

Community Development and Social Action Case of MECO-ECOTRA partner with SPERI (2010-2013)

*Efforts of this period concentrate into changing ideology and attitude of power maker
with regards to lobby Land Law 2013 in Vietnam for Indigenous People
and hand in hand with all Religion for “Nurturing Nature”*

Analyzing social political economic problem for designing direction forwards

The Mekong region including Cambodia, Laos, Myanmar and Vietnam in 2012 witnessed the year of many hottest political economic changes.

First change which was happened in Vietnam is **REDD**¹. In September 2009, the Vietnamese Government signed a Memorandum of Understanding (MOU) with UN organization to implement the first phase of “UN-REDD Vietnam program” during 20 months with total budget of USD 4,504,756. Of which, the UN-REDD MDTF funds USD 4,384,756. Objective of the program is “to assist the Government of Viet Nam in developing an effective REDD regime and contribute to reduction of regional displacement of emissions”. This will contribute to the broader goal of ensuring that *“by the end of 2012 Viet Nam is REDD-ready and able to contribute to reducing emissions from deforestation and forest degradation nationally and regionally”*. In order to catch up the time frame of REDD, subsequent legal papers for fulfilling REDD were issued: i) the Join Circular 07/TTLT - BNNPTNT - BTNMT dated January 29th, 2011, ii) and the Directive 1019/TTg-DMDN dated June 26, 2011 by the Vice-Prime Minister on *“re-arranging renovation of State-Owned Forest Enterprises.”* The item 1 of the document emphasizes that: *“People’s Committees at provincial and City under Central government levels to coordinate with Ministries: Resources and Environment, Agriculture and Rural Development in guiding the closing of land lease contracts, the issue of certificates of land use rights*

¹ The UNFCCC conference in Bali recognized Viet Nam as one of the top five most affected countries in the world as a result of climate change. Since the beginning of Global process, Vietnam has made clear its position on REDD+ through a submission to the UNFCCC Secretariat in February 2008 and become one of nine countries identified for implementing country under UN-REDD Program. In September 2009, Vietnamese Government signed MOU with UN organization to implement first phase of the “UN-REDD Vietnam program” that implementing during 20 months with total budget of USD 4,504,756 (of which the UN-REDD MDTF funds USD 4,384,756. The objective of the program is “to assist the Government of Viet Nam in developing an effective REDD regime in Viet Nam and to contribute to reduction of regional displacement of emissions”. This will contribute to the broader goal of ensuring that “by the end of 2012 Vietnam is REDD-ready and able to contribute to reducing emissions from deforestation and forest degradation nationally and regionally”.

over the acreage of State forest enterprise (limited liability companies with one partner, unlimited liability companies with two or more partners, joint stock companies) which are anticipated to be retained for the management of their deployment in productive enterprise objectives. Completion must be effected by the end of 2011. In 2012, complete determination of boundaries, pegging out boundaries, survey of pegs and boundary lines for land use by State forest enterprise and units responsible for public utility provision”, iii) the Resolution No.19 - NQ/TW dated October 31th, 2012 session 6th of Communist Party Central Congress Term XI wrote: *“Continuously reforming land law and land policy in order to promote Vietnam moving forwards into industrialization towards a modern nation by the year 2020”*.

Abovementioned documents all emphasize in handing over the forest and land right to state forest enterprises, companies as well as individuals by the end of 2012. The process must be completed in order to offer a convenient environment and condition for the REDD pilots in Vietnam. It also creates favorable conditions for the capitalist investors to exploit natural resources faster in the last two years while offering very few opportunities to the 15 million indigenous ethnic minorities to access to forest and land. Even, their ancestral forest and land could be lost during the above two years with the above legal documents.

