



## Final Evaluation - NPA Vietnam Development Program



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### Abstract

This Report presents the evaluation of NPA Development Program 2012-2015 in Vietnam (2012 – 2015) when it is coming to a conclusion. Through means of desk study and qualitative methods, the Report demonstrates an assessment of the Program relevance to Vietnam current context, and to each supported partner (SPERI, iSEE, CODE, PanNature, and CDI) in this particular context. The Report acknowledges that partner organizations of the Program have made significant contributions to policy changes, with advocacy efforts in areas including: forestland rights, Lesbian Gay Bisexual and Transgender rights, ethnic minority rights in general, and promotion of the Extractive Industry Transparency Initiative. At the same time, these Vietnamese Non-Governmental Organizations, in conjunction with other civil society organizations and networks, have created an expanded civil society space through their activities. The Report also outlines lessons and experiences from the application of NPA program-approach, which has been regarded by partner organizations as flexible, efficient and effective. Recommendations are made for NPA in evaluating the complexity of its support areas to determine the Program lifetime and in creating more active linkages with other donors in phasing out to ensure the sustainability and continuity of the Program results. For SPERI, the organization is also recommended to continue constructing a methodology and gather practical evidence in several locations to successfully advocate at national level. For PanNature and CDI, they are advised to define the extractive sector's position in their long-term strategies. Finally, recommendations are also made for iSEE so the organization can uphold its role as a pioneer CSO in Vietnam.

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## ABBREVIATION

CODE	:	Consultancy on Development
CSOs	:	Civil Society Organizations
EITI	:	Extraction Industry Transparency Initiative
EM	:	Ethnics Minority
FGD	:	Focus Group Discussion
IDI	:	In Depth Interview
iSEE	:	Institute for Studies of Society, Economy and Environment
LGBT	:	Lesbian Gay Bisexual and Transgender
MBSPP	:	Management Board of Special and Protection Forests
MOET	:	Ministry of Education and Training
MOST	:	Ministry of Science and Technology
NA	:	National Assembly
NPA	:	Norwegian People's Aid
NOK	:	Norwegian Krone
NRM	:	Natural Resources Management
OSEC	:	Office for coordination of social monitoring activities
SFEs	:	State Forest Enterprises
SPERI	:	Social Policy Ecology Research Institute
UNESCO	:	United Nations Educational Scientific and Cultural Organization
VMC	:	Vietnam Mining Coalition
VNGOs	:	Vietnamese Non-Governmental Organizations
VOV	:	Voice of Vietnam
VTV	:	Vietnam Television
VUSTA	:	Union of Science and Technology Vietnam

## EXECUTIVE SUMMARY

The final evaluation of NPA Development Program 2012-2015 in Vietnam with financial support from NORAD was conducted with Vietnamese Non-Governmental Organizations (VNGOs) partners including SPERI, iSEE, CODE, PanNature and CDI. The evaluation took place towards the end of 2015 using desk study and qualitative methods involving 41 in-depth interviews (IDIs) with staff from supported VNGOs and representatives of the related stakeholders including local authorities, central state agencies, and 05 focus group discussions (FGDs) among beneficiaries of these VNGOs.

The focus of the NPA Program is on Natural Resources Management (NRM) and promotion of Civil Society Organizations (CSOs) role in policy advocacy. In the 2012-2015 period, the Program identified priorities on forestland rights, Lesbian Gay Bisexual and Transgender (LGBT) rights, ethnic minority (EM) rights in general, and promotion of the Extraction Industry Transparency Initiative (EITI). NPA has selected partners who are active players and technically qualified in their respective field, and through the modality of programmatic approach has made partial financial contributions (besides other non-financial support) so these partners could combine resources from other donors to implement projects/programs that contributed to the outcomes that NPA has planned for the Development Program. The programmatic approach has been proven to be very efficient and effective as it allows VNGOs to be proactive and flexible in implementing activities, and to incorporate other donors' support with the same interests as NPA.

NPA Program is argued to be very relevant to current Vietnam context, and to partner organizations' long term development strategy, especially in forestland rights, LGBT or EM topics. Policies related to EM (especially the poorer and marginalized groups with fewer opportunities of development compared to Kinh people), to land usage rights, and to LGBT or the extractive industry have been constantly going through evolving changes in recent years. Vietnamese legislators, policy makers, and governmental bodies are met with challenges not only in making laws and policies but also in their implementation, especially for sensitive issues such as EM development, access to forestland, and transparency in the extractive sector. The NPA Program, through its support to VNGOs, has contributed a partial response to these imperative needs of Vietnamese legislators, policy makers and governmental bodies. In this Program, VNGO partners have: (1) provided scientifically valuable advisory information through conducting researches and practices studies; (2) suggested effective measures to implement formulated laws/policies through practical pilot models at community level; (3) introduced useful information to improve awareness of both the general public and authorities in relatively new issues (EITI, human ecology approach, anthropological approach, etc.) through support for mass media and social movements.

This Report acknowledges the most significant impacts from VNGOs' contributions. Changes have been recorded in public awareness and Government agencies' approaches in policy-making process towards EM communities, where cultural diversity and values specific to EM communities are respected. Considerable changes in laws such as the lifting of the ban on same-sex marriages, the recognition of gender marker changes for transgender people are undeniably resultant, at least partially, from advocacy activities organized/initiated by VNGOs, among which iSEE is one of the most active. The strongly-evidenced practices in many regions of Vietnam (Northern, Central, and Central Highlands), where lands have been relocated to ensure rights of local people to their forestland, and of communities to their spiritual forests are solid background for local and central government to adopt changes in their implementation methods of forestland allocation and resolution of long-standing conflicts between people, communities and other stakeholders. These

evidences have also been considered by policy makers and legislators as important inputs in the making of land laws and policies. Regarding EITI, this initiative was previously unheard of in Vietnam until recent years, but has become a topic that is now being frequently discussed in mass media, and has attracted attention from the general public as well as the private sector, governmental bodies and even the National Assembly (NA). EITI has been identified by the Vietnamese Government as an area of focus in the forthcoming period. PanNature, CDI, and CODE, active members of the Vietnam Mining Coalition (VMC), have significantly contributed to these results. The space for civil society in the country has unprecedentedly been expanded; issues that had traditionally been regarded as 'sensitive' in Vietnam are now being studied and widely discussed by CSOs, who record practical evidences and propose solutions to policy makers and legislators. The undeniable role of civil society as an evidence-based information and critic channel and as a provider of possible solutions for community-level policy implementation has been recognized by local authorities' representatives and central agencies. SPERI, PanNature, iSEE, CDI, and CODE are frequently mentioned and appreciated in this topic, as leading CSOs in their respective field of operation.

The Report also acknowledges that the planned outcomes have been achieved to a significant or moderate level. With regards to outcomes in SPERI's program in reallocation of forest land, the organization has achieved or surpassed the set indicators. Some of the performance indicators under outcomes related to civil society space have not been met due to the withdrawal of VUSTA. However, the outcomes that the remaining VNGO iSEE has attained can be considered outstanding. iSEE has been regarded as a representative organization (albeit not officially) of the Vietnamese community of CSOs. iSEE acted as a representative of the civil society sector in the Vietnam Partnership Development Forum (VPDF) where the Vietnamese Government and Development Partners meet annually to discuss the development issues of the country. Regarding EITI, the initial design of the Program has not integrated performance indicators related to this topic, but it is demonstrated in the Report that although the ultimate outcome (Vietnam announces the participation in EITI in 2015) has not been achieved, the collective efforts from CODE, PanNature, and CDI have changed the perception of the general public and government agencies towards the initiative, and improved the likelihood that Vietnam will commit to EITI in the forthcoming period. Several aspects of EITI such as revenue management from the extractive sector, protecting local benefits, have been integrated in the drafts of normative legal documents, or in multi-stakeholder dialogues to minimize the negative effects of resources extraction involving community – companies – local authorities. Central and local governmental agencies have recognized VNGOs as an important critic channel in the policy making process regarding transparency in the extractive industry. At the same time, communities have also regarded CSOs as their link to companies and authorities, and where they can present their demands in terms of solutions to adverse effects that resources extraction has on their livelihoods and wellbeing.

The Report also outlines important lessons learned. First, the programmatic approach that NPA applied has been confirmed as a success factor, as it allows partners to be proactive in designing and implementing activities, and in combining resources from NPA and from other donors. Second, SPERI, iSEE and CDI have proven success in activities implementation for beneficiaries involving conflicts of interests and issues in cultures, values, human rights, interlinked economics and environmental aspects such as forestland rights, LGBT rights, and the extractive industry. Third, the applied policy advocacy method based on scientific (through researches) and practical evidences (through pilot models) has been proven effective in this Program. Last but not least is the success lesson in exploiting the mass media system to perform advocacy more effectively, by

triggering social movements (as iSEE has done) or by raising awareness of the public and policy makers in new issues such as EITI (as PanNature and CDI have done).

Finally, the Report makes a number of recommendations to NPA in considering the timeline of support based on the complexity of the advocacy topic that each partner pursues, and in strengthening the cooperation with other donors who share the same interests in phasing out to ensure the Program outcomes (especially those who are yet to be realized) are sustainable, and in promoting more networking activities both among grantee NGOs and to international networks with the same topic of interest (e.g. EITI), or in creating a space for experience exchange among organizations in common themes such as policy advocacy, initiating social movements, etc. The Report also provides recommendations catered to each partner: SPERI should further emphasize sustainable livelihood methods to complete the post-forestland allocation cycle for EM communities and continue policy advocacy in this area at central level based on proven evidences in different regions/provinces (besides the current locations); PanNature and CDI need to first and foremost identify their long-term strategy towards the extractive sector, and then they should promote the formulation of a long-term development strategy for the VMC; iSEE should continue piloting new models in advocacy for minority rights, and fulfil the role of a central organization linking CSOs and other networks to enhance civil society position in Vietnam.

## I. INTRODUCTION

### 1.1 The Development Program 2012 – 2015

Norwegian People's Aid (NPA) Vietnam has implemented a Development Program (Program hereinafter) in 2012-2015 with funding from NORAD through the Multi-Annual Cooperation Agreement. NORAD's funding accounts for nine tenths of the total budgeted costs of the program, and provides extra support for administrative costs. NPA Vietnam contributes the outstanding one tenth of the budgeted costs. Between 2012 and 2015, total funding support from NORAD has risen from approximately 1.5 million to 2.2 million NOK.

Taking into account the large rural economies in Vietnam, NPA's Development Program design focuses on engagement in NRM, paying attention to the redistribution of resources in connection with foreign investment. Another area of engagement is the enhancement of the formal and informal space for CSOs to operate and to engage with government institutions as well as with the private sector. NPA is one of the few international organizations to focus on promoting a more 'political' civil society through enhancing the role of CSOs in shaping national and local policy. The focuses of the Program are mainstreamed into projects implemented by NPA supported VNGOs including: SPERI for forestland rights, iSEE for LGBT rights and ethnic minority rights; and CODE, PanNature and CDI for promotion of the EITI.

The main goal of the Program is that CSOs and groups are able to influence public policies and programs to improve responsiveness and reduce inequalities. In particular, the objectives and corresponding outcome indicators of NPA's Program are:

- The consultations between national authorities, local authorities, CSOs, and communities result in progressive changes and secure small farmers' access and management of natural resources in forest areas. The indicators for this result include: (i) Maps generated by indigenous communities are accepted as evidence for forestry land allocation and as ground for the revision of the Land Law in 2013; and (ii) The new Land Law (2013) will recognize land as having a broader value than a commercial commodity.
- CSOs and networks are able to monitor and influence the implementation of public policies. The indicators for this result include: (i) An office for coordination of social monitoring activities (OSEC) is established within VUSTA, linking VN CS groups with public sector; (ii) Revision of legal framework for CSO (Decision 22\2002); (iii) Production of baseline study of VN CSO; and (iv) three networks of youth leaders and youth groups the networks have joint/coordinated actions and campaign on matters such as anti-discrimination, environment protection, anti-corruption or social justice. However, indicators related to a partner (OSEC) have not been achieved for the reason of the VUSTA's withdrawing from the program.
- And, as indicated in the Section 3.1 below, some outcome indicators related to EITI have been incorporated for discussion. They are: (i) Vietnam Government makes announcement on EITI implementation by 2015; (ii) Raising awareness of EITI and studying EITI; (iii) Consultation with authorities at local and national level; (iv) Mobilization with mining companies.

Apart from financial support, NPA closely follows VNGOs operation through constant dialogue and follow-up, and directly supports networking and capacity building activities for organizational development. NPA, however, does not directly intervene, provide advices or demand changes unless requested by the organizations themselves or dictated by administrative concerns – the VNGOs are allowed the freedom to design and follow their own courses of action with their received financial support.

## 1.2 VNGO Partners

**Social Policy Ecology Research Institute (SPERI):** SPERI, united in 2005, is a non-governmental organization engaging in advocacy on public policy in Natural Resource Management. SPERI's direct engagement with lawmakers contributed to the revised Land Law (2003) allowing female names, rather than just male names, to appear on land rights documents. Their methodology is based on the mobilization of farmers in highland areas (mostly inhabited by ethnic minorities). SPERI manages three Farmers Free Schools in upland areas promoting and teaching environmentally sustainable agriculture practices. Their main objectives in the 2010-2013 period were to influence the new Land Law (due in 2013), with progressive provisions on land values and compensations to small farmers. In NPA's Program, SPERI has implemented the program titled "Civil Society Network Action towards Community Ownership of Forest, Land & REDD+: A Pilot Customary Law-based Programmatic Approach to Forest Land Allocation". The fund that SPERI received from NPA to implement this program was VND 8,006,426,267 while other donors contributed VND 16,727,494,141 adding to a total program budget of VND 24,733,920,408.

**Institute for Studies of Society, Economy and Environment (ISEE):** ISEE, founded in 2007, is an independent, non profit think-tank working on the development of Civil Society and on social equality. They work mainly with CSOs, EM groups, sexual minorities groups, and informal youth networks. ISEE methodology is based on a combination of research and constructive advocacy on right-based issues such as legal frameworks for (ethnic and sexual) minorities, interactions between CSOs and media, and training for informal networks. Under the framework of NPA's Program, ISEE has been running the program titled "Rights and voice of the ethnic minorities and the sexual minorities in Vietnam" with a total fund of VND 3,860,387,000, of which NPA's financial contribution accounted for 6.8% (equivalent to VND 263,219,000).

**Consultancy on Development (CODE):** CODE works as a research and lobbying institution at national level. CODE's methodology is based on active research and connections with both the public and the private sectors in Vietnam. They attempted to balance and share responsibilities between key actors at national level for a sound and fair economic development. CODE focused on providing scientific evidences and active lobbying on the extractive industry in central highland and on the promotion of EITI in Vietnam. CODE engaged in the program titled "Promoting the Transparency for Better Governance & Reducing Negative Social and Environmental Impacts of Mining Industry in Vietnam" in 2012, 2013 and handed over to PanNature and CDI in 2014.

**People and Nature Reconciliation (PanNature):** People and Nature Reconciliation (PanNature) is a Vietnamese not-for-profit organization established in 2006. The organization is dedicated to protecting and conserving diversity of life and improving human well-being in Vietnam by seeking, promoting and implementing feasible, nature-friendly solutions to important environmental problems and sustainable development issues. Recently, PanNature concentrates on promoting Vietnam to join EITI mainly through conducting researches and advocacy activities. PanNature took over the role of Coordinator of the Vietnam Mining Coalition in 2014 when CODE withdrew from the extractive sector.

