

BRIEF SERIES: VIET NAM

Guiding stakeholder engagement for REDD+ and implementation



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Engagement of stakeholders throughout the REDD+ process has not only been recognized in policies and regulations issued by the Vietnamese government, but also in the establishment of mechanisms for policy implementation. This information brief highlights the key findings and recommendations based on an assessment of stakeholder engagement approaches and guidelines, with a focus on the provisions for Free, Prior, Informed Consent (FPIC), where and when it is required, at the provincial and site level in the six pilot provinces within the UN-REDD Viet Nam Phase II Programme.



Context

The government of Viet Nam has stated the commitment “to fully and effectively engage stakeholders” in REDD+ in the Decision No.419/QD-TTg dated April 5th 2017 by the Prime Minister. This is in line with the overall approach to stakeholder engagement in the REDD+ Programme. Stakeholders in REDD+ identified in the Prime Minister’s decision are local communities, ethnic minorities, community-based organizations, non-governmental organizations, gender groups, mass organizations, socio-political professional organizations and related organizations. One of the five principles guiding Viet Nam’s National REDD+ Programme aims at: ‘ensuring the consistency of the State in steering, management and coordination; optimising the participation and monitoring of socio-political, professional associations, non-governmental organisations and communities, utilising mechanisms for effective international cooperation in the development and implementation of the REDD+ Programme’¹.

In Viet Nam, the legal framework recognises the importance of ensuring public participation not only in socio-economic development planning in general, but also in more specific sector context like environment, biodiversity and forestry. Public participation in decision-making is enshrined specifically in the Grassroots Democracy Ordinance (2007) 34/2007/PL.UBTVQH11 on exercise of democracy in communes, wards and township with detailed requirements². The emphasis is on ensuring people’s rights to know, to contribute opinions, to decide, to exercise and supervise democracy at the commune level. The mechanisms for stakeholder engagement for REDD+ are established against this legal backdrop.

FPIC applies to REDD+ in the sense that consent is required when potential changes in resource uses occur that could significantly impact on the substantive rights of indigenous peoples, and where relevant, other forest-dependent communities. “Viet Nam refers to “[ethnic minorities](#)” in place of “indigenous peoples.” There are no ‘ethnic-specific’

1 NRAP 2017, Decision No 419/QD-TTg dated 5/4/2017

2 “Ensuring the Implementation of Viet Nam’s National REDD+ Action Programme is Consistent with the UNFCCC REDD+ Safeguards: A Guidance Document Identifying and Explaining Viet Nam’s Safeguards-relevant Legal Framework”, SNV, May 2018

areas in Viet Nam, or areas that may be referred to as “indigenous peoples’ territories” in other parts of the world³.

Viet Nam was pioneer to pilot FPIC within the UN-REDD Viet Nam Phase I Programme in 78 villages with ethnic minorities in two districts of Lam Dong province in 2010. Experiences and lessons learnt from the FPIC pilot implementation in Lam Dong were later integrated into three guidelines for implementation within the UN-REDD Viet Nam Phase II Programme, namely Provincial REDD+ Action Plan (PRAP), Site level REDD+ Action Plan (SiRAP) and REDD+ Implementation Agreement (FMB-RiA).

Three guidelines were analysed in the assessment. The PRAP guidelines is an official document that was issued under the Decision No. 5414/QD-BNN-TCLN dated 25 December 2015 by the Minister of Agriculture and Rural Development. The two latter guidelines, SiRAP and FMB-RiA, are internal documents within the UN-REDD Programme. In terms of strategic approach, these guidelines are for piloting and should be refined based on the experiences gained during the Programme’s duration. At a later stage, they should serve as the basis for implementation of site-based policies and measures across the country. Compared with the PRAP that has already identified site-specific intervention packages suitable for forest owners and managers in each province, the two subsequent guidelines provide more concrete steps to verify and validate drivers and to identify appropriate stakeholders and locations for adapting and negotiating incentives. The process is guided by the principles of FPIC with the aim to ensure full engagement of men and women from forest dependent communities and relevant stakeholders in an open, transparent and participatory manner. The objective is to reach an agreement with those people who will be involved in, or affected by REDD+ implementation⁴.



3 <http://sis.vietnam-redd.org/> [4] Socialist Republic of Viet Nam (2011) Periodic Report of Viet Nam to International Committee on the Elimination of Racial Discrimination (2011), pg.4.

