

THE ETHNIC MINORITIES DEVELOPMENT PLAN (EMDP) OF KHANH HOA PROVINCE

I. OVERVIEW

The Project for Improvement of Land Governance and Land Database (VILG) provides a better access to land services for all people regardless of their living place and their ethnicities. The project will gradually be deployed in the selected districts and communes in Khanh Hoa Province. The ethnic minorities communities in Khanh Hoa Province will also be included in the scope of the project activities.

The population in Khanh Hoa province is over 1.2 million people including many ethnic minorities people. The ethnic minorities are about 66,307 people (5.40%) from various groups of Co ho (Trin), Raglai, Hmong, Chinese, Thai, Muong, Ngai, Giay, Khmer, Ede and others.

For Khanh Hoa province, the five major ethnic minorities are Raglai, Ede, Co ho (Trin), Nung, Chinese who reside in communities in all eight districts, towns and cities and mainly in the districts of Khanh Son and Khanh Vinh and some communes in Cam Lam, Van Ninh, Dien Khanh and Ninh Hoa town. According to a population survey of the Provincial Committee for Ethnic Minorities in 2015, the province had 66,307 ethnic minorities people, representing 5.4% of the provincial population.

The ethnic minorities people in the province of Khanh Hoa live mainly in the mountainous and midland areas of Dien Khanh district and Ninh Hoa town with a total number of ethnic minorities people at 5,596 people accounting for 0.45% of the provincial population and for 2.48% of the total population of the two mentioned district and town.

Table: List of communes with ethnic minorities people

| No. | Administrative units (<i>district, commune, town</i>) | Population 2015 | of which ethnic minorities | | | | | | | |
|-----------|--|-----------------|----------------------------|-------------|------------|--------------|-----|-------|-----|--------|
| | | | Total | Rate % | Raglay | E đê | Hoa | Mường | Tày | Others |
| I | Diên Khánh district | 31.025 | 659 | 2,12 | 659 | - | - | - | - | - |
| 1 | Commune Diên Tân | 2.882 | 280 | 9 | 280 | - | - | - | - | - |
| 2 | Commune Diên Thọ | 5.249 | 18 | 3 | 18 | - | - | - | - | - |
| 3 | Commune Suối Tiên | 4.622 | 290 | 6 | 290 | - | - | - | - | - |
| 4 | Commune Diên Đồng | 3.803 | 54 | 1,4 | 54 | - | - | - | - | - |
| 5 | Commune Diên Xuân | 5.210 | 6 | 1 | 6 | | | | | |
| 6 | Commune Suối Hiệp | 9.259 | 11 | 1 | 11 | | | | | |
| II | Ninh Hòa district | 194.512 | 4.937 | 2,5 | 833 | 1.979 | | | | |
| 1 | Commune Ninh Tây | 5.242 | 2.890 | | 399 | 1.976 | | 350 | 45 | 120 |
| 2 | Commune Ninh Tân | 3.133 | 468 | | | | | 468 | | |
| 3 | Commune Ninh Sim | 11.247 | 177 | | 129 | | 48 | | | |
| 4 | Commune Ninh Bình | 11.935 | 143 | | | | 143 | | | |
| 5 | Commune Ninh An | 13.965 | 89 | | 49 | | | | | 40 |
| 6 | Commune Ninh Quang | 12.939 | 60 | | | | 60 | | | |
| 7 | Commune Ninh Đông | 6.269 | 34 | | | | | | 34 | |
| 8 | Commune | 6.161 | 76 | | | | 67 | | | 9 |

| | | | | | | | | | | |
|----|------------------------------------|--------|-----|---|-----|---|-----|---|--|-----|
| 9 | Ninh Sơn Commune Ninh Thượng | 6.859 | 239 | | 239 | | | | | |
| 10 | Commune Ninh Xuân | 12.097 | 40 | | | | 40 | | | |
| 11 | Commune Ninh Phú | 7.018 | 3 | - | - | - | - | - | | 3 |
| 12 | Commune Ninh Thọ | 8.618 | 17 | | 17 | | | | | |
| 13 | Commune Ninh Phước | 6.832 | 15 | | | | | | | 15 |
| 14 | Commune Ninh Ích | 9.512 | 7 | | | | | | | 7 |
| 15 | Commune Ninh Hưng | 6569 | 4 | | | | | | | 4 |
| 16 | Commune Ninh Lộc | 9.985 | 1 | | | | | | | 1 |
| 17 | Commune Ninh Vân | 1.986 | 1 | 0 | | | | | | 1 |
| 18 | Ninh Hiệp ward | 24.570 | 581 | | | | 450 | | | 131 |
| 19 | Ninh Giang ward | 9.233 | 27 | | | | 27 | | | |
| 20 | Ninh Hà ward | 8.378 | 28 | | | | 28 | | | |
| 21 | Ninh Thủy ward | 11.964 | 37 | | | | 37 | | | |

