costs involved in mitigating adverse socio-cultural impacts.

104. As such, the additional financing will allocate funds for planning and implementing EMDP. EMDP planning and budgeting shall observe and adhere to prevailing cultural practices. Table 8 provides the line item costs that will be subject to detailed planning and budgeting during implementation at the project and subproject levels. (See Table 8. Budget Items for Activities in support of Ethnic Minorities).

Appendix 1: BCC and Additional Financing Project Sites in Viet Nam

Province	District	Commune
QUANG TRI		
Dakrong	Dackrong	1. Đakrong
		2. HucNghi
		3. Ta Rut
		4. A Bung
		5. Mo O
		6. Trieu Nguyen
		7. Ba Long
		8. Hai Phuc
Dakrong Protected Area total	1 district	8 communes
Ho Chi Minh Legendary Trail	Dakrong	9. Ta Long
		10. Ba Nang
Ho Chi Minh Legendary Trail Sub total	1 district	2 communes
North HuongHoa	HuongHoa	11. Huong Lap
		12. Huong Viet
		13. HuongPhung
		14. Huong Son
		15. HuongLinh
	North HuongHoa Sub Total	5 communes
Quang Tri Sub total	2 districts	15 communes
THUA THIEN HUE		
PhongDien	PhongDien	16. Phong My
		17. Phong Son
		18. Phong Xuan
	PhongDien Sub total	3 communes
	A Luoi	19. Hong Ha
		20. Hong Kim
		21. Hong Trung
		22. Bac Son
		23. Hong Van
		24. Hong Thuy
PhongDien Protected Area Sub total	2 districts	9 communes
Sao La	A Luoi	25. A Roang
		26. Huong Nguyen
	A Luoi Sub total (both in PhongDien Protected Area and Sao La Protected Area)	8 communes
	Nam Dong	27. ThuongQuang
		28. Thuong Long
	Nam Dong Sub total	2 communes
	HuongThuy town	29. Duong Hoa
	HuongThuy Sub total	1 commune
Sao La Protected Area total	2 districts, 1 town	5 communes
ThuaThien Hue Sub total	3 districts, 1 town	14 communes
QUANG NAM		
Song Thanh Protected Area	Nam Giang	30. Ca Dy
		31. TaBhing
		32. Ta Poo
		33. Chal Val
		34. Đac Pre
		35. ĐacPring
		36. ĐacToi
		37. La Dee
	Nam Giang Sub total	8 communes
	Phuoc Son	38. Phuoc Xuan

Province	District	Commune
		39. Phuoc Nang
		40. Phuoc My
		41. Phuoc Cong
	Phuoc Son Sub total	4 communes
Song Thanh Protected Area Sub total	2 districts	12 communes
Sao La	TayGiang	42. A Vuong
		43. Bhalee
		44. A Nong
	TayGiang Sub total	3 communes
	Dong Giang	45. Song Kon
		46. Ta Lu
		47. A Ting
	Dong Giang Sub total	3 communes
Sao La Protected Area Sub total	2 districts	6 communes
Ngoc Linh Protected Area	Nam Tra My district	48. Tra Don
		49. TraLinh
		50. Tra Tap
		51. TraCang
		52. TraLeng
	Nam Tra My district Sub total	5 communes
Ngoc Linh Protected Area	1 district	5 communes
Quang Nam Sub total	5 districts	23 communes
Total for Protected Areas, buffer zone in 3 provinces	10 districts, 1 town	52 communes

Appendix 2. Decrees/Resolutions Affecting Lives of Ethnic Minorities in Viet Nam

- (i) Decision No.327-CT of 15 September 1992 of the Ministers' Council regulating a number of guidelines and policies for the use of bare land, denuded hills, forests, alluvial flats, and water bodies (which is referred to as "Program 327").
- (ii) Directive No.525/TTg of 2 November 1993 of the Prime Minister on Policies and Methods for Continued Economic and Social Development in Mountainous Areas.
- (iii) Directive No.393-TTg of 10 June 1996 of the Prime Minister on population planning, improvement of infrastructure and production restructuring in the regions of ethnic minorities and mountainous regions.
- (iv) Decision No.135/1998/QĐ-TTg of 31 July 1998 of the Prime Minister on approving the program on socio-economic development in mountainous, deep-lying and remote communes with special difficulties (which is referred to as "Program 135").
- (v) Decision No.163/CP of 16 November 1999 of the Prime Minister on rent and allocation of forest lands to the organizations, households and individuals for the stable and long-term use in the forestry purpose.
- (vi) Decision No.132/2002/QĐ-TTg of 8 October 2002 of the Prime Minister on the allocation of production and residential land to local ethnic minority people in the Central Highlands.
- (vii) Resolution of the IX session Party Central Committee's No 24/-NQ/TW dated on 12, March, 2003 on "Ethnic Minorities activities."
- (viii) Decree No.79/2003/ND-CP of 7 July 2003 of the Government on the implementation of democracy in communes, ward and township levels.
- (ix) Resolution No.22/NQ-TW of 11 November 2003 of the Party's Politburo on a number of policies for the economic-social development in the mountainous communes.
- (x) Decision No.134/2004/QĐ-TTg of 20 July 2004 of the Prime Minister on a number of policies to provide support in terms of production land, residential land, dwelling houses and daily-life water to poor ethnic minority households meeting with difficulties (which is referred to as "Program 134").
- (xi) Decision No.80/2005/QĐ-TTg of the Prime Minister on promulgating regulations for the investment supervision by the community.
- (xii) Decision No.07/2006/QĐ-TTg of January 10, 2006 of the Prime Minister on approving the program on socio-economic development in special difficulty-hit communes in ethnic minority and mountainous areas in the 2006-2010 period (which is referred to as "Program 135 – Phase 2").
- (xiii) Decision No.33/QĐ-TTg of the National Program of *settled cultivation and resettlement for ethnic minority people*, period of 2007-2010 and extension to 2015.
- (xiv) Decision No. 52/2010/QĐ-TTg to the policy of providing legal support to increasing awareness and knowledge on the law of poor ethnic minority people in the poor districts for period 2011-2020.
- (xv) Circular no. 06 dated 20-September-2007 of the Ethnic Minorities Committee guidance on the assistance for services, improved livelihood of people, technical assistance for improving the knowledge on the laws based on decision 112/2007/QĐ-TTg.