4 Site-based REDD+ Implementation Plan (SiRAP) in Vietnam, briefing note, UN-REDD Vietnam phase II Programme



Overview of the assessment

This brief presents key issues that emerge from the assessment of stakeholder engagement and FPIC principles integrated into the three guidelines mentioned above. It looks specifically into the extent to which guidelines, as the main tools, serve to provide possibilities for stakeholders who relate to, depend on, as well as manage the forest. This means that these guidelines are meant to guide stakeholder engagement through the entire process of planning, implementation, to monitoring and evaluation.

At the policy level, the UN-REDD Viet Nam Phase II Programme (hereafter called as the Programme) has taken several positive steps towards enhancing stakeholder engagement. First, it has been a challenge to develop one single set of common guidelines for the site level, SiRAP. This is an important accomplishment as it lessens the confusion about the directives for stakeholder engagement. Second, the Programme has largely been managed to make use of and build on the local governance and planning mechanism in which stakeholder engagement is integrated. This is done through, for instance, making use of the scope for participation in the grassroots democracy ordinance for the planning and implementing REDD+ packages at the site level. Third, the objective of awareness raising set by the Programme was met to some extent despite the challenges in bridging different understandings of the key concepts of stakeholder engagement (*see below*). Fourth, the Programme's guidelines leave some room for change and flexibility during implementation. This is built on a general realisation that stakeholder engagement is a learning process. Fourth, the guidelines highlighted vulnerable stakeholders and in particular women and ethnic minorities.

To accomplish stakeholder engagement and FPIC at site level is, however, an ambitious task, or rather, a long process. The attempt to integrate FPIC principle and benefit sharing pragmatically into one single document to guide stakeholder engagement adds to the challenge. The complex key elements of participation, transparency, accountability and representation will inevitably need contextualisation and adaptation at site level. For instance, to convey the full meaning of participation and adapt lessons into practice, which is central to engagement, take time and require changes in deep-rooted thinking and practices. Hence, formulating concise, contextual and concrete guidelines on stakeholder engagement and FPIC is a crucial, but difficult step in the process of accomplishing stakeholder engagement. The guidelines need to be short enough to be read and be useful, but still long enough to convey the meaning of key concepts and full value of stakeholder engagement. To add to the challenge, they need to be understood in a context very different from international principles and good practices from which they were written in the first place. Without a thorough understanding of what stakeholder engagement really means, there is a risk that stakeholder engagement and FPIC principles will only be respected on paper. Lastly, these challenges will inevitably increase for stakeholders from vulnerable groups who are weak in expressing their concerns such as women, ethnic minorities and other local communities living in or near the forest.

More specifically, the challenges that occur relate to the following:

1 Defining key concepts

The guidelines were not clear enough on the concrete meaning for each key element of stakeholder engagement: representation; information; participation, rule of law and justice⁵, how they are differentiated and why they should be considered and understood. More often than not, the approaches to stakeholder engagement are limited to just consultation and information sharing in the form of meetings. Even though FPIC was mentioned three times in the guidelines, there was no further explanation of what the abbreviation stands for, or what it means.

2 Rights and risks

It is a challenge not just to promote and safeguard the rights, but also to mitigate the risks faced by men and women from local communities in the REDD+ process. It is crucial that local authorities understand what kinds of risks and what type of rights to consider, and how these rights should be implemented to mitigate the risks identified. There is a clear lack of guidance on this point and also on how to communicate these rights and risks with relevant stakeholders. Hence, on the one hand, there is a discrepancy between the PRAP process and ability to identify social and environmental risks and on the other hand, how these risks are communicated, discussed and mitigated with site level stakeholders.

3 Representation

Recognizing that some stakeholder groups are considered more vulnerable than others is crucial for stakeholder engagement: ethnic minorities are such a stakeholder group. The challenge lies in formulating clear instructions to select relevant and affected stakeholders for participation in consultations. The guidelines-based selection of stakeholders on their position vis-à-vis representation of specific stakeholder groups. Hence, the actual selection of different stakeholder group representatives is based on the position that people have in the Vietnamese administration. In REDD+, ethnic minorities and vulnerable groups might have comparatively lower merit compared to experts from higher administrative levels. This could have been remedied by specifying how representatives of ethnic groups and local communities should be selected, their scope for decision-making and accountability. This guidance was noticeably absent.

⁵ Each key element is further divided into sub-elements such as legitimacy and accountability of representation; access and transparency of information; capacity to participate, systems for feedback, oversight and accountability; provisions for free, prior and informed consent and respect for traditional knowledge and cultural heritage; clarity of law and rights to lands, territories and resources; and access to justice.