The main feature in the population distribution and land use of ethnic minorities such as Raglai, Co Ho, Ede, and Chinese is to live in each village on high ground, flat and near water sources. A village usually consists a dozen of houses of a parentage. However, in Khanh Hoa province, the groups of Raglai, Co Ho, and Ede live by milpa. They often plant paddy rice, bananas and cash crops, such as wheat, pineapple, acacia, cashew, and less corn because of exhausted soil.

Ethnic minorities often live along the slopes, hills and along the inter-village roads to facilitate farming and cultivation. Most of them worship ancestors and the gods. They often divine worship for good harvests. Their holidays are often the last day in the harvested crop.

The heads of most villages in ethnic minorities communities are village chiefs, replacing the position of village elders in the past traditional societies. Most of them are reputable and quite knowledgeable about laws and policies. The village chiefs shall guide their villagers when the latter face difficulties. If village chiefs do not know about solutions, they will ask the commune's people's committee and then provide further guidance to their villagers.

As the ethnic minorities and the Kinh groups live together in many communities in the districts and towns of Khanh Hoa, language is not an issue for the former. Survey results showed that most of the ethnic minorities people use the Vietnamese language to communicate with the people from other groups. Ethnic minorities use their own languages in communicating with each other in their communities. Raglai and Co Ho do not have their own scripts. Ethnic Ede has their own writing but the Ede in Khanh Hoa do not know their own writing. They use the Vietnamese handwriting script.

The ethnic minorities people are very rustic, and consistent in words. They are very sincere and enthusiastic, and have clear opinions of loving and hating. For example, if one invites people to attend meetings, one speaks a name of someone, that person will go, or say the couple, both spouses will go, or call the whole household, all members of the household will go.

Although the ethnic people do not have a clear concept about laws, they strictly abide them.

In general, almost ethnic minorities households in Khanh Hoa are still poor with difficult production conditions, low educational level and technical knowledge on production. They live mainly on cultivation, hunting, gathering forest products and wage employment. Many households have invested in long-term production.

The total number of poor ethnic minorities households with an average income according to the national poverty line (under 400,000 VND/person/month, according to Decision No. 09/2011/QĐ-TTg) in Khanh

Hoa is 6,831 households; in which two districts/towns of Dien Khanh and Ninh Hoa have 363 households (source: from the Ethnic Minorities Committee of Khanh Hoa province). However, according to the survey results, in fact, in the whole province, most of the ethnic minority people have land for agricultural production; all poor households have their houses.

As reported by the local authorities at all levels, up to now, 100% of communes have had telecommunications/telephone connected to the Internet. All communes have roads. Khanh Hoa Province broadcasts Raglai language one hour every day on the Provincial Radio - Television. Up to 80-90% of the ethnic minorities people have television.

In general, the awareness of the ethnic minorities of land policies remains limited. Especially, women are less involved in and less concerned about land issues, partly due to their economic difficulties leading to their focus on livelihoods and housework, and partly because of their belief that land is on men's shoulder. Therefore, most of land-use rights certificates (LURCs) granted previously had only the husband's name. For women and other people to understand their rights and interests if LURCs have both husband and wife's names, the Project should enhance communication, guidance, explanation and provision of information on land policies and laws for women and other people.

II. THE ETHNIC MINORITIES DEVELOPMENT PLAN (EMDP)

The consultations were conducted with representatives of provincial departments, organizations and ethnic minorities people in Khanh Hoa. Most of the participants in the consultation, after hearing about the VILG project, expressed their strong support to the project and expected the project to be implemented soon to enable them to obtain necessary land information in a convenient manner.