Appendix 3. Equivalence and Gaps of the Government and ADB Policy on Ethnic Minority

ADB SPS 2009	Government Requirements	Implementation of the Project
1. Screen early on to determine (i) whether Ethnic minorities are present in, or have collective attachment to, the project area; and (ii) whether project impacts on Ethnic minorities are likely.	<i>No screening process is required in the Vietnamese legal framework.</i>	Screening for subproject selection will be carried out in a very earlier stage responding to the following guide questions that attempt to identify potential impacts and ultimately address special requirements of the ADB-SPS
2. Undertake a culturally appropriate and gender-sensitive social impact assessment or use similar methods to assess potential project impacts, both positive and adverse, on Ethnic minorities. Give full consideration to options the affected Ethnic minorities prefer in relation to the provision of project benefits and the design of mitigation measures. Identify social and economic benefits for affected Ethnic minorities that are culturally appropriate and gender and intergenerationally inclusive and develop measures to avoid, minimize, and/or mitigate adverse impacts on ethnic minorities.	<i>There are no requirements in the Vietnamese legal framework to carry out any social assessment for all projects affecting ethnic minorities.</i>	Social impacts assessment will be prepared and updated for all subprojects in areas with ethnic minorities under the Project. The assessment will cover both positive and adverse impacts on the local ethnic minorities as well as to develop the measures to minimize the potential adverse impacts with fully participation of local ethnic minorities.
3. Undertake meaningful consultations with affected Ethnic minority communities and concerned organizations to solicit their participation (i) in designing, implementing, and monitoring measures to avoid adverse impacts or, when avoidance is not possible, to minimize, mitigate, or compensate for such effects; and (ii) in tailoring project benefits for affected ethnic minority communities in a culturally appropriate manner. To enhance ethnic minorities' active participation, projects affecting them will provide for culturally appropriate and gender inclusive capacity development. Establish a culturally appropriate and gender inclusive grievance mechanism to receive and facilitate resolution of ethnic minorities' concerns.	<i>The active participation of ethnic minorities is not legally required, but ethnic minorities have the same rights as other citizens, and they will be consulted and could lodge grievances. The Grass-root Democracy Legislation (Decree 79/2003) provides a legal framework, which should enable ethnic minorities to participate in local public decision that affect them and the regions they inhabit.</i>	<i>Capacity building programs for ethnic minorities in the project area will be provided, including participation opportunities in the project activities. Meaningful consultations with local ethnic minorities will be carried in all stages of the project. The grievance redress mechanism has been developed and will be discussed and disclosed publicly in the communities.</i>
4. Ascertain the consent of affected ethnic minority communities to the following project activities: (i) commercial development of the cultural resources and knowledge of ethnic minorities; (ii) physical displacement from traditional or customary lands; and (iii) commercial development of natural resources within customary lands under use that would impact the livelihoods or the cultural, ceremonial, or spiritual uses that define the identity and community of ethnic minorities. For the purposes of policy application, the consent of affected ethnic minority communities refers to a collective expression by the affected ethnic minority communities, through individuals and/or their recognized representatives, of broad community support for such project activities. Broad community support may exist even if some individuals or groups object to the project activities.	<i>The existing legislation doesn't require the information/consent of ethnic minorities for commercial exploitation of their culture and knowledge, their physical relocation from their traditional land, or the commercial development of natural resources on their traditional land. They are treated like other citizens with the same rights Viet Nam's 1992 Constitution projects and promotes the rights of all "nationalities," and allows the use of their own language and the maintenance and development of artistic traditions and traditional customs.</i>	The project will ensure the rights of local ethnic minority to benefit from the project particularly will protect local ethnic minority communities from commercial development of natural resources.
5. Avoid, to the maximum extent possible, any restricted access to and physical displacement from protected areas and natural resources. Where avoidance is not possible, ensure that the affected ethnic minority communities participate in the design, implementation, and monitoring and evaluation of management arrangements for such areas and natural	<i>No provision is made for a separate ethnic minority plan to be prepared or any provision that specifically requires them to be recognized and deal with as special cases needing additional and culturally sensitive assistance.</i>	The issues of access restriction and physical displacement from protected areas and natural resources will be avoided as much as possible by zoning and mapping exercises. Local ethnic minorities will participate in the zoning and