Laos in 2012 becomes a new member of WTO. It also highlights a time of competing and fighting over natural resources amongst companies from neighboring countries like Vietnam, China and Thailand. It is hottest not only economic problem, but also is vulnerable to the future Laos's indigenous populations. For example, a new government policy “State land Lease and Concession, 2009” - allowing foreign companies in leasing land for 30 to 70 years. Opening up land for foreign investments in logging, constructing and commercial plantations with the aim to build up the country² will drive Laos country, especially their indigenous ethnic minority people become more and more vulnerable and isolated in the near future. However, there is a positive legal political initiative that is ongoing strategy of Laos in order to open up the legal spaces for 49 official ethnic minority groups' customary practices into formal justice recognition. The minister of Justice, Dr. Chaleun Yiapaoher described these ethnic customs as ‘informal law’ and he stated that the Party and government recognized the importance of each ethnic group's customs and respected the fact that they had been practiced and relied upon for generations. Other genuine researcher – Mrs Tran Thi Lanh who has been engaging with Lao's indigenous

² There are three big scale projects including Bor Ten – Vientiane rail way project, Savanhakhet-Laobao border rail way project and Xayahury hydro power project has been approved. It seems that the 3 projects are well on progress. Total cost of Xayahury hydro power project is about USD\$3 billion; Total cost of Savanhakhet-Laobao border rail way is about USD\$ 5 billion which is expected to start in January 2013 and will be completed in the next 4 years. Total cost of Borten to Vientiane high speed rail way project is about 6.7 USD\$ billions which has been approved by the National Assembly of Laos in October 2012. The two rail way projects will serve mainly for the transporting of extracted raw materials from Laos to China and Vietnam.

and ethnic groups since 1999 up to know continuously and insight their daily customary laws through their own value system applying in daily governing and managing their own community and natural resources surrounding them, She said:

“Customary Law is the Law of Indigenous and Ethnic Groups in Laos”! (“Customary and Autonomous” unpublished document – December 2007 by Mrs Tran thi Lanh).

In Myanmar, 2012 is also the year for converting political system and open up for foreign investors legally where Chinese multinational companies have been occupying the richest landscapes.

Cambodia in 2012 also the place of hottest violence caused by overlapping between companies of Vietnam and China in order to force appropriation of rich tropical rainforest and land for mining, hydropower and commercial exploitation.

Thailand is a place of discriminating legally between indigenous ethnic minority and Thai, lasting over the decades.

The Mekong region where is rich in natural landscapes and biodiversity, and where the indigenous ethnic minorities are living and practicing their knowledge for their daily livelihood and religion towards “nature worship” has been displaced for capital investments.

A similar signal happening within countries in the Mekong region is the application of development direction from the western style by offering excellent conditions for capitalist investors, multi-national corporations, joined ventures and opening up opportunities for them to access long term use rights of forest and land in one hand; other hand, inside countries, they try to create legal papers in order to promote forest and land to become marketed, exclusively and resettling indigenous ethnic minority people away from their ancestral forest and land for extractive industry, recreation and urbanization.

Those above legal changes have presented a major challenge to which SPERI has responded by focusing its energy and resources on lobbying on behalf of the indigenous people in order to protect their land use right and their ancestral religious forest and land for their own livelihood sovereignty in the Mekong region. SPERI works in the basis of MECO-ECOTRA³ with the focus on consolidating livelihood sovereignty which is defined in terms of 5 interrelated rights: 1) the right to Land (basic); 2) the right to performance one’s own religion on one’s own land (unique); 3) the right to practice one’s own knowledge in daily farming (practice); 4) the right to decide what to grow on one’s own land (holistic); and 5) the right to co-government of one’s land (strategic).

³ MECO-ECOTRA provides the visionary, strategic and practical direction of SPERI’s journey based on the interactional principles of Biological Human Ecology Theory which underlies SPERI’s approach to the daily challenges and obstacles as well as advantages when working with the Indigenous People in the Mekong region. It is a vital foundation development partner of SPERI and is always leading SPERI forward from 1995–2005-2015 and forwards to 2025.

Two biggest questions are “is there any more land for about 70 million indigenous ethnic minority people to survive if legal papers practically achieved in the Mekong region”, and “How MECO-ECOTRA can continue its mission toward consolidating grassroots livelihood Sovereignty under 5 basic interrelated rights mentioned above if there is no more land for them to practice their daily life in the Mekong region”.

SPERI recognizes dangers in the earlier 2012 and moved faster and larger seeing the future of daily livelihood survival and spiritual values of nearly 70 million of indigenous ethnic minority populations in the Mekong region who would be under threatened. Livelihood, according to the indigenous ethnic minority people is a holistic meaning of their life which determines their own dignity and value, their own social organizational and institutional structures (customary laws) as well as cultural characteristics. These are always interrelated interdependently with their own ancestral natural spaces and resources. Forest and land, according to the indigenous people’s belief system is unique sacred space that nature offers for them to sustain and determine their identities.