**Center for Development and Integration (CDI):** Center for Development and Integration (CDI) is a non-governmental organization established in 2005. The organization aims at promoting the right of vulnerable groups for an equal and sustainable community. For the time being, the organization focuses its resources on natural resource management not only at national level (through initiating advocacy activities) but also at local level (through conducting projects in mining areas).



Both PanNature and CDI are original members of the Vietnam Mining Coalition at the time of its formation in 2013, and have engaged in the program titled “Promoting the Transparency for Better Governance & Reducing Negative Social and Environmental Impacts of Mining Industry” with NPA support since 2014. The total fund for this program from 2014 to 2015 was VND 8,291,490,000 of which 32% was funded by NPA (equivalent to VND 2,650,150,000). CDI directly managed the fund of VND 1,546,950,000 and PanNature managed an amount of VND 1,103,200,000.

#### **Office of Social Monitoring, Evaluation, and Consultancy (OSEC) \ VUSTA**

OSEC originally operated as an independent office under VUSTA. However, after 5 years of very limited activities, OSEC was to be re-launched as the formal link between GoVN and VN CSOs working on public advocacy. Unfortunately, a few months after the relaunch, OSEC had gone inactive due to VUSTA’s change in leadership, and hence had withdrawn from NPA’s Program.

### **1.3 The Final Evaluation and Indented use of this Report**

**The Final Evaluation:** During the period of 2012-2015, in cooperation with NORAD, NPA has implemented a Development Program with engagement in two sectors. First, realizing the important role of Natural Resource Management in a large rural economy like Vietnam, the Program aims at addressing the conflicts of resource allocation and resource distribution. Second, the program focuses on promoting the formal and informal space of CSOs in their existing platforms to improve responsiveness and reduce inequalities.

In this context, the final evaluation is conducted to assess:

- Results in comparison with the expected results of the NPA-Vietnam Multi-Year Plan
- Relevance of the Program to the current context in Vietnam
- Relevance of the Partners to the current context in Vietnam
- NPA value added to the partners in addition to financial support in comparison to allocated resources.

In this report, the following main questions will be answered:

- To what extent has the Program achieved the planned results?
- Have the Partners integrated the support from NPA to develop their organization and activities?
- Are the sectors covered by partners and their activities responding to the current social and economic challenges in Vietnam?
- What is the role of NPA Vietnam towards the partners? (in addition to financial and administrative relations)

**The intended use of this Report:** The findings of this report will be primarily used by (a) NPA for future program design and support customization; (b) NPA partners including SPERI, CODE, CDI, PanNature and iSEE. The other intended users of this evaluation and stakeholders include government partners, relevant NGOs and interested institutions/individuals.

## II. METHODOLOGY and LIMITATION

The final evaluation was implemented from December 2015 to February 2016 in Hanoi and two provinces of Lao Cai and Thai Nguyen.

**Methodology:** Two main methods have been employed during the final evaluation including desk study and qualitative research.

Before field trips to Thai Nguyen and Lao Cai, the evaluation team has studied a wide range of documents to grasp the overall background of Vietnamese context and Program strategies and the results delivered by the partner VNGOs, including:

- NPA's Country Strategy Program Vietnam 2012-2015 and Vietnam Multi Annual Plan & Budget 2012-2015: These documents provide information not only about contextual background of Vietnam but also the overall framework of the Program. Moreover, the documents cover fundamental information of the Program such as (i) what sectors the Program engaged in; (ii) why these sectors were selected; (iii) how and (iv) to whom the Program will support, (v) the performance indicators to measure the expected outcomes of the Program against which the actual results are discussed in the section 3.1 infra.
- CDI Narrative Report 2014-2015, CODE Narrative Report 2012-2013, PanNature Narrative Report 2014, PanNature Final Report 2012-2015: These documents describe different approaches applied by CDI, CODE and PanNature to not only promote transparency but also reduce the negative impacts of Vietnamese extractive industry. Particularly, CDI approached the problem at local level (by conducting surveys in hot spots of mining conflicts) and at national level (by conducting advocacy activities). The approaches of CODE and PanNature primarily focus on advocacy at national level. Apart from different approaches, the reports also describe main results corresponding with each major activity, the challenges, risks and lessons learnt for future project design and follow-up actions. Last but not least, the roles, activities and cooperation among members of VMC are also specified in these documents.
- SPERI Narrative Report 2012-2014 and SPERI Final Report 2012-2015: These materials demonstrate objectives, expected results, main achieved results, main activities, major deviations and reasons, unexpected consequences, challenges, risks and mitigation measures, sustainability of the program titled "Civil Society Network Action Towards Community Ownership of Forest, Land & REDD+: A Pilot Customary Law Based Programmatic Approach to Forest Land Allocation", budget and expenditure, and case stories.
- iSEE Narrative Report 2012-2014 and iSEE Final Report 2012-2015: These documents describe the organization's operational context and its achieved results based on three domain frameworks.

Based on the provided documents as described above, the achieved results of each NPA partner have been compared with the expected results of the NPA-Vietnam Multi-Year Plan. Apart from the expected results, the documents also partly cover the evaluation questions of "Are the sectors covered by partners and their activities responding to the current social and economic challenges in Vietnam?"

The research team has collected qualitative data by conducting 41 IDIs and 05 FGDs. The IDIs were mainly used for project team members of every partner and for stakeholders in order to grasp their personal perspective on the Program, their personal experience on the Program activities and their feedbacks towards NPA support. The FGDs have been used to collect information from beneficiaries since the method allows the research team to assess the overall

opinion of a whole group. The information collected in qualitative method permits the research team to reaffirm all four evaluation questions which need to be answered in the report.

**Limitations:** Due to the constraints of time and resources, quantitative research has not been conducted. The inability to conduct quantitative research might cause the lack of statistical data to demonstrate overall trend such as to what extent the partners' projects/programs create an impact on beneficiaries. This limitation, however, has been mitigated through a large number of IDIs and FGDs which involved almost all stakeholders and beneficiaries.

### III. FINDINGS

#### 3.1 Results in comparison with the expected results of the NPA-Vietnam Multi-Year Plan

In the Country Strategy Vietnam 2012-2015, NPA identified the organization's engagement in NRM for critical reasons: (i) the sector remains the most relevant in a country with such large rural economies, (ii) NRM also addresses policies in redistribution of resources in connection with foreign investments, and (iii) CSOs have already been able to establish themselves as critical and constructive actors in processes natural resources redistribution. Another sector of engagement for NPA is the enhancement of the formal and informal space for CSOs to operate and to engage with Vietnamese institutions as well as with the private sector. This section discussed the extent to which the planned outcomes which are measured by outcome indicators provided in the NPA-Vietnam Multi-Year Plan (2012 – 2015) have been achieved.

Table 1 below presented the details on actual achieved results/outcomes in comparison with the planned ones. It is noted that not all outcome indicators included in the second column of the table is provided in the NPA-Vietnam Multi-Year Plan (2012 – 2015). The planned result/outcome of "Advocacy activities at both grassroots and central level disseminate EITI information and subsequently promote Vietnam to join EITI" and the accompanied key performance indicators are selected from the Narrative Reports provided by PanNature, CDI.

According to Table 1, the program has achieved the first expected outcome to a significant level and to a moderate level with the second and third expected outcomes. It should be noted that the third outcome described in Table 1 originated from the program documents/reports of "Promoting the Transparency for Better Governance & Reducing Negative Social and Environmental Impacts of Mining Industry" submitted by PanNature and CDI meaning the outcome is not included in the NPA Vietnam Multiyear Plan (2012-2015).

**Table 1: The Program's expected and actual results**

Expected results/outcomes	Outcome indicators	Actual results/outcomes
<p>(1) The consultations between national authorities, local authorities, CSOs, and communities result in progressive changes and secure small farmers' access and management of natural resources in forest areas</p>	<p>Maps generated by the indigenous communities are accepted as evidence for forestry land allocation and as ground for the revision of the Land Law in 2013.</p>	<p><i>During 2012-2015, SPERI conducted remapping/redefining of forestland border and promote the LUCR granting process to local farmers/households in Lao Cai and Nghe An province</i></p> <p><b>2012</b></p> <ul style="list-style-type: none"> <li>- 765.9 ha of traditional domains i.e. spiritual forest, watershed forest, resource pool forest (herbal medicines) and productive forest of Black Thai and H'mong in two pilot communities are officially recognized, (re)clarified, (re)mapped and (re)allocated from Communal People's Committees and Management Board of Special and Protection Forest (MBSPF).</li> <li>- 02 communities and 55 households got titles over 765.9 ha of their traditional forestland.</li> </ul> <p><b>2013</b></p> <ul style="list-style-type: none"> <li>- 962.09 ha of the traditional domains i.e. spiritual forest, watershed forest, resource pool forest (herbal medicines) and productive forest of Black Thai and Hmong in 8 villages were officially recognized, (re)clarified, (re)mapped and (re)allocated from Communal People's Committees, MBSPFs and other business entities.</li> <li>- 08 community villages and 176 households got titles over 962.09 ha of their traditional forestland.</li> </ul> <p><b>2014</b></p> <ul style="list-style-type: none"> <li>- 335.14 ha of the traditional domains i.e. spiritual forest, watershed forest, resource pool forest (herbal medicines) and productive forest of Hmong, Nung, Dzao in 10 villages were officially recognized, (re)clarified, (re)mapped and (re)allocated from Communal People's Committees, MBSPFs and other business entities.</li> <li>- 10 community villages and 130 households got titles over 335.14 ha of forestland.</li> <li>- 10 community based plans for 740.8 ha of different types of forestland are officially recognized and integrated into DONRE and Land Management Unit.</li> </ul>

Expected results/outcomes	Outcome indicators	Actual results/outcomes
		<p><i>The forestland allocation of SPERI was highly evaluated as the best optimal method so far by staffs of Forestry Branch. This method, better still, has been documented so that other communes, districts could employ to conduct remapping and subsequently, resolve conflicts.</i></p> <p><b>2012</b></p> <ul style="list-style-type: none"> <li>- 02 guidelines on community based forestland (re)allocation, (re)mapping and land use planning are made.</li> <li>- 20 authorities / technicians of Que Phong and Simacai DSCLA and Lung Sui and Hanh Dich CCFA are better able to apply the community based forestland mapping.</li> <li>- Methods of community-based mapping were shared among 60 relevant authorities in 13 communes in Simacai, neighboring districts i.e. Bat Xat and Bac Ha (Lao Cai), 14 communes in Que Phong (Nghe An).</li> <li>- DONRE and DOF in Tuyen Hoa district (Quang Binh) are applying the method in two villages in Lam Hoa commune.</li> <li>- 100 % of forestland issues (60) i.e. overlapping; disputes (households vs. communities, households/communities vs. MBSPFs) have been solved.</li> </ul> <p><b>2013</b></p> <ul style="list-style-type: none"> <li>- 11 community based plans for different types of forestland in 11 villages are officially recognized and integrated into DONRE and Land Management Units.</li> <li>- The customary law based institutions of Black Thai and Hmong in 11 community villages were officially recognized and integrated into formal governing system at the communal level.</li> <li>- 148 cases (100 %) i.e. overlapping, disputes (households vs. communities, households/ communities vs. MBSPFs) were solved.</li> </ul> <p><b>2014</b></p> <ul style="list-style-type: none"> <li>- Customary law based institutions of 10 villages in forestland governance were recognized and integrated into the formal system.</li> </ul>

Expected results/outcomes	Outcome indicators	Actual results/outcomes
		<ul style="list-style-type: none"> <li>- Above maps are used by Management Boards of 10 villages and communal officials to manage the allocated forestland areas.</li> <li>- 67 cases i.e. overlapping, disputes (households vs. communities, households/communities vs. MBSPFs) were solved.</li> </ul> <p><i>In 2012, SPERI conducted 05 case studies in different locations. Each year during 2012-2015, SPERI prepared at least 01 policy brief listing issues and recommendations in terms of community forest and land rights of ethnic minorities.</i></p> <p><b>2012</b></p> <ul style="list-style-type: none"> <li>- 05 policy papers/case study writing related to community forest and forestland rights of local communities produced, presented in different policy workshops and distributed to relevant stakeholders. (02 policy papers were conducted in the 02 pilot communities (Ta Lung Sui and Pom Om); 02 policy papers are conducted in Huu Lung district, Lang Son province, and Tuyen Hoa district, Quang Binh province, and 01 policy analysis done).</li> <li>- 01 policy brief for different issues and policy recommendation regarding community forest and land rights of ethnic minorities in upland areas of Vietnam was produced and shared/distributed to different relevant legislative bodies for references.</li> <li>- 02 evaluation workshops<sup>1</sup> with the involvement of 128 participants representing local villagers, communal/district/provincial authorities, MECO-ECOTRA, youths, researchers, experts, NGOs, donors and media, etc.</li> </ul> <p><b>2013</b></p> <ul style="list-style-type: none"> <li>- 01 report on ethnobotany study of endangered timber species.</li> </ul>

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<sup>1</sup> Inter-commune and district on community based forestland allocation organized in Simacai (Lao Cai) on 4<sup>th</sup> October 2012; Inter-provincial workshop on Community Forest: Policy and Practice organized in Nghe An on 9<sup>th</sup> October 2012

Expected results/outcomes	Outcome indicators	Actual results/outcomes
		<ul style="list-style-type: none"> <li>- 03 policy briefs / analysis with recommendations to the amended Law on Land 2013 were made.</li> <li>- 02 workshops (01 workshop with 40 participants including experts, researchers, policy makers and activists hosted by the Regional Academy of Politics - Public Administration I; 01 workshop proceeding including policy brief / policy analysis with detailed recommendations for improvement in the amended law on land 2013).</li> </ul> <p><b>2014</b></p> <ul style="list-style-type: none"> <li>- 01 policy analysis / brief regarding community based forestland allocation referred by MARD (see in details at part 36).</li> </ul>
	<p>The new Land Law (2013) will recognise land as having a broader value than a commercial commodity</p>	<p><i>In fact, SPERI mostly participated in the drafting of new Land Law through attending policy dialogues, policy briefs and lobbying (with the aforementioned outcomes)</i></p> <p><b>2012</b></p> <ul style="list-style-type: none"> <li>- The customary laws of Black Thai and H'mong in two pilot communities were officially recognized and integrated into the formal governing system at communal level via 02 community based regulations in forestland use and management.</li> <li>- SPERI did not directly participate in the consultation process of the Law on Land.</li> </ul> <p><b>2013</b></p> <ul style="list-style-type: none"> <li>- 03 policy briefs / recommendations regarding forest and land rights of ethnic minorities facilitated by SPERI for revision of 8 key articles in the draft law on land.</li> <li>- The above recommendation was included in the report of Standing Committee and Committee for Ethnic Minority of National Assembly (NA).</li> <li>- Above recommendations were taken into debate in the 5th Session of 13th NA from late May to middle June and November 2013 regarding the draft Law on Land.</li> </ul>