The core objective of EMDP is to make a plan for continuous exchange between project staff and people from ethnic minorities in districts during the implementation of VILG. The frequent exchange will ensure enhanced understanding of the project and improve confidence of the local people in land management systems. This exchange will help the implementation of activities to raise public awareness as appropriate. Better understanding of the traditional culture of ethnic minorities will create better relationships

between project staff and the ethnic community in general and strengthen effectiveness in raising awareness of the project in particular.

To accomplish this objective, the Project Management Board in Khanh Hoa province is expected to strengthen information and participation of ethnic minorities and the related stakeholders involved in the project through the following methods:

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

To build a channel to receive feedback from land users, especially ethnic minorities, a provincial-level community advisory group and district-level community participatory groups shall be established. Participants, mission and forms of activities of the provincial-level community advisory group and district-level community participatory groups are stipulated in a decision. Representatives of the Provincial and District Ethnic Minority Committees shall participate in the provincial-level community advisory group or district-level community participatory groups.

a- The provincial-level community advisory group:

Members of the group are representative of various sectors of the community, those involved in land use and management and have capacity to improve land management and communication activities. Representatives of the Provincial Ethnic Minority Committee will be member(s) of the group. The provincial-level community advisory group will be independent from the Provincial Department of Natural Resources and Environment and must be able to represent communities and target beneficiaries to use information from the land management system, and promote consultation and participation of the community. The group will consult with the provincial authorities on resolving land complaints and disputes under the jurisdiction of the province, and on handling the existing issues on land policies for the ethnic minorities groups during the project implementation, if any. Officials in charge of raising awareness for community of the Provincial project management unit will develop plans and contents to

maintain communication channels of the project and report on the group's activities.

b. District-level community participatory groups:

The groups are an important communication channel for the provision of information to the commune level, and support the Provincial Project Management Unit (PPMU) in training commune-level community participatory groups. They help reflect and solve timely concerns of the community from the commune, consult on handling land disputes and complaints under the responsibility and authority of the district, and supervise the project implementation. District-level community participatory groups consist representatives from different sectors of the community from the districts which are involved in land management. The expected members of the groups including representatives from Vietnam Fatherland Front in the district, the District Farmers Association, the District's Youth Union, the District's Lawyers Association, the District's Women's Union, the District's Section of Justice, the Section of Culture and Information, the village elderly, and the Commission for Ethnicities and Religion.

The established groups will operate through consultative workshops and meetings (scheduled once a year) hosted by the Provincial Project Management Unit.

Forms of activities: part-time.

Each year, the PPMU will hold a consultation workshop to collect opinions of the community participatory 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, focusing on the following five issues:

- What are the needs for land information of ethnic minority groups? How their cultural practices are considered and shared during the measurement process (if any) and the provision of land information?
- How should land officials consider traditional practices on land in the process of land information provision?

- How to express interests in issues relating to customary use of land and land used for cultural and community purposes? What are communication channels for ethnic minority groups?
- What are the obstacles of the local ethnic minority groups to understand the Vietnamese scripts in communication means or in meetings? How should awareness raising activities be organized to overcome such obstacles?
- What should be done for ethnic minority groups to absorb information most effectively from VILG operations as well as to use best their land and fully register their land?

c. Communal-level community participatory groups:

The commune-level community participatory groups shall be established at communes with ethnic minorities in order to directly communicate and disseminate information to the local communities (villages and communities) and citizens; to support the participation of the communities in the project activities; to participate in monitoring project activities. The commune-level groups will consult the Commune's People's Committee in solving complaints and disputes within the commune authorities and in reflecting and addressing concerns of communities. Members of commune-level community participatory groups shall be selected among grassroot organizations including communal cadastral staff, Farmers' Association, Women's Unions, Youths' Group, the Fatherland Front, and leaders of village which have ethnic minorities, and village elders. For communes with fewer than 5 ethnic minority households, the district-level community advisory groups shall be responsible for community consultation.

Activity 2: To use modern and effective communication tools

The Vietnamese scripts in DVD and some communication materials will be translated into languages of ethnic minorities for their use during the project implementation based on the recommendations made by district community participatory groups. The access and use of land information from MPLIS, as well as the registration of land use rights by households and communities and other information will be included in these communication

tools. They will be stored at cultural centers and used for explanation of the project and the land management.

