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Annual Report

Enriching Customary Law in Forest Management
and Land Use Planning



Phon Xa Vat and Den
Xa Vang villages,
Luang Prabang, Laos

Social Policy Ecology
Research Institute - SPERI

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Annual Report

General information

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Terminology

Advisory Board (AdB) which was appeared in accordance with requirements of sustainable community development, as a result of the Need Assessment Study (NAS) in Den Xa Vang and Phon Xa Vat in 2009. AdB incorporates key persons such as prestigious elders, clan heads, key farmers and traditional civil institutions like Luang Prabang Hmong Association. This is an informal democratic association to supervise and advice community development strategies and proper solutions over natural resources conflicts.

Coordinating Board (CoB) was set up in accordance with requirements of coordinating advices of the AdB in community development. This is a result of the Need Assessment Study (NAS) in Den Xa Vang and Phon Xa Vat in 2009. The Board includes key farmers in the network of Long Lan, Xieng Da and Nam Kha, and the three targeted villages.

Project Implementation Team (PITA) was set up in accordance with requirements of need identification, planning and carrying out project activities within each targeted village. The Team includes key farmers, village authorities and representatives of socio-political associations such as women, youth, fatherland front and farmer.

Community based natural resources management (CBNRM) is a process of learning, and integration between local values, local knowledge and government policies. That means an assurance of villagers' rights of participation, self-discussion, self-decision of the local. Therefore, it requires values of devolution to which there is recognition of traditional customary laws, local knowledge and perception of local ownership over natural resources.

Grassroot Democracy (GD) is a process of thoroughly study, identifying and integrating local cusomary practices and formal system. Thus, decentralization shall be effective if indigenous governance, customary laws, community values and norms are appreciated and recognized by government authorities. People's initiatives and creativeness will be promoted if people's ideas are nurtured in democratic environment.



Acronym

AdB:	Advisory Board
BD:	Grassroots Democracy
CBNRM:	Community Based Natural Resource Management
CHESH:	Center for Human Ecology Studies of Highlands
CoB:	Coordinating Board
DAFO:	District Agriculture and Forestry Office
FFS:	Farmers' Field School
HEPA:	Human Ecology Practice Area
ID:	Institutional Development
MAF:	Ministry of Agriculture and Forestry
NAS:	Need Assessment Study
OD:	Organizational Development
PAFO:	Provincial Department of Agriculture and Forestry Office
PITA:	Project Implementation Team
SPERI:	Social Policy Ecology Research Institute
VUSTA:	Vietnam Union of Scientific Technology Associations
YIEDLS:	Youth Indigenous Ethnic Leadership Development Strategy



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Introduction

The pilot on Enriching Customary Law in Forest Management and Land Use Planning has been taken place in Phon Xa Vat and Den Xa Vang villages located in the 'Phu Sung' watershed area in Luang Prabang district, Luang Prabang province, Laos. This is the first year pilot (Jan-Dec 2010) which reflects an engagement of diverse local stakeholders with supports of Bread for the World (BfdW) and Social Policy Ecology Research Institute (SPERI) to apply a right-based and network of action approach in accordance with plural institutions and customary law to defense rights of indigenous minorities over the traditional domain.

The above network of action on customary law in watershed resources management incorporates diverse stakeholders. They are villagers in Den Xa Vang, Phon Xa Vat and Na Xam Phan villages, Ministry of Agriculture and Forestry (MAF), Land Allocation Department of MAF, Suphanuvong University - Laos, Luang Prabang Provincial Department of Agriculture and Forestry Office (PAFO), Luang Prabang District Agriculture and Forestry Office (DAFO), Traditional Health Care Association of Luang Prabang Province, Luang Prabang Hmong Association, Key Farmers Network in Nam Kha, Xieng Da and Long Lan communities where SPERI has been working over the last ten years, as well local press / media i.e. Hmong radio.

The pilot aims to create spaces for voluntary behaviors and collective action via diversifying interactions of interests, concerns and initiatives within and between target communities. This is a basic of freedom and creativeness in the course of recognizing rights of indigenous minority communities in natural resources devolution and grassroots democratization. The network gathers potential wills and opportunities to maximize values of customary law, minimize market challenges and political obstacles.