Expected results/outcomes	Outcome indicators	Actual results/outcomes
		<p><b>2014</b></p> <ul style="list-style-type: none"> <li>- 01 workshop was co-organized by SPERI/LISO (Livelihood Sovereignty) and Vietnam Administration of Forestry / MARD with 57 key participants from central to local level.</li> <li>- The seminar was closed with key recommendations to MARD for consideration of changes of the policy in forestland allocation.</li> <li>- The above recommendations were distributed to different functional bodies of Lao Cai / 9 districts such as DOF, MBSPFs, DONRE, etc.</li> </ul>
<p>(2) CSOs and networks are able to monitor and influence the implementation of public policies</p>	<p>An office for coordination of social monitoring activities (OSEC) is established within VUSTA, linking VN CS groups with public sector.</p>	<p>OSEC was departed from the program and hence some planned activities such as Capacity Building (organizing seminars for 08 OSEC staffs), Draft Revision of Decree 22/2002 (with presentation workshops and lobbying), Mapping and questionnaire on VN CSO have not been implemented.</p> <p>It should be noted that OSEC's withdrawal has not been updated in the NPA Vietnam Multi-Year Plan (2012-2015).</p>
	<p>3 networks of youth leaders and youth groups the networks have joint/coordinated actions and campaign on matters such as anti-discrimination, environment protection, anti-corruption or social</p>	<p>Towards a vision of a just and equal society, iSEE has conducted various activities covering a wide range of topics such as anti-discrimination, environment protection, anti-corruption and social justice.</p> <p><i>Training courses youth leaders on (i) management and leaderships; (ii) development, democratic values and human rights; (iii) public speaking and social movement/networking.</i></p> <p><b>2012</b></p> <ul style="list-style-type: none"> <li>- 30 talented media individuals from North to South was recruited and followed a 4-day training course about core values of diversity, equality and freedom.</li> </ul> <p><b>2013</b></p>

Expected results/outcomes	Outcome indicators	Actual results/outcomes
	justice.	<p data-bbox="712 300 2132 373">- Training and meeting for EM leaders' network were organised frequently on planning, coordination, values and rights.</p> <p data-bbox="712 400 775 427"><b>2014</b></p> <p data-bbox="712 448 2132 521">- 02 training courses based on "Toi Chon – I Choose" challenged 43 participants from civil organizations on human rights concept and approaches they had believed in and applied in their work.</p> <hr/> <p data-bbox="712 555 1648 582"><i>Initiatives/campaigns on social issues as identified by the networks themselves.</i></p> <p data-bbox="712 614 775 641"><b>2012</b></p> <p data-bbox="712 662 1868 689">- Initiatives were raised by EM leaders at local community (literacy class, trafficking research...)</p> <p data-bbox="712 721 775 748"><b>2013</b></p> <p data-bbox="712 769 2132 842">- Some events like "Chung toi thay doi the gioi – we change the world" or "Toi Tu Do – I am free" or "Toi dong y – I DO" were organized to promote kindness, human rights values and freedom.</p> <p data-bbox="712 874 775 901"><b>2014</b></p> <p data-bbox="712 922 1935 949">- Three groups of volunteers have been established with focuses on Ethnic minority, LGBT and CSOs.</p> <hr/> <p data-bbox="712 983 2083 1056"><i>Joint dialogues between youth leaders and government agencies and/or social leaders, influential persons on issues proposed by youth leaders.</i></p> <p data-bbox="712 1088 775 1115"><b>2012</b></p> <p data-bbox="712 1136 1989 1163">- 35 representatives from 12 ethnic minority groups came to policy dialogue on EM culture preservation.</p> <p data-bbox="712 1195 775 1222"><b>2013</b></p> <p data-bbox="712 1243 2132 1316">- EM local leaders supported by iSEE have been consulted by different stakeholders, such as Committee for Ethnic Minority Affairs (CEMA), United Nations Development Program (UNDP) and Institute for Legal Studies of National</p>

Expected results/outcomes	Outcome indicators	Actual results/outcomes
		Assembly (ILS) on policies and laws concerning EM.
(3) Building public knowledge on mining issues, promoting transparency through EITI implementation and reducing negative impacts from mining activities	Vietnam Government makes announcement on EITI implementation by 2015	<p>Although up to now, Vietnam has not officially taken part in EITI, the country has taken steps towards the initiative. The achievements below pace a way to achieve the set target:</p> <ul style="list-style-type: none"> <li>- In 2013, VMC was formally established as a multi-stakeholder flat form for working on EI governance. The Coalition consists of 08 members including MONRE, VCCI, VFEJ, PanNature, CDI, Geology Association, Hoa Binh Farmer Association and Ha Giang Union of Science and Technology Associations. Through this mechanism, Vietnamese CSOs have effectively raised issues in the extractive industry and EITI.</li> <li>- VMC is also building relationship with other Government agencies such as NA and Tax Policy Department to promote EITI.</li> <li>- At the Vietnam Business Forum which was held in 2nd December 2014, the Prime Minister set transparency in EI sector as one of key actions for 2015 – 2016.</li> </ul>
	Raising awareness of EITI and studying EITI	<p><b>Joint results by three organizations (CODE, CDI, PanNature):</b></p> <ul style="list-style-type: none"> <li>- EITI has been introduced to many Vietnamese key actors including NA, MONRE, MOF, VCCI, provincial authorities, enterprises, and media. Currently, EITI is known more by both Government agencies and NGOs.</li> <li>- EITI has been supported by Government agencies including NA, MONRE and VCCI. Transparency mechanisms have also been integrated into recent policies. That is considered as important legal basis if Vietnam decides to join EITI.</li> <li>- Mining issues are widely discussed by media and press. In some case, action has been taken such as MOIT requiring Vinacomin to improve management of mining waste dumps.</li> <li>- In collaboration with Government agencies, VMC contributed independent evaluation and recommendations for policy making process. Cooperation between CSOs and Government agencies is still improving. Potentially, Vietnam CSOs will have more opportunities to contribute to policy making process.</li> </ul> <p><b>In particular:</b></p>

Expected results/outcomes	Outcome indicators	Actual results/outcomes
		<p><b>CDI 2014</b></p> <ul style="list-style-type: none"> <li>- 03 training workshops to provide EITI knowledge to officers at both central and local level.</li> <li>- 01 study visit in Philippines with participation of 5 representatives.</li> <li>- 01 workshop on implementing the social and cooperate responsibilities in mining industry was organized in Thai Nguyen on 24th December 2014.</li> <li>- 01 drawing contest with the theme "Changes in Trai Cau hometown as results of mining activities".</li> <li>- Cooperation with VEFJ to visit and write news articles about project areas.</li> </ul> <p><b>CODE 2014</b></p> <ul style="list-style-type: none"> <li>- Introduction of theory frame, the methodologies and carried out the research: August and September, 2012.</li> <li>- 01 Field survey in Quang Ninh and Binh Dinh and 04 field study trips in Binh Dinh.</li> </ul> <p><b>CODE 2015</b></p> <ul style="list-style-type: none"> <li>- 78 articles written (workshops on extractive industry governance: 60; dialogue with Madam Clare Short - Chair of the EITI international board: 12; 6 articles by VMC members) and 3 documentary films shown on the VTV1 (for EITI conference and Vietnam' Resource Governance Index, workshops on extractive industry governance, and dialogue with Madam Clare Short).</li> </ul> <p><b>PanNature 2014</b></p> <ul style="list-style-type: none"> <li>- Field study in Phu Yen and Lao Cai.</li> <li>- Seminar on extractive revenue for Journalists on 29th September 2014.</li> <li>- Workshop on "ASEAN regional framework for extractive industries governance" at the Asean People Forum which was held from 21 – 23 March in Yangon, Myanmar.</li> <li>- Workshop on "The Framework for Extractive Industries Governance in ASEAN" in 5th December 2014 (in</li> </ul>

Expected results/outcomes	Outcome indicators	Actual results/outcomes
		<p>collaboration with IESR, Indonesia).</p>
	<p>Consultation with authorities at local and national level</p>	<p><b>CDI 2014</b></p> <ul style="list-style-type: none"> <li>- 03 group meetings were conducted in April, June and November to discuss the establishment of the group, emerging issues of mining in Thai Nguyen province, work-plan of the project in 2014 and 2015, and preparation for provincial workshop in late December.</li> <li>- 01 survey was carried out to collect and document the opinions and needs of relevant stakeholders such as local authorities (from provincial to communal level), mass organizations, local people and mining companies.</li> </ul> <p><b>CODE 2015</b></p> <ul style="list-style-type: none"> <li>- 2 study tours to Australia and Philippines.</li> <li>- 2 national workshop and dialogues on EITI and 3 provincial workshops for pilot models.</li> </ul> <p><b>PanNature 2014</b></p> <ul style="list-style-type: none"> <li>- National workshop on “Improving efficiency in extractive revenue collection: which solution for Vietnam?” on 10th November.</li> </ul>
	<p>Mobilization with mining enterprises</p>	<p><b>CDI 2014</b></p> <ul style="list-style-type: none"> <li>- 01 dialogue between local people and representatives of Trai Cau Iron Mine (TISCO).</li> </ul>

Although the overall picture of actual outcomes in the NPA Development Program 2012-2015 has been captured in the Table 1, the changes (impacts and outcomes) that NPA partners have contributed to or created over the past few years are more considerable than those tabled. In particular:

### **SPERI**

The program that SPERI implemented included three (short-term, midterm and long-term) objectives. The short-term and midterm ones are proven to be highly achieved. Table 1 shows that the total area of forest and land with claimed right titles during 2012-2015 reached an amount of 2,237 hectares, and 21 communities & 361 households have been issued land rights titles. These figure indicated that the short-term objective of re-mapping forest and land to clarify the previous overlapping between stakeholders<sup>2</sup> has been exceeded compared to the organization's planned targets.

In pursuit of the midterm objective - Redistributing forest and land which are being managed by public centralized (state owned) and private powers (companies) to local indigenous communities via bottom-up participation and interface among different stakeholders<sup>3</sup> - SPERI allocated a large amount of resources to the study of human ecology to gain a profound insight into the perception of each ethnic group towards upland areas, spiritual forests and watershed forests. To that end, SPERI has made use of human resources in local areas including local elder herbalists who possess profound knowledge of forestland, forestry ecosystem and local women who know how to take advantage of local plants for weaving, dyeing, harvesting and collecting medicinal plants. The Government forest classification system in terms of ecosystem in local forestland (special use forest, protection forest and plantation forestry) is quite different from that of the local community. The process of redistributing forest and land that SPERI employs follows a bottom-up approach which aims at enhancing the engagement of both local community and authorities and other stakeholders. All of those actors have fully participated in this process to clarify the definition of forestland which later on will act as a foundation for conducting forest reallocation. This method, in reality, has been proven to be effective as it creates a consensus between people and other stakeholders and ensure conflicts are solved based on historical and cultural knowledge and practices. The opinions collected by means of interviews demonstrate the effectiveness of the bottom-up participation method in forest land re-allocation.

*“One of the greatest lessons that we have learnt is that participatory method and the integration of customary laws into the official legal framework play a critical role in forestland reallocation process. In reality, the policies are issued at central level while the practical application is conducted in local areas. Therefore, unique characteristics of each local area should be taken into consideration. Specifically, there is a mixed combination of traditional mechanism and official mechanism where ethnic minority groups live. Keeping this in mind, SPERI usually spends one third of the total project implementation period on studying how to make use of human resource in local areas. After that, the organization will cooperate with local authorities to conduct forestland reallocation.”*

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<sup>2</sup> i.e. State Forest Enterprises (SFEs), Management Boards for Protection Forests (MBPFs), private companies, communal people's committee, communities and households via traditional knowledge, local notion of boundaries and landscape, customary law and customary based institutions under Directive 1019/TTg-ĐMDN 2011 (point. No. 1)

<sup>3</sup> i.e. local community representatives (elders, key farmers, prestigious persons and youths), local authorities, NGOs /civil society, media, researchers and policy under Joint Circular 07/2011/TTLT-BNNPTNT-BTNMT (articles No. 1,2,7 & 8).

Acknowledging this method, the local leaders stated:

*“In terms of supporting local authorities in forestland reallocation, the participation of local people is the unique and compelling point of SPERI method. Local people could participate in measuring, mapping areas, evaluating the quality and quantity of forestry resources so that they could understand their forestland to identify the location for reforestation and afforestation and determine the value of their forestland. When issuing land use right certificates, the Government has officially affirmed the forestland value and hence, the banks also acknowledge this value. Previously in Lung Sui commune, there was nearly 50 hectares of forestland encroaching with the area of the Management Board. This problem has been solved by the cooperation between local people and the Forestry Management Board. Moreover, the area of spiritual forest reallocated to local community has been managed very well.”*

(IDI, a leader of Simacai district People Committee)

*“We could say that SPERI’s method in forestland reallocation and conflict resolution is the optimal method up to now. To the best of my knowledge, there is no better method. SPERI’s method successfully employs one principle: the government could not impose their decisions on others. The resolution should also be based on historical, cultural, customary factors with the participation of local people. Recently, the Handbook of Forestland Reallocation Process whose writing process is supported by SPERI, has added an important point of integrating customary law into forestland reallocation process. The Handbook also suggests to apply this procedure in different districts of Lao Cai province.”*

(IDI, a leader of the Lao Cai Forestry Protection Department)

In accordance with the program’s approach, SPERI has cooperated with Civil Society Network to implement joint advocacy actions towards Community Ownership of Forest, Land & REDD+. Through its continuous efforts in lobby and advocacy with many other NGOs/CSOs/Alliances, SPERI has contributed to a significant change with specific regards to legislation in reviewing and monitoring the effectiveness of SFEs and hence urging for reallocation of their use and management of forestland nationwide. This is an area related to the long-term objective of SPERI’s program. By mid-December 2014, the issue of Decree 118/2014/ND-CP and its effect reviewed and confirmed that only 279 SFEs remain in management of 2,085,186 hectares of forestland (2014). This number is significantly decreasing, which in turn is a positive change for civil society groups. Previously in 2005, 362 SFEs still controlled 40 per cent of forestry land (MARD) while up to 2014, SFEs only managed 2,99 million hectares of forestland, equivalent to 31.6 per cent of the entire forestland area (SPERI report 2012-2015). In addition, the program has also contributed to another significant change in terms of the pilot example from Lung Sui village as a pioneer for Payment for Environmental Services (PES) scheme implementation. In year 2013-2014, SPERI, in collaboration with local partners, facilitated the allocation and obtainment of community forestland rights titles for Lung Sui commune. The resultant outcome of this effort was that the community and individual households have benefited from the PES scheme in Lao Cai province under the Lao Cai Fund for Protection and Development of Forests (FPDF). Later on, other provinces such as Dien Bien, Son La, Quang Nam and Yen Bai have also followed this example.

*“Although there is no official agreement with Central Economic Committee, SPERI always asked the staffs of the Committee to attend their field trips or continuously provided the Committee information and reports. In fact, the Committee always considers SPERI as a creditworthy channel providing accurate information for consultation. The Committee’s participation could create sustainable impact since the Committee is responsible for providing advisory services to Politburo in deciding national issues. Since October 2013, we always refer to SPERI’s approach and evidence collected during field trips with SPERI. I myself am interested in the forestland reallocation model in all over the country since I could find important evidence for personal*

*consultation process. Furthermore, I wrote a lot of articles in Agriculture Newspaper and Finance Journal to discuss innovative ideas relating to forestland reallocation. This is also an effective method of advocacy to in-charge persons and policy-makers.”*

(IDI, representatives of Central Economic Committee)

The below quotation can summarize SPERI’s impact on policy makers.