In Vietnam, MECO-ECOTRA and SPERI concentrated intensively on community rights to religious/spirit forest and land in different target groups of MECO-ECOTRA. The subsequent actions are trying to lobby policy horizontally and vertically based on two themes: 1) Customary law in community governing and managing natural resources and 2) community ownership of the religious forest and bio-cultural diversity preservation. The outputs of these are to reach the outcomes of 1, 2 and 6⁴ of MECO-ECOTRA 2010-2013 Sequences of these outcomes will contribute into social action largely.

In Laos, MECO-ECOTRA and SPERI focus on 4) eco-farming in land use planning and food security; 5) human ecology practical area (HEPA) - farmer’s field school (FFS) and young indigenous ethnic leadership development strategy (YIELDS) in order to reach outputs for outcomes 3 and 5⁵ of MECO-ECOTRA 2010-2013.

⁴ Outputs for outcome 1: “To have three strong MECO-ECOTRA key farmers networks in the way that their own CBOs and CBIs can influence policy making processes in all aspects at commune level. The influence is reflected in the sense that the CBOs and CBIs play crucial roles in the policy making process” and outcome 6 “The discourses between- MECO-ECOTRA and local policy makers is willfulness, consciousness and sharing social – culturally and politically correct. In the other words, the local policies making process is participatory, transparency, taking into account local norms and custom, and happily accepted by the two sides”. Following outputs are expected: Outputs for outcome 2: Community Based Institutions in Forest Management in all project sites will be given legal recognition in forest management (social and environmental effect indicators will be concerned and governed same the ones which Long Lan, Luang Phrabang province had been achieved).

⁵ Outputs for outcome 3: A specialized Mekong regional network on eco-farming action for lobbying sustainable land use planning at community level will be achieved. The network is specialize in the sense that all local experiences, best practices and pilots at households, communities and regional farmer field schools are consolidated into professional land use planning curriculums. The curriculums then will be presented to local authority and will be applied in local land use planning. Following outputs will be expected. Outputs for Community Development and Social Action- Case of MECO-ECOTRA – SPERI

MECO-ECOTRA and SPERI re-freshed local wisdoms and exchanged adapting solutions of traditional professors in Nong tao, Maesamai, Hin Lad Nai and Maetha villages in Chiang Mai, Thailand for Young Eco- Farmers learning and internship in order to consolidate outputs for outcomes 3 and 5 in one hand, other hand to widening MECO-ECOTRA in networking with Toward Organic Asia (TOA) and International Network of Engaged Buddhists (INEB) beyond the region to Asia and worldwide.

In Myanmar, MECO-ECOTRA and SPERI initiated different opportunities for young peace builders, coordinator from METTA organization to visit HEPA / FFS for sharing. As well, SPERI seniors visited METTA in Myanmar for global programmatic visionary exchanging as well as intending to develop “Land core group inter-national cross cutting issue” based on the “customary law in community governing and managing natural resources” of MECO-ECOTRA with land core group initiated by NPA in Myanmar. This effort aims to broaden outputs for outcome 3 and 5 based on two themes: “customary law in community governance and natural resources management, and farmer’s field school (FFS).

In Cambodia, MECO-ECOTRA and SPERI connected with MVI organization’s director, Mr Youra, who is based on Moldonkiri province, and came to visit HEPA FFS of SPERI to find out solutions for connection between Moldonkiri and Vietnam to deal with the pressure of Vietnamese companies who grab forest and land of indigenous people in Moldonkiri. Further, MVI seeks young farmer activists from Moldonkiri to HEPA farmer field school in Vietnam for studying. CEDAC (Cambodia) and SPERI senior join regional network for ecological enterprising, as well sharing organic product enterprising skills.