This annual report will highlight some positive changes in the field of institutional and organizational development of the pilot project. These changes are seen as indicators towards an enhancement of social, political, economic conditions and natural resources within the project location. The report will also show the progressive via comparison between approved plan and actual implemented activities. Analysis of achievements, lessons learnt from the first phase project is recommendations for following up action plans in the next coming phase.

Objectives of the Jan-Dec 2010 project

1. Capacity of villagers in managing and using their own resources for food security, income-generations in sustainable ways will be strengthened via establishment and implementation of different thematic interest groups (i.e. herbal medicine, women group in handicraft production, gardening and forest protection). They are able to identify alternatives to alleviate poverty and hunger within their families and community. Particularly, women will be empowered via land right scheme and active involvement in public affairs.
2. Community land use planning based on local knowledge and customary law in Den Xa Vang and Phon Xa Vat villages will be conducted and recognized by Luang Prabang district authority. 185 households of Hmong, Kho Mu and Lao Lum in the two villages will have land use rights.
3. Capacity of three CHESH Laos staffs who participate directly in the pilot will be enhanced in terms of needs assessment study, coordinating participatory rural appraisals and project management.



Changes

Changes in local social-social-political context

Authorities of the Luang Prabang district and three targeted villages increasingly acknowledge advisory and consultative role of traditional civil society such as advisory board and coordinating board with active participation of elders, clan heads, key farmers and Luang Prabang Hmong Association in solving conflicts over natural resources, land and forest allocation, land use planning, project planning and implementation, community development. For instance, the Luang Prabang district's chairman issued decision No.577 which allows AdB and CoB in collaboration with the PMT to mobilize local people to carry out survey, identify land/forest borders and resolve disputes in target villages. These activities are normally done by local authorities and functioning government bodies. The case of involvement of civil society directly solving conflicts via non-formal mechanism as traditional customary law is exceptional so far in Luang Prabang district.

There are positive changes of awareness, capacity and attitude among local authorities and technicians towards approach of community based-conflict resolution and natural resources management. Conventionally, disputes over forest and land at village level are being thought of and resolved by the legal system, but lack of participation of villagers and supervision of traditional leaderships like clan heads or prestigious people. The government is only legitimate entity which works effectively in managing forest and land. This conventional thinking of several local authorities / technicians is being significantly changed after one year involving with the project; so that role and values of formal and informal systems are equal in natural resources management. There is an equal consultation between the traditional civil society and government functioning bodies in the field of land and forest conflict resolution, land-forest allotment and land use planning.

In general, natural forest is the property of the national community (Art. 4 Forestry Laos 2008). Therefore, communal rights to land tenure over natural forest and natural resources are extremely weak. Customary rights are not acknowledged in law, but only in minor ministerial recommendations. The project has successfully lobbied the district authority to legally recognize the traditional domain of indigenous ethnic minorities (e.g. Hmong and Kho Mu). The chairman of Luang Prabang district issued a decision dated on 7/12/2010 to re-allocated pasture land and spiritual forest namely 'Tong Xenh'¹ - the traditional domain to Hmong families in Na Xam Phan to manage in accordance with their customary law. The rest is co-managed by Phon Xa Vat, Den Xa Vang and Na Xam Phan for collective benefit like preserving water resources.

The ten years long conflicts among identity groups (e.g. Hmong, Lao Lum and Kho Mu in Den Xa Vang, Phon Xa Vat and Na Xam Phan) over forest and land settled in accordance with values of customary law, traditional governance and government policies. The turning point is that on 08/12/ 2010 all stakeholders (e.g. villagers of three villages, local authorities) come up with a disclamation to setting down all disputes in a peaceful way and making a

¹ 'Tong Xenh' is Hmong language, meaning a sacred pig tree in particular native forest, normally located in watershed areas. This sacred tree is a core organism in ecological system which organically interacts with Hmong society. This tree is a place to natural spirits who could protect human, bring good harvest, prevent diseases of human, animal and plants, etc. 'Tong Xenh' sometimes also means traditional ceremony, namely 'No Song' where representatives of Hmong society in particular area like elders, clan heads, prestigious people assemble to discuss and decide adjustments of their customary law in terms of cultural identity, community governance, natural resources management, etc.



plan in joint-management over conflicted resources. This has brought about the strengthening of solidarity among identity groups. This situation is solved via suitable environment provided by the project in which villagers from the three villages had chances to joint in common activities such as study tour in / outside country i.e. Vietnam, carrying out survey and classification of land and forest, then coming out with consensus in solving disputes and planning on co-management and usage of common resource properties.