*“When drafting Law on Land (revised in 2013), SPERI has submitted a recommendation report about the definition and the management method of community forestland. We rechecked and realized that SPERI recommendation was appropriate. Therefore, we proposed adjustments to the units in charge. SPERI contributed not only directly recommendations to Law on Land but also indirectly through evidence-based process of forestland reallocation. In Vietnam, the policies in forestland reallocation are just but the implementation process in reality is too slow and ineffective due to the shortage of resources for mass application. Therefore, the policies only succeeded in conducting pilot models. To solve this issue, SPERI implemented a full process in many local areas, which proves to policy-makers that only when human capital and physical capital is sufficient would the policies on forestland reallocation succeed.*

(IDI, a representative of Department of Ethnic Affairs, Office of National Assembly)

*“It is SPERI and CODE that provide a foundation for policy-makers to understand how to make policies efficient and effective. By participating in field trips with SPERI in Simacai district we became aware of the shortcomings in Law on Land 2013. Although the Law stated that organizations, individuals have equal rights to special use forests, another article described that the government delivered special use forest to agencies, organizations without mentioning individuals. The National Assembly, in order to perform their legislative function properly, should make use of specialists from NGOs. I believe organizations such as SPERI and other NGOs is an informative channel providing objective, evidence-based, model-based information to the National Assembly.”*

(IDI, a representative of Department of Ethnic Affairs, Office of National Assembly)

These ideas depict the acknowledgement of an agency of the Central Communist Party towards the contribution of SPERI in particular and NGOs in general in solving and promoting forestland rights.

## **iSEE**

With NPA’s core-funding support accounting for around 7% of iSEE total annual budget, the program titled “Rights and voice of the ethnic minorities and the sexual minorities in Vietnam” has made significant contributions to social changes during the period of 2012 - 2015 in all three areas of operation: EM rights, LGBT rights, and civil society. In particular:

With regards to the first program objective of “Promote Ethnic Minorities to enjoy equal development and exercise their rights thanks to a more enabling environment and empowerment”, it should be noted that iSEE has promoted EM rights through addressing stigma and discrimination rather than developing livelihoods, infrastructure, and access to education and health-care services - areas that have been targeted by many other organizations. With its unique approach, in the phase of 2012-2015, iSEE has endeavoured to introduce to policy makers, universities and other development partners the values of cultural diversity and an anthropological approach towards addressing EM issues. In the annual policy dialogue on EM (May, 2014), CEMA, for the first time, required a more cultural sensitive approach, particularly adopting the anthropological approach in policy making. By conducting various studies on EM, cultural diversity and stigma and discrimination including “Minorities to keep up with Majority – Prejudices in Ethnic Relations in Vietnam” and “Cultural diversity approach – lessons from local stories”, iSEE has focused on bringing the voices of EM to legislators and policy makers, the public and development communities. The activities that iSEE implemented with EM local leaders also



focused on promoting the value and pride of EM community to encourage their active engagement in the development process.

EM local leaders working with iSEE have become more and more confident, capable and proactive in addressing their community's issues in provincial and national forum. They have been consulted by different stakeholders, such as CEMA, UNDP and ILS of NA on policies and laws concerning EM. They have been able to conduct co-researches introduced by iSEE: 28 EM local researchers were trained on participatory research methods, after which they were able to identify research topics on community issues that are important for H'Mong communities in Lao Cai and Ede communities in Dak Lak, and conducted interview or collected evidences independently. In January 2015, with support from iSEE and other CSOs, the event "I Believe I Can" was organized in Hanoi, which received an overwhelmingly positive response that helped boost the confidence and pride among EM groups. Young EM leaders also emerged and implemented their own initiatives such as launching the websites <http://dantochieuso.com/> and <https://www.facebook.com/dtts.thuctevadinhkien>. AHD (Action for H'Mong development) group was setup by 12 H'Mong students who currently study in Hanoi. The group has supported iSEE in the PhotoVoice project with H'Mong children in Meo Vac, Ha Giang and made their own communication product on H'Mong culture. One event called "Tet Mong xuong pho – H'Mong New Year celebration in the city" was also organised in Hanoi by AHD to introduce H'Mong culture to other students. This is an outstanding example demonstrating iSEE's achievements in promoting the value of EM which acts as a foundation to break through the barriers of stigma and discrimination.

Regarding the second program objective of "Protect human rights of LGBT people by reducing enacted stigma, discriminatory acts and violation of rights of LGBT in all forms", iSEE focused on addressing the problems relating to LGBT rights, inequality and discrimination and raising the voice of LGBT community. 2012 – 2015 is a successful period for LGBT movements in Vietnam, where concrete results in laws and public attitudes have been generated, in particular the government removing the fine on civil weddings of same sex couples, and the National Assembly lifting the ban on same sex marriage in the Law on Marriage and Family. In addition, the revised Civil Code recognizes the rights to change one's sex and to change gender marker accordingly on legal identification. Social discussions on LGBT have dramatically changed, from stigma of social issues to rights and equality of LGBT people. It is safe to say that the movement on LGBT rights can now be self-sustained. iSEE was recognized as a country contact of Vietnamese LGBT community in term of advocacy in both regional and international level such as the UPR process and ASC (ASEAN SOGIE Caucus). On 20 June 2014 in Geneva, Switzerland, in the 26th meeting of the United Nations Human Rights Council, the Universal Periodic Review (UPR) Report of Viet Nam was formally adopted.

With regards to the third program objective of "Contribute to developing the role of civil society, the media and people's elected representatives to conduct oversight of policy implementing agencies and hold them accountable for their actions and institutionalized corrupt", iSEE was recognized as a VNGO that actively advocated for Laws on Association and Laws on Access to Information. iSEE also fulfilled its role as co-chair or coordinator of the Ethnic Minority Working Group (EMWG), People's Participation Working Group (PPWG), Agriculture Coalition and continued being the representative of VNGOs at VPDF. iSEE is always invited when a CSOs forum is organized. The organization together with many other NGOs actively promoted human rights values as the core of many activities such as education for CSOs, youths, journalists and student leaders, media prize, UPR and "Live kindness" campaigns. The wide network and strong

relationships with key journalists played a crucial role in communication for iSEE's programs which have been expanded to areas of human rights, kindness/human values, agriculture, education and child rights, apart from traditional fields of LGBT, EM and civil society.

In short, iSEE is cementing its position as a pioneer CSO in promoting the rights of vulnerable groups through initiating influential social movements and advocacy activities. To the extent of these activities, iSEE has promoted the active engagement of insiders (including EM, LGBT community, and the marginalized group), youngsters, mass media as well as like-minded CSOs in order to make a substantial impact on the public and policy-makers.

### **CODE/PanNature/CDI**

The three partners have joined in the program titled "Promoting the Transparency for Better Governance & Reducing Negative Social and Environmental Impacts of Mining Industry in Vietnam" which has three objectives of "Promoting transparency and accountability by implementation of EITI for mining sector", "Reducing environmental and social impacts from mining activities" and "Building capacity and improving public knowledge on extractive sector".

As demonstrated in Table 1, the performance indicators showed that the most important outcome of Vietnam joining EITI has not been accomplished. However, many positive changes towards the end goal have been produced by CODE, PanNature and CDI.

The program has made positive contributions to changing public perception on EITI and transparency. Today, EITI is widely known thanks to the relatively rich resources available in Vietnamese language compared to the limited materials in the past. Recently, many high ranking leaders have reflected a positive perception of EITI at public forums. Furthermore, the program also contributed to improving capacity and promoting cooperation between CSOs and other stakeholders through the mechanism of VMC as a multi-stakeholder platform consisting of 8 members including MONRE, VCCI, VFEJ, PanNature, CDI, Geology Association, Hoa Binh Farmer Association and Ha Giang Union of Science and Technology Associations. The Coalition is also building relationship with other Government agencies such as NA and Tax Policy Department to promote EITI. In order to raise the awareness of the public and stakeholders, PanNature and CDI have allocated a large amount of their resources to organizing capacity building activities for the group of interested reporters, taking into account the tremendous influence that mass media has on the public and policy-makers. As EITI was previously not popular in Vietnam, PanNature and CDI decided to take advantage of mass media to disseminate knowledge of the initiative to the public. The first step is to enhance the awareness of EITI among reporters and then, the mass media will take care of the rest: posting articles, releasing bulletins to educate the public about EITI.

An experienced reporter participating in many capacity building activities organized by PanNature stated that *"In VOV, we are aware that the issues of natural resource management is a fertile land for reporters to exploit. Although we all understand that EITI promotes transparency initiatives in extractive industry, we had no idea about how EITI will bring about economic gain, cultural benefit, sustainable development once it is implemented. In fact, to educate the public and to actively advocate policy-makers to join EITI, we have to gain a profound insight into EITI. Given this challenge, PanNature has opened the bottleneck through organizing training sessions, field trips to raise the awareness of reporters. We, the reporters, could only write articles based on solid evidence to assure objectiveness"* (IDI, a VOV reporter).

As presented in Table 1, many researches have been carried out in Development Program supported by NPA. These researches were co-conducted with well-known researchers and influential individuals to policy-makers. Simultaneously, PanNature also proactively provided consultation, field data for government agencies in policy-making process. This approach of PanNature is recognized to be effective, as stated below:

*“Vietnam Mining Coalition conducted many researches whose outcomes have been issued and widely disseminated through forums, conferences. The outcomes have contributed significantly to transform the perception of government agencies from central to local level. Five years ago, EITI used to be a foreign concept. Now, more and more people have been aware of this initiative. Especially, effective management of extractive industry has been mentioned in varied forums and conferences that had the participation of in-charge bodies. The important research with the participation of Department for Control of Mineral Activities in Northern area is “Review the legal regulations in extractive industry with EITI”. Without the support from PanNature, the Department would still conduct the review. However, it should be noted that the support from PanNature has improved the review quality significantly as it allowed the Department to conduct practical researches, receive consultation from the Coalition’s members. If we had not participated in the Coalition, we (the Department) would have no idea about CDI, CODE and PanNature and then we would also be unaware of their objective opinions. After conducting researches, the Committee has integrated its outcomes into different legal documents including: Revised Decree of Decree No.15/2012/ND-CP on stipulation in detail the implementation of some articles of the mineral law. The revised Decree was evaluated to be more transparent and open in mining management. The old Decree 15/2012/ND-CP has no regulation on protecting the benefits of local people while this content is specified separately in a chapter in the revised Decree. If we had not attended the coalition, carried out research and received critics, the Department would not have been able to integrate the mentioned feasible regulations in the draft of revised Decree.”*

(IDI, Representative of Department for Control of Mineral Activities in Northern area)

### 3.2 Relevance of the Program to the current context in Vietnam

As indicated in the NPA-Vietnam Multi-Year Plan (2012-2015) since 2012, NPA supported VNGOs to carry out projects/programs related to forestland rights, LGBT rights, EM rights and promotion of EITI. This section discusses the relevance of the Program to the current context in Vietnam in each of those thematic issues.

#### (1) Forestland rights

Until the early 1990s, Vietnam had suffered from serious deforestation. Between 1943 and 1990, the forested area had fallen from 14.3 million ha (equivalent to 43% of the total land area) to only 9.2 million ha (equivalent to 27.8% the total land area), the majority of which were degraded natural forest or plantation. Primary natural forest was estimated at only between 1-2% of the total forested area.

Since the early 1990s, the Vietnamese Government has taken steps to halt deforestation, starting with Directive 90/CP/1992, which “closed the forest door” - prohibited timber exploitation. Consequentially, however, the lives of 12 million indigenous upland people and nearly one million employees of SFEs were threatened, as their livelihoods predominantly depended on logging.

To address these pressing issues, the Government has opted to reallocate forestland from the State to organizations, households and individuals with Decree 02/CP/1994. Communities were not included in the 1994 decree in the list of legal recipients. Another noteworthy point is that, the basis of forestlands allocation was on the available financial means and the ability of households/individuals to manage/utilize their allocated lands, or on a social contract as approved by an authorized Government agency. These requirements had understandably hindered the poor and other marginalized groups from applying for forestland allocation. The consequence was that, in many cases, only well-off households managed to claim their share of forestland, and indeed the majority of forestland fell into the hands of organizations such as SFEs and/or MBSPFs: their share amounted to 73.6% total allocated forestland, while households’ share totaled to only 17.6%<sup>4</sup>.

In the following year, the allotment of land was revised and boundaries of SFEs-and-MBSPFs-managed forestlands were redrawn pursuant to Decree 01/CP/1995. However, this was done solely based on these agencies’ office records instead of on practical measurements. It is also important to note that the boundaries of these lands are ever-changing, due to erosion and other environmental impacts. This together with the lack of actual field work resulted in inaccurate and overlapping boundaries.

In 1999, these inaccurate boundaries were used as basis for granting land use rights, ‘Red Book’, under Decree 163/1999/ND. This hastened process of consolidating the ownership of a right to use land has led to conflicts in claims, and raises questions on whether poor people’s interests were given enough weight compared to more well-off neighbors or state and private enterprises/agencies. Indeed, the process may have created a social class of large wealthy landlords, so-called local elites who assert control over the allocation process.

Further complicating the conflict is the issue of Joint Circular 07/2011/TTLT-BNNPTNT-BTNMT dated January 29th 2011, which promoted the process of transforming the use of land allocated

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<sup>4</sup> <http://vafs.gov.vn/vn/2005/07/mot-so-net-khai-quat-ve-chinh-sach-giao-dat-giao-rung-va-viec-to-chuc-thuc-hien-o-viet-nam/>

or contracted under programs 327/CT/1992 into land-use rights title; and Directive 1019/2011/TTg-DMDN dated June 26, 2011, which called for this process to be completed by the end of 2011. Again, it is important to stress that the boundaries have not been accurately identified based on field surveys, and they often overlapped, or even allowed SFEs/MBSFs or enterprises to claim lands that had customarily belonged to indigenous communities. These agencies have a clear advantage over indigenous people: while it would take a long time for local communities to complete the filing of their claims for a grant of title certificate, SFEs and MBSFs already have theirs filed from previous programs.

The Government has tried to address this issue, for example through MARD's 38 pilot models of land allocation program in 2006, but these were considered to have failed due to the lack of a clear understanding on the methods of land and forest allocation.

Under these circumstances, NPA's intervention through supporting its partner SPERI is vital and timely. First, if ownership titles to use land (called Land Use Rights-LUR) are granted before conflicts are resolved, this will lead to not only even more bitter and irreconcilable conflicts, but also exploit before land is passed on. Indeed, if lands that traditionally belonged to indigenous people were to be reallocated to other owners, complications such as deforestation for quick short-term gains and/or neglecting forest preservation may arise. Furthermore, as poor indigenous people do not have claims to land, they are not the beneficiaries of forestation/carbon credits/carbon trading schemes such as Reducing Emissions from Deforestation and Forest Degradation (REDD+), Payment for Environmental Services (PES). These programs are designed to provide cash payments to forest owners in exchange for their preservation and enhancement of forestry resources. Taking into account the current allocation of forestlands, it is questionable whether these programs are in favorable conditions to tackle inequity and deforestation. Last but of no lesser importance is the conservation of sacred forests. The more advanced industrialization is, the more imperative the needs for conservations of sacred forests become; and this process is threatened by indigenous households losing forestlands to industrialization or agriculture. Policy and law makers are usually Kinh people, and they may have, unintentionally or otherwise, imposed their beliefs and values on indigenous people. In fact, in several cases, ethnic minority people are still aware of each and every sacred tree, but are forced out of their customary homes. In Quang Binh and Quang Tri provinces, Ma Lieng and Ruc Sach communities have expressed wishes to return and rebuild their culture but are prevented by resettlement policies; Tay Nguyen communities are highly aware of their culture falling into oblivion. For H'mong people in Simacai, Lao Cai, the whole community gathers every January (Lunar Calendar) to pay their respect and honor to a piece of land – while this piece of land may not bear much economic value, if it were to be taken away all cultural activities of the local H'mong community will be ruined. Taking this into account, NPA's and its partner's focus on pushing for land to be recognized as having broader value than a commercial commodity is directly relevant.