4 Consistency in participation

There is a lack of guidance on this point, for example, the value of mapping who the key stakeholders are in certain local contexts and to identify whose rights would be impacted by implementing REDD+ interventions. Therefore, there is a gap in the selection of relevant participants. As there are no specific guidelines on how villagers should select who should participate in meetings, selection of participant at communities is simply based on who turns up, which may differ from meeting to meeting. This led to lack in continuity and at the same time, impact on quality of participation. So participation by random villagers lead to situations where those who are informed earlier about SIRAP activities are not always the same as those who need to decide what those SIRAP activities could be. The latter often do not understand why the activities were selected in the first place.

5 Quality of decision-making

Stakeholder engagement is particularly important in relation to who and how stakeholders participate in decision-making. For any attempt to accomplish stakeholder engagement and FPIC, it is therefore important to identify at which level decisions are made, who makes them and based on what grounds. If, for instance, decisions are already officially made on higher government levels while stakeholders subsequently are engaged in consultations on lower levels for verifying and validating the decisions, there is a risk the stakeholder engagement might be less valuable and effective. This is generally the case when REDD+ operates in administrative systems and cultures where bottom-up political engagement is not as widely practised.

6 Translation of the concept of participation

Participation is a cornerstone of stakeholder engagement, but it is also a concept that has different meanings depending on level and context. The assessment shows that participation in the REDD+ process, at least at lower levels, is understood much the same way as in the socio-economic planning within the government system. This means to “mobilize active participation of all level, sector, social and political organizations in the commune area, and local communities in order to agree and implement the REDD+ intervention packages”⁶. It should be clear that there is a difference between, on the one hand, mobilising people to implement decisions already made, and on the other hand, seeking stakeholder engagement and prior informed consent. To spell out this difference seems a huge task that the guidelines should at least address in order to start accomplishing participation of stakeholders at different levels and in different context.

6 Interviewee, commune staff

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Relevance of participation

Stakeholder engagement at the community level is based on the idea of people's voluntary participation. However, some issues are simply not interesting enough for people to engage in. The assessment of the guidelines points to several reasons. One is a point made earlier, by which people at site level believe decisions are already made at the provincial and district level. Second, often issues of forest management are technical in nature and above ordinary people's level of competence. Third, at events like village meetings, there are often a mix of different topics and information to share and if there are too many issues that people have to decide, but are not interested in, they might have difficulty even knowing what they can and cannot engage in. The guidelines are not clear enough on which topics are suitable and crucial for stakeholder engagement and which topics should be left to the experts.

8

Gender

Efforts have been made to increase the number of female participants in events and meetings. Such requirements and measures are commonly found in reports on planning, implementation and monitoring activities. However, besides setting a quota for number of female participants, no clear guidance has been provided on how to actually promote women's participation in general as well as during consultations, meetings and implementation of activities. Part of the explanation lies in the fact that forestry has been considered men's work. It is normally easier to gather women for meetings and events, hence easy to get high attendance figures, but they are weaker in terms of contributing to meaningful participation and decision-making. There are also very few female forest patrollers and most respondents point to the tough nature of this duty. The consequences are limited access to funding, knowledge and skill improvement, and voices being heard through representation.

Genuine and high quality stakeholder engagement in forest management will take time to accomplish, but the various challenges mentioned here should be dealt with concretely through dialogue between different levels of administration and different stakeholder groups.





Recommendations

For future implementation of stakeholder engagement for REDD+ in Vietnam, recommendations below should be considered. A key word is to be as concrete as possible to ensure the message is conveyed through all the administrative system.

- 1 First**, who the key stakeholders are and whose rights will be impacted when implementing the REDD+ intervention in certain context should be concretely and clearly mapped. The basis for this mapping exercise should be the local authority in consultation with NGOs and representatives of the local communities. Once these groups are identified, it should be conveyed to relevant authorities. Without specifying these concrete steps, there is a clear risk that it will not be done. Stakeholder engagement will be more meaningful and effective when stakeholder mapping is conducted before the consultation takes place and this should be integrated in the guidelines by MARD.
- 2 Second**, in order to make sure that rights of vulnerable groups are properly taken into consideration, it is necessary to make clear the scope for engagement of different stakeholders in order to allow their perspectives and interest to influence plans, priorities and decision-making regarding REDD+ from national to local levels. Clarity is required in terms of what, where and when they can influence the engagement process; how they can follow up and give feedback; when such questions are addressed in the existing planning system and when they need to pay particular attention in guidelines formulated within the REDD+ programme.
- 3 Third**, it is important to concretely specify how to communicate the relevant rights: rights to participation, access for information, rights to forest, as well as potential risks to each group of actors so that they are able understand, no matter their education, economic, social or political background. Guidelines should be clear on what and how to communicate through the system.
- 4 Fourth**, selection of the commune REDD+ committee and the monitoring group members should be based on nomination by the village or community representatives at the village level. Concrete details should be provided in terms of the process of selecting representatives and their mandate when engaging in the planning process, particularly with non-governmental organizations and ethnic minorities. This should be done taking into account the criteria for selection. The scope and boundaries of their representation should be discussed and agreed within the respective groups according to specific guidelines.
- 5 Fifth**, stakeholder engagement should be understood broader than just consultation and information sharing in formal meetings. There are different levels of stakeholder engagement: information sharing, consultation, collaboration, joint decision making, and empowerment. A clear plan of