Motivated by the political economic challenges above happened in the Mekong region during the last 12 months, MECO-ECOTRA’s six thematic action networks, especially elders and young farmers, exchanged amongst each other stronger than ever. Sequences of meetings, training workshops and conferences for learning about what negative impacts REDD has funded, Circular 07/TTLT-BNNPTNT-BTNMT/2011 and Directive 1019/TTg-DMDN/2011 for indigenous people and natural diversity in Vietnam were organized. Young farmers bridged with TOA where young farmers in Asia joined organic movement and finding solutions for small scale farmers for the future of the Mekong by attending the 9th Asia-Europe Peoples’ Forum from 15th -19th October 2012 in Vientiane, Laos. They voiced their own struggle fighting against land grabbing legally supported in both Vietnam and Laos. HEPA students opened their willingness to welcome and host an Asia young diversified farmer’s gathering at HEPA FFS in August 2013 with the purpose of sharing pressures and finding solutions for regional young farmer action in coming years.

Other motivations resulting from the above legal challenges led SPERI to connect with INEB. INEB which was established in 1989 by leading Buddhists including the 14th Dalai

Outcome 5: A source of young leadership for Community Institutions in watershed management, Eco-Farming for sustainable Land use planning and Community Enterprise for fair trading will be built up.

Lama, the Vietnamese peace-activist Monk, Thich Nhat Hanh and the Theravada Bhikhu Maha Ghosananda as its patrons, is a network of spiritual friends from 30 countries and 6 continents. It supports coordination and collaboration between socially conscious Buddhist groups from different countries and encourages dialogue and partnership with activists and other spiritual traditions. Efforts and achievement of MECO-ECOTRA/SPERI through “community ownership of spirit forest and bio-cultural diversity preservation” has been recognized by INEB through visiting, sharing and presenting at the international conference held in Srilanka in October 23-28th 2012 “Global action for Climate Change”. As the result of that conference, two weeks after, INEB joint committees meeting at Kodo Kyodan Buddhist Fellowship, Yokohama on the 8th November 2012. In Japan, Mrs Tran thi Lanh was voted to become an executive committee member of INEB. This is a signal for both MECO-ECOTRA and SPERI to shift up beyond the Mekong region to other continents for learning and sharing in coming decades.

Other implications of the above political economic challenges were the threatened eradication of the original traditional civilized dignity of indigenous people in the Mekong region and elsewhere. If those who worship nature no longer have forest and land space for their worship, the indigenous people will become marginalized forever by modern development in the region. This prompted SPERI to seek opportunities for seniors to professionalize their skills in academic to analyzing results of its activities since 1995 by cooperating with the Arts and Social Science of the University of Waikato in New Zealand. The holistic aim of this cooperation is to widen the value system of the indigenous ethnic minority in the Mekong region into the Pacific and worldwide, for “Nurturing Nature”, a Philosophy of Life and Development of the indigenous people needs to be highlighted.

Beyond MECO-ECOTRA-from Community Development to Inter-Religion Action Network worldwide

The worldwide notable achievement in this period is inter-national networking beyond the Mekong region with TOA, INEB, Bhutan Study Centre and Waikato University. All these cooperation were moving forwards into organic life, harmonized human nature, care and fairness with environment surrounding, peace building and being healthy and happiness. By achieving so, all stakeholders are trying by different efforts to lobby inter-national policy on forest and land for the indigenous people, especially promoting land for small scale farmers who are engaging with the theme “eco-farming in land use planning and food security” of MECO-ECOTRA. TOA in the program of 2011-2014 formally selected SPERI as a key partner to respond for capacity building for young eco-farmers by using HEPA-FFS as a place to train eco-farmers regionally and internationally.

Nationwide, it was the mushrooming of interest amongst local and national media in lobbying forest and land policy for 15 million indigenous minority people (outputs for outcome 1, 2, 3 and 6). For example: the Community Party of Vietnam National Online Newspaper⁶, Global Cooperation Channel TCT 10, VCT 1, VCT 4 and VCT 14 broadcasted the outcomes, effects and impacts of applying the Join Circular 07/TTLT/2011

⁶ <http://www.dangcongsan.vn.org>

positively for the benefit of the indigenous people. Series of documentary films on “customary based conflict over forest and land”, different press local and national level focuses on customary based land conflict resolution and community right to the religious forest and religious land which demonstrates MECO-ECOTRA action network were published. These lesson learned also have been broadening from inside MECO-ECOTRA networks to other coalitions / networks on forest land such as CIRUM/RDPR/CRD/CODE. Different actions among these organizations such as exchange tours, workshops, conferences, etc. were happened over the last 12 months to open up opportunities for connection, sharing and enriching more civil society involvement in action program.