Increasingly, villagers in Den Xa Vang, Phon Xa Vat and Na Xam Phan are aware of ecologically economic and religious significances of forest. Lesson learnt which they have gained is that customary law, local knowledge and bottom-up participation are, in reality, vital in natural resources management. The fact is that customary law is no longer to deal with the outsider resources encroachments such as trans-national business. Therefore, it will get more benefits for the local and contributing to sustainability of resources, it is necessary to incorporate with the formal system in a proper way. Moreover, local groups should be in collaboration to gain collective wills in order to deal with market problems.

Due to the fact that natural resources in three targeted communities i.e. forest, land and water over the last ten years has been quickly degraded. Population density causes the higher demand on foods and other necessities for security of the livelihood. As a consequence, the fallow period, traditionally 7 years, is getting shorter as two or three years. This has brought about an obliteration of the natural nutrition succession. In the same time, consumerism for instance using cell phone, watching TV, driving on a motorbike, etc caused by the market economy gradually entered into thinking and behaviors of villagers, especially young generations. Therefore, villagers have to seek ways in which they could earn money as quickest and easiest as possible. In doing so, in so far, villagers in the three villages in particular, Luang Prabang in general have applied Teak, Rubber plantations and some other commercial crops for the short-term economic purpose. Then, they have to open more native forest for production via either traditional agricultural slash-burn cultivation or modernized relevance such as commercial plantations and mono-cropping. Via participation in project activities like study tours, practical training and meeting with key farmers in Long Lan, Xieng Da and Nam Kha, key farmers in the target villages start to be aware of the above problems, finding out causes and consequences and coming up with alternatively initiatives. For instance, there is a must to settle all conflicts over natural resources in order to gain collective ideas, consensus and wills; then making plan in co-management and usage of natural resources in sustainable ways.

There is an appearance of the new higher needs among villagers in towards sustainable agriculture production. Villagers fancy finding out alternatives for slash-burn cultivation which seems no longer suitable to the current context. That is the high density of the population which causes a reduction of the fallow period to produce enough foods. This new forced method of cultivation drastically impacts to the health of environment. Via study exchange with villagers inside Laos and Vietnam, families in the three villages made plans to set up pilots on ecological farming. This method of production allows villagers to be confident and independent to practice their local techniques in combination with new innovative so as to secure their livelihoods and sustainability of natural resources.

Women, especially in Hmong community are the most vulnerable and poor in the target communities, as gender inequalities also intersect with other modifiers of inequality - such as class, ethnicity, language, location, sexual orientation, physical ability, etc. Gender inequality is expressed in terms of limited participation, opportunity, access, and decision-making for women compared to men. The disadvantage of women is rooted in socially prescribed gender roles, attitudes and behaviors. Through gender sensibility approach, the project has created enabling environment and conditions i.e. study tours, village meetings, for women in the three villages to self-express their voices, needs and finding out solutions to deal with



above situation. As a result, role and position of women within families and communities are getting more progressed. Relationships between women and men are more equal. Their voices are being taken into decision making process. They feel confident when participating in public agenda i.e. village meeting.