ADB SPS 2009	Government Requirements	Implementation of the Project
resources and that their benefits are equitably shared.	<p><i>Viet Nam, however has its own set of national programs specifically for ethnic minorities (programs 135, 134 and 327)</i></p> <p><i>Program and policies promulgated aim at creating favorable conditions for the ethnic minority people in sedentarization of production.</i></p> <p><i>Beside, these policies also aim to improve economic and cultural life, increasing access to education and supporting the life of ethnic minority communities.</i></p>	mapping activities. Local ethnic minorities will be benefited by all components of the projects.
6. Prepare an Ethnic minorities plan (EMP) that is based on the social impact assessment with the assistance of qualified and experienced experts and that draw on indigenous knowledge and participation by the affected Ethnic minorities communities. The EMP includes a framework for continued consultation with the affected Ethnic minorities communities during project implementation; specifies measures to ensure that Ethnic minorities receive culturally appropriate benefits; identifies measures to avoid, minimize, mitigate, or compensate for any adverse project impacts; and includes culturally appropriate grievance procedures, monitoring and evaluation arrangements, and a budget and time-bound actions for implementing the planned measures.	No provision of the government on preparation of EMDP	The EMDP shall be prepared and updated for each subproject. A social safeguards consultant will be recruited to assist the EDMP preparation, implementation and monitoring.
7. Disclose a draft EMP, including documentation of the consultation process and the results of the social impact assessment in a timely manner, before project appraisal, in an accessible place and in a form and language(s) understandable to affected ethnic minority communities and other stakeholders. The final EMP and its updates will also be disclosed to the affected ethnic minority communities and other stakeholders.	No provision of the government on EMDP disclosure	The EMDP and other project documents will be disclosed before project appraisal and in the languages of the local ethnic minorities.
8. Prepare an action plan for legal recognition of customary rights to lands and territories or ancestral domains when the project involves (i) activities that are contingent on establishing legally recognized rights to lands and territories that ethnic minorities have traditionally owned or customarily used or occupied, or (ii) involuntary acquisition of such lands.	Decree 197/2004 widens the definition and the Decree 69/2009 re-defined of legalizable land users. However, the issues of customary rights or ancestral domains have not been fully recognized.	In meaningful consultations with local ethnic minority communities, the zoning and mapping exercises and establishing protected area will define the areas with customary rights of the local ethnic minority and reflect the issues in the updated EMDP with particular actions to protect or compensate the areas.
9. Monitor implementation of the EMP using qualified and experienced experts; adopt a participatory monitoring approach, wherever possible; and assess whether the EMP's objective and desired outcome have been achieved, taking into account the baseline conditions and the results of EMP monitoring. Disclose monitoring reports.	No regulation of the government on preparation or monitoring of EMDP implementation	Internal monitors of EMDP implementation will be carried out by PPMUs and consultants.

Source: R-PPTA 7459: Greater Mekong Subregion Biodiversity Conservation Corridors Project.

Appendix 4. Guide Questions in Ascertaining the Presence of Ethnic Minorities

- (i) Are there socio-cultural groups present in or use the project area who may be considered as "tribes" (hill tribes, schedules tribes, tribal peoples), "minorities" (ethnic or national minorities), or "indigenous communities" in the project area?
- (ii) Are there national or local laws or policies as well as anthropological researches/studies that consider these groups present in or using the project area as belonging to "ethnic minorities", scheduled tribes, tribal peoples, national minorities, or cultural communities?
- (iii) Do such groups self-identify as being part of a distinct social and cultural group?
- (iv) Do such groups maintain collective attachments to distinct habitats or ancestral territories and/or to the natural resources in these habitats and territories?
- (v) Do such groups maintain cultural, economic, social, and political institutions distinct from the dominant society and culture?
- (vi) Do such groups speak a distinct language or dialect?
- (vii) Has such groups been historically, socially and economically marginalized, disempowered, excluded, and/or discriminated against?
- (viii) Are such groups represented as "ethnic minorities" in any formal decision-making bodies at the national or local levels?

Should results show that there indeed are ethnic minorities within the proposed subproject area, a social impact assessment will be planned and scheduled.

Appendix 5: Social Impact Assessment Concepts and Methods

I. SOCIAL DEVELOPMENT AND SOCIAL ANALYSIS

1. Institutional dimension, in that social variables such as gender, ethnicity, race, and age often shape the formal and informal rules and norms that influence people's access to services, resources, opportunities, and decision making economic well-being of individuals and social groups, especially those that are socially or economically disadvantaged.

A. Social Development Goal and Outcomes

2. SIA assists in promoting inclusive social development by helping to achieve development outcomes that are equitable and sustainable, thereby contributing to poverty reduction and development goals. The social development outcomes sought through this approach to SIA are as follows:

- Greater inclusiveness and equity in access to services, resources, and opportunities;
- Greater empowerment of poor and marginalized groups to participate in social, economic, and political life; and
- Greater security to cope with chronic or sudden risks, especially for poor and marginalized groups.

3. Participatory processes in which poor and excluded people can find a voice are especially important. More inclusive processes create a more positive environment in which poor and marginalized groups can make choices and pursue their interests. Effective social safety net programs and other mechanisms are also needed to cushion poor and vulnerable households from economic or other shocks so that they can make more steady progress in improving their quality of life.

B. Key Social Dimensions

4. The scope and depth of the social analysis will vary depending on the sector, the focus and complexity of the project, and the social context in which it will be implemented. Nevertheless, the thematic areas that a social analysis will cover generally include the following key social dimensions and strategies:

- Participation;
- Gender and development;
- Social safeguards; and
- Management of other social risks and vulnerabilities.

5. These social dimensions are interrelated and crosscutting and while they capture the main types of social issues that arise in development projects, they are not exclusive and can take on different attributes and significance depending on the local context.