In Laos, Long Lan Community Based FFS associated with the Hmong Association in Luang Phrabang district welcomed the team of the Communist Party of Vietnam Online Newspaper to record and broadcast their efforts and achievements in customary based community governing and managing special watershed forest.

Horizontal and Vertical Cooperation for Social Sharing and Political Co-Responsibility (Lobbying Art)

Process 1: Achievement of lobbying Circular 07/TTLT/2011 in Simacai district (Lao Cai), and Que Phong district (Nghe An) authorities via series of training workshop, a round table negotiation, debates and forums among elders, key farmers, young eco-farming leaders of MECO-ECOTRA attracted different stakeholders and actors, particularly media/press and parliamentarians. It impacts into the high ranking policy maker including the Land Law Drafting Team. Social action has been widening and inspiring into the Ho Chi Minh National Political Academy and the Ethnic Minority Council of the Vietnam National Assembly, then “make noise” to Religion and Ethnicity Department of the Vietnamese Fatherland Front. Sequences of outcomes from the process of applying advantage signal of Circular No 07/TTLT/2011 in order to gain back religious forest and land for H’mong communities in Simacai of Lao cai and Black Thai in Que phong of Nghe A has been well known. Result of all in November 1st 2012, SPERI associated with CIRUM and CODE to open the national workshop on “Land use and management in ethnic minority communities in upland Vietnam”. Participants consisted of 1) representatives of farmers who face serious shortages of land coming from mountainous ethnic communities of Northern, Central and Central Highland regions, provinces of Lao Cai, Son La, Bac Can, Lang Son, Nghe An, Ha Tinh, Quang Binh and Kon Tum ; 2) communal and district officials coming from Hmong, Thai, Tay, Nung, Van Kieu, Bana, Ro Ngao and Kinh ethnic communities; 3) representative from the National Assembly office; 4) representative from the Nationalities Council of the National Assembly, 5) the Economic Committee of the National Assembly, 6) the Committee for Education and Propaganda of the Party’s Central Committee, 7) the Government Office, 8) the Bureau of Forestry, 9) the Land Research Institute of the Bureau of Land Management, 10) the Fund for Participation and Accountability, 11) the Department of Policy and Legality, Bureau of Land administration, 12) Vietnam Paper Corporation, 13) Vietnam Forestry Corporation, 14) Representative from Ministry of Agriculture and Rural Development, 15) Representative from Ho Chi Minh National Political Academy, 16) Representative from Land Law Drafting team 17) representative from Norwegian People's Aid (NPA), 18) Bread for the World (BfdW), 19) Website of Vietnam Communist Party, 20) Politics and Social television - VTV1, and 21) the 20 Community Development and Social Action- Case of MECO-ECOTRA – SPERI

different media, television, Radio of Vietnam, 22) The Coalition Group of CIRUM/RDPR/CIRD/OXFAM/CODE/CIRD and their key farmers who on behalf of their communities.

The following main contents in 07 recommendations of the Workshop are analysis and summarized by the organizers and SPERI supervisor Mr Ton Gia Huyen (national advisor for Land issue in Vietnam), and sent straight away in November 5th in order to provide hottest information and key solutions to the ongoing 4th Session of 13th Term National Assembly for group discussion in November 6th and for plenary debate in November 19th, 2012 regarding Resolution No. 438/NQ-UBTVQH 13 dated January 12th, 2012 and Detail Plan No. 152/KH – DGS dated May 25th, 2012 of the Standing Committee of the National Assembly on the supervision of ‘the implementation of policies, legal document on residential land, production land for ethnic minority peoples’.

Firstly, shortage of residential land and production land.⁷ Ethnic minority peoples of some localities even do not have production land, lose sacred forests for worshipping their ancestors, and lose land for practicing management, worshipping, and nurturing nature according to belief system of ethnic groups. Losing spiritual forests, herbal forests, and clan forests means losing existence spaces for multi-generational traditional culture of ethnic peoples. Shortage of production land signifies insufficient vital foundation for maintaining livelihood security of mountainous ethnic peoples, and its outcome contradicts the orientations of the Party, such as Guideline No. 29 in 1983, Resolution No. 26 of the 7th Plenum of 9th term Party Central Committee in 2003, and the 6th Plenum of 11th term Party Central Committee in this October. Though mountainous areas contain vast areas of land, there remains land distribution inadequacy, low use efficiency, and messy exploitation. This phenomenon causes serious degradation of bio-diversity of land and forest and the erosion of cultural identity of ethnic groups, that becomes an unacceptable paradox for the country’s current development process.