engagement with concrete measures to ensure quality on engagement plays an important role. As there are certain barriers in the Vietnamese political context in terms of the institutional structure and capacity, financial and human resources, knowledge and skills, it is necessary to identify realistic and specific measures to bridge the gap between fundamentally different understandings of the key concepts of stakeholder engagement.

The recommendations above indicate that there is a need to readdress the approach to stakeholder engagement in REDD+ in the Vietnamese context, specifically in providing concrete measures. In short, the guidelines have been, to some extent, contextualised to fit the local planning mechanisms, though there are certain challenges within the administrative and governance system to engage stakeholders in a meaningful way.

Thereby, steps forward can be more realistic taking into account, first of all, the rigid planning system that leaves only limited room for stakeholder engagement. There is a need to establish channels of dialogue to concretise what stakeholder engagement actually *could* mean in the Vietnamese context and identify possible platforms for full and effective engagement to meet both the needs of stakeholders and the international demands of REDD+. Therefore, some key elements of stakeholder engagement ought to be emphasised, specified and clearly defined while others might be identified as not fitting the Vietnamese context. However, this can only be determined through dialogue between different administration levels as well as between government and non-governmental stakeholders. Today, there is little dialogue on these issues at the local and higher administrative levels and the assessment clearly shows that there is no concrete conceptualisation among practitioners on what stakeholder engagement means and what its purpose is. This also extends to FPIC.

In the short-term, identifying room for contextualisation and concretization of stakeholder engagement calls for a new mind-set in for instance: (i) assessing the existing platforms and current practices of stakeholder engagement regarding REDD+ within different initiatives in Vietnam to identify strengths and weaknesses, (ii) utilize the findings from (i) to arrange a larger national workshop, bringing attention to the issues mentioned above.

In the mid-term perspective, the workshop should be followed by a group of experts producing clear and concrete mechanisms of continuous dialogue in the operationalization and contextualization of the key elements of stakeholder engagement: representation; information; participation, rule of law and justice. This is to ensure what is lacking today, namely a clear understanding of what stakeholder engagement means, particularly concerning the engagement of the ethnic minority communities and other communities dependent on forest, can be reconciled through a continuous search for realistic enhancement by closely considering the Vietnamese planning system. With a better understanding, resource allocation can be clearer and legitimately used. Follow-up workshops with input from practitioners should be held in the long-term.



Conclusion

Stakeholder engagement in Viet Nam should be carried out through platforms with a clear scope for discussion and decision that allow stakeholder perspectives and interests in shaping plans, priorities and activities for REDD+ at national, provincial as well as site levels. This needs to involve: first, assessing the existing platforms and current practices of stakeholder engagement regarding REDD+ within different initiatives to identify strengths and weaknesses. The results of those assessments will inform the necessary changes in legal documents and the guidelines for stakeholder engagement in REDD+. Second, information must be clearly presented to different stakeholders, particularly the ethnic minorities and local communities living in and near forests, on their rights as well as the potential benefits and risks regarding REDD+ implementation. The information should be conveyed to stakeholders in a clear and neutral manner with appropriate language and format so they can understand their options, no matter their backgrounds. Third, when engaging in the whole REDD+ process, the process of selecting representatives and determining their mandates should be done through the thorough selection of representatives among the ethnic groups and local communities because it is needed to ensure trust as well as continuity in representation and participation. This also helps to enhance the accountability even within the government institutions regarding the appointment of representatives and their given mandates.

The assessment of guidelines shows that there is a gap between the requirements for stakeholder engagement internationally and the actual implementation at site level. This is a gap that these guidelines, at least to some extent, are supposed to bridge, specifically, conveying a reasonable level of understanding of the key principles of stakeholder engagement and ensure these key elements are relevant in the Vietnamese context and for the local communities. Beyond understanding, it is also challenging to provide the essential tools to operate the platforms where stakeholders can participate in decision-making processes on REDD+ at both provincial and site levels. The REDD+ guidelines need to be more concrete and better contextualized to the Vietnamese situation to effectively address the identified gaps.



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