Activity 3. To train village leaders

PPMU shall organize training sessions for district-level community participatory groups and commune – level community participatory groups. Before meeting with citizens for implementation of survey, issuance of LURCs and other project activities, the district and communal –level groups shall be trained on land-related policies, the project’s ethnic minorities development plan, methods and skills of consultation and community participatory mobilization, and the grievance redressal mechanism.

Activity 4. To organizing public meetings in villages and communes

The additional budget is used for meetings to answer questions from the public with interpretation in languages of ethnic minorities in every commune and village. The pre-project activities such as land survey, mapping and land registration was first implemented to create prerequisites for the implementation of project in areas integrated into the work of building local cadastral databases, which is the focus of the project. In particular:

In communes and villages which will be involved in VILG project, before land surveying, the PPMU will coordinate with the Commune’s People’s Committees and the surveying unit to organize meetings for communication, introducing meanings, contents and benefits of the project for the community. They will also introduce contents of land surveying, land registration and LURCs, which will be implemented locally, and rights and obligations and interests of the people who participate in land surveying, issuance and renewal of LURCs and building databases.

Particularly in communes and villages with large ethnic minorities populations, PPMU and district community participatory groups will organize meetings in each commune or village with the participation of local ethnic people to answer their questions and explain in ethnic languages.

During these meetings, the PPMU staff, with help from local ethnic officials, will describe project activities, the grievance redressal mechanism (e.g. where and to whom they should make complains, what problems

related to land that people can be complained, etc.), recommend sources of land information, and illustrate how to access and use land information.

Besides, the PPMU in collaboration with the mass media (e.g., radio and television) shall communicate this information across the province.

The documents used in public meetings and commune consultations are delivered by the PPMU on the basis of forms, legal documents and communication materials prepared by the VILG Central Project Management Unit (CPMU). All materials are designed with simple messages and clear images. If project funds are available, these documents will be translated into several languages of ethnic minorities to be delivered locally.

Activity 5. Announcing the project areas

The project areas under the VILG scope include communes and towns of two districts (Dien Khanh, Ninh Hoa). The project activities include survey, registration, LURC issuance and database development.

The surveyed areas under the VILG project will be announced in meetings conducted in communes and villages. A map describing boundary of project surveyed areas will be published at public places such as the Commune's People's Committee office, village cultural centres, houses of village leaders, markets and schools. For communes that are not surveyed entirely (two communes in Cam Lam district), information collection and applications/document submission for registration will be conducted at CPC office, village culture houses, and houses of village leaders.

In order to avoid land use right disputes caused by the difference between ethnic minorities' customary land use rights and State land management based on laws and administrative boundaries, the project implementation plan in communes will be announced widely to district-level community participatory groups, CPCs and commune-level community participatory groups and all citizens including ethnic minorities communities.

District-level and commune-level community participatory groups will support dissemination of information to citizens and early revealing of conflicts or disputes in order to propose timely solutions to the competent authorities and related organizations.

During the survey process and with support of commune-level community groups, close cooperation with local government, the surveying companies (contractors) shall:

(1) request to work with a person who can support communication in the local ethnic languages;

(2) request the direct participation of neighbors in land demarcation between households or among members of a household in case of land parcel division;

(3) have responsibility for land determination for the community.

To avoid complaints and disputes arising in the survey for cadastral mapping, and declaration for registration, the contractors will mobilize full participation of all related land users in order to get their agreement and certification of the survey description, survey minutes and records by signature. In some necessary cases, the opinions of communities will be collected, and village leaders, village elders and representatives of union, association, and the Fatherland Front will be invited to participate in this survey process.

The contractor shall coordinate with the commune-level community advisory groups for awareness raising so that people understand the significance, benefits and obligations of LURC, encourage them to update information on the land division for update survey, and cadastral mapping for issuance or renewal

The survey and LURC issuance is carried out simultaneously, therefore, the contractor will consult with village leaders to plan detailed schedules, advance notices, and ask for the support from village heads and community groups. Upon the notified schedule, the contractor will have to implement the work on schedule; the only exception is unforeseen circumstances. In the case of a changed schedule, the contractor will inform again, state the reasons and inform people about the expected revised schedule.