One of the tendencies happening in Phon Xa Vat and Den Xa Vang is that young people have tried to escape their home, whether due to poverty situation or seeking for modern life, to getting short-term job, and then hopefully stay permanent in big cities like Luang Prabang or Vientiane. This lefts big crisis in their home such as being deficient in young labors to involve in agriculture sector, disconnection between generations, discontinuity of sustainable way of livelihood, and cultural practices. Young people could be effected by 'by-products' of modern life for instance HIV/AIDs. They become 'slaves' of modernization. The Youth Indigenous Ethnic Minority Leadership Development Strategy (YIELDS) via seeking and training 16 youths in the three villages in farmer's field school (FFSs) in the Human Ecology Practice Area (HEPA)-Vietnam facilitated by SPERI has been seen as an alternative to cope with the above situation. After one year training, skills, knowledge and attitude of youths in sustainable agriculture production via practicing and learning ecological farming and other supportive themes like farming management, English and computer enhance significantly. They now clearly show up their commitments and attitudes to farming job, as well their responsibility to the existence and development of their communities. They are able to make plans in ecological farm development. Some of them are promising to be trainers for their friends and villagers in ecological farming (e.g. farm design, management and other particular techniques).

Changes within organization

Almost changes within the CHESH Laos relates to its approach to address values of community governance, natural resources management and local livelihood security. These changes are initiated in line with findings of the Need Assessment Study (NAS) in the end of 2009, as well new higher needs of villagers occurred during implementation of the pilot.

Towards values of devolution and sustainability in the end, given that onset of the pilot project in Den Xa Vang and Phon Xa Vat, role of the CHESH Laos such as implementation, facilitation and guidance is almost transferred to AdB and CoB of the target communities. Activities of the project for the past one year have been advised by AdB and coordinated by CoB, and implemented by PMT. The CHESH Laos proceeds to transforming its former functions to research, lobby and linking organization.

One of the results during the NAS shows that in order to solve conflicts among local groups relating to natural resources in a peaceable way, role of local traditional institutions and customary law are very important. In addition, the study found out the leading, advisory and conciliation function of the Luang Prabang Hmong Association in solving conflicts occurred within Hmong community and outsiders. Thus, the above findings become a guideline of the CHESH Laos in conflict resolution. The project has maximized prestigious role of the Association in facilitating and advising the process of solving conflicts over forest and land between Hmong, Kho Mu and Lao Lum families in Den Xa Vang, Phon Xa Vat and Na Xam Phan.

Farmers-to-farmers transformation becomes a major approach of the CHESH Laos. There is an increase the participation of members of the key farmer network among Long Lan, Xieng Da and Nam Kha communities where CHESH Laos has been working over the past ten years to share and exchange experiences, knowledge with villagers in Den Xa Vat, Phon Xa Vang and Na Xam Phan in terms of conflict management, land use planning, agriculture production, community development (e.g. gender empowerment, community health care by herbal medicines, fresh drinking water system, environment hygiene keeping, etc).



Farmers-and-local authorities' dialogue increasingly becomes a vital strategy of the CHESH Laos in order to lobby for rights of indigenous minorities over natural resources domains. In the new missions of right-based approach, it requires the project staff to be skillful in linking and maximizing participations and supports of government authorities and functioning bodies. By creating democratic environment and conditions, authorities and villagers are confident to directly dialogue problems and solutions relating to sustainable natural resources management and community governing.

The fact withdrawn over the past ten years, scholarship schemes of the CHESH Laos which supports minority students to follow courses (e.g. agro-forestry, veterinary, community health care, economic development, etc) in the formal education and training system such as colleges and universities in Laos and Vietnam were low effective in the field of knowledge application. Reasons could be related to suitability of training topics, training method or up-to-date training themes to local needs. Therefore, with this pilot, the CHESH Laos has linked with the Farmer's Field School (FFSs) in the Human Ecology Practice Area (HEPA), Vietnam facilitated by SPERI to recruit and train minority youths in the three villages. Training topics are identified in regarding to problems, needs and solutions i.e. ecological farming, farm management, etc recommended by villagers during the NAS. Method of the training is inherited from the traditional educational systems, in which students spend almost time to observe and learn from natural landscapes in combination with local knowledge and new adaptable solutions to form innovatives in dealing with their challenges. Results after one year training at FFS_HEPA show quite promising. Students are equipped of not only skills and knowledge, but also critical thinking of ecological farming, farming management and community development.



