

## ETHNIC MINORITIES DEVELOPMENT PLAN OF HA TINH PROVINCE

### I. OVERVIEW

#### 1.1. Project description:

The development objective (PDO) of ‘Vietnam: Improved Land Governance and Database’ Project (VILG) is to improve efficiency and transparency in land administration services in selected provinces of Vietnam. The PDO will be achieved through the development and implementation of the national Multi-Purpose Land Information System (MPLIS), an unified system of Land Registration Offices (LROs), and a system to monitor and evaluation of land use and management, both at national and sub-national levels. The project would comprise three components, as follows:

- **Component 1: Strengthening Quality of Land Service Delivery.** This component will support (a) modernizing and strengthening LROs to provide better land services; (b) training and providing communication systems and awareness raising for stakeholders, including implementation of ethnic minority development plans; and (c) establishing and operating a monitoring and evaluation (M&E) system for land-use management. The investments under this component will support quality enhancement of land service delivery by streamlining service procedures and standards, renovating facilities, and building up the capacity of personnel working in LROs in project provinces. The component will also help monitor the implementation of land use management in accordance with Land Law 2013 and progressively respond to current and emerging economic and social demands for better access to land information and better land services. The component will support unification of business standards and LRO working infrastructure at provincial and district levels. In addition, it will also enhance the participation of the public, corporates, and other stakeholders through communication and awareness campaigns. The activities under this component will facilitate and operationalize the technological advances that will have been brought about in Component 2 of the project and ensure better community participation.
- **Component 2: Establishment of MPLIS.** This component will support the development of the software by funding the IT Expert Panel and implementation of software for the MPLIS; the development and implementation of the national land database through digitizing existing maps and property rights records; verification, updating and integration of cadastral data (both cadastral maps users and land use information), land price data, land use plan data, land disputes and complaints resolution information, and key land resources thematic information. It will also finance limited cadastre surveying and mapping to improve the completeness and accuracy of the existing cadastral information (about 20% of the total project costs); and the enhancement of public engagement in land information services, including the establishment of an MPLIS land portal to facilitate public access to land information based on market demands.
- **Component 3: Project Management** will support overall project management, monitoring and evaluation (M&E) of activities and targets.

The project is expected to take place in nine districts, towns, and cities in Hà Tĩnh. The EM populations residing in the project sites in Ha Tinh will also be subject to the project’s interventions.

#### 1.2. Overview of the socio-economic conditions in Ha Tinh province

Ha Tinh is located in the Northern Central Region. The province is adjacent to Vinh City of Nghe An province in the north and Quang Binh province in the south. The province is close to

the Lao People's Democratic Republic in the West and the Eastern Sea in the East. Ha Tinh has 2 towns (Ha Tinh and Hong Linh) and 9 districts. This geographical position provides Ha Tinh with favourable conditions in trading goods, adopting advanced science – technology, developing key economic sectors, expanding connections and links, economic exchanges with other provinces and other countries and early integration into the national trend.

The natural area of the province is 605,574 hectares, of which 103,720 hectares is agricultural land, accounting for 17.13%; 231,100 hectares is forest land, accounting for 38.16%; 45,700 hectares is specialized use land, accounting for 7.55%; 6,920 hectares is residential land, accounting for 1.14% and 218,134 hectares is unused land accounting for 36.02%. The province has quite a lot of unused land with untapped potentials. The province has 218,134 hectares of unused land with potential for forestry development and 20,000 hectares of unused land with potential for agricultural production. It has 5,340 hectares of water surface suitable for renovation for aquaculture production, and 10,000 hectares of untapped garden land with potential for high economic value crop production.

Land resources in Ha Tinh province is favourable for afforestation and industrial crops. Besides, Ha Tinh has potential sectors for future development investment including agro – forest – fishery processing industry and mineral mining and processing.

According to the 2014 statistics, the population of the province was 1,255,253 people, most of whom is Kinh. Ethnic minorities are mostly Chut, Lao, Muong and Man, who reside chiefly in 7 villages in 3 communes in 3 mountainous districts, namely Huong Son, Huong Khe, and Vu Quang. As stated in the 2014 statistics, the province had 1833 ethnic minorities people (492 households), representing 0.15% of its total population. Among them, Lao, Man and Muong accounted for 0.05%, 0.05% and 0.04% of the population, respectively, while Chut accounted for only 0.01% of the population.

The Chut ethnic group live in a village with 34 households and 137 people accounted for 0.01% of provincial population. Other ethnic groups, including Lao, Man and Muong, often move along the Viet Nam-Lao border and do not live permanently in a specific area.

Ethnic minorities' education is poor. They mainly depend on forests with low per capita income. All Chut people live below the poverty line. Along with that, many traditional cultural values are increasingly endangered. Inbreeding marriage is one of the problems.

People are facing with diseases and degradation of the race. Therefore, Ha Tinh Provincial People's Committee issued Decision No. 2571/QD-Committee dated 03/9/2014 approving the development plan for the Chut in Rao Tre village, Huong Lien commune, Huong Khe district by 2020. The objectives include preserving and developing the Chut; improving the material and spiritual life; gradually reducing poverty in a sustainable way; building socio-economic infrastructure; promoting education; preserving and promoting traditional cultural values, reducing the development gaps in the region and in the province, building a new countryside, and contributing to national security. All Chut people are living in Rao Tre village, Huong Lien commune, in a total area of nearly 40 hectares of natural land, of which about 2.5 ha is under rice paddy, 0.5 ha under crops, and 37 hectares under forests. In 2001, the Chut people were found by Ha Tinh border guards and brought to settle in Rao Tre village. The Chut people live in areas with mountainous topography, in difficult production and transportation conditions.