Secondly, this paradox has been a focal point causing contradictions and conflicts reaching the level of complaints, denunciation and insecurity in mountainous society, and potential social unrest. If there is no sufficient synchronous measure, there will explode spontaneous selection of state power by the people.

Thirdly, since 1983, Guideline No. 29, then Resolution No 26 the 7th Plenum of 9th term Party Central Committee in 2003, and the most recent 6th Plenum of 11th term Party Central Committee, all reflects highly the political will for solving problems. Political will is the most significant foundation for implementing solutions and pilot models dealing with ethnic peoples’ shortage of residential and production land. The remaining issues are the realization of this will in the entire political system and attitude in implementation on the basis of people, community participatory democracy, co-responsibility with involvement of local people, so as to stabilize soon peoples’ spiritual and material life.

⁷ Inadequacy, inequality of residential land and production land between farmers and officers/ worker of enterprises: each officers/ worker of enterprise has 113.36 ha of forestland. Each mountainous farmer household has only 0.62 ha of production land. Average land per resettled household is merely 400 m² of land.

Fourthly, it is necessary to revise land law towards : 1) Provide specific policy to ethnic minority peoples ; 2) seeing that specialized-used and protection forests are not only allocated to subsidized salaried state management boards, but also to local ethnic communities for their own protection and management under a specific, suitable policy, which has regard to and is based upon ethnic people's land and forest valuing perception and practice of voluntary 'natural worship' without government salary payment. For instance, traditional water protection forests, herbal forests, clan forests should be considered as protection forests. Sacred forests, spiritual forests should be seen as special-use forests. The state should enact policy that accepts various distinctions and respects every ethnic customs and their perception of forest and land. Specifically, legal framework should be provided to enable ethnic people to maintain their religious practices towards this type of land and forests. 3) Rearrange and withdraw major portions of the most favorable production land from state enterprises and companies to allocate to ethnic peoples. The system of state forestry and agricultural enterprises should be reformed towards services for inputs and outputs of forestry production. Responsibilities and obligations of forestry enterprises should be equal to those pertained to the mountainous households. This is the most efficient measures for utilization of land and forest resources, while at the same time promoting the strength of 15 million mountainous people. Ethnic people should have rights to pay taxes direct to state budget instead of through such intermediaries as forest enterprises or companies. Do not allow the existence of disguised land renting and getting taxes from that. This is a critical issue in the transitional period, whenever a considerable amount of forest enterprises and companies become intermediary actors to separate authorities from peoples and make people misunderstand the nature of a state of the people. 4) Reorganize the forest protecting force to become an actual force of the people, to combine people's forest protection to the ethnic people's monitoring and supervision, so as to ensure holistic efficiency of forestland use.

Fifthly, regarding state management: 1) Strengthen and build up communal administration to be strong enough with sufficient personnel and resources to deal with strict and effective local land management. 2) Readjust and complete communal land use planning with a strategy of implementation, supervision, management of land use planning in a disclosed, transparent and democratic manner. 3) Soundly implement democracy principles which have regard to respecting customs, traditional cultures, and perceptual values of each ethnic identity. 4) Strengthen people's supervision capacity at communal level, enhance forest and land management and administration skills for people and community after land allocation, so as to assure the build up of a forestry society of self-reliance, self-responsibility, civilization, stability, and charms of cultural identities of each ethnic group.

Sixthly, administrative power of all levels should become a central position to assemble social forces to involve in a solution to the mentioned paradox, of which communal level should be a foundation for initiations.