Description of implemented activities and approved plan

No.	Planned activities	Implemented activities	Reasons for deviations	Comments / intended adjustments
<i>Objective 1: Capacity of villagers in managing and using their own resources in Phon Xa Vat and Den Xa Vang will be strengthened</i>				
1.1.	Study tours for 20 key farmers during three days (one day/one village) of Phon Xa Vat and Den Xa Vang key villagers to Long Lan village in Luang Prabang district, Xieng Da and Nam Kha villages in Nam Bac district, Luang Prabang province	<ul style="list-style-type: none"> - 36 participants incl. key villagers, provincial and district authorities/technicians, members of the AdB, CoB and PMT visited Long Lan, Xieng Da and Nam Kha during 5 days. - Themes for discussion, exchange incl. community governance, community herbal medicine forest /garden, practices in farming e.g. eco-vegetable grow, community pig raising, experiences in management of drinking- water system, land/forest allocation, and hunger poverty alleviation. - Set up a following up action plan to settle conflicts over resources and land use planning in the post conflict resolution in Den Xa Vang and Phon Xa Vat. 	Number of participants increased, more stakeholders involved as objectives of field study meet needs and concerns of local communities	Study tour / field visit of villagers is still strategic approach for the project in the coming phase.
1.2.	A practical training by key source from Long Lan, Xieng Da and Nam Kha on nity based land and forest allocation and land use ning for 20 key farmers of Phon Xa Vat and Den Xa	<ul style="list-style-type: none"> - 30 participants incl. key villagers, district technicians and members of the AdB, CoB and PMT attended in practical training for 3 days provided by key persons in Long Lan, Xieng Da and Nam Kha. 	More villages voluntarily involved in the training e.g. Pha Noi and Na Xam Pham, as well district technicians. As objectives of training meet needs and concerns of local communities	Knowledge transfer and expansion via training of farmers to farmers is seen as an effective tool of community development project.

No.	Planned activities	Implemented activities	Reasons for deviations	Comments / intended adjustments
	Vang villages during 3 days	- Training themes incl. skills and knowledge related to land border conflict resolution, forest survey, community land/forest demarcation, community forest management, land use planning, lobby for recognition of good local practices.		
1.3	A practical training of key persons and elders from Long Lan, Xieng Da and Nam Kha villages on farming planning (i.e. veggies production) and herbal medicine use and preservation	Not yet done	<p>- Land and forest conflict resolution during this phase took longer time comparing to the planned activities.</p> <p>- Villagers and AdB re-prioritized activities during this phase. The result shown that logically farming planning, herbal medicine use, livelihood improvement, etc should be carried out after completion of land right and conflict resolution.</p>	This training will be included in the second phase (Jan-Dec 2011)
1.4	A study tours for 20 key persons of Phon Xa Vat and Den Xa Vang to Que Phong district, Nghe An province and Simacai district, Lao Cai province of Vietnam during 10 days	<p>- 33 participants representing Den Xa Vang, Phon Xa Vat, Na Kham Phan village, district and provincial authorities, AdB, CoB and PMT visited Simacai-Lao Cai province, Dong Le-Quang Binh province, and HEPA in Ha Tinh province - Vietnam during 15 days.</p> <p>- Focal topics of share/exchange incl. community forest (e.g. spiritual/clan based forest management), land and forest allocation, conflict resolution,</p>	Number of participant increased (13 people) as objectives of the study tour meet up needs/concerns of the local.	Abroad study visit is assessed as an effective and meaningful tool in pre-during and post conflict resolution over land and forest. Participants could analyze causes and consequences of the conflict; then self-identify solutions for long term benefits.