## **(2) Lesbian Gay Bisexual and Transgender rights**

The LGBT community in Vietnam is estimated to be about 1.6 million people. Their encountered difficulties perhaps mostly arise from discrimination, whether due to rigid norms and traditional customs or miscommunication, which may have resulted in heterosexuals having a skewed view of the LGBT community. With regards to these circumstances, NPA's program through its support to iSEE focuses on empowering CSOs and networks (in this case, LGBT activists and community) to monitor and influence the implementation of public policies, and to strengthen LGBT community

to take ownership and raise their own voices regarding their concerns. The relevance of this program design is explored in more details below.

*Regarding Law and Policies:* In 2002, homosexuality was lumped together among “social issues” such as drugs and prostitution. This distorted view perhaps stems from an argument that the homosexual community is prone to prostitution and, in turn, HIV/AIDS (which is more risky for homosexual sex). This argument is circular, however, for if homosexual couples are allowed to marry they are less likely to participate in prostitution activities, and the risks of HIV/AIDS would also diminish. In order to combat this discrimination, the voices of LGBT people, as insiders who know best about the inequalities they are facing, need to be encouraged. In this sense, NPA’s program “Rights and voice of the ethnic minorities and the sexual minorities in Vietnam” is relevant to address the core issues faced by the LGBT community. Thanks to the collective efforts from the LGBT community and their allies (with iSEE in a leading role), positive changes and preliminary results have been achieved, as discussed in the previous section. The voices of LGBT people play a vital role in all of these achievements, as well as in identifying further objectives for advocacy. For example, same-sex marriage, while unbanned, remains unrecognized by law, and LGBT people are still not legally protected in marriage laws. To some extent, there remains some discrimination against LGBT couples in marriage – they are not considered as equal to heterosexual couples. Similarly, the proposed legalization of gender marker change in the draft Civil Code (2015), while seen by society, including LGBT people, as a positive development and important stepping stone, does not account for the need of name and gender change for those who have not undergone operation<sup>5</sup>. Without the voices of members of the LGBT community, these uncertainties and specific needs would not have been brought to light, or would have taken much longer. Indeed, in a policy dialogue regarding the lifting of same-sex marriage ban, which has been broadcast on national television network (VTV1), Mr. Luong The Huy – a representative of the LGBT community – spoke on behalf of all LGBT people, voicing their concerns and opinions as an equal partner in discussion with a senior government agency’s representative.

*Regarding Communication,* for a complex and sensitive matter such as LGBT community, their portrayal needs to be respectful to the truth. Indeed, those who are not familiar with the subject are easily misguided to take on inappropriate views. Further complications will arise when these skewed views are broadcast on mass media. Consolidated findings from a research conducted by iSEE in 2011<sup>6</sup> point to the fact that the image of LGBT people in newspapers (both printed and online) had been inadequate or severely distorted. These issues include: (i) LGBT is not regarded as an independent field of research and only mentioned as an attention-catching mechanism; (ii) LGBT is described with discrimination (as causes of or alongside social issues); or (iii) LGBT people, while shone in a positive light, receive over-sentimental pity, seemingly from someone in a ‘superior’ position. Indeed, LGBT still seems to be regarded as enigmatic or as a taboo. In an exhibition entitled *Drawers*, displaying LGBT stories that had been previously secreted, a number of stories were censored or redacted. The NPA-supported program from iSEE has encouraged the LGBT community to take ownership of researches and communication campaigns. This is the suitable and relevant program design, as only LGBT people will be most knowledgeable and familiar with their issues directly related to them, and only they can educate the mass and

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<sup>5</sup> <https://www.youtube.com/watch?v=xy6tFogV2Yk>

<sup>6</sup> <http://isee.org.vn/Content/Home/Library/456/thong-diep-truyen-thong-ve-dong-tinh-luyen-ai-tren-bao-in-va-bao-mang.pdf>

introduce a more appropriate image of their community. Moreover, through this process, it is hopeful that LGBT people are not considered with sentimentality (as ‘unfortunate’ people), instead they will be regarded as normal citizens who are actively advocating for equality.

*Community:* Social stigma and prejudice towards LGBT people in Vietnam has its origins in the deeply-rooted Confucianism and the ‘naturalistic’ view, among other causes. As a result, LGBT people are often outcast or treated with discrimination in their education, employment, and even families (especially for homosexual men as they cannot continue their family lineage). Their occupations are threatened, as most employers are not willing to employ LGBT people, and due to potential harassment. If LGBT people remain closeted, however, they cannot form a network to gather for their common cause towards equality. NPA’s program supports the formation of such a network, and awareness campaigns targeting both LGBT people and the rest of society. These activities have a vital role in cementing a new positive image of the LGBT community: while before, LGBT people raised their voices of needs in isolation, sometimes anonymously (hence further consolidating the skewed view of ‘inferiority’), they have been switching to a community with national linkages to advocate for equality. These are the foundations for this LGBT network to be able to monitor and influence the implementation of public policies, especially those who target the LGBT community in particular.

### **(3) Ethnic Minority Rights**

NPA support in promoting EM people’s pride on their traditional culture is considered to be highly relevant since its approach acted as a missing piece in fulfilling the whole picture of EM community issues. The critical issues relating to ethnic minority could be classified into three fundamental categories: (i) poverty reduction, (ii) environmental degradation and forestland ownership and (iii) culture.

The first category of poverty reduction encompasses varied sub-categories in the subject matters of education, health, livelihoods, living standards since all those matters are frequently integrated into most EM poverty reduction programs/projects as sub-indicators. Regarding poverty reduction, although significant government-led effort has gone into actualizing poverty reduction for ethnic minority in Vietnam, the problem remains worrying. In accordance with the data from EU Blue Book 2014, despite constituting of only 15% of total population, ethnic minority accounted for approximately half of the poor in Vietnam. The consistent poverty situation of ethnic minority has entailed a large gap in all aspects of living standards (compared to the standards of the majority). Out of all aspects, the most striking discrepancies occurred in education (literacy rate) and health (toilet facilities, safe drinking water, stunting rate of children under five).<sup>7</sup>

The second category of environmental degradation and forestland ownership (land use rights) is separated as an independent item due to its seriousness and its technical nature. According to Report on Indigenous people/Ethnic Minority and Poverty Reduction in Vietnam<sup>8</sup>, over the past half century, the mountainous areas have suffered from serious environmental degradation because of interventions such as war, migration, and development programs. In 1943, the forest cover was 57%; by 1979, it was 39% and in 1990 was 26%. In some provinces, forest cover is now only 8–9%. It is estimated that in these areas, 3 to 235 metric tons of soil wash away per hectare

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<sup>7</sup> From Multiple Indicator Cluster Survey (MICS) 2010 for malnutrition and VHLSS 2010

<sup>8</sup> Report on Indigenous people/Ethnic Minority and Poverty Reduction in Vietnam written by Hai Anh Dang

of land every year. Given the decline in forestland area, the EM ownership of forestland and the process of forestland allocation consistently suffer from many drawbacks. Specifically, it was estimated that more than 300 thousand poor households of ethnic minorities were suffering from the lack of residential land as well as cultivation land<sup>9</sup>. Given the lack of land, the conflict between local people and SFEs seems to accelerate significantly in some areas such as Quang Nam and Lao Cai provinces.

The third category of EM culture required opportune interventions given that the irresponsible labelling of EM people as 'backward' still commonly occurs. It should be noted that stigma on EM people happens not only secretly in daily activities but also publicly in mass media. It was estimated that more than two third of 500 selected bulletins/articles on ethnic minority people mentioned poverty pockets, political issues, social issues, which could impose a negative impression on ethnic minority community<sup>10</sup>. In addition, the image of ethnic minority people is regularly attached with agriculture methods with low-productivity<sup>11</sup>. If ethnic minority is continuously fed on with this image from mass media, they are likely to internalize their incompetence<sup>12</sup>.

For the first category of poverty reduction, there have been around 78 policies targeting EM as the priority target group in accordance with a review made by MOLISA at the end of 2013 and other studies<sup>13</sup>. The second category of forestland ownership has been envisioned in the guiding principles of LandNet (including SPERI, CODE and CIRUM). It means that there is a blank space for programs/projects working on preserving EM culture. Under these circumstances, NPA support in maintaining and developing EM traditions is evaluated to be timely and relevant.

#### **(4) Extraction Industry Transparency Initiative**

Since 2008, MoIT has been assigned by the Vietnamese Government to conduct a research on EITI in Vietnam. Issues in the country's extractive industry, as outlined in the previous section, were discussed both on political and public platforms, particularly after the Revised Law on Natural resources was approved by the government in 2010. As a result, the extractive industry was selected to be the topic of discussion for the anti-corruption policy dialogue the following year, in which the UK Embassy has suggested EITI as a measure that the Vietnamese Government could adopt. Furthermore, NPA's back donor, NORAD, has also shown high interest in extractive industry governance and currently the EITI Secretariat is also based in Oslo. Norway Government, in a bilateral agreement has recommended Vietnam to adopt EITI.

One of the founding principles of EITI is that a country's extractive revenue should belong to its citizens. With this in mind, EITI pushes for the openness in how each member country manages their natural resources so that all of its citizens can benefit. As a reflection on the multi-

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<sup>9</sup> Report in the conference of "Recent situation and solutions to management and usage of land in mountainous areas", dated 25/01/2013 in Hanoi, coorganized by Committee for Ethnic Minority Affair and Ethnic Minority Council of National Assembly.

<sup>10</sup> "Thiếu số cần tiến kịp đa số" – Định kiến trong quan hệ tộc người ở Việt Nam

<sup>11</sup> "Thiếu số cần tiến kịp đa số" – Định kiến trong quan hệ tộc người ở Việt Nam

<sup>12</sup> World Bank (2009). *Country Social Analysis: Ethnicity and Development in Vietnam*. Social Development Unit, Sustainable Development Department, East Asia and Pacific Region.

<sup>13</sup> EU Blue Book 2014



stakeholder nature of the industry, the EITI Board is composed of three groups: government, companies and civil society. Responding to the current context in Vietnam and towards the final objective (Vietnam to ratify EITI), NPA has chosen to support Vietnamese CSOs and VNGOs who represent the collective voice of the people, including PanNature, CODE, and CDI.

Regarding general public awareness, an idea of a resources-rich Vietnam has been inculcated while in reality experts' opinions seem to suggest that this is an incomplete picture. For the Vietnamese society to have an equal status in policy dialogue with government agencies and raise their voices in the subject matter, they need to be educated not only in the current situation of natural resources extraction in Vietnam, but also provided with a mean to monitor and influence policy-making in this subject matter. NPA-supported programs by the above-mentioned organizations aims to improve public knowledge through conducting investigations and researches with the participation of journalists for the broadcast of findings, and through translating and dissemination of EITI standards. Indeed, if the people participate in monitoring revenues, arising conflicts solving process, and corporate responsibility in the extractive industry, this would create a set of reference data and hence an incentive for government agencies and enterprises operating in the sector to provide transparent, complete, and accurate data. To this end, NPA-supported programs are responsive to the current context of Vietnam. NPA's support becomes even more relevant, taking into account Vietnam current orientation to restructure its model of growth, from extraction of crude natural resources (powered by inexpensive human labor and external investment/lending) to treatment and refinement of natural resources, or using them as inputs for the country's long-term industrialization and development (through improving knowledge and technology in production).

Moreover, irresponsible mining practices have led to severe natural disasters and threatened the livelihoods of people living close to resources mines. To address these issues, NPA supports its partners to act as representatives of people in dialogue with enterprises and government agencies in reducing environmental damages and resolve conflicts before they become irreconcilable or violent.

Furthermore, Vietnam has recently joined the Trans-Pacific Partnership, one of many international trade agreements which have bound the country to higher transparency standards. Indeed, certain terms of the agreements would allow for large international enterprises to sue and subject Vietnam to large fines amounting to hundreds of millions of dollars, were the country not compliant with the common transparency standards. If Vietnam were to restrict foreign intervention in the country, the hindrance would not only jeopardize its membership, but also prevent its extractive industry from access to advanced technology and good extractive practices to prevent wastes and conserve stocks of natural resources.

Finally, NPA's program is also relevant to EITI advocacy progress in Vietnam. The country has approached EITI since 2007, but has not committed. In order to be certified as adhering to EITI standards, a country has to register as a candidate, and will only be considered an EITI member country after a successful review of its current extractive industry. As mentioned above, MoIT has submitted a report on EITI to the Government, and has formulated a roadmap for Vietnam to join EITI. However, several obstacles have prevented Vietnam from committing as a candidate. These include hindrance from interest groups such as VN Petro and Vinacomin, two corporate enterprises under the 'aegis' of MoIT, for were Vietnam to fully participate in EITI, these two corporate enterprises would have to provide transparent reports on their operation. Therefore, although MOIT has been assigned by the government as the executing agency, and while not overtly against the initiative, the ministry has cited several reasons for not joining EITI (e.g. EITI's

effects are not apparent for Vietnam; EITI threatens national sovereignty; Staffing levels are being reduced and joining EITI means the formation of another unit, etc.).

### **3.3 Relevance of the Partners in the current context in Vietnam**

First of all, it is important to note that NPA is not a large donor, and hence they are very meticulous in the evaluation and selection of CSOs to provide support. Unlike donors with high resources, NPA cannot accompany a CSO from establishment to operation and hence has developed a strategy for selecting the topics and most suitable partners for their program.

#### **(1) SPERI**

SPERI is in receipt of a larger share of NPA's support compared to other partners, perhaps due to the fact that the organization's mission targets both forestland allocation and EM rights issues – two topics in the NPA's multi-year program. Previously, before 2011, SPERI's role was advocacy for the empowerment of two target groups: individuals/households and communities. However, at that period in time, there had not been an established legal framework to carry out the allocation of forestland for ethnic minority people/communities. From 2011, with the issue of Joint Circular 07/2011/TTLT-BNNPTNT-BTNMT dated January 29th 2011 of MARD and MONRE, which provides a legal framework for land and forest allocation, SPERI has shifted their focus onto this subject matter. Since then, SPERI has participated in forestland allocation methodology, specifically the organization is in charge of designing approaches for the process meanwhile its partner CIRUM focuses on the involved techniques.

An interesting and perhaps unique aspect of SPERI is the attention to 'spiritual forest' – a concept that had been proposed and coined by the organization itself. Before SPERI, there have been studies on so-called 'sacred forests', 'graveyard' or 'ghost forests', however, SPERI is the first to have conducted researches on 'spiritual forest', which nurtures the types of forests above (in other words a more holistic and broad concept). The focuses of previous studies were on conservation of natural resources, while for SPERI, their research subject is more inclusive of cultural values, helping to maintain for different communities a 'sacred land' for cultural activities. In fact, SPERI spends a great deal of time and resources on human ecology study to have a strong grasp of the ethnicity that inhabits SPERI's target location and their customs and tradition, as well as the local forestry profile and its management. The concept of 'spiritual forest' that SPERI proposed has been approved and recognized in policy dialogues with policy makers. Specifically, Ethnic Council, under the National Assembly, has officially adopted this concept. This aspect of SPERI's operation is in line with NPA's program objective of pushing for forestland to be recognized in terms of cultural value and not solely for economic gains. Indeed, this concept is pioneered by SPERI, as other organizations hesitate to advocate for this cultural value, for such operations are often seen as suspicious, or as inciting superstitious activities among communities.