C. Key Social Analysis Outputs

6. Social analysis is an integral part of project design process and should contribute to the technical and economic analyses, stakeholder consultations, consideration of alternative design options, and preparation of the final design, including monitoring and evaluation indicators. The overall results of the social assessment will provide the following key outputs:

- Socioeconomic profiles of relevant population groups;
- Social action or mitigation plans, or other measures incorporated in the project design; and
- Social development targets and indicators.

D. Suggested modalities for engaging ethnic minorities during the SIA:

- (i) Key informant interviews (KII) - A series of one-on-one interviews used to collect information from a wide range of people who have in-depth knowledge of selected development issues related to the project/subproject.
- (ii) Focus group discussions (FGD) - A group interview, usually conducted with a relatively homogenous group of 8–12 participants to understand their attitudes, feelings, beliefs, and perceptions about the project/subproject.
- (iii) Participatory Learning and Action - A broad array of participatory methods—such as community meetings and mapping activities—to identify development priorities and to catalyze learning and action, especially for the illiterate and semi-literate sectors in the commune.
- (iv) Consultative-workshop – Conduct of facilitated workshop used to reach consensus on priority problems, project/subproject design elements, and monitoring plans, create a common vision and commitment to address development challenges, and build group understanding of opportunities, challenges, and strategic options to focus and address project/subproject priorities.
- (v) Write shop—Conduct of facilitated workshop to review, create, and shape new development policies, strategies, or procedures. Ethnic minorities may choose legitimate representatives as resource persons to attend or if as participants, those who are capable of reading and writing among them.

II. DATA COLLECTION

7. This section describes some main tools and data collection methods for social analysis that are useful in designing projects. Data collected for the social analysis should provide a basis for setting appropriate targets, a baseline for monitoring social impacts of the project during implementation and for any social action or mitigation plans. Although there are several data collection methods available for carrying out the social analysis, in all cases, the social analysis should be organized and sequenced so as to:

- (i) Address the significant social issues identified;
- (ii) Provide relevant social development inputs to the technical, economic, and other analyses;
- (iii) Incorporate appropriate measures in the project design, including any social action or mitigation plans; and
- (iv) Provide relevant benchmark data for monitoring social impacts of the project during implementation.

A. Data Collection Methods

8. Various methods for data collection that can be used in the social analysis to investigate the poverty and/or social issues and to identify and clarify the expected impact of the project on different groups, including the poor and excluded. Based on the data collected, poverty, social, and/or risk analysis can be carried out and appropriate design measures, including action or mitigation plans, can be developed.

9. For most projects, the data collection process will include both primary and secondary data, and a combination of qualitative and quantitative methods. Qualitative approaches are particularly relevant to social analysis because they identify issues and capture variables not obtainable through quantitative surveys, particularly relating to social inclusion/exclusion, empowerment/disempowerment, and security/insecurity.

A1. Qualitative Methods

10. Some main methods for collecting qualitative (i.e., nonnumerical) data include: Direct Participant Observation. Under direct observation, the researcher observes individual, group, or community activities as unobtrusively as possible. Under participant observation, the researcher observes these activities while living and participating in the relevant community.

Interviews. Depending on the circumstances, interviews can be structured (i.e., fairly formal and closely following a written interview guide), semi-structured (i.e., partially directed by a written interview guide, but open and conversational enough to allow interviewees to introduce and discuss other topics of interest), or unstructured (i.e., organized around a few general questions or topics, but generally informal and open-ended).

Questionnaires. Similar to interviews, these can include formal, closed questions (e.g., multiple choice), semi-structured questions, open-ended questions, or a combination of these.

Focus Group Meetings. These semi-structured consultations with a small group (generally 5–10 participants plus 1–2 facilitators) are used to explore people's attitudes, concerns, and preferences. Focus groups are particularly useful to elicit the views of members of a community who may be reluctant to speak in a more public setting (such as women, ethnic minorities, or disadvantaged castes; the disabled, or poor individuals; and households).

Workshops. These consultations, which can be highly structured or semi-structured, are generally conducted over 1–2 days and bring together a wide range of stakeholders to analyze a particular problem, identify alternative ways to address the problem, and endorse a particular solution or set of actions to be taken. Experienced facilitators are essential to the success of a workshop.

Town/Village Meetings. Community-level meetings can be organized for a variety of purposes, including information sharing, consensus building, prioritizing of issues, planning of interventions, and collaborative monitoring and evaluation.

Mapping. This exercise involves the creation of a pictorial description of a local area by the local inhabitants, usually in a focus group or larger group setting. Common types of maps created through this participatory process include resource maps, health maps, and institutional maps. The maps provide baseline data for further participatory analysis and planning.

A2. Quantitative Methods

11. The quantitative data relevant to social analysis can include both primary and secondary data. Primary data can be collected through such instruments as a sample survey (discussed further in appendix 3.3), a project-specific census (covering all relevant individuals or households), or land/asset inventory (also covering all relevant individuals/households). It is important to structure these instruments so that the data collected are disaggregated by gender, ethnicity, age, income level, and other relevant factors. Sources of secondary data that may be relevant include the following:

Population Census. A national census can usually provide basic data on employment, household size, housing, and access to basic services, including data disaggregated by region or state/province.

Living Standard Measurement Surveys (LSMS) and Other Existing Household Surveys. LSMS and other multi-topic surveys can provide data on household income and expenditures, employment, health, education, ownership of land and other assets, and access to basic services and social programs.