No.	Planned activities	Implemented activities	Reasons for deviations	Comments / intended adjustments
		<p>land use planning (i.e. eco-farming at household and community levels), running farmers field schools and key farmer networking.</p> <p>- Organize a workshop to make followed up action plans among villagers to settle conflicts over land and forest between Phon Xa Vat, Den Xa Vang and Na Xam Phan.</p>		
1.5	Sending 10 youths in Phon Xa Vat and Den Xa Vang to study eco- farming in FFS_HEPA in Vietnam during 10 months	<p>- Lobby the Central Foreign Relationships Department, VUSTA to issue a permission to run eco-farming course for Lao students.</p> <p>-16 indigenous youths (4 girls) from Lao Lum, Kho Mu and Hmong were selected to attend practical training course in eco-farming at FFS_HEPA, Vietnam for ten months (from Mar to Dec 2010).</p> <p>- Training topics for the first year are mainly Vietnamese, computer and basic knowledge/skills of eco-farming practices.</p>	<p>- The course was initially designed for one year. But, it takes for almost a year for Vietnamese and basic knowledge/skills in eco-farming. As a result, the complete course (basic and advance knowledge) will take two years.</p> <p>- 01 student stopped studies because of sickness.</p>	The second phase of the training program - advance course will be continued from Jan-Dec 2011. Ten among 15 first year students will be selected to follow this course.
1.6	Set up two women groups in traditional weaving	- Raised women's awareness of uses and importance of preserving local knowledge in handicraft production	As reasons at point 1.3	This activity will be re -assessed whether it is still a need of villagers or not? Then, recommendations will be taken into action plans of the second

No.	Planned activities	Implemented activities	Reasons for deviations	Comments / intended adjustments
		(see activity 1.1 and 1.4). - Not yet set up groups		phase.
1.7	Set up two pilots on eco-farming/gardens at household level in Phon Xa Vat and Den Xa Vang (this activity will be combined with activity No. 1.1)	- Raise villagers' awareness of long-term impacts of eco-farming via study tours (see activity 1.1 and 1.4). - Not yet setting up pilots	- As reasons at point 1.3	This activity will be carried out in the phase II (Jan-Dec 2011)
1.8	Set up two pilot models in managing and using community herbal medicine forests in Phon Xa Vat and Den Xa Vang	- Raise healers' awareness of value and importance in preserving herbal knowledge and herbal plants via networking and preserving herbal forest / garden (see activity 1.1, 1.2 and 1.4). - Not yet setting up herbal forests and groups of healers.	As reasons at point 1.3	This activity will be re-assessed; then take into action plans of the second phase (Jan-Dec 2011)
1.9	Together with Suphanuvong Uni. carrying action research/records customary law and indigenous knowledge in forest management, farming practices and traditional culture of Hmong people in Phon Xa Vat and Den Xa Vang	- Organize several discussions with the University to set up possibilities for research cooperation. - Not yet having cooperation with Shuphanuvong to conduct action researches in the field.	Action researches were done by the AdB, CoB, PMT and CHESH Laos staff. Reason is to empower capacity of the locals.	Action researches should be conducted by local people. Theoretical research will be done by cooperation bet. Suphanuvong Uni. and SPERI in the next coming phases
Objective 2: Community land use planning based on local knowledge and customary law in Den Xa Vang and Phon Xa Vat villages will be conducted and recognized by Luang Prabang district authority and 185 households of Hmong, Kho Mu and Lao Lum in the two villages will have land				

No.	Planned activities	Implemented activities	Reasons for deviations	Comments / intended adjustments
<i>use rights.</i>				
2.1	Organizing study tours to Long Lan village and Vietnam.	See activity 1.1 and 1.4		
2.2	Training on land allocation based on community and state law on land and forest, all together 6 days for 185 households of two villages	Organize practical training and consultation on govt. law on land and forest for 90 key villagers (30 women) in Den Xa Vang, 85 villagers (25 women) in Phon Xa Vat and 14 villagers in Na Xam Phan. The training taken place in each village for two days.		It needs more time for villagers to discuss and identify SWOT of state policies and customary law in natural resources management; then giving recommendations for policy making process.
2.3	Community land and forest classification, border identification and planning (this series of field surveys, identification, meetings among villagers and with surrounding villages).	Organized stakeholders in Den Xa Vang, Phong Xa Vat, Na Xam Phan communities and local authorities to: <ul style="list-style-type: none"> - Classify forests (e.g. spiritual forest as 'Tong Xenh' and 'Nao Long', watershed areas and productive/usage). - Identify borders of different types of forest and land which have been traditionally belonged to particular users/owners (e.g. Hmong, Kho Mu and Lao Lum in Phon Xa Vat and Na Xam Phan). - Resolve conflicts over traditional est and land (e.g. pasture area, tual forest, watershed forest) among Hmong, Kho Mu and Lao Lum families 	These activities especially conflict resolutions over land and forest took almost time during this phase (Jan-Dec 2010). Why? <ul style="list-style-type: none"> i) Conflict resolution is core issue in course of obtaining land right and land use planning. If this activity is not radically solved, it is hard to address effectiveness in the post land right. ii) The project applied community-based, multi-stakeholders proaches in natural resources agement esp. land/forest allocation and conflict resolutions. This is a really bottom-up way to gain mon understanding, consensus, col- 	The second phrase will encourage local cross-cutting thematic initiatives, inter-village consensus and local authorities which are based on integration between traditional institution and formal system for conflict transformation over natural resources in Den Xa Vang, Phon Xa Vat and Na Xam Phan.