Due to shifting cultivation practices, the Chut people have not been exposed to the outside world. The Chut people live mainly by planting; manual agricultural production, and outdated farming techniques. The cultivation area is small. As many as 17 households lack production land, which accounts for 50% of the total households. Therefore, food production is short of supply for daily living. All households are poor and still use backward practices in daily life.

There is almost no disputes or complaints about land in the Chut community.

Although the Chut people live separately in Rao Tre village, Huong Khe district, Ha Tinh province, thanks to education and training courses organised by the local authorities, all people in

the working age know the Vietnamese language. Therefore, communication on policies and legal documents is rather easy.

In the past, their community-based migration and shifting cultivation led to intra-family marriages, with serious consequences for genetic issues. They are now under the government's protection plan, and have shifted to sedentary settlement and cultivation. Their customary land arrangements have been legalised. They have been allocated with residential land, agricultural land, and also forest land from state forestry enterprises for protection, with legalised land-use rights.

The awareness of ethnic minorities of land policies remains limited. Especially, women are less involved in and less concerned about land issues. Partly, it is because their economic life is still difficult, they just focus on livelihoods and housework, and partly because they often receive support from domestic and international organizations and individuals, which results in the culture of dependence.

At present, 29 LURCs have been granted to households and individuals (with both names). For women and other people to understand their rights and interests with their names on the LURCs, the project needs to ensure that LURCs will bear both husband and wife names; the discussion, guidance, explanation and information provision on the land policies for women and other people should be promoted.

## **II. PREPARATION AND IMPLEMENTATION OF EMDP**

### **2.1. A summary of the SA consultations in Ha Tinh**

This summary will provide methodology used, issues identified, and potential risks, impacts and project benefits to the EM group in Ha Tinh.

#### **2.1.1. Methods of consultation**

A team of three researchers, including one lead researcher, and two team members, have been employed for this assessment. A number of conventional qualitative research instruments are employed, including focus group discussions, in-depth interviews, note-taking, and photographing, and non-participant observation.

- **Focus group discussions:** Each FGD usually includes 6-8 participants who are recommended and invited by local guides following the requirements of the research team. Gender-disaggregated data are paid attention through the establishment of gender sensitive FGDs. Local guides are the chiefs of the selected residential units who have a very good understanding of the community. In order to understand likely different impacts and their responses to the project, a variety of respondent groups are selected, including land administrators, land user organisations, and land user householders, including local poor/near-poor and representatives from local ethnic minorities groups.
- **In-depth interviews:** The team plans to explore some case studies with more in-depth information. The informants for such in-depth interviews may be selected from the FGDs (researchers may find some discussants who have more interesting details to provide so have him/her for a separate in-depth interview). Also, the interviewees may be recommended directly by local guides after researchers have fully explained the assessment objectives.
- **Triangulation:** A few extra interviews with local officials and land administrators are added under a technique known as 'triangulation' to validate the information we have

obtained from local residents/factory workers. They are an additional source rather than a proper sub-group. Also, there are some issues the latter may raise but do not understand why, given their positions. In such cases, the extra interviews would help clarify or supplement what local residents have stated. These interviews serve to validate and, in some cases, supplement the information provided by local residents.

### **2.1.2. Information on respondents**

The fieldwork was conducted in Ha Tinh province on December 23-25, 2015. The mission conducted direct consultations with representatives of provincial departments, organizations and ethnic minorities people in Ha Tinh city; in Thach Long commune of Ha Tinh city and Huong Lien commune of Huong Khe district. In total, the study team held eight consultative meetings and group discussions with 145 respondents from various stakeholders, including seven from the Chut group. The respondents include:

- **Land administrators:** are officials from the Departments of Natural Resources and the Environment (DoNREs), the Divisions of Natural Resources and the Environment (DivNRE), and commune officials (leaders of the people's committees, cadastral officers and leaders of commune's mass organizations. They are directly or indirectly involved in land administration.
- **Representatives from the related sub-national agencies:** include those from the Departments of Information and Communication, the Departments of Justice, the Tax Administration, the Farmers' Association, the Women's Union, the Commission for Ethnicities, and the Youth's Unions.
- **The EM groups:** include non-poor and poor EM people in the study sites, particularly the Chut group in Huong Khe district. They live in difficult areas and have poor education.

### **2.1.3. Main findings from the SA consultation**

Most of the participants in the consultation, after hearing about the VILG project, expressed their support to the project and expected the project to be implemented soon to enable them to obtain necessary land information in a convenient manner. Their main needs are information of land-related procedures (issuance of land use right certificate, inheritance, donation,...), and they usually ask information directly from cadastral staff or go to one-stop service for information.

All respondents from the Chut ethnic group said that they did not have knowledge about land-related policies. They have received residential and productive land from the State's supporting policy. They said that they just use land and did not see the need to understand land policies and information. The consultation revealed that their awareness and knowledge are very limited, as compared to other groups.

To mitigate unexpected impacts of the project on ethnic minorities, most of the respondents agreed to propose the following measures:

- The content of the awareness raising and communication shall be suitable and practical to each target group, their custom and tradition;
- Communication and awareness raising should be focused on village heads and village's women's unions so that they can relay information to villagers;
- It is important to improving capacities and skills of commune staff;
- It is necessary to provide computers for villagers in difficult areas so that people can use for accessing land information.