Demographic and Health Surveys. These surveys generally include data on (a) health, infant mortality, fertility, contraceptive practices and family planning, antenatal care, type of facility and care used by women for childbirth, feeding practices, vaccination, health center use by mothers and children, satisfaction with health services, and cost of treatment; (b) educational attainment; (c) occupations of men and women; (d) migration; (e) access to water, sanitation, and energy services; and (f) ownership of durable goods. These surveys can be used to calculate household wealth and are particularly relevant to gender analysis.

Employment Surveys. These surveys provide data on (a) employment, unemployment, and underemployment patterns; (b) wages and other household income; (c) demographics; and (d) housing features. However, the surveys are unlikely to provide information on microenterprises and other informal business activities, or on the unpaid labor of household members involved in agriculture or household businesses.

B. Profile of Beneficiaries

12. Socioeconomic profiles are key inputs to the design of a project, and provide baseline data for monitoring the social impacts of the project on relevant groups. The purpose of these profiles is to:

- Identify the relevant client/beneficiary population and any other populations likely to be affected by the project;
- Identify subgroups with different needs and interests; and
- Assess the relevant needs, demands, constraints, and capacities of these groups and subgroups in relation to the proposed project.

13. These profiles provide a basis for further analysis of significant social issues (e.g., related to gender, ethnic minorities, involuntary resettlement, labor, affordability, or health/trafficking risks related to large infrastructure projects). They also aid the project design team in framing project components, selecting technologies, and devising implementation arrangements that are appropriate, feasible, and responsive to local needs and capacities.

C. Content of Socioeconomic Profiles

14. Socioeconomic profiles are generally based on secondary data (such as existing census, household surveys, demographic and health surveys, country poverty analysis, and other sources), supplemented as needed by project-specific surveys and/or PRAs. A sample outlines of socioeconomic profile addressing social issues in agriculture and rural development is provided below.

C1. Outline of Profile for Agriculture or Rural Development Project

Location and physical characteristics:

- Map (showing roads, land use, rivers, bridges, major settlement areas); and
- Description of location.

Economic (including disaggregation of data by gender, ethnicity, and income level):

- Ownership of assets;

- Land (e.g., amount, type, distribution, security of tenure);
- Other (e.g., livestock, equipment, buildings);
- Type of livelihood (e.g., subsistence, commercial, or both);
- Household income/expenditures;
- Skills;
- Employment and allocation of labor;
- Use of and access to credit;
- Use of and access to marketing service; and
- Use of and access to commercial inputs.

Social infrastructure (including disaggregation of data by gender, ethnicity, and income level):

- Access to health services;
- Education (primary, secondary, informal);
- Water and sanitation;
- Housing;
- Roads and communications; and
- Energy.

Demographic (including disaggregation of data by gender, ethnicity, and income level):

- Age/sex/family size;
- Birth/death rates;
- Health and nutrition (of adults and children);
- Migration (in and out); and
- Number of single-parent households.

Social organization (including evidence of differences based on gender, ethnicity, or income level):

- Family structures;
- Social structures in the community;
- Information on how collective decisions are made;
- Local institutional structures;
- Nongovernment organizations (NGOs) or community-based organizations (CBOs) in the area; and
- Level of social cohesion, social respect, and initiative.

C2. Surveys

15. Surveys provide important data to project design teams, especially in constructing a socioeconomic profile of the intended clients/beneficiaries and other groups likely to be affected by the project, and in analyzing significant social issues, such as involuntary resettlement or affordability. Much of the relevant data may already be available from the latest population census, living standards measurement survey, or demographic and health surveys. However, project-specific surveys may also be needed to investigate particular social issues in depth, especially if the issues pertain to a specific region or social group.

D. Designing a Sample Survey

16. In designing a sample survey to inform the design of a project, the project design team will need to specify:

- Objectives of the survey;
- Target population (including relevant subgroups based on gender, ethnicity, income level, location, or other factors);
- Data to be collected (keeping in mind that the survey should be as focused as possible);

- Type of measurement instrument and survey technique;
- Sample frame (keeping in mind that the definition of “project-affected person” will vary depending on the project and on the social issue being investigated, and that some survey questions may be more appropriately directed to individuals rather than households);
- Sample size (which will also vary depending on the type of project, its location, and the social issues involved—discussed further below); and
- Sampling method.

E. Participatory Rapid Assessments

17. Participatory rapid assessment (PRA) is an approach and range of techniques that enable stakeholders to analyze their problems and then plan, implement, and evaluate agreed-upon solutions. PRA allow timely analysis of sufficient accuracy and accepted validity to ensure stakeholder commitment to outcomes. This is best achieved by an astute combination of inclusive group discussions, individual interviews, and analysis of background information.

F. PRA Techniques

18. PRA techniques emphasize visual and verbal analyses (e.g., observing, interviewing, mapping, sketching, ranking) to ensure that data collection and discussion processes can be public, transparent, and group oriented. Commonly applied PRA techniques include:

- Key informant interviews;
- Semi-structured interviews;
- Transect walks;
- Participatory mapping and modeling;
- Wealth ranking and matrix ranking;
- Oral histories;
- Trend analysis;
- Development of seasonal calendars;
- Storytelling;
- Critical incident analysis; and
- Problem census, among others.

