

Terms of Reference

Assessment of traditional forest resource use by local communities, and impacts of establishment of Chu Yang Sin National Park

Background

The geographic focus for these Terms of Reference is Chu Yang Sin National Park (CYS), located in Krong Bong and Lak Districts, 60 km southeast of Buon Ma Thuat Town in Dak Lak Province, Vietnam. This area encompasses transitional landscapes between two macro-scale geomorphologies; the Dak Lak lowland plain and the central highlands. CYS holds global significance, as it covers an excellent representative sample of the hill and montane evergreen forest ecosystems of Indochina, and is located in the Da Lat Plateau Endemic Bird Area (EBA). The EBA is one of four centres of endemism identified in Indochina by BirdLife. CYS supports seven of the eight restricted-range species that define the Da Lat Plateau EBA, as well as two of the three species that define the South Vietnamese Lowlands EBA. The park protects a substantial part of the largest remaining forest block in the upper catchments of the Srepok River, which is a major tributary of the Mekong River.

The overall goal of this project is to conserve the biodiversity attributes of CYS in the long term, and in developing integrated watershed and biodiversity management at a broader scale. The project's purpose is to establish public support and effective management for the CYS by stabilising an interface between natural and agricultural landscapes, protecting the integrity of key biodiversity attributes, promoting integrated approaches to watershed and protected area management in the wider forest block, and elaborating realistic and sustainable development options for the park.

Consultancy Context

Indigenous M'ngong and Ede people inhabited the area in and around CYS prior to the American War, subsisting on swidden agriculture on higher ground and hillsides. Their impact on forests and wildlife was limited because they lacked saws and guns. After the American War there was a general movement of people down from the hills into the valleys. Irrigated wet rice and animal husbandry was introduced to the region by the government, and as part of this process, Kinh (ethnic-Vietnamese) people from elsewhere moved into the region. Cropping activities were further concentrated following the 1993 land law, which banned shifting cultivation and granted land-use certificates (red books) to villagers, based on a 50-year lease. As a result, hillside swiddens were abandoned and farmers are adapting to sedentary lowland farming. Since 1995, nearly six thousand spontaneous migrants of H'mong ethnicity from northern Vietnam have settled in Krong Bong District.

The World Bank's safeguards policies on involuntary resettlement (OP/BP 4.12) and indigenous peoples (OD 4.20) apply to this project. The principle objective of the involuntary resettlement policy is to ensure that all project-affected persons will be assisted in their efforts to restore or improve their livelihoods. The objectives of the indigenous peoples policy are to ensure that indigenous peoples benefit from the project, that adverse impacts are avoided, minimized or mitigated, and to ensure the informed participation of affected indigenous peoples. In compliance with these policies, project preparation included a number of activities, primarily social analysis and fieldwork, to assess the local context and consult with local communities. Further activities during project implementation to satisfy the requirements of the World Bank's safeguards policies may include social assessments, consultations with local communities, participatory decision-making processes and mitigation of possible adverse impacts.

The project intends to benefit local communities, while protecting the biodiversity of the area. Forest Protection Contracts as well as land allocation in the non-protected area matrix are intended to increase tenure security and regulate access to resources. Regulations will aim to

achieve sustainable harvests of forest resources consistent with existing livelihoods. Mitigation of project-induced impacts on the livelihood of local communities will be provided to enable affected people to maintain or improve their livelihoods. No communities live within the National Park and there will be no involuntary resettlement under the project. However, new restrictions and increased enforcement of existing restrictions of access to natural resources within the National Park, despite being mandated by the laws of the Government of Vietnam, may affect people living nearby, mainly indigenous peoples (ethnic minorities).