Activity 6. Tasks of the contractor

During the process of survey, registration declaration (pre-project activities), and database development, the contractors perform the following tasks:

(1) To request to work with a person who can communicate in the local ethnic languages;

(2) To request for the direct participation of neighbors in the boundary demarcation,

(3) To be responsible for determining land for the community.

Activity 7. To training land administrators

An orientation workshop for land administrators in communicating with the ethnic minorities people will focus on: (1) special needs of the groups facing language barriers and (2) the importance of local consultation incorporated in training courses for land administrators and other courses on quality service improvement.

Activity 8. To establish support services for information access and land registration in areas where the ethnic minorities live

LRO branches at the district level will perform support services for information access and land registration for ethnic minorities in remote areas through assigning officials to work in routine at the CPCs and, at the same time, to train commune staff on information search, and usage of land information system through the Internet to provide land information for ethnic minorities and verify land transaction contracts.

LROs branches will consult with commune and village cadres and community participatory groups to develop plans and routine working schedules in accordance with local conditions. Commune and village cadres will widely publicize these plans and schedules to all citizens for their information and service usage.

The procedures for LURC issuance/renewal will be conducted at the commune's people's committees, and other land related procedures will also be performed in at the commune's people's committee. Communal cadastral officer will provide support for the people. The forms relating to LURC issuance will be publicized in the CPCs and villages (culture centres or places of frequent visits by the people).

Activities 9: 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 10. To provide information on the grievance redressal mechanism

Local cadastral officers will be informed in training courses that any land issues related to the ethnic minorities must be reported to the PPMU regardless of whether the local dispute settlement is successful or not.

The grievance redressal mechanism progress tracking follow the Project Operation Manual (POM) of VILG and CPMU's guidance

To support this mechanism, the PPMU, in combination with districts and communes, will assign direct officers to receive, monitor and supervise related agencies on dispute settlement and results disclosure.

To resolve disputes and complaints, a second channel will be established to receive information on land complaints and disputes beside the official channel established by the State. Particularly, the ethnic minorities are encouraged to solve problems through their informal but effective institutions, such as heads of villages, families, and master monks in the Khmer temples. Specifically, each commune and village will set up a team to help the CPC in mediation when disputes occur. The master monks will also be involved in the mediation team to improve the dispute settlement efficiency. The appointment of one person to monitor the dispute and complaint settlement activity at the commune, district and provincial levels as well as training of dispute settlement skills for land officers and mediation teams in villages will be maintained during the project implementation.

Activity 11. Monitoring and evaluation

An M&E System of the project on the improvement of the business environment and the satisfaction/ acceptance of people for land management will be established in the districts with ethnic minorities, for both the Kinh and ethnic minorities.

The community participatory groups at the district and commune levels have responsibility to support the district's Project Management Unit and PPMU in regular monitoring of the satisfaction of ethnic minorities and assessment of the positive impact on ethnic minorities such as livelihood improvement, education improvement, and mitigation of the negative impacts of the project.

The M&E indicators will be disaggregated by each ethnic minority, poverty status and gender. The related agencies, such as the Ethnic Minority Committee, and the Consultative Group on Ethnic Minorities can access this information.

PPMU will assign officials to act as the focal point for receiving and tracking complaints and disputes settlement results related to VILG. The report on the EMDP action plan will be made on a monthly, bi-annual and annual basis.

III. IMPLEMENTATION ARRANGEMENT

- Plans for detailed activities will be prepared.

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

- PPMU shall assign one officer to be the focal point on social issues. This staff shall be responsible for supervising the District's Project 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;

- The provincial Ethnic Minority Committee, the provincial Consultative Group, and the district's 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, supervising the level of acceptance and satisfaction of the community towards the land services in the participating districts, including for the Kinh group and other ethnic minorities;

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

IV. ESTIMATED BUDGET

Budget for EMDP will be based on detailed activities. This budget is included in the project budget. The planned activities include:

- Communications and public consultation (in combination with other project activities);
- Training in communication skills and public awareness raising;
- Communication on land registration and land transactions; usage of land information; and
- Development of communication materials as instructed by CPMU. /.