III. CONSULTATION AND PARTICIPATION

A. Stakeholder Analysis

19. Stakeholders are people, groups, or institutions that may be affected by, can significantly influence, or are important to the achievement of the stated outcome of a project. They include government, civil society, and the private sector at national, intermediate, and local levels. Stakeholder analysis identifies key project stakeholders, their project-related interests, and the ways they affect project risk and viability. The stakeholder analysis seeks to answer questions like:

- Who depends on the project?
- Who is interested in the outcome of the project?
- Who will influence the project?
- Who will be affected by the project?
- Who may work against the project?
- Who can or should be included in the planning of the project?

B. Steps in Undertaking Stakeholder Analysis

20. Broadly speaking, stakeholder analysis consists of four steps:
- (i) Identifying major stakeholder groups:
 - The main population groups that may be affected—positively or negatively—by the project and their social characteristics;
 - Relevant subgroups that may be affected differently (such as women or girls; indigenous, ethnic minority, or disadvantaged caste groups; youth or the elderly);
 - Key informants, such as community leaders or local government officials;
 - Executing or implementing agency staff likely to be involved in the project;
 - Civil society organizations (CSOs) in the project area; and
 - Private sector firms likely to be involved in or affected by the project.
 - (ii) Determining stakeholders' importance and influence on project planning;
 - (iii) Analyzing their interests, resources/capacities, and mandates; and
 - (iv) Selecting representation among stakeholders to be included in the participatory processes of the project.
21. A variety of participatory techniques, including PRA, may be used to collect data relevant to stakeholder information. Care should be taken to ensure that stakeholders with less voice and influence, such as women, ethnic minorities, and poor households and communities, are fully represented. For example, in most cases, the assessment should include separate consultations with women and men to ensure that those women's views are heard.

C. Communication and Participation Plan

22. Developing a Communication and Participation Plan (C&P Plan) is recommended for most projects. A C&P plan involves systematically deciding on whom to engage, in what manner, and when. Its purposes are to promote transparency, success, and sustainability, and to prevent delays and manage conflict. It builds on stakeholder analysis and aims to create a systematic plan of action for each phase of activity.
23. For projects in which beneficiary participation is important to the project's overall success, appropriate C&P mechanisms for project implementation should be identified and incorporated in the project design. These could include:
- Targets for the participation of particular groups in project activities;
 - Engagement of community mobilizers;
 - Provisions for special training or outreach activities (e.g., to facilitate women's participation);
 - Inclusion of beneficiary representatives in project review missions and workshops; and
 - Engagement of NGOs or local research institutes to carry out independent monitoring of the project.
24. Every development situation is different, so each C&P plan is, to some extent, unique. It must balance short- and long-term objectives with both resource and time considerations and concerns over possible project delays or complaints if stakeholders feel they have been not sufficiently included in decision making. The relative importance of stakeholders varies in sector and project work.

D. Checklist for Preparing a Consultation and Participation Plan

25. The following points provide a checklist of questions for preparing a C&P plan.
- Which stakeholder groups will be engaged in consultation and participation (C&P) processes based on the initial stakeholder analysis?
 - What decisions need to be made through C&P? And how?
 - What is the anticipated breadth and depth of stakeholder engagement at each stage of the project cycle?
 - How will C&P be linked to summary poverty reduction and social strategy and safeguards requirements?
 - How will C&P be used during implementation?
 - What C&P methods will be used?
 - What is the time line for C&P activities?
 - How will C&P methods be sequenced?
 - How have roles and responsibilities for conducting C&P activities been distributed among the executing agency, consultants, nongovernment organizations, and others?
 - Are C&P facilitators required? What will the C&P plan cost to implement and what budget will be used?

IV. ADDRESSING GENDER DISPARITIES

26. Important differences in roles between women and men, or other gender norms, may have a significant bearing on the project. Because gender disparities usually result in women and men having different needs, demands, and constraints, it is crucial to identify them early in the design process before key decisions are made. If these differences are ignored, the prospects for success of the project may be adversely affected, and women may not have the opportunity to benefit from the project on equal terms with men. Social norms related to gender roles frequently result in:

- Gender-based inequality in access to and control of key resources;
- Unequal opportunities for women and men in areas such as education, mobility, and public decision making; and
- Formal or informal discrimination against women in areas such as inheritance, ownership and registration of land, access to credit, and employment.

A. Gender Analysis

27. The purpose of conducting gender analysis is to determine if significant gender issues related to the proposed project are present. Significant gender issues will be present if:

- Women are substantially involved in the relevant sector;
- The proposed project has the potential to directly improve women's or girls' access to opportunities, services, assets, or resources; or
- The project could have a negative impact on women or girls. Based on this analysis, appropriate measures need to be identified and included in the project design to ensure that women and/or girls can participate in and benefit from the project.

28. Gender analysis identifies:

- Gender differences and disparities that may affect the feasibility and success of the program/project;

- Opportunities within the program/project to improve women's and/or girls' access to basic services, economic opportunities, assets, resources, or decision making; and
- Specific components, activities, or other mechanisms to ensure that both women and men (or girls and boys) participate in and benefit from the program/project.

B. Gender Checklist for Project Design

29. The project's gender analysis should be documented to allow a full assessment of the project design. The following checklist describes the details questions that should be answered as part of the project design documentation.