No.	Planned activities	Implemented activities	Reasons for deviations	Comments / intended adjustments
		in Na Xam Phan, Den Xa Vang and Phon Xa Vat communities.	<p>lective benefit and peace in the end.</p> <p>iii) Trust building between stakeholders involving in conflicts is very essential. So that, the project takes time to get involved of stakeholders to attend in finding out causes and solutions of conflicts via i.e. together doing survey, study tours in/out country, seminars-workshops etc.</p> <p>iii) Thus, it requires project staffs and the AdB must take time to scrutinize, understand causes of the conflict, then giving proper guidance.</p>	
2.4	Community land and forest allocation to households in two villages	<ul style="list-style-type: none"> - Lobby the district authority to allocate above traditional land and forest areas for different collective users i.e. Den Xa Vang, Phon Xa Vat and Na Kham Phan - Measured and allocated 3,700 ha of forestland for Phon Xa Vat, Den Xa Vang and Hmong families in Na Xam Phan. - Planning in co-usage and co-management of the above allocated land and forest areas 	<p>As recommends of villagers during the NAS, natural resources (e.g. forest and land) should be allocated, then managed collectively by munity rather than individuals. Why? As lessons in Long Lan village - neighbor of Den Xa Vang and Phon Xa Vat show that individual rights over land and forest are no longer to deal with market challenges where business companies increasingly tend to take away resources via monetary transactions. Whereas, land market is very hard to be cessful in where resources are</p>	Community/collective rights over natural resources should be considered in Law of Laos on Land and Forest. This is also a critical recommendation for NGOs who have been tried for rights of indigenous minority groups.

No.	Planned activities	Implemented activities	Reasons for deviations	Comments / intended adjustments
		- Not allocate land for households	naged collectively by community.	
2.5	Community regulation for forest protection and land use planning during 6 days for 185 households at two villages	<ul style="list-style-type: none"> - Organize different meetings among stakeholders / villagers (Den Xa Vang, Phon Xa Vat and Na Xam Phan and neighboring villages) to set up community regulations in co-management and usage over 3,700 ha of forest and land. - Consult with local authorities and technicians for the final version of regulation. - Lobby the district authority to approve the above regulations. 	This activity was done during the first quarter of 2011	Community regulation means encouraging local participation and values of customary law while integration with the government law to co-manage, use and share benefit equally from resources.
2.6	Finalize legal documents and land and forest titles to households and communities during 14 days by four technical staff of district.	<ul style="list-style-type: none"> - Community mapping to allocated forest and land areas - Issue legal documents i.e. decision of the district chairman related to rights of different users to manage and use the allocated land and forest 	This activity was done during the first quarter of 2011	Customary law or local self-recognized regulation is no longer to deal with market challenge where business sector increasingly tends to take away resources of community for the purpose of benefit gain.
2.7	Publishing and disseminating documents within two villages and surrounding villages	No yet done	As the activity no. 2.5 not yet completed	This activity will be done in the second quarter 2011
2.8	Setting up 8 titled boards at two villages (four boards / per	Not yet done	Villagers were busy with farm production and the activity No.2.5 not	This activity will be carried out in the second quarter of 2011