## **2. Implementation plan**

The central goal of this Ethnic Minorities Development Plan is to plan a continuous interaction between project staff and ethnic minorities in districts during the VLAP project implementation. The regular dialogues will enhance both understanding about the project and build the public trust on the local land management systems. This discussion will help implement appropriate activities in public awareness raising. Better understanding of the traditional culture from ethnic minorities will create a better relationship between project staff and the ethnic minorities in general, and strengthen the effectiveness of public awareness raising in particular.

To achieve this goal, the Project Management Unit of VILG in Ha Tinh province (PPMU) plans to strengthen the communication and the participation of ethnic minorities and other related groups through the following activities:

**Activity 1: To establish a provincial-level community advisory group and district-level community participatory groups and organize workshops every year.**

To build a channel to receive feedback from land users, especially from ethnic minorities groups, a provincial-level community advisory group and district-level community participatory groups shall be established. The composition, duties and activities of the provincial-level community advisory group and district-level community participatory groups shall follow a decision by Ha Tinh's VILG Steering Committee.

Each year, the PPMU will hold a consultation workshop to collect opinions of the community groups at the provincial- and district-levels. The group members will share information, discuss and make recommendations based on their views and experiences on the aspects that the PPMU need consultations on, with a focus on the following five issues:

- *What is the Chut ethnic group's demand for land information? How are their cultural practices considered during the land measurement process and land information delivery?*
- *How should land officials consider traditional practices on land in the measurement process (if any) and new issuance/renewal of LURCs?*
- *How are interests in issues relating to customary land use of the Chut ethnic group and land used for cultural and community purposes considered?*
- *What are the difficulties of the local ethnic minority groups, especially the Chut ethnic group, in understanding Vietnamese scripts on communication means or in meetings? How should awareness raising activities be organized to overcome such obstacles?*
- *What should be done for ethnic minority groups, especially the Chut group, to effectively access land information from VILG's activities and to have the best use of land and fully register their land?*

During project implementation, regular consultative activities at the district level regarding the foregoing issues may be linked with planned communication activities and irregular consultations may be held as needed. Consultative activities, regular or irregular alike, should be conducted in a **free, prior and informed** manner to ensure broad community support from EMs. In particular, as a principle of ensuring inclusion, participation and cultural suitability, the PPMU should hold continuous consultations including soliciting feedback from all communities so that remedial actions can be taken to support improved participation and provision of benefits to households including those of EMs. In particular, households, including EM ones, which have registered their land in the information system and have any complaints or denunciation on their registered land can lodge these grievances through the existing GRM to be handled according to the existing laws. Meanwhile, free, prior and informed consultation will be conducted with EM households which have not registered their land, before registering their land in the information system.

The consultation methods to be used are appropriate to social and cultural traits of EM groups that the consultations target, with particular attention given to the Chut group. The

methods should also be gender and inter-generationally inclusive, voluntary, free of interference and non-manipulative.

The process of consultation should be two way, i.e. both informing and discussing as well as both listening and responding. All consultations should be conducted in good faith and in an atmosphere free of intimidation or coercion, i.e. without the presence of those people who may be intimidating to respondents. It should also be implemented with gender inclusive and responsive approaches, tailored to the needs of disadvantaged and vulnerable groups, enabling incorporation of all relevant views of affected people and other stakeholders into decision making. In particular, land users from EM groups will be provided with relevant information about the project as much as possible in a culturally appropriate manner during project implementation, monitoring and evaluation to promote their meaningful participation and inclusion. The information may include but not be confined to conceptualization, design, proposal, safeguards, execution, and monitoring and evaluation. In particular, all relevant information for consultation will be disseminated to village leaders at their monthly meeting with leaders of commune's people's committees in order to be relayed to villagers in village meetings in a culturally appropriate manner and an accessible language.

In addition, the project activities and interventions should draw the active participation and guidance (formal and informal) of local leaders that are available in communities, such as heads of villages and extended family networks, and members of mediation panels. The community supervision board at the commune level should be engaged to closely monitor the participation standards of local institutions and officials in various project activities and interventions during the implementation of VILG. inputs/information used for monitoring and evaluation may include EM's access to the land information system established by the project, their benefits from the received information etc.). By enabling participation of relevant EM stakeholders during project planning, implementation, monitoring and evaluation, the project can ensure that EM people receive social and economic benefits that are culturally appropriate to them. In doing so, the land information established by VGIL can contribute to transparency and efficiency efforts and development outcomes as a whole among EM groups. Capacity should be built for those stakeholders to avoid the existing constraints in conducting local consultations, such as one-way consultation; lack of information; rush time; and coercion.

## **Activity 2: To use effective communication and awareness raising approaches and tools**

### **The communication plan**

It is important to develop an adequate communication plan to boost both demand from EM groups and advocacy for stronger commitment from the local authorities in addressing constraints in supplying adequate land information services for EM groups. The communication plan should take into account the constraints and emerging requirements that have been reflected in the local consultations to avoid exclusion of EM groups from the project and its benefits. The communication plan should facilitate two-way dialogues – it is not only about telling EM people information of the programme, but about listening to and responding to their concerns. The communication plan to support VILG should address following areas:

#### **With the supply side**

- How to obtain and increase commitment from the sub-national authorities and implementers for the reform of the current land information system. This is a process known as social mobilization to build trust of land users. As a result of the process, land administrators should engage with EM land users on a regular basis for raising questions and concerns regarding their rights to land use and access to land information; and provide them with reliable local

land information. In addition, local facilitators should improve communication skills with EM groups; know how to create and facilitate platforms and forums for community participation to provide feedback on the VGIL implementation process.