Seventhly, respect resolutions of land overlapping, recalling adjacent forests and land from management boards of protection forests on the basis of ethnic people's ethics and participation; replicate and extend successful pilot models of community customary law-based land allocation in combination with forest allocation according to Joint-circular No. 07/TTLT/2011 in provinces of Son La, Lao Cai, Lang Son, Nghe An, Ha Tinh, Quang

Binh. Special attention should be paid to pilot models of ‘community rights towards spiritual forests, herbal forests, traditional clan forests, watershed forests’ on the basis of integration between customary laws and statutory laws with advice from Social Policy Ecology Research Institute (SPERI) and Culture Identity and Resource Use and Management (CIRUM). Their efforts in land allocation in combination with forest allocation have been made upon 38,000 hectares of community forestland, production land, based on customary laws, Decree 163/1999/ND-CP and Joint Circular 07/TTLT/2011 and the instructions of land use planning towards ecological farming by the mentioned organizations in the above mentioned provinces.

These above seven key contents are recommendation to the National Assembly Congress No 4 Term XIII on 5th November 2012. The recommendations were also sent to Communist Party leaders, Prime Minister, President of the National Assembly, Polit-Bureau, the Ministers of Agriculture and Rural Development, Natural Resources and Environment, and the Land Law Drafting Team.

Subsequent events, from January to April, 2013, a series of seminars for sharing will be facilitated: 1) Academic based analysis toward forest and land policy for indigenous people in Vietnam will be raised by the Ho Chi Minh National Political Academy; 2) Politic based analysis will be raised by the Ethnic Minority Department of the Ethnic Minority Council of National Parliament; and 3) Independent social, political, civil and religious critical analysis will be raised by the Religion and Ethnicity Department of the Fatherland Front. These diverse seminars will focus on the 7 recommendations of the 1st November, 2012 workshop. Outcomes of these forums will be inputs for SPERI, CODE and CIRUM for the second national workshop expected to be happened the end of April – before 5th Congress of the National Assembly XIII in earlier May, 2013.

This second national workshop will emphasize specifically, deeply and precisely five of the seven recommendations: 1) forest land policy theoretically and practically has to be returned to 15 million indigenous people who have been living and surviving on that land from generation to generation. Government should issue new policies for supporting small-scale farmers for surviving on their forest land. State Forest Enterprises should only play a role as providing technical services, and if possible to learn how to initiate local niche markets for self-sufficiency for indigenous people. 2) Spirit/religious forest, traditional watershed forest and clan based land which belongs to different indigenous ethnic minority groups must be returned to 15 million indigenous people legally via using the advantages of Circular 07/TTLT/2011. Therefore, policy makers should realize that beside the formal, costly and ineffective bureaucratic system of conservation there exists a parallel indigenous system of preserving nature based on the voluntary actions of people following their own belief in nature. 3) Community based land use planning must be legalized under the land law in 2013. Cancelling the community understanding and participation in land use planning charter in land law in 2013, which used to recognize in the Land Law in 2003, means creating by law more conflicts in the future, especially when a market in land is being developed. 4) The National Assembly should set up a professional committee to advice on land issues and land use planning. 5) The customary laws of 15 million

indigenous ethnic minorities needs to be legally recognized for natural resources co-governance.

These five key recommendations will then be sent to the pre-plenary meeting among 40 parliamentarians who are representatives for indigenous ethnic minority in Vietnam for discussion and summary for final key contents inputs for the National Assembly Congress No. 5th Term XIII in the earlier May 2013 for debate. The outcomes of this will contribute to the finalization of land law in June 2013. Beyond of this, the issue on religious/spirit forest and land will continue to be raised by MECO-ECOTRA- SPERI and its dozen different media alliance in order to move forward to another lobbying action targeted at the amendment of Law on Forest Protection and Development in 2014.