In carrying out forestland allocation, SPERI has also opted for a participatory approach that respects the local indigenous people's knowledge and customs. In contrary to previous practices, customary regulations are taken into account, and long-standing knowledge of local resource persons (elderlies in the village) is realized. Indigenous people are invited to participate in mapping, and in identification of 'spiritual forests', overlapping areas with 'protection' forests and cultivation areas. SPERI and members of Livelihood Sovereignty (LISO) are the first and only VNGOs to implement MARD's Circular No. 7 (2011), and SPERI's model is studied for replication purpose by other organizations. The organization has been invited to conferences as a provider of technical support in forestland allocation to local authorities.

While SPERI has a leading role in forestland allocation for ethnic communities, due to the complex nature of Vietnamese ethnic groups, each having different cultural values and beliefs, SPERI cannot operate in every location and with every ethnic group. In fact, each member of LISO is entrusted in their respective province. Currently, SPERI is operating in 03 provinces, and with representative communities in each location, including H'mong people in Lao Cai, Thai people in Son La, and Nung/Dao people in Lang Son. It can be argued that SPERI's operation, including both researches and actual forestland allocation, are valuable as pilot and good practices to be expanded and replicated.

## **(2) iSEE**

Similar to SPERI, iSEE's mission also targets minority groups, including both LGBT and EM communities. First of all, regarding EM rights, iSEE's approach towards their issues is unique in the sense that, while other organizations focus on livelihoods and infrastructure development, iSEE places great importance in human value and non-discrimination for EM communities. This approach is based on the founding principle that indigenous people would only raise their voices when they come into realization of their own values and take part in activities to promote such values. Indeed, as discussed above, while EM groups tend to be poorer than Kinh people in terms of livelihoods, their values, beliefs and traditions must be equally respected for their uniqueness and beauty. In this regard, iSEE's operation addresses an aspect that had been neglected by other projects/programs. Instead of imposing Kinh beliefs and points of view on EM people, iSEE seeks to understand the culture of each ethnic group in their programs. It can be argued that iSEE's focus directly targets the roots of inequity and the disadvantages that are facing EM people. The EM youth group established by iSEE is also oriented to switch from a 'grantee' status to a more active role in organizing activities and designing a long-term plan for development.

Second, iSEE is also the leading organization working for the rights of LGBT people. Similar to its approach towards EM rights, iSEE also emphasizes LGBT equal rights and values, and encourages LGBT community to take ownership of the process to tackle the current inequity and discrimination issues. The focus is less on livelihoods, as from iSEE's point of view it does not raise beneficiaries' awareness to the point where they feel an impulse to take action, and may have an adverse effect where they assume a passive role to continue receiving benefits.

In the organization's operations, iSEE's orientation is not only to directly support EM and LGBT groups, but also to promote human values in society. iSEE's philosophy is that, once society has recognized and respected differences among human beings (be it cultural or in terms of sexual orientation), these minority groups will be more appreciated. In every activity that iSEE has organized these values have been emphasized. This approach is meaningful as a foundation for a more democratic society.

Regarding civil society environment, iSEE is also regarded as an agency advocating for positive changes in the Law on Association. The organization is also part of and/or has deep linkages to several different networks of various natures. For these reasons, iSEE is well-recognized and usually invited to forums on civil society in Vietnam as an unofficial representative of working groups including the EMPWG, PPWG. This is a favorable condition for the organization to continue advocating for a more enabling environment for CSOs' operation.

Finally, iSEE is both adaptive and sustainable in its operation. Planning is done on an annual basis where iSEE evaluates the current context and cultural, economic or social development in Vietnam, followed by designing its course for action and targets for the period to come (in 1 year or 3 years, for example), while remaining faithful to the organization's vision, namely humanity

values and rights. On this basis it can be argued that iSEE's operation is adaptive, sensitive, and responsive to updated context and issues. Besides, iSEE's approach is program-based rather than project-based, and its programs are implemented from year to year, with funding from different donors. This approach has allowed iSEE to be financially sustainable to some extent, and iSEE has potential to continue its role as the leading organization for LGBT rights, and among the most active organizations working for a Civil Society.

### **(3) CODE/PanNature/CDI**

In the field of EITI, NPA's chosen partners only seem to be relevant to an extent. This is perhaps due to the lack of organizations working in the extractive sector, and the difficulties in advocating for EITI, as the final decision rests in a government agency. Given these circumstances, NPA's chosen partners in this field of work are perhaps the most sensible selection. Each partner's relevance is evaluated in more details below.

**CODE:** CODE identifies their mission as contributing to policy criticisms with the aim of transparency in the extraction and usage of natural resources. In 2007, CODE is the first NGO who had chosen to operate on the issue of Bauxite extraction in the Central Highlands. Very few organizations were working in the extractive sector at that time.

Towards the end of 2011, CODE, together with PanNature and CDI, established the VMC with the overall objective of improving transparency for better governance and reducing the extractive industry's negative impacts on the environment. Apart from VMC, no other organization has been taking action to promote EITI. Specialized line agencies (such as the Vietnam Union for Geological Sciences) mostly focus on the technical side of the extractive industry, so in principal they are supportive but do not directly participate.

As a research institute, CODE is relevant to raising awareness on EITI in Vietnam. It is noted that there was little or skewed general public knowledge on the extractive industry or EITI. In May 2011, together with VCCI, CODE has published a report entitled *The Extractive Industries Transparency Initiative and the Implementation Perspective of Vietnam* and since then has actively promoted EITI. CODE was the first organizations to begin working and raising awareness in the extractive sector, and is among the founding members of VMC. Regrettably however, in 2014, CODE has resigned from the role of the coordinating agency of VMC, which has then been passed to PanNature.

**PanNature:** PanNature has fulfilled CODE's previous role as the coordinating agency of VMC. However, the extractive industry was originally not PanNature's focus as PanNature's mission is in forestry and diversified ecology. On the other hand, it is unfair to judge that PanNature is not relevant to NPA's EITI promotion. Prior to 2014, there were few researches on environment in the extractive industry. Only since the inception of VMC, PanNature has expanded its fields of operation, among its achievements are in-depth researches and the translation of EITI standards. These are very relevant and important publications to raise public awareness on EITI. Additionally, PanNature has developed a close and long-standing working relationship with networks of journalists (VTV, VOV, Vietnam News Agency, Tuoi Tre newspapers), and features have been produced through several co-fieldtrips to promote EITI. At the moment, there are approximately 300 reporters (10 key and 4 core reporters) who are regularly joining events and conferences on the extractive industry; reporters are in a more favorable position to bring sensitive matters to light, and to simplify the otherwise too technical topic so as to be easily comprehended by the

general public. In promoting EITI, PanNature plays a useful role as the coordinator of fieldtrips for reports, and in dissemination of information. To this end, it can be argued that PanNature is relevant to NPA's program and the current Vietnam context.

Regarding the role as the coordinator of VMC, perhaps PanNature is not highly relevant as its Board of Directors was not interested in finance and corruption in the extractive industry. On the other hand, it should be noted that VMC has several members, each having its own agenda, and thus the harmonizing of interests has been difficult. An area that attracts attention from all parties is transparency, but in a broader sense than EITI. Therefore, VMC with coordination from PanNature may not be judged as directly relevant to EITI. However, under the current circumstances, the establishment of VMC is a sensible option for policy advocacy in this field, as each member's strengths are realized and weaknesses are tackled together. It is noted that the VMC's action plan has not been developed to become a strategy. In the forthcoming period VMC's role has the potential become more apparent in EITI promotion and advocacy.

A final noteworthy point regarding PanNature's relevance is that the organization has expressed its wish to continue operating in the field of environment, including natural resources. PanNature is forecast as the potential Civil Society representative in the multi-stakeholder Board to monitor the implementation of EITI, which is a requirement of the EITI standards. This, however, depends on whether or not Vietnam will commit as a candidate.

**CDI:** CDI's focus is on corporate social responsibility (CSR) and has chosen the extractive industry to promote their agenda. The model of transparency in Thai Nguyen has been transferred to CDI accordingly. In CDI's own judgement, the organization has been working in the field of CSR from 2005, and the organization assuming a role in VMC is relevant to promoting CSR in the extractive sector, taking into account the several conflicts between enterprises/companies and the people as discussed in the previous section.

Another field of engagement for CDI is accountability, transparency and community's participation, areas that are essential for EITI advocacy. In recent years, CDI has promoted transparency in state budgets (for example, their lobbying for environmental fees to be overt). In fact, the work of CDI in Thai Nguyen has been incorporated into advocacy for the State Budget Law 2015.

However, the interviews with CDI representative seem to suggest that CDI's role in VMC is only to contribute the organization strength in community development and promoting transparency. The main task of CDI was to gather evidences from community for policy advocacy at higher levels.

CDI is also expected to become a CSO representative in the multi-stakeholder EITI Committee, should Vietnam commit as an EITI candidate. Their relevance so far is on raising voices for local people and capacity building in EITI promotion at government level. It should be noted that CDI's focus, while on transparency, is not limited to only the extractive industry. CDI will continue its transparency model in Thai Nguyen, but does not promise it will be in the field of natural resources extraction.

In conclusion, it seems that NPA's chosen partners for EITI advocacy specialize in different areas of work, and hence the only link among them is their overall goal of transparency. On one hand, this fact allows organizations to learn from each other strengths and weaknesses. On the other hand, the fragmented focus implies that it will be difficult for each organization to commit, especially for a difficult and sensitive field such as EITI advocacy. These partners seem to only be

relevant to the extent of raising general knowledge and people's voices in the extractive sector. While it is acknowledged that results in their works are meaningful for Vietnam's roadmap to EITI (specifically the community development for a more democratic extractive industry), the decision on whether Vietnam will officially join EITI regrettably depends upon a reluctant government agency.

### **3.4 NPA value added to the partners in addition to financial support in comparison to allocated resources**

The NPA support to CSOs in VN was initiated only during 2011. Having chosen to support well-established organisations with rather high administrative and operative capacity, NPA has initially maintained a low profile in providing or demanding changes or advices unless requested by the organisations themselves or dictated by administrative concerns. NPA has however established through constant dialogue and follow up, a relation of trust. In addition, while the general trend among International NGOs is to withdraw from Vietnam, the support that NPA provides to CSOs working for a more equitable growth is a great encouragement for Vietnam Civil Society to take on more responsibility roles in society and politics.

Besides financial support, NPA's partnership has provided selected organizations with several added values. These include: (i) NPA's priority on flexibility, adaptiveness, and responsiveness, which not only allows organizations to operate more effectively, but also build organizational capacity; (ii) NPA's equal focus on progress compared to outcomes; (iii) NPA's encouragement of ownership in providing technical support; and (iv) NPA's value added for organizations in terms of both financial and operational sustainability. While certain values such as value (i) and (ii) have a high level of consensus among partners, these organizations have different opinions regarding values (iii) and (iv) due to their different natures of operation and scopes of work. This section will investigate NPA's values added to partners in more details.

#### **(1) Flexibility, adaptiveness and responsiveness:**

All NPA partners have shown their appreciation for NPA's flexibility, reflected through the adaptive co-funding approach and the simplification of paperwork.

The adaptive co-funding approach, which is highly appreciated by all partners, is useful in allowing the organizations to continue being highly creative in their operations, while maintaining their core philosophies. Regarding iSEE, the organization's mission is to tackle discrimination and inequity towards minority groups including both LGBT and EM groups – topics that are ever-changing and requires working groups and organizations to be highly adaptive to catch up with new external developments and opportunities. Indeed, should there be new approaches and/or methods to tackle new or existing problems, iSEE would suggest additional initiatives and ideas that could yield better results; NPA's (and other donors') approach of support has enabled iSEE to continue this practice. For example, in 2015, capitalizing on the opportunity of the Draft Civil Code, iSEE's advocacy concentrated on campaigning to legalize gender marker change. A particularly impressive finding from the interview with the current iSEE leader is that, the funds are not bound to the two fields of work (LGBT and EM); instead, if funds for EM operations are sufficient, iSEE is free to reallocate more resources to LGBT issues. This approach allows iSEE to select the most adaptive and responsive activities, and at the same time, as acknowledged by the former leader of iSEE, has encouraged the organization to build their capacity in terms of flexibility in operation.

NPA's flexibility in its partnership with iSEE is further reflected through its efforts in relieving the burden of the bureaucratic process. Specifically, as iSEE is an agency under the Vietnamese Ministry of Science and Technology, each and every program that iSEE implements will first have to be submitted for approval. This bureaucratic process could have negative impacts on iSEE's operations, as for certain donors, iSEE can only receive their funding after obtaining a license from the Ministry. Taking into account a previously discussed point, that iSEE's programs must be implemented in good time to be able to respond to new contextual developments, the adverse effects of the red tape licensing process are even more pronounced. Therefore, NPA's support in this regard was applauded by the current leader of iSEE.

Regarding CODE, while the organization has withdrawn from the EITI Program, in an interview with its leader, NPA's flexibility was illustrated through the selection of CODE as a partner. Specifically, in 2010 when CODE held a conference for inputs towards the Revised Law on Natural Resources, an Advisor from NPA was present. Previously, it was understood that Vietnamese CSOs do not have enough space to operate, but through his observations in this conference, the NPA Advisor has realized the potential space for CSOs in this field, and has accordingly selected CODE to provide support. NPA does not require CODE to implement certain projects, as long as the program theme is relevant. For EITI, CODE had to adjust its activities in response to external changes as this is a relatively complex and new issue. NPA has facilitated the process by only requiring concise letters explaining these adjustments whether through electronic or printed mails, allowing CODE to quickly respond to emerging opportunities. NPA's flexible administration, and enabling adjustments as well as their timely approval are most favorable for CODE.

Similarly, PanNature also appreciated the flexibility of NPA since advocacy activities towards EITI requires the organizations to be sensitive to opportunities and changing context. Particularly, for promoting EITI, the funds could be allocated to two major types of activities: lobbying at national level and raising awareness of the public about EITI. For example, during the course of action, in case a dispute or a conflict of interests unexpectedly emerges as a critical issue, it would be a golden opportunity to promote EITI as a comprehensive solution for the problem. Given this circumstance, and thanks to NPA's flexibility, its partners could constantly revise their strategies and reallocate the funds between lobbying and raising awareness adaptively for optimal outcomes and efficiency.

SPERI has also expressed appreciation of NPA's flexibility in operation adjustment. The paperwork has also been significantly relieved: previously all receipts had to be copied and sent to NPA for reference, but since 2014 this procedure had been dropped.

## **(2) Outcomes and Progress are equally respected**

The added values for partners originate from NPA's approach: instead of conducting a comprehensive assessment on statistical data demonstrating each partner's outcome, NPA focuses on the overall picture of development progress with a good balance between outcomes and process. This approach is particularly meaningful for fields of operation that are constantly changing and require long-term commitments. For example, in an interview with the current leader of iSEE, recent results in the field of LGBT rights such as the revised Marriage Law and Civil Code were not assigned to any particular project/program, but to the collective contribution from NPA (and other donors). On the other hand, for an area of operation with a distinct nature such as EM rights, more efforts and patience are required. NPA is understanding of this progress, and is aware that results from activities with EM network will not be as quick as in the field of LGBT. This judgement suggests that NPA understands the nature of iSEE's work and shares certain aspects of



its philosophy, and hence does not require reports for separate projects with different results, but only an annual overall report from iSEE. This reduced reporting procedure has enabled all partners to save time from the burden of paperwork, which in turn could be more fruitfully invested in implementing varied project activities. Saving time from administrative workload, PanNature also stated that they have been able to generate new ideas and activities even beyond the scope as stated in the organization's original proposal, such as inviting representatives from the Ministry of Finance to attend EITI conference in Mongolia. Regarding CDI, the project team felt motivated with this approach, since this practice helps strengthen the organization's capacity to be active, sensitive, and responsive to external changes and opportunities.