- How to develop a platform for EM community participation to discuss and dialogue with land administrators regarding various issues, including their concerns and claim for their land-use rights, as a result of the land information that they receive from the project system;
- How to develop communication platforms for EM groups at the grassroots levels (e.g. village meetings etc.) to receive feedback on the functioning of the supply side sector and its ability to cope with the increasing demand for land information services as a result of VILG. The procedures on the feedback mechanism should be clear and transparent, especially to the EM groups, e.g. regarding which channels to receive feedback and which stakeholders should be held accountable for responding to feedback, and how long. Timely guidance and responses to EM land users' concerns and recommendations should be provided via these communication platforms, and the progress monitored.

### **With the demand side**

- How to raise demand for and then maintain practices of utilising land information services for EM groups;
- What should be planned for behavior change communication (BCC) amongst EM groups in the project sites. The communication strategy and IEC materials should be designed taking into account cultural differences in behaviours among different EM groups and specific behavioral changes to be addressed.
- How to customise VILG's communication activities and local information campaigns to address specific needs of different EM groups in terms of language and cultural relevance. The strategy should take into account differences in how information is disseminated among different EM groups and leverage the presence of credible traditional institutional structures and formal and informal EM organizations in the project areas for dissemination, allowing support and counseling to EM land users in their language and culturally appropriate way. Local facilitators will be actively encouraged to support hard-to-reach groups; and
- To plan how to address bottlenecks, barriers and fears caused by socio-cultural practices and belief and answer questions from stakeholders;

### **Outreach communication**

- **Appropriate IEC materials for dissemination:** Development and dissemination of a package set of **audio-visual IEC materials** (e.g. short documentary films, video clips) to relevant groups of target audiences as identified in the communication plan, are essential to ensure key messages and knowledge to be delivered to EM groups. The work will contribute to raise awareness for EM groups, change their attitude and behaviour in seeking land information and in the long term, contribute to change and maintain behaviours recommended by the project. The design of these IEC materials should be suitable (socially and culturally accepted) to EM groups following the standards of IEC material development (Clear; Concise; Courteous; Call for actions etc). Materials need to be carefully developed in order to effectively disseminate information to semi-literate householders and to householders for whom Kinh is a second language, hence the use of drawings and graphic representations wherever possible will be critical. These materials should be pre-tested with target communities in some of the project provinces to assess their comprehensibility and possible effectiveness. Last but not least, it is important to conduct orientation/training to stakeholders, as identified in the communication plan, on how to use the IEC materials effectively.
- **Media campaigns:** Mass media campaigns may also be appropriate for one-way information dissemination. But given the variability of situations between provinces (and, indeed, even districts within provinces) and EM land users' interest in information which relates to their

own situation, it is advisable that the focus of such campaigns should be predominantly on location-specific information, which can be broadcast through local TV and radio networks. The use of commune loudspeakers may be an effective means of reaching a large number of people at a relatively low cost, but it should be recognised that information broadcast through this medium is not always well retained, and cannot be used in areas where the people live in a scattered manner. Where appropriate, the development of memorable soundbites or slogans may counter this problem to some extent. Public displays of information such as maps, plans and procedures (in an accessible form) at both district and commune level may also be beneficial. Prior to the launch of MPLIS, information campaigns should be conducted amongst EM groups which outline benefits and knowledge of how to access and use land information from MPLIS and associated fees (if any, where relevant). These campaigns should be conducted via meetings, mass media and the dissemination of **audio-visual IEC materials**, depending on specific local social contexts.

- **Engagement of local information points:** Local authorities are encouraged to use and bring into play the role of village cadres, especially those from community mass organizations/unions. Information contact points should also be village chiefs, given many advantages of this post as identified in many studies. These people and organizations are mainly EM people who are living in EM areas; therefore, they have been active in communicating and popularizing relevant policies/programmes to local people. The final decision on the most relevant and effective information points should be made by the province, depending on current local contexts.
- **Counselling:** As the assessment indicates that many respondents are unaware of the land legislation and how it is applied in practice (interpreting the law), it may be necessary to provide counseling in parallel to MPLIS in some communities.
- **Regular local meetings:** Regular ward/commune meetings, including scheduled question-and-answer sessions, may be one of the most effective ways to update EM local communities on project interventions and receive their comments and feedback. Information should be provided during a home visit or a meeting with EM people as they usually do not attend common meetings.
- **Modern tools:** The use of some audio-visual communication materials (including video clips) may be translated into EM languages, whenever needed, for their use during project implementation based on recommendations made by district community participatory groups. The access and application of MPLIS and services of LROs and some other information will be included in these communication tools and materials. They will be stored at cultural centers and used for explanation of the VILG project and land management.
- **Modern facilities:** VILG PPMU may consider providing computers in communes and villages for EM people (especially for the Chut people) to access information easily and conveniently (training and guidance will be provided). VILG PPMU shall improve the access to and sharing of land information for EM people.
- VILG PPMU shall mobilize the active participation of EM communities in monitoring land law implementation.

### **Activity 3. Training for village heads and patriarchs (prestigious people)**

Before meeting with citizens, PPMU shall organize training sessions for village heads and patriarchs to get their support during project implementation.