Process 2: In March 2012, HEPA/FFS students hosted TOA team which includes different young organic farmers and people who follow organic life from Laos, Thailand, Myanmar, Cambodia, France, Holland and India, and one of them was a Secretary of INEB. The most important achievement during visiting HEPA in this trip is that the visitors were emotional inspired by seeing HEPA students worshipping nature on the top of HEPA forest named “ Spiritual Da Tree with 9 Pillars”. Then the visitors stepped down into different eco-farming farms, where they realized ways of nurturing nature that students practice in their own eco- farming farms. Outcomes straight away of the visit were: 1) INEB officially invited SPERI’s vice director to visit an organization in Scotland who has similar philosophy and action with SPERI in May, 2012 for exchanging. Subsequent event from this, a week after, INEB invited another senior staff of SPERI to participate in Bangkok conference for Young Leadership Internship Action period August 2012-May 2013. Outcomes from this meeting in Bangkok was: 1) one HEPA student joined internship at INEB in Bangkok from August 2012- May 2013; and two Indian and Burmese young farmers came to HEPA for internship at the same period, August 2012-May 2013. Effect indicator from HEPA student who joined internship at INEB Bangkok is that he became actively involved in action network amongst young farmers from different countries in Mekong included 6 different HEPA students from Vietnam and Laos attending two forums: one was exchanging lessons learned from organic farming headed by Participatory Development Training Center (PADETC) from October 11th to 15 and other is the 9th Asia-Europe Peoples’ Forum from 16th – 19th , October 2012 in Vientiane, Laos. At this forum they voiced their own struggle fighting against land grabbing caused by legal support in both Vietnam and Laos. Here, HEPA students opened their willingness to welcome and host an Asia young diversified farmer’s gathering at HEPA-FFS in August 2013 in order to share their pressure and find solutions for regional young farmer action in coming years.

Alleviate Poverty of relationship between Public–Business and Civil Society Cooperation for better understanding

Interesting lessons learned is through the ways of civil society action network of MECO-ECOTRA/SPERI in lobbying and involving multi-actor programmatically for co-responsibility and decentralization through “customary based conflict over forest and land and allocation”, the biggest contribution in the last 12 months is to slow down the dangerous hurry up of the joined Circular 07/TTLT and Directive 1019/TTg- DMDN/2011

that stated that: “*the issue of certificates of land use rights over the acreage of State forest Enterprises (limited liability companies with one partner, unlimited liability companies with two or more partners, joint stock companies) which are anticipated to be retained for the management of their deployment in productive enterprise objectives. Completion must be effected by the end of 2011. In 2012, complete determination of boundaries, pegging out boundaries, survey of pegs and boundary lines for land use by State forest Enterprises and units responsible for public utility provision*”.

In contrast, not only “*In 2012, it can not complete determination of boundaries, pegging out boundaries, survey of pegs and boundary lines for land use by State forest Enterprises and units responsible for public utility provision*”, but also it converted the top-down dictates of both legal papers into re-investigating and re-monitoring forest and land areas which are managed by State Forest Enterprise and its subsidiary companies legally by the Decision No.1881/QĐ-TTg dated December 12th, 2012 just 37 days after the national workshop hosted by SPERI/CODE/CIRUM in November 2012 with 22 different key stakeholders under the witness of 20 different medias. Outcomes of this conference is seven key recommendations sent to the National Assembly 4th Term XIII’s Parliamentarians straight away in November 5th for group discussion on “*Resident and Farming Land for Indigenous Minority*” issue in one hand. On other hand, this became a hottest concern nationwide for diverse actors towards religious forest and land for indigenous ethnic minority farmers. The 07 recommendations were also sent to the highest ranking leaders of Vietnam i.e. General Party Communist Leader, President of Vietnam, Prime Minister, President of National Assembly, MARD, MoNRE and Land Law Drafting Team. It is amazed in following up the next April event before the National Assembly Congress 5th Term XIII continue in May 2013, these 07 recommendations will summarize into 05 key recommendations. In which, Forest and Land need to be returned for 15 millions indigenous ethnic minority people in Vietnam, community based land use planning must be legalized in the land law in 2013.

In summary

It is not good or bad society. It is because society was produced by Human Action. As Human who handle power maker in their hand, she or he can create win - win or win - lose depending on one’s value of life or exist. One values life is love and peace, and love is peace and sharing, then she or he will inspire forwards. As the results, Human can over win-win or win-lose from one to another or trying win over one’s self. Community Development in Mekong and Social Action - case MECO-ECOTRA - SPERI means sharing openly and willingness horizontally and vertically. One day in the very near future, no longer for western theoretical and model exist and domination over Mekong as so far. It will convert into re-finding and regenerating the Indigenous Original Civilized Dignity for Sustainable Life and harmonized Human Nature “*Nature Worship in stead of Money Worship*”. Nurturing Nature can become a “*Philosophy of Life and Development*” worldwide.