More importantly, NPA partners have adopted NPA approach in their operations. Regarding SPERI, the organization understands that although indicators at local level have been met or outperformed, advocacy at national level will still take time, and hence progress in this aspect will not be apparent at the surface level. With this understanding, SPERI would be able to expand their operations and adjust accordingly, and also maintains the organization's core philosophy rather than being discouraged. For CDI, the organization has also developed a more holistic view at their field of operation.

### **(3) NPA values ownership and respects for partners**

As previously discussed, NPA never puts itself in a leading position in partnerships with local CSOs, as NPA is always cautious in selecting the most suitable NGOs with insight on the local context and respects their capabilities. With a high sense of ownership VNGOs will be more sustainable. NPA focus on encouraging ownership is partially reflected on its flexibility towards partners as analysed in a previous point, but also through its approach of providing technical support and facilitation of networks. However, different NPA partners hold different views towards this approach, perhaps due to their differences in scope of work and the nature of their fields of operation.

Regarding iSEE, the organization has a distinct understanding of NPA's approach compared to other partners. iSEE highly values the nature of its partnership with NPA – a working relationship between two equal partners with the same interests rather than a donor-grantee relationship. Typically, NPA would take part in discussions with iSEE to collectively analyse, brainstorm and come up with the best ideas, taking into account external developments. In this sense, the discussions are broadly understood by iSEE leaders as a form of technical support, and they have certainly resulted in valuable technical inputs. NPA understands that only iSEE has the most in-depth insight of the local issues and opportunities, being among the pioneering organizations working in the fields of LGBT, EM and Civil Society in Vietnam. This respect is highly appreciated by iSEE leaders. More importantly, this added value is also in line with the organization's philosophy, or in other words, the relationship between NPA-iSEE and between iSEE and their beneficiaries are of the same nature. NPA encourages and enables iSEE to take ownership of their operations, and this is also the approach the iSEE adopts for its beneficiary groups. This is also a possible explanation for the fruitful partnership between NPA and iSEE.

Regarding SPERI, NPA does not provide the organization with approaches or techniques, but has facilitated a training course on the theme of project management. NPA has also supported SPERI to represent the outcome of forestland reallocation in Lung Sui commune in NGO Resource Center (2013). Similar to iSEE, SPERI methodology has been continuously maintained since 1995 until 2011 when partnership with NPA has established, and hence NPA would not be in the most favourable position to provide technical support in this regard (as SPERI is already highly



knowledgeable). However, SPERI was urged by NPA to take a more active and leading role in REDD+ scheme and in network with relevant organizations, but the organization has regrettably refused.

CODE and CDI, on the other hand, had expressed certain degrees of higher expectation for more of NPA technical support. Specifically, CODE has stated in interview that technical support should also be integrated in NPA's partnership, although partner organizations are experienced in their respective fields of work. Both CODE and CDI are in need of support from NPA in triggering social movements. CODE had expressed wishes for NPA to establish networks or forums that could better facilitate cross-learning among countries in EITI; and CDI would appreciate NPA's support in providing a platform for experience sharing between supported partners, such as iSEE and CDI.

However, it should be noted that NPA's role in establishing networks is the aspect of support with the most divided opinions. NPA did not intend to create a network involving its different partners, as each of these organizations operates in their own field, distinct from another (except for CODE, CDI, and PanNature who are already members of VMC). This view is shared by the former leader of iSEE, who argued that the establishment of networks and/or forums should not be NPA's mission. He does not regard this activity as necessary, or at least needs not be included in NPA's program. From his point of view, the establishment of a forum involving partners such as iSEE, CDI would not be effective or efficient. He argued that if these organizations realize a need for experience and knowledge exchange, they should build a platform for themselves, and they are certainly capable of doing so. Indeed, organizations would only be motivated if they share a common interest, and only then would such forums/networks be useful. For CDI and iSEE, two organizations with radically different agendas and areas of operation, perhaps it would not be effective to share experience between these two partners. Going further, he evaluated that such a network would not only be ineffective but also forceful on partners and going against NPA's flexible approach. However, it should be noted that NPA has made efforts to connect partners who have closely-related agendas. In fact, SPERI had been invited to share their learned lessons and successful practices/models to other networks and CSOs. Unfortunately, SPERI held a different opinion from other organizations, and only allocated time and efforts to its internal network. NPA's efforts in inviting SPERI to share their experiences in relevant forums where NPA is a core member (such as EMWG) were therefore unsuccessful, and it would go against NPA's philosophy to force this activity upon SPERI.

On the other hand, in the judgement of iSEE's current leader, there are potential benefits in networking activity. It is reasonable that each partner organization has needs to join networks and/or forums, although the extent of these needs will vary. For example, iSEE is already a member of several networks and so their need is lower compared to CDI who has not regularly joined forums (indeed, in interviews CDI had expressed their wish to learn from iSEE's experience). Therefore, NPA could play the role of a facilitator for partners with high needs of networking and relatively little experience in this operational aspect. Building further on this point, regarding EITI, their International Secretariat is based in Oslo, which is also the Headquarter of NPA. Given this circumstance, in response to CODE's expectation, NPA could formulate a cross-border learning program for supported countries so that a network of NGOs working in EITI promotion in different nations and existing EITI countries could share their difficulties and lessons learnt. This network could act as a platform not only for sharing knowledge but also for supporting each other in advocacy activities at international level. And indeed, with regards to capacity building, while partners may already be technically competent, there are common and essential topics on which NPA could organize capacity building sessions such as project

management, strategic planning, and advocacy efforts and experiences, which are of high relevance. Regrettably, these activities have not yet been implemented.

Furthermore, iSEE current leader also judged that should there be an established network among NPA partners, there will be potential benefits for all parties involved. These forums do not necessarily have to discuss project issues and experiences, but may also share stories and experiences in other social issues, or Civil Society, which is a common interest for all partners. Perhaps, new ideas could even arise from these forums. For NPA in particular, this network is also potentially beneficial in gathering ideas and developing new programs.

In summary, NPA has adopted the approach of ownership encouragement and respect for partners' proactivity in program design and organizational development for a long period of time. For iSEE or SPERI who have in-depth knowledge and experience in their respective fields, technical support in its traditional sense is not imperative. Moreover, for these organizations, the value of ownership can be passed on to their beneficiaries. However, for CODE, PanNature and CDI, they have different agendas which are challenging to harmonize, and additionally they operate in the relatively new and sensitive field of EITI, and hence these organizations require certain levels of technical support from NPA, particularly taking into account the fact the NPA has the same headquarter as the EITI International Secretariat.

#### **(4) Sustainability**

Finally, regarding sustainability, due to their different scopes of work and natures of their fields of operation, NPA partners have different opinions regarding this value of NPA support.

For SPERI, when NPA phases out, the organization will reduce its scope of work, but will maintain its strategy and methodology. NPA was cautious in selecting SPERI as a partner, and has supported SPERI to the best of their abilities and the favorability of the current context. Through this partnership with SPERI, it was evaluated that NPA has developed an understanding of SPERI's operation. Accordingly, SPERI has expressed regret that NPA is phasing out while this understanding relationship has been established.

CDI was informed of NPA's intention to phase out in 07/2015, and this organization seems to be the most affected partner by the phasing out of NPA. Due to the complex and sensitive nature of EITI, and taking into account the reluctance of the government to adopt this initiative (Vietnam has approached EITI for 8-10 years but has not committed, compared to the usual 3-5 years of other candidate countries), CDI is disappointed that NPA will soon cease its support for EITI. Recently, after realizing that the ultimate goal of Vietnam ratifying EITI is challenging, the strategy has been adjusted to advocacy for regulations that have not yet been adhered to, such as environmental fees. This revised approach will bring about gradual and more visible positive changes, which will motivate VMC to continue its advocacy for EITI. As such, CDI is worried about the sustainability of the Coalition's operation with the phasing out of NPA, when the Coalition has only started applying a learned lesson from previous efforts. It should also be noted that EITI is a relatively complex and new topic, and so not many organizations and donors have exclusively dedicated their efforts to this field.

On the other hand, iSEE is satisfied with NPA's phasing out process. The organization was officially informed of NPA's decision last October, and from iSEE's point of view, the 6-month period for phasing out is sufficient for the organization to prepare and seek alternative resources, although this happened at the same time as iSEE was going through a leadership change. Specifically, iSEE former leader showed his appreciation of NPA for informing partners of the phasing out roadmap

and providing a supplementary source of funds for partners who have a roadmap to close out their projects. Although the total NPA-supported funds for iSEE is not high, their responsibility in phasing out is applauded. While iSEE leaders acknowledge that fundraising is a challenging activity in Vietnam, similar to SPERI, their expressed regrets lie in the fact that NPA is a very understanding donor, who shares several of iSEE's core philosophies, and also in the potential effects that the phase out may have on Vietnamese CSOs.

## IV. SUCCESSFUL PROGRAMMATIC APPROACH AND LESSONS LEARNT

In this section of the evaluation report, important lessons learnt including the success of NPA programmatic approach are described in details:

*First*, NPA's programmatic approach is considered to be appropriate and hence could be applied to other programs that NPA is planning to develop in the future. The programmatic approach demonstrates the following characteristics: (1) including various projects towards common goals and results of the program; (2) involving different partners implementing varied components of planned result/outcome independently or collectively; (3) combining different funding sources from varied donors to achieve the program's objectives. This approach, as widely reported by VNGOs, is considered to be highly relevant since it allowed NPA partners to flexibly operate and to actively reallocate resources (including human resources, technical support and financial support) during project implementation, provided that the end goals would be achieved. For example, regarding iSEE, while NPA's funding source only accounts for a modest 5%-10% of the total budget of the program: "Rights and voice of the ethnic minorities and the sexual minorities in Vietnam", iSEE has cooperated with other donors to effectively implement the program and subsequently to attain the performance indicators as mentioned in Section 3.1.

*Second*, NPA's cooperation with all partners exhibits a consolidated characteristic: "recognizing all partners in the development program as pioneer organizations in their working scope". NPA's respect and support towards partners' project activities has been recognized and highly regarded. The donor was also willing to consider proposed adjustments from all partners based on practical circumstances. This relation of trust is most appreciated by all partners, the relationship between NPA and VNGOs is based on equal standing grounds and empowerment rather than a donor-grantee relationship. This approach, according to VNGOs, has minimized bureaucratic issues in the decision-making process and thus saved time and boosted the efficiency of project activities.

*Third*, regarding the partners conducting project activities in community areas (such as CDI, SPERI and iSEE), their continuing presence was highly appreciated by local community and their targeted beneficiaries. Their presence and commitment will contribute to emphasize the beliefs of local community and targeted groups and subsequently enhance community engagement. This factor played an important role in the success of projects/programs implemented by these VNGOs. One characteristic example for this case is SPERI: the organization's staffs in Lung Sui commune, Simacai district were even regarded as the members of local community. The community willingly and seriously applied the staffs' guidelines in the mapping of forestland reallocation. They even proposed that SPERI should provide other type of support (in livelihood development, technical training for developing forest trees) for local people in project areas. This outcome showed that SPERI has gradually gained the trust of local community, especially EM groups, which was as a deciding factor in achieving the project's objectives.

*Fourth*, one of the most effective methods in advocacy activities is to conduct objective researches. These researches once widely disseminated through public channels could trigger a considerable change in awareness of local community and policy-makers. This key point, in fact, has been recognized by all partners participating in NPA's Development Program. CDI, PanNature, SPERI, iSEE all conducted or supported organizations/individuals in carrying out varied researches relevant to the Program's topic (through NPA's budget or other donors' budgets). By effectively making use of mass media (as previously discussed), VNGOs have successfully created an impact on the awareness of local people and stakeholders. This accomplishment is evaluated as an important lesson learnt.

*Fifth*, it should be noted that the “Promoting the Transparency for Better Governance & Reducing Negative Social and Environmental Impacts of Mining Industry” project (with the participation of CODE, CDI, PanNature) or the “Rights and voice of the ethnic minorities and the sexual minorities in Vietnam” project (iSEE) involve large workloads in changing public and policy makers perception. In response, for partners in these projects, mobilizing the roles of mass media and reports for knowledge dissemination is a considerable success factor. In particular, for relatively new issues such as EITI, capacity building activities for reporters that PanNature has organized to equip these groups with a strong foundation of EITI have enabled them to, based on their solidified background, produce accurate yet not overly-technical articles for the public. This could be considered a success factor in achieving the result of “increased knowledge of the public and Government servants” in the Program.

*Sixth*, an aspect that could have been implemented better is the internal linkages among partners and external linkages to relevant stakeholders, although opinions are divided on this issue (some partners are not supportive of this aspect). Besides acknowledging that NPA has empowered them to be active in implementing projects/programs, NPA could have also been more active in linking these NGOs to international organizations, for example the EITI International Secretariat which is based in Oslo and hosted by the Government of Norway. This linkage may bring more added values to VNGOs in their advocacy process in Vietnam, especially for a challenging topic such as transparency in the extractive sector.

## V. CONCLUSION

It can be concluded that NPA Development Program 2012-2015 in Vietnam is relevant to the country's current context, and to the partner organizations. The Program added values for partners, besides financial support, are an important background for these partners to continue their pursuit of long-term goals in areas including forestland rights, LGBT rights, EM rights in general, and promotion of EITI. The programmatic approach of NPA has enabled its partners to synthesize resources from different donors, contributing to the significant impacts on the legal environment, the transformation of general public perception of natural resources management and minority rights, and particularly the creation of an important civil society space where NGOs can proactively operate in policy advocacy.

The two planned results in the initial Program design have been obtained to significant and moderate levels. SPERI who engaged in the first planned result, in collaboration with LISO network as well as other like-minded organizations, have proven a method which is now regarded as the current best practice in forestland allocation to EM households, individuals and communities. Most important of all, the success of this method has provided a foundation for SPERI to continue policy advocacy for the anticipated revisions in the Law on Land and detailing sub-law documents (Decree, Circular) in the forthcoming period. The second planned result is achieved only at a moderate level, due to the withdrawal of one partner VUSTA, resulting in the failure to complete the performance indicators related to this partner including: "An office for coordination of social monitoring activities (OSEC) is established within VUSTA, linking VN CS groups with public sector" or "Revision of legal framework for CSO (Decision 22\2002)" and "Production of baseline study of VN CSO". On the other hand, another partner iSEE has accomplished outstanding results in this aspect. The organization's position as an unofficial representative of the civil society in several sensitive fields such as EM values and human rights of sexual orientation minority groups has been widely recognized both nationally and internationally. The third result related to EITI, which was added to the initial Result Framework of the Program, was also concluded at a moderate level, as although the ultimate outcome of Vietnam officially joining EITI in 2015 has not been attained, the intermediate outcomes related to enhanced awareness of the general public and legislators/policy-makers in EITI have been accomplished to a significant level. Several aspects of EITI have been successfully advocated to be mainstreamed into sub-law documents, such as the revision Decree of Decree 15/2012/NĐ-CP, which provides a detailed guidance on implementation of the Law on Natural Resources; practices aiming to promote transparency in the extractive sector and to minimize negative environmental and social effects of the industry through multi-stakeholder dialogues among people, enterprises and local authorities have been implemented.