### **Activity 4. Meeting with village citizens**

Additional budgets shall be used for meeting at villages to clearing up questions with translators for relevant languages of minority ethnic groups. These activities shall be started early since the beginning of the project and last during project implementation. Specific activities are as below:



- In Rao Tre village where distributed Chut ethnic group, VILG PPMU and district advisory group shall organize meetings at village with participation of local people to clear and explain all the questions in relevant language of Chut ethnic group.
- PPMU and district community participatory groups will organize meetings at village to introducing channels and means to access to district land information and documents in associated to solving processing and information response, preferential and response policies, access and use of land information services etc. at district level.
- PPMU shall coordinate with public media agencies (such as local radio, television stations) to broadcast relevant information on provincial and local media.

#### **Activity 5. To train land administrators**

An orientation workshop for land administrators in working with the ethnic minorities people shall focus in (1) the special needs of the ethnic minorities groups with language barrier, and (2) the importance of local consultations to be integrated in the project's training sessions for strengthening capacity of land administrators as well as providing quality land information services by relevant staffs.

#### **Activity 6. To establish supporting services for accessing land information and registration at communities with ethnic minorities groups**

Branches of district land registration offices shall be responsible for supporting services for accessing land information and registration for ethnic minorities groups in rural areas by appointing regular staff at relevant communal people committee's offices, training commune staff for searching and supporting use of the land information system in the Internet for obtaining land information for ethnic minorities groups as well as verifying land transaction contracts.

Land registration offices shall consult communes and villages' cadres and commune's community team on making plans and direct working schedules in pursuant with local conditions of ethnic minorities groups. Communal and village cadres shall inform all citizens of these plans and schedules in case of necessity.

The project would maintain close engagement with EM beneficiaries, who will have increased and better access to land information and better services with integrated digital data vital for improving land governance. For this purpose, the Project will build on the successful process established under VLAP through Local Facilitators (LFs) to address the needs of targeted beneficiaries. Access to land information and better land services are expected to increase with the improvement of LROs and the promotion of e-governance, and the building of stakeholders' capacity.

The project will promote activities by local mass organisations, such as the youths' unions and women's unions, which involve EM communities in their work, and civil society organisations. These organisations can add value to information transparency efforts in EM communities through introduction of more participatory planning processes, and capacity development, among other areas. Especially, local facilitators may be encouraged to be recruited from local mass organisations, especially the women's unions.

#### **Activities 7: Consideration of gender sensitivity**

It is essential to increase the participation of women, especially in the EM groups in the project sites, in various project activities and interventions, such as information dissemination and training, local facilitator work, and commune working groups. It is important to raise awareness for women of their rights and benefits in joint husband-and-wife titling and use of land-use rights certificates for bank loans, lease and contributions to joint business, their rights to access to the GRM system and how to lodge their complaints when needs arise.

It should be recognised that engagement of and awareness raising for women, especially EM women, is a time-consuming process which should be planned and phased effectively with clear and practical short-, medium- and long-term objectives to make various steps feasible, with lessons reviewed and learnt as well as plans revised after each phase. Importantly, women from various groups should be consulted in good faith throughout the project cycle, from the design to the evaluation steps to ensure their voices to be heard and paid due attention to.

There is a risk that female attendance at information workshops and meetings may be low. Specific measures may therefore be necessary to enhance women's current access to information and their associated engagement in VILG. Efforts will be needed to arrange a location and time suitable for the participation of women, and additional promotional activities may also be necessary to maximise attendance by female householders.

Training provided to local land administrators and facilitators as well as project staff should take into account gender sensitivity. The composition of a mobile support team, as suggested earlier in this report, may ideally include a female member to address issues that require gender sensitivity. For instance, some female clients may not feel comfortable in seeking information and advice from male staff as a result of certain cultural and customary barriers.

#### **Activity 8. To provide information on grievance redressal mechanisms**

At the project's training sessions, local land administrators shall be asked to report to PPMU any land issues relating to ethnic minorities groups, regardless of whether they are successfully or unsuccessfully addressed.

The mechanism for steps in redressing grievances and monitoring progress follows the guideline of the VILG project and instructions of the CPMU.

To support this mechanism, PPMU and relevant provincial, district and commune's authorities shall appoint staff to receive, monitor and speed up relevant units in solving problems and reporting findings and results.

To minimize conflicts and complaints, an official governmental solving system shall be used. The project shall build a second channel for receiving grievances. Ethnic minorities groups shall be encouraged to solve problems by informal channels, such as village heads and the elderly. A team of mediation established in every commune and village helps commune's people's committees to redress minor grievances. The participation of village heads and the elderly shall be encouraged in the process of mediation to maximize impacts of grievance redressal. Appointment of staff in monitoring the grievance resolution processes at the commune, district and provincial levels as well as training sessions for land administrators and village teams of mediation shall be maintained during the project implementation.

#### **Activity 9. Monitoring and Evaluation**

To an extent possible, PPMU shall classify data of monitoring and evaluation of project implementation in the province in terms of ethnic minorities groups, poverty status (marginal poor/non-poor) and gender.

### **III. IMPLEMENTATION ARRANGEMENTS**

#### **3.1. Roles and responsibilities**

- The CPMU will be responsible for providing training and guidance on the implementation, and supervising the implementation of the EMDP in the local project sites on a basis of the EMPF and POM.

- Leaders of the Provincial People's Committee will be responsible for providing guidance and supervising the implementation of the EMDP in Ha Tinh.