- (i) Do project objectives explicitly refer to women and men (or girls and boys)?
 - Have the needs of both men and women (or boys and girls) in the project sector been defined?
 - Do the project objectives state the benefits for men and women (or boys and girls)?
 - Will women and/or girls be direct beneficiaries in all project components?
 - Do project documents describe project consultation and participation (C&P) strategies?
 - Have local women been consulted during data collection and design?
 - Have local women's nongovernment organizations (NGOs) been consulted?
 - Have any constraints to the participation of men and women (or boys and girls) in the project been identified (e.g., cultural, social, religious, economic, legal political, or physical constraints)?
 - Have strategies and activities been formulated to address these constraints during project implementation?
 - Has a C&P plan for men and women been developed?
 - Has gender division of labor been considered?
 - Have sex-disaggregated data been collected on the gender division of labor, including household and social responsibilities (i.e., who does what, where, when, and for how long)?
 - As to who has access to and control over resources (including land, forests, waterways, markets, energy/fuel, equipment, technology, capital/credit, and training) been considered?
 - Will project activities adversely affect access to and control over resources (e.g., through loss of land, reduced access to markets) of women or men?
 - Will new technologies introduced under the project benefit both women and men?
 - Are women and men equally involved in training opportunities offered?
 - Are project-supported organizations, such as farmer, user, or credit groups, equally accessible to women and men?
 - Are separate activities or components for women (or girls) required to ensure equal access to project resources?
 - Have gender concerns in the project design and scope been addressed?
 - Does the project design include components, strategies, design features, or targets to promote and facilitate involvement of women (or girls) in the project?
 - Are these design features sufficient to ensure the equitable distribution of project benefits between men and women (or boys and girls)?
 - Does the project document describe these features and design mechanisms?
 - Does the executing agency have the capacity to implement gender-sensitive projects?

- Does the executing or implementing agency have the capacity to deliver services to women and/or girls?
- Does the executing or implementing agency have female field staff, e.g., female extension workers?
- Have strategies been identified to strengthen counterpart gender analysis, gender planning, and implementation capacity; and have these strategies been cosseted?
- How will gender impacts on men and women (or boys and girls) and on the relationships between them be monitored?
- Are there indicators to measure progress in achieving benefits for men and women (or boys and girls)?
- Will there be a collection of sex-disaggregated data to monitor gender impacts?
- Are project resources adequate to deliver services and opportunities to both men and women (or boys and girls)?
- Are strategies to promote the participation of men and women (or boys and girls) and equal access to benefits budgeted?
- Does the budget include allocations for activities to facilitate the participation of women and/or girls?
- Are strategies and any targets for the participation of and benefits for men and women (or boys and girls) included in the logframe?
- How is gender expertise to be provided during project implementation?
- Is responsibility for gender issues included in the terms of reference for the project implementation consultants?
- Does a covenant/s in the financing documents for the project support the project gender strategies?

C. Gender Action Plans

30. For projects in which significant gender issues have been identified, a priority task of the social analyst or gender specialist is to prepare a Gender Action Plan (GAP) during the design phase. The GAP will follow from detailed gender and is developed to identify project design strategies, mechanisms, and components for addressing gender concerns. The project's gender plan is essentially a summary (no more than 5 pages, including a summary table of actions) that provides information on:

- The preparatory work undertaken to address gender issues,
- The features or mechanisms included in the project design to promote women's involvement,
- Mechanisms to ensure implementation of the gender design elements, and
- Gender monitoring and evaluation.

31. The gender plan should also note what budget provision has been made for these components or design features. Without the allocation of adequate resources, it is unlikely that any separate provisions for the involvement of women or girls will be implemented. Any provision for a gender specialist to help in project implementation should also be noted.

V. SOCIAL RISKS AND VULNERABILITIES

A. Social Safeguards

32. Social safeguard policies¹ on ethnic minorities and involuntary resettlement are intended to identify, minimize or avoid, and if necessary mitigate potential adverse impacts that may be introduced by a project. Because of the nature of the potential adverse impacts, and the procedural requirements of the social safeguard policies themselves, it is important to identify and categorize these risks as early as possible in the project cycle

B. Other Social Risks and Vulnerabilities

33. It is important to identify other risks and vulnerabilities that could undermine the project's objectives or affect the project's benefits to clients/beneficiaries. In addition to the social safeguard issues discussed above, other risks may be directly linked to a project, such as

- Poor labor conditions for workers involved in project activities;
- Policy reforms supported by the project that could lead to loss of jobs or benefits through restructuring;
- Policy reforms under the project that could reduce access to services (e.g., through increases in user fees or other charges), or increase prices of essential commodities through tariff increases;
- Risks of HIV/AIDS transmission or human trafficking associated with large infrastructure projects; or
- Risks or vulnerabilities related to caste, age, disability, or a combination of these factors.

34. Depending on the severity of the risks and vulnerabilities, further social analysis and the development of social protection measures or full mitigation plans may be required at the design stage. The project should identify whether any significant social risks or vulnerabilities may be introduced or exacerbated by the project. If so, the project team should determine the scope of social analysis to be undertaken and mitigation measures or plans to be developed during the project design phase.

Source: R-PPTA 7459: Greater Mekong Subregion Biodiversity Conservation Corridors Project.

¹ ADB's social safeguard policy for indigenous Peoples and categorization of risk (A, B or C) are described in the main text of the EMPF and further information may be found in ADB's *Indigenous Peoples' Policy Handbook*, 2007. Information related to social safeguards for Involuntary Resettlement may be found in ADB's "Safeguard Policy Statement 2009" and in ADB's *Handbook on Resettlement*, 1998.

Appendix 6. Outline of an Ethnic Minority Development Plan

This outline is part of the Safeguard Requirements 3. An EMDP is required for all projects with impacts on ethnic minorities. Its level of detail and comprehensiveness is commensurate with the significance of potential impacts on ethnic minorities. The substantive aspects of this outline will guide the preparation of EMDPs, although not necessarily in the order shown.