Partner organizations have been adequately informed of NPA planned phase-out in 2015 in advance. SPERI and iSEE were two partners who have made preparations to seek replacement resources when NPA has completed phasing out, while maintaining that NPA technical assistance, support in methodology, and dissemination of these organizations' results to networks where NPA is a member, have provided added values that cannot be replaced in the future. Regarding EITI, although Oxfam and other donors have committed to continue their support, when NPA partners PanNature and CDI have not identified the extractive sector as a strategic topic of pursuit, and when the VMC has not formulated a long-term strategy and modal of operation, NPA phase-out has posed risks in the decline of the Coalition activity.

## VI. RECOMMENDATIONS

According to the aforementioned findings, NPA and each partner in Development Program 2012 – 2015 could consider the following recommendations.

### Recommendations for NPA

NPA decision in choosing well-established organizations operating in NRM and the enhancement of the formal and informal space for CSOs is considered to be strategic since it would enhance the program probability of success. In addition, this approach is evaluated to be suitable for NPA as the organization has constraints in providing financial support and technical support to its partners. As a result, NPA could replicate this approach in other countries that the organization is operating provided that there are similarly highly capable local NGOs in the target countries.

While NPA approach in Vietnam is evaluated to be highly relevant, the organization should consider adjustments on the following issues:

First and foremost, NPA should consider conducting a thorough assessment on each topic/issue in the Development Program so that time and resource could be allocated most effectively and efficiently for each partner' program. According to NPA partners in the project *"Promoting the Transparency for Better Governance & Reducing Negative Social and Environmental Impacts of Mining Industry"*, one possible explanation for the inability to achieve the key performance indicator in the phase of 2012-2015 ("Vietnam Government will make announcement on EITI implementation by 2015") is the conflict of interests when joining EITI and hence a longer operation period with continuous efforts is required for a radical change to occur.

Although NPA partners have showed some levels of commitment towards the end goal of Vietnam joining EITI, they admitted that NPA phase-out is likely to disrupt the continuity of recent activities. For example, the program phase-out period occurs right after CDI has just set the first step in promoting transparency at local level, an important aspect of EITI, and establishing partnership among investors in private sector and local people. CDI representative stated that "although we will continue to promote social responsibility in extractive industry, we are now confronted with finding replacement funding source. NPA decided to conduct phase-out right after CDI has just commenced to gain the trust of local partners including local authorities in Thai Nguyen province, enterprises and local people in Trai Cau. This decision has caused a lot of trouble to us." Regarding PanNature, its representative assessed that even though the time when Vietnam will officially join EITI seems to be unpredictable, there is certainly still a long way to go to achieve this milestone. One possible explanation for this judgement is that three years (from 2013-2015) is too short for partners to trigger radical changes at national level.

Furthermore, NPA should consider transferring its supporting role to other INGOs that share the same interest in the topic NPA is pursuing. According to a CODE representative, some INGOs (such as Oxfam) have shown attention towards supporting VMC. Perhaps NPA should have cooperated with these organizations earlier in preparation for the phase-out period.

At the level of operational management, NPA should conduct periodic reviews to update or even adjust its Multiyear Plan based on practical developments. By design, the outcome framework of the Program mentions 03 outcome indicators including: (i) An office for coordination of social monitoring activities (OSEC) is established within VUSTA, linking VN CS groups with public sector; (ii) Revision of legal framework for CSO (Decision 22\2002); and (iii) Production of baseline study

of VN CSO. These three out of four indicators is related to the Program's planned outcome: "CSOs and networks are able to monitor and influence the implementation of public policies". However, during the implementation period, VUSTA decided to withdraw from the Program and hence, all three indicators have not been achieved (see Section 3.1). As a consequence, the planned outcome could be proved only through achieving indicator number four (from iSEE operations). It should be noted that the Results Framework only mentioned two planned outcomes, and the inability to achieve all 03 indicators has lowered the actualization of outcome number two to moderate level (as discussed in Section 3.1). Similarly, during the implementation period, operating adjustments such as PanNature replacing CODE as the Coordinator of VMC, and new partner (CDI) participating from 2014, have not been updated in the Multiyear Plan of the Program. The engagement of these new partners is attached to the planned outcome of "Building public knowledge on mining issues, promoting transparency through EITI implementation and reducing negative impacts from mining activities and accompanied performance indicators." However, the program's documents have not been updated accordingly. (In section 3.1, the Consultant has added extra EITI indicators which are not included in the original design of the Program). The progress towards EITI in Vietnam has been reflected through various activities of VMC. These events, however, have not been updated into the program's design; the program's implementation timeline was kept as planned. At the same time, as previously discussed, it will take a long time to persuade the Vietnamese Government to ratify EITI and hence, the Program timeline should be extended past 2015. This underlies in the M&E function of constantly updating information to support decision-making process.

### **Recommendations for SPERI**

As discussed above, SPERI is evaluated to have achieved the most tangible outcome in NPA Development Program. SPERI, in the next period, should consider the following:

First, SPERI should make use of all resources from different donors to consolidate its recent achievements. Specifically, in Lao Cai province, SPERI should continue to organize advocacy activities at provincial level to institutionalize the forestland reallocation process that has been implemented successfully in Simacai district (as mentioned in Section 3.1). Lao Cai province is conducting an assessment on the current local forestland situation and SPERI's local partner (the Branch of Forestry has become an official unit under the Department of Forest Management) has been actively advising the Provincial People's Committee in the process of forestland allocation that SPERI has implemented in Simacai district. This is a favourable condition from supportive local context for SPERI to create institutional changes in a provincial scope. At the same time, SPERI has been implementing these activities in other locations (such as the Central Highlands), and fulfilling one complete advocacy cycle at provincial level (in Lao Cai) will be an invaluable practical experience for SPERI to build upon when continuing these efforts in different locations.

Second, SPERI needs to develop its own approach towards sustainable livelihoods based on forestland and conduct pilot model in the areas where SPERI has successfully supported local authorities in transferring land ownership to households, individuals and local community. According to local people, even though EM community highly appreciated the delivery of 'Red Books' (land right certificates) from local authorities, these newly claimed areas of forestland have yet to create new substantial economic resources.

In FGDs with households in Lung Sui commune, Simacai district, it was noted that most women did not know about the forestland area under their ownership (the number of male interviewees who were aware of this information was also limited). The economic gains that local people could



receive from the transfer of forestland ownership were limited to “collecting vegetables for pigs (each households usually raises 5-6 pigs); collecting firewood for heating purposes (each household usually uses up to 1-2 bundle of firewood (worth VND 50,000) per day).”

Almost no household used their land right certificate as collateral to get access to commercial bank loans, even with the purpose of livelihood development. Some households did mention the failure of reforestation plan (which included planting high value wood with growth cycle from 7-10 years). This finding indicated that although forestland ownership, in theory, is very meaningful to local people (in terms of spiritual, cultural and economic aspects), they are unable to take advantage of forestland economic value in practice.

Although local people have not been granted land use right certificates, they are still able to collect wild vegetables or dry firewood for livestock husbandry and for daily lives. The only emerged problem is that sometimes disputes and conflicts happen among households in neighbouring areas or with the MBSPFs. SPERI used to operate the model of growing forest tree seedlings and ecological farming (in order to instruct local people in developing livelihood activities by taking advantage of forestland) over approximately 10 hectares in Simacai district. However, this model has been transferred to CIRUM (a brother organization of SPERI). Some advanced farmers are also planning to develop the model of providing native plant seedlings (such as *cunninghamia*) to develop forestry livelihood. However, this model has not been intensively implemented.

Despite their ownership over forestland, local people have not thought of livelihood development on their allocated land. As a consequence, in order to make a real impact on beneficiaries after forestland reallocation, SPERI (with other organizations such as CIRUM) should promote research and pilot models to develop forestland livelihood for local people. When the model of forestland reallocation has been proved to be effective in terms of economic value, SPERI could generate more convincing evidences to advocate the policy of forestland reallocation to local people and community at central level.

### **Recommendation for iSEE**

Out of all partners participating in the program, iSEE has created an active impression in fund-raising activities to assure the resources for pursuing its strategic objectives in the long-run. iSEE is evaluated to be an enthusiastic VNGO in enhancing the engagement of young leaders (in EM and LGBT community), who have boldly asserted their leadership skills during the implementation period. This finding indicated that in the long run, iSEE will continue to fulfill its vision by achieving significant milestones in the field of promoting EM and LGBT rights. The evaluation outcome demonstrated that iSEE should organize more frequent exchange sessions for sharing successful experience and approach to other interested NGOs so that a significant synergy could be created towards policy-makers in advocacy activities.

### **Recommendations for CDI and PanNature**

Although CDI and PanNature are both very active members in the VMC, they seemingly have not identified the extractive sector as an area in long-term strategic planning. Participating in Project *“Promoting the Transparency for Better Governance & Reducing Negative Social and Environmental Impacts of Mining Industry”*, CDI retains the organization’s own goal of promoting CSR. Similarly, PanNature’s strategic field of operation has been and will still be nature conservation and livelihood improvement for disadvantaged communities in rural and remote areas. At the point of this evaluation, although both organizations have shown

commitment to continue their membership in VMC, they have not clearly identified EITI advocacy as a strategic field of choice in their future operations. Currently no specific orientation has been confirmed by the leaders of CDI and PanNature, and therefore no succession plan has been formulated for the efforts that have been contributed under NPA-funded program. More worryingly, other partners in VMC (MONRE, VCCI, VFEJ) are not ready to take over the VMC coordinating role that PanNature currently holds. Most members of VMC have evaluated that the Coalition will only continue its activity as a Club for members of the same interests. Although a representative from Oxfam (among other INGOs) has shown commitment to support VMC in the forthcoming period, taking into account the fact that PanNature has not identified the extractive sector (and EITI in particular) as the organization's long-term strategy, it may be forecast with high likelihood that VMC will not be able to continue its current efforts. Therefore, the follow-up activity for CDI and PanNature in the forthcoming period is to conduct an internal discussion to decide whether or not to continue the pursuit of EITI, and of transparency and better governance in the extractive sector. In case CDI and PanNature are committed, they need to work with other partners in the Coalition to formulate the VMC Strategy in 2016-2020 period, where objectives in EITI advocacy are clarified and evaluation of resource mobilization capability for realizing these objectives is conducted. Since its inception, VMC has implemented several annual activities, as mentioned in Section 3.1, but a long-term Strategic action plan has not been formulated. PanNature, in its coordinating role, should have initiated this activity earlier.

**Recommendations for CODE** As CODE has decided to withdraw from operations in the extractive sector and transferred the responsibility of coordinating VMC to PanNature, this report does not present recommendations for this organization.

## VII. ANNEX

### List of interviewees

Org.	Name	Gender	Position/Address
<b>SPERI</b>	Duong Quang Chau	Male	Ecofarm Officer in SPERI
	Phan Van Dung	Male	Land conflict Officer in SPERI
	Dam Trong Tuan	Male	Managing Director of SPERI
	Nguyen Van Su	Male	Deputy Director of CIRUM
	Pham Dinh Nha	Male	LISO Coodinator
	Nguyen Khac Thu	Male	Huong Son district, Ha Tinh province Hanh Dinh commune, Que Phong district, Nghe An province
	Lo Cam Xuyen	Male	An province
	Vang Xi Min	Male	Simacai district, Lao Cai province
	Tran Van Viet	Male	Forestry Expert, Central Economic Committee
	Nguyen Manh Tien	Male	Ethnic Council of the National Assembly Head of Environmental and Resource Division in Simacai district, Lao Cai province
	Nguyen Xuan Dang	Male	Lung Sui Commune, Vice President of People's Committee
	Mr. Quang	Male	Staff at Land Office, District Divison of ARD
	Mr. Thanh	Male	Head of Lung San village, Lung Sui commune, Simacai district, Lao Cai province
	Vang Seo Pao	Male	Elder in Lung San village, Lung Sui commune, Simacai district, Lao Cai province
	Ly Seo Chua	Male	Elder in Lung San village, Lung Sui commune, Simacai district, Lao Cai province
	Ly Seo Sau	Male	Deputy Head of Forestry Management Branch in Lao Cai province
	Vu Quang Diep	Male	Head of Forestry Management Branch in Lao Cai province
	Nguyen Van Vui	Male	Head of Forestry Management Branch in Lao Cai province
Tran Van Dang	Male	Head of Forestry Development Division	
<b>CODE, PanNature, CDI</b>	Pham Quang Tu	Male	CODE formal leader
	Duong Van Tho	Male	Staff at PanNature
	Le Xuan Truong	Male	Dean of In-service Training Faculty in National Institue for Finance
	Mr. Dung	Male	Journalists from Vietnam Forum of Environmental Journalists
	Ms. Yen	Female	Journalists in-charge of mining sector in VOV
	Vo Manh Hung	Male	Journalists in-charge of mining sector in VietPlus
	Mr. Thanh	Male	Director of Mining Management
	Nguyen Huy Duc	Male	Staff at Legal Department of VCCI
	Duong Viet Anh	Female	CDI Project Team
	Kim Thu Ha	Female	CDI Project Team
	Cao Sy Linh	Male	Specialist at Thai Nguyen Department of Natural Resources and Environment
	Nguyen Huu Hanh	Male	Deputy Head of Mineral Division
	Doan Van Thuy	Male	Director of Thai Nguyen Environmental Protection Fund
Chu Thanh Khang	Male	Deputy Director of Thai Nguyen Environmental	

			Protection Fund
	Vu Dang Khoa	Male	President of People's Committee of Thai Nguyen province
	Tran Vi Duong	Male	Deputy Director of Trai Cau Mine
	Mr. Quang	Male	Secretary of Trai Cau Mine
<b>iSEE</b>	Luong Minh Ngoc	Female	Director of iSEE
	Hoang Thanh	Male	Programme Officer
	Le Quang Binh	Male	Former Director of iSEE

### List of participatns in FGDs

	Name	Gender	Position/Address
<b>SPERI</b>	Ly Seo Ky	Male	Lung San village, Lung Sui commune, Simacai district, Lao Cai province
	Vang Seo Lyn	Male	As above
	Vang Seo Phu	Male	As above
	Vang Pao Din	Male	As above
	Ly Thi Hoa	Female	As above
	Cu Thi Chai	Female	As above
	Giang Thi My	Female	As above
	Sung Thi Tung	Female	As above
	Sung Thi Tau	Female	As above
	Giang Thi Cong	Female	As above
	Giang Thi Pu	Female	As above
	Giang Thi May	Female	As above
<b>CODE, PanNature, CDI</b>	Dang Quoc Tuan	Male	Mo Sat commune, Thai Nguyen province
	Vu Dinh Hung	Male	As above
	Dinh Thi Nhuan	Male	As above
	Tran Thi Xuan	Male	As above
	Tran Van Ti	Male	As above
	Vy Huy Hoang	Male	As above
<b>iSEE</b>	Hoang Minh Thang	Male	EM leader
	Truong Cam Dan	Female	EM group
	Ha Hien Thuong	Female	EM group
	Viet Anh	Female	LGBT group
	Hoang Minh	Male	LGBT group
	Hoang Hai	Male	LGBT group