- DONRE and PPMU in collaboration with the District's People's Committee shall be responsible for organizing activities under the EMDP and Project Operation Manual (POM);

- The PPMU shall assign one officer to be the focal point on social issues. This staff shall be responsible for supervising the Project District Implementation Group in terms of full implementation of these EMDP activities;

- The periodical reports of PPMU (quarterly and monthly) will include the reports on EMDP implementation which clearly state the EMDP activities already implemented in the project areas, feedback of ethnic minorities related to the project implementation and next activities;

- Representatives from the Provincial Committee for Ethnic Affairs, provincial advisory groups and district-level community groups, commune/ward cadastral officers will be responsible for (i) coordinating with VILG's PPMU to organise consultative meetings with local people; (ii) evaluating and consulting with them on issues relating to the project implementation and ethnic minorities; and (iii) supervising the satisfaction with land management services by EM communities in the project districts.

- EM communities will be responsible for reporting the actual implementation of the project in their local areas as well as its positive and negative impacts on their rights and benefits.

- The Provincial Ethnic Minority Committee, the Provincial Consultative Group, and district participatory groups shall be responsible for reviewing and consulting on issues related to the project implementation and ethnic minorities; cooperating with PPMU to organize consultative meetings, and supervising the levels of acceptance and satisfaction of the community towards land services in the participating districts, including for the Kinh group and other ethnic minorities;

- During the implementation period, if any problem arises, the related members should promptly report to the PPMU, and the Provincial Steering Committee for timely measures.

### **3.2. The grievance redress mechanism (GRM)**

VILG will establish an unit in charge of comments and complaints from the public in general, and from ethnic minorities groups in particular in the project sites regarding the implementation of the project. Complaints will be handled in a timely manner, and written responses will be provided to complainants.

The provincial PMUs and the related agencies at the district and commune levels will record and document the received complaints and resolutions, which will be attached to bi-annual process reports to the central PMU for synthesis and submit to the World Bank.

Forms of comments and complaints: written documents submitted, emails or direct communication (such as through telephones).

Channels for receiving comments and complaints: People can send written texts or present their issues to village elderly, village heads or commune officials. In case of resolution failure, these complaints will be referred to the district level or the provincial PMUs for settlement.

DoNRE would settle cases when complainants do not agree with first-time resolutions provided by VILG's PPMUs.

The procedures to redress grievances follow POM.

### **3.3. The M&E mechanism**

A system to monitor the implementation of EMDP will be established in districts with EM populations.

The district-level community support group will be responsible for supporting the district division for project implementation and the PPMU to regularly monitor satisfaction of EM people, and evaluate whether VILG has improved EM groups' living standards and awareness, or has avoided or mitigated its negative impacts on the latter.

M&E indicators regarding the progress and outcomes in the implementation of EMDPs will be disaggregated by ethnicity. Some stakeholders, such as the Committee for Ethnic Affairs and advisory groups on ethnic minorities can access this information.

The PPMU will appoint an officer as a focal point to receive and monitor results of land-related grievances relating to the implementation of VILG. Progress reports on the implementation of the EMDP will be produced on a monthly, biannual and annual basis.

## **IV. DISCLOSURE OF EMDP**

EMDP shall be made public at the InfoShop of the World Bank, and at district and commune's people's committees where ethnic minorities groups reside in different forms to ensure that local people can access and understand contents in the plan.

## **V. ESTIMATED COSTS**

The budget for the implementation of EMDP in each province shall be estimated on the basis of the proposed activities and included in project costs.

Annex One provides cost estimates for implementing EMDPs in four first-year provinces, namely Thai Nguyen, Quang Binh, Ha Tinh, and An Giang. The separate estimated budget for implementing all activities as described in Ha Tinh's EMDP is **36,000 USD**.

## Annex one: Cost estimates for implementating EMDPs in four first-year provinces

Activity	Contents	Unit	Quantity	Unit cost	Total
<i>Activity 1</i>	<i>Establishing the provincial advisory group and district community group and organising two workshops per annum</i>				<b>65,000</b>
-	Payment for the advisory group (from the land sector, the sectors in charge of EM Affairs, Culture, representatives of EM communities, etc) (5 years)				0
+	<i>Thai Nguyen</i>				<i>They take up unpaid additional responsibilities</i>
+	<i>Ha Tinh</i>				
+	<i>Quang Binh</i>				
+	<i>An Giang</i>				
-	Consultative workshops with the provincial advisory group and district participatory community group (1 workshop/province/ year x 5 years)				65,000
+	<i>Thai Nguyen</i>	Workshop	5	5,000	25,000
+	<i>Ha Tinh</i>	Workshop	5	2,000	10,000
+	<i>Quang Binh</i>	Workshop	5	2,000	10,000
+	<i>An Giang</i>	Workshop	5	4,000	20,000
<i>Activity 2</i>	<i>Use of modern and effective communication tools</i> Preparing communication contents (DVD, video clips); Broadcasting, and production of DVD				
-	Thai Nguyen				<i>Incorporated in sub-component 1.3</i>
-	Ha Tinh				
-	Quang Binh				
-	An Giang				
<i>Activity 3</i>	Training of village heads (2 training workshops )				<b>14,000</b>