A. Executive Summary of the EMDP

This section concisely describes the critical facts, significant findings, and recommended actions.

B. Description of the Project

This section provides a general description of the project; discusses project components and activities that may bring impacts on ethnic minorities; and identify project area.

C. Social Impact Assessment

This section:

- (i) Reviews the legal and institutional framework applicable to ethnic minorities in project context.
- (ii) Provides baseline information on the demographic, social, cultural, and political characteristics of the affected ethnic minorities communities; the land and territories that they have traditionally owned or customarily used or occupied; and the natural resources on which they depend.
- (iii) Identifies key project stakeholders and elaborate a culturally appropriate and gender-sensitive process for meaningful consultation with ethnic minorities at each stage of project preparation and implementation, taking the review and baseline information into account.
- (iv) Assesses, based on meaningful consultation with the affected ethnic minorities, the potential adverse and positive effects of the project. Critical to the determination of potential adverse impacts is a gender-sensitive analysis of the relative vulnerability of, and risks to, the affected ethnic minorities given their particular circumstances and close ties to land and natural resources, as well as their lack of access to opportunities relative to those available to other social groups in the communities, regions, or national societies in which they live.
- (v) Includes a gender-sensitive assessment of the affected ethnic minorities' perceptions about the project and its impact on their social, economic, and cultural status.
- (vi) Identifies and recommends, based on meaningful consultation with the affected ethnic minorities, the measures necessary to avoid adverse effects or, if such measures are not possible, identifies measures to minimize, mitigate, and/or compensate for such effects and to ensure that the ethnic minorities receive culturally appropriate benefits under the project.

D. Information Disclosure, Consultation and Participation

This section: (i) describes the information disclosure, consultation and participation process with the affected ethnic minorities that was carried out during project preparation; (ii)

summarizes their comments on the results of the social impact assessment and identifies concerns raised during consultation and how these have been addressed in project design; (iii) in the case of project activities requiring broad community support, documents the process and outcome of consultations with affected ethnic minorities and any agreement resulting from such consultations for the project activities and safeguard measures addressing the impacts of such activities; (iv) describes consultation and participation mechanisms to be used during implementation to ensure ethnic minority participation during implementation; and (v) confirms disclosure of the draft and final EMDP to the affected ethnic minorities.

E. Beneficial Measures

This section specifies the measures to ensure that the ethnic minorities receive social and economic benefits that are culturally appropriate, and gender responsive.

F. Mitigative Measures

This section specifies the measures to avoid adverse impacts on ethnic minorities; and where the avoidance is impossible, specifies the measures to minimize, mitigate and compensate for identified unavoidable adverse impacts for each affected ethnic minorities.

G. Capacity Building

This section provides measures to strengthen the social, legal, and technical capabilities of (a) government institutions to address ethnic minority issues in the project area; and (b) ethnic minorities organizations in the project area to enable them to represent the affected ethnic minorities more effectively.

H. Grievance Redress Mechanism

This section describes the procedures to redress grievances by affected ethnic minorities. It also explains how the procedures are accessible to ethnic minorities and culturally appropriate and gender sensitive.

I. Monitoring, Reporting and Evaluation

This section describes the mechanisms and benchmarks appropriate to the project for monitoring, and evaluating the implementation of the EMDP. It also specifies arrangements for participation of affected ethnic minorities in the preparation and validation of monitoring, and evaluation reports.

J. Institutional Arrangement

This section describes institutional arrangement responsibilities and mechanisms for carrying out the various measures of the EMDP. It also describes the process of including relevant local organizations and NGOs in carrying out the measures of the EMDP.

K. Budget and Financing

This section provides an itemized budget for all activities described in the EMDP.

Appendix 7. Suggested Internal Monitoring Indicators

<i>Monitoring Indicators</i>	<i>Basis for Indicators</i>
1. Budget and timeframe	<p>Have capacity building and training activities been completed on schedule? Are EMDP activities being implemented and targets achieved against the agreed time frame? Are funds for the implementation of the EMDP allocated to the proper agencies on time? Have agencies responsible for the implementation of the EMDP received the scheduled funds? Have funds been disbursed according to the EMDP? Has social preparation phase taken place as scheduled? Have all clearance been obtained from the Ethnic Minorities Office? Have the consent of the ethnic minority community in the affected area been obtained?</p>
2. Public Participation and Consultation	<p>Have consultations taken place as scheduled including meetings, groups, and community activities? Have appropriate leaflets been prepared and distributed? Have any APs used the grievance redress procedures? What were the outcomes? Have conflicts been resolved? Was the social preparation phase implemented? Were separate consultations done for ethnic minorities? Was the conduct of these consultations inter-generationally exclusive, gender fair, free from external coercion and manipulation, done in a manner appropriate to the language and customs of the affected ethnic minorities and with proper disclosure? How was the participation of ethnic minority women and children? Were they adequately represented?</p>
3. Benefit Monitoring	<p>What changes have occurred in patterns of occupation, production and resources use compared to the pre-project situation? What changes have occurred in income and expenditure patterns compared to pre-project situation? What have been the changes in cost of living compared to pre-project situation? Have APs' incomes kept pace with these changes? What changes have taken place in key social and cultural parameters relating to living standards? What changes have occurred for ethnic minorities? Has the situation of the ethnic minorities improved, or at least maintained, as a result of the project? Are ethnic minority women reaping the same benefits as ethnic minority men? Are negative impacts proportionally shared by ethnic minorities men and women?</p>