Thus, to ensure that eligible affected persons are assisted in their efforts to maintain or improve their livelihoods in a participatory manner in line with the World Bank's policies, an assessment is needed of changes in land use by local communities since establishment of CYS in 1998. Because the introduction of restrictions of access to resources is an impact included in the World Bank's involuntary resettlement policy, it will be particularly important to assess whether people resident in the area prior to 1998, primarily but not exclusively M'ng and Ede communities, have lost land or access to resources since that time. In doing so, it will be important to pay attention to land tenure issues, including traditional land rights and obligations and use practices of ethnic minorities, when determining impacts and mitigation measures. This concerns, for instance, non-timber forest product (NTFP) and shifting cultivation, whereby land officially classified as 'forest land' or 'unused land' could in fact be kept fallow under the traditional farming systems practiced by ethnic minorities. These activities, and income and resources achieved from it, should be included when assessing potential adverse impacts on ethnic minorities. Conversely, it will also be important to assess benefits that the establishment of CYS may have provided for these same people. For example, recent droughts in the region have demonstrated to local farmers that the forests of CYS are an important regulator and source of year-round water, even in times of drought.

Objectives of this Consultancy

The objectives of this consultancy are to conduct a participatory social assessment of traditional forest resource use by ethnic minority communities that were resident in the project area prior to the establishment of CYS, to identify socio-economic trends related to the establishment and implementation of CYS, and to suggest – where necessary – mitigation options for any negative trends. Through joint implementation with project and park staff, the consultancy should also increase their understanding of indigenous issues and build their capacity in all of the consultancy's techniques.

Main tasks

1. Evaluate existing socio-economic context reports, and discuss with BirdLife, project and park staff to identify key focal areas/communities for this current assessment.
2. Carry out and report on the results of a participatory social assessment of traditional forest resource use by ethnic minority communities resident in the project area prior to the establishment of CYS, including:
 - (i) a characterisation of different user groups in relation to the park;
 - (ii) establishment of whether swidden cropping still exists within the park (it is not believed to) and the degree of dependence on this and forest products;
 - (iii) a description of broad socio-economic changes and trends ('losses and gains') since, and related to, establishment of CYS or increased enforcement due to project support to CYS
 - (iv) a quantitative baseline of current land and resource use, tenure security of both land and resource use, and the socio-economic situation (this may be drawn from the existing socio-economic context reports, where sufficiently detailed and accurate); and
 - (v) suggestions of how any socio-economic losses that may have been caused by park establishment or recent increased enforcement may be

mitigated. Such suggestions can be creative, for example taking advantage of options for sustainable use of the regeneration zone, recently allowed by Decision 186. The consultant should work closely with BirdLife, project, and park staff, to ensure that such recommendations are practical and achievable.

A suite of techniques for this assessment may be proposed by the consultant, including PRA, landscape assessment, or review of satellite images to identify historic and present areas of cropping in the park.

3. Provide training to project and park staff in all aspects of these tasks by working in close collaboration with them in implementing the consultancy.

Deliverables

1. Detailed research proposal, in English and Vietnamese, prior to fieldwork commencing.
2. Report, in English and Vietnamese, of a participatory social assessment of traditional forest resource use (as described above), containing:
 - a. details of the methodology used;
 - b. summary and analysis of the results of the assessment, including baseline at present;
 - c. recommendations for mitigation of any potential socio-economic losses.
3. In-service training delivered to project and park staff, as appropriate, in conducting all tasks carried out within this consultancy.

Proposed Consultancy Schedule and Duty Station

The consultancy should best take place within the period March-April 2008. The consultant's duty station is split between Chu Yang Sin National Park and the Hanoi office of the BirdLife International Vietnam Programme, or the consultant's office if approved by BirdLife. One return flight from Hanoi-Danang-Buon Ma Thuot will be provided for the consultant.

Consultant Profile

Individual consultant with experience of compliance with World Bank safeguards to international standards and experience in indigenous issues, preferably with extensive experience in Vietnam. Oral and written proficiency preferable in both English and Vietnamese. Please note that, because of access constraints, extensive fieldwork by international experts may not be possible.

Application

Prospective consultants should submit a proposed workplan, budget and CV to Mr. John Pilgrim (pilgrim@birdlife.netnam.vn) and Mr. Le Trong Trai (trai@birdlife.netnam.vn) by 10 February 2008. Please also use these contacts should you have any further questions.