-	Thai Nguyen	Workshop	1	5,000	5,000
-	Tinh Hà Tĩnh	Workshop	1	2,000	2,000
-	Quảng Bình	Workshop	1	2,000	2,000
-	An Giang	Workshop	1	5,000	5,000
<b>Activity 4</b>	<b>Organising village and commune meetings</b>				<b>90,000</b>
-	Thai Nguyen	Meeting	200	200	40,000
-	Ha Tinh	Meeting	50	200	10,000
-	Quang Binh	Meeting	100	200	20,000
-	An Giang	Meeting	100	200	20,000
<b>Activity 5</b>	<b>Meetings to introduce project sites</b> (in 6 districts, with representatives at the district and commune levels in the project sites)				<b>1,800</b>
-	Thai Nguyen	Meeting	6	300	1,800
<b>Activity 6</b>	<b>Training of land administrators</b> (Orientation workshops for land administrators in working with EM people) (2 workshops/ province)	Workshop	<b>2</b>	<b>25,000</b>	<b>26,000</b>
-	Thai Nguyen	Workshop	2	5,000	10,000
-	Ha Tinh	Workshop	1	3,000	3,000
-	Quang Binh	Workshop	1	3,000	3,000
-	An Giang	Workshop	2	5,000	10,000
<b>Activity 7</b>	<b>Establishing support services for access to land information and registration in communities with EM populations.</b>				<b>37,000</b>

-	Support for LROs to provide support services for access to land information and registration for EM populations in deep and remote areas (once per year)				21,000
+	<i>Thai Nguyen</i>	Session	30	300	9,000
+	<i>Ha Tinh</i>	Session	10	300	3,000
+	<i>Quang Binh</i>	Session	10	300	3,000
+	<i>An Giang</i>	Session	20	300	6,000
-	LROs provide training for commune officials to tap Internet-based land information.				16,000
+	<i>Thai Nguyen</i>	Workshop	1	5,000	5,000
+	<i>Ha Tinh</i>	Workshop	1	3,000	3,000
+	<i>Quang Binh</i>	Workshop	1	3,000	3,000
+	<i>An Giang</i>	Workshop	1	5,000	5,000
<b>Activity 8</b>	<b><i>Providing information on GRM</i></b> Organising training workshops on skills to redress grievances for cadastral officers and members of village mediation teams				<b>14,000</b>
-	<i>Ha Tinh</i>	Workshop	2	2,000	4,000
-	<i>Quang Binh</i>	Workshop	2	2,000	4,000
-	<i>An Giang</i>	Workshop	2	3,000	6,000
<b>Activity 9</b>	<b><i>M&amp;E: Monitoring and evaluating implementation of the project in the project sites by ethnicity, near-poverty/poverty/ non-poverty status and gender</i></b>				<b>2,000</b>
-	<i>Ha Tinh</i>				1,000
-	<i>An Giang</i>				1,000

## **Annex Two: A minute of consultation**

Below is a sample minute of consultation with Chut people in Huong Khe district, Ha Tinh, on December 22, 2015.

### **THÔNG TIN THU ĐƯỢC TỪ NHÓM THẢO LUẬN**

**Về nội dung dự án:** các đối tượng tham gia điều tra đều đồng thuận với các nội dung dự án đang dự kiến thực hiện.

Đồng bào DTTS (chứt):

- về trình độ nhận thức: họ hoàn toàn không có hiểu biết về chính sách đất đai, cũng không có nhu cầu về thông tin đất đai. Họ chỉ biết được nhà nước bố trí đất ở, nhà nước xây nhà cho, nhà nước cho đất để canh tác và thực hiện việc sử dụng trên đất đó. Họ không quan tâm mình đã được cấp giấy chứng nhận chưa, hay như các quyền của mình.

***Hiện trạng cung cấp thông tin và nhu cầu thông tin đất của cơ quan quản lý/đơn vị/dịch vụ/người dân (chú trọng tới nhóm nghèo/phụ nữ/DTTS)***

- *Tại Sở Tài nguyên và Môi trường (gồm các Sở ban, ngành):*

Qua thảo luận với các đối tượng có liên quan trên địa bàn tỉnh Ninh Bình thì hiện nay khi các tổ chức, cá nhân có nhu cầu thì cơ quan nhà nước có thực hiện việc cung cấp thông tin, tuy nhiên không có quy định về mặt pháp lý đối với việc cung cấp thông tin này.

Các thông tin mà người sử dụng đất yêu cầu chủ yếu là thông tin về thửa đất, quy hoạch sử dụng đất; các đối tượng yêu cầu chủ yếu là các tổ chức có sử dụng đất và hộ gia đình cá nhân.

Qua phỏng vấn với các đối tượng, đa số ý kiến đều đánh giá trở ngại nhất trong việc tiếp cận thông tin đất đai hiện nay chủ yếu là “mất thời gian” do nguồn cơ sở dữ liệu đất đai chưa đầy đủ và khó khăn trong việc tra cứu (do lưu trữ dưới dạng giấy). Một số ý kiến đánh giá trở ngại là “quá xa và khó tiếp cận”, việc phải lên trực tiếp cơ quan nhà nước và phải lên nhiều cơ quan khác nhau để yêu cầu cung cấp thông tin là quá mất thời gian.

Đa số ý kiến của Sở ban ngành đồng ý có dịch vụ cung cấp thông tin tại nhà cho người dân và tổ chức sử dụng đất, vì việc cung cấp thông tin hiện còn khó khăn, mất thời gian của người sử dụng đất.

Về hiểu biết chính sách pháp luật đất đai: đa số đối tượng được hỏi đều trả lời là đã từng nghe nhà nước về tuyên truyền về chính sách đất đai qua loa phát



thanh của thôn, một số đã được biết qua TV, báo đài, tuy nhiên họ không quan tâm và không để ý nghe do nội dung tuyên truyền không thực tế với nhu cầu.