No.	Planned activities	Implemented activities	Reasons for deviations	Comments / intended adjustments
	village)		yet completed	
2.9	Organize a workshop for sharing lessons and lobbying, at Luang Prabang for 60 participants (40 local participants, 20 guests)	Not yet done	Not yet finished all activities related to land, forest allocation.	It planned to carry out this activity in May, 2011.
Objective 3: Capacity of staff of CHESH-Lao who participated directly in the pilot will be able to carry out Needs Assessment Study and to coordinate and facilitate participatory rural appraisals, and project management				
3.1	Coordinate and facilitate project activities (see in detailed activities of objective 1)	See activities in objective 1 &2		
3.2	Participating in study-tours for key farmers (see in detailed activities of objective 1)	See activity 1.1 and 1.4 in objective 1		
3.3.	Attending in two training courses in regarding above issues: natural resources management and development, indigenous knowledge and sustainable agriculture, etc.	<ul style="list-style-type: none"> - Sending one staff and one key farmer to attend in training workshop on consumer Education Course held in Malaysia - Five staffs attended in the training workshop in agriculture innovation and traditional knowledge dissemination co-organized by CCFD-French and SPERI held in Luang Prabang, Laos 	Accompanying one key farmer to attending the training workshop as the topic is suitable to local context.	It should accompany key farmers (targeted group) to attending in international training workshop since it not only enhance capacity of staffs, but also empower the local.
3.4	Attending seminars / shops which concern similar	-Five staffs attended in international workshop in Agro-Innovation and		

No.	Planned activities	Implemented activities	Reasons for deviations	Comments / intended adjustments
	issues in Mekong region	ditional Knowledge Dissemination co-organized by CCFD-French and SPE-RI, held in Luang Prabang, Laos.		
3.5	Two staff attending internship at The Farmers Field Schools in Vietnam for three months (at different times)	One female staff has spent almost one year in FFS-HEPA, Vietnam to do intern. Her intern themes are student management, curriculum development, eco-farming, basic knowledge improvement i.e. Vietnamese, English and Computer.	Due to lack of human resource, CHESH Laos Program sent only one staff to do intern in FFS_HEPA, Vietnam.	According to evaluation, this activity is very useful in term of capacity building. So that, this activity should be continued in the next phase.
3.6	Organizing four internal training courses	<ul style="list-style-type: none"> - Organize a practical training on project planning and reporting - Four staffs attending in the six monthly course in English - Organize an advanced training on finance, accounting, office management - Organize practical training on eco-farming survey - Two staffs attending in the six monthly course in Laos 	The internal training courses i.e. survey on eco-farming also involved technicians of Luang Prabang district agriculture and forestry office due to: a) save costs, b) enhance capacity and awareness of local authorities and technicians.	The internal training should involve more stakeholder e.g. local technicians and authorities.
3.7	Quarterly monitoring and yearly evaluation of a pilot project (this will be combined with objective 1 & 2)	<ul style="list-style-type: none"> - Every quarter SPERI's senior staff organizes monitoring, then giving advices for the project staffs. - Every monthly monitor of AdB, CoB 		In order to empower local communities, it should include multi-stakeholders esp. local villagers in every monitoring and evaluation.

No.	Planned activities	Implemented activities	Reasons for deviations	Comments / intended adjustments
		<p>and PMT then giving advices related to project planning, implementation in Den Xa Vang, Phon Xa Vat and Na Xam Phan</p> <p>- Organized the yearly review of project activities and set up followed up plan in December 2010. Participants incl. The AdB, representatives of Den Xa Vang, Phon Xa Vat and Na Xam Phan, local authorities, project staffs and SPERI's advisors.</p>		

Partners of CHESH Laos Program involve in the pilot

- ✓ The Ministry of Agro-Forestry of Laos (MAF) which is a partner of Center for Human Ecology Studies of Highlands (CHESH) is an umbrella for international cooperation and development in Laos (so called CHESH Lao Program).
- ✓ Land Allocation Department of the Ministry of Agro-Forestry of Laos plays a role to link and scale up recommendations from the pilot project via policy making process.
- ✓ Luang Prabang Provincial Agriculture and Forestry Offices (PAFO) is in charge of carrying out the cooperation and development program between MAF and CHESH.
- ✓ Luang Prabang District Agriculture and Forestry Office (DAFO) takes responsibilities to directly advise local