Khi có nhu cầu về các dịch vụ đất đai người dân lên thường lên gặp cán bộ địa chính xã để được hướng dẫn.

Khi hỏi đối tượng là phụ nữ thì đa số là không biết, hoặc không làm các thủ tục và các dịch vụ liên quan đến đất đai, chủ yếu là chồng và con làm thay. Họ cũng không quan tâm và không có hiểu biết đến chính sách pháp luật đất đai.

Một số đối tượng là nam giới họ đã từng đi làm các thủ tục về đất đai, theo trả lời của người dân thì khi có nhu cầu họ thường tự đi làm không nhờ qua đối tượng nào khác.

Đối với thông tin đất đai, họ hầu như chỉ quan tâm đến việc cấp giấy chứng nhận và ko có nhu cầu với loại thông tin nào khác do thực tế sử dụng đất họ không thấy cần thiết. Số người dân được hỏi đều không biết thông tin về quy hoạch (thông tin về quy hoạch theo quy định của pháp luật đều được công khai tại xã).

+ Đối với các cán bộ phường và phòng TNMT:

Theo cán bộ Phòng TN&MT thì hiện tại VPĐK đất đai đã thực hiện việc cung cấp thông tin theo yêu cầu của người dân, thông tin chủ yếu mà người sử dụng đất yêu cầu là trích lục, trích sao bản đồ địa chính, thông tin thửa đất.

Nhiều thông tin chưa thực hiện được việc cung cấp cho người dân vì cơ sở dữ liệu thông tin không đầy đủ như thông tin về nguồn gốc thửa đất.

Hiện tại phường Thạch Bình đã có văn phòng một cửa tiếp nhận và việc cung cấp các thông tin về đất đai cho người dân chủ yếu là trao đổi trực tiếp giữ người dân và cán bộ địa chính xã.

Về hiểu biết chính sách pháp luật đất đai: đa số đối tượng được hỏi đều trả lời là đã từng nghe nhà nước về tuyên truyền về chính sách đất đai qua loa phát thanh của thôn, một số đã được biết qua TV, báo đài, tuy nhiên họ không quan tâm.

Khi có nhu cầu đi làm các thủ tục và nhu cầu về thông tin đất đai họ thường lên hỏi tổ trưởng tổ dân phố hoặc cán bộ địa chính xã để được hướng dẫn.

Các đối tượng là Tổ dân số và bí thư khu phố có trả lời là họ có một số hiểu biết nhất định về chính sách pháp luật đất đai do được xã mời tham gia tập huấn về chính sách plđđ.

Một số đối tượng đã từng đi làm các thủ tục về đất đai (cấp GCN, tham gia đấu giá...) đa số ý kiến đánh giá thái độ phục vụ của cơ quan nhà nước là tốt, tuy

nhiên về thủ tục và giấy tờ theo quy định của nhà nước còn rườm rà, kéo dài, phải đi lại nhiều lần.

***Kỳ vọng về thông tin đất đai của họ, gồm cả kỳ vọng về các kênh và phương thức truyền thông phù hợp (chú trọng tới nhóm nghèo/phụ nữ/DTTS):***

- Nên công khai nhiều hơn một số loại thông tin trên internet để người dân có thể tiếp cận được dễ dàng hơn mà không phải đi đến các cơ quan nhà nước;

- Có cơ chế (khung pháp lý) cung cấp thông tin thực sự rõ ràng để việc cung cấp thông tin cho người dân được thực hiện thống nhất;

- Việc tuyên truyền phổ biến nên có nội dung phù hợp hơn với nhu cầu của từng đối tượng khác nhau. Trước khi tuyên truyền nên có khảo sát để tìm hiểu nhu cầu của họ.

- Tập trung tuyên truyền, phổ biến chính sách pháp luật đất đai đến với các đối tượng là trưởng thôn, trưởng bản vì đối với người dân các đối tượng này là người gần gũi và uy tín;

- Nâng cao trình độ, năng lực cán bộ cấp Xã;

- Đối với những địa bàn khó khăn thì nên trang bị máy tính tại thôn để người dân có thể sử dụng và tiếp cận đến thông tin đất đai, đi kèm với các hình thức tuyên truyền.

***Nhận thức của họ về các Văn phòng đăng ký đất***

Đối với các tổ chức thì đa số đều biết và hiểu về vai trò, chức năng và trách nhiệm của Văn phòng Đăng ký đất đai, tuy nhiên, đối với người dân thì họ không biết về chức năng nhiệm vụ của Văn phòng ĐKĐĐ.

***Những suy nghĩ của họ về các tác động không mong muốn do hoạt động của dự án (chú trọng tới nhóm nghèo/phụ nữ/DTTS):***

Giữa đối tượng DTTS, người nghèo về nhận thức, trình độ năng lực và tiếp cận với công nghệ (máy tính, điện thoại, internet...) so với các đối tượng khác là hạn chế hơn, do đó việc tiếp cận thông tin của đối tượng này sẽ khó khăn hơn.

***Những đề xuất về phương án giảm thiểu các tác động không mong muốn (chú trọng tới nhóm nghèo/phụ nữ/DTTS)***

- Tập trung, tuyên truyền, phổ biến để nâng cao nhận thức đối với những đối tượng DTTS, người nghèo với nhiều hình thức khác nhau phù hợp với từng đối tượng, phong tục tập quán;

- Dự án nên có sự đầu tư về cơ sở hạ tầng cũng như trang thiết bị đối với địa bàn có điều kiện kinh tế khó khăn (máy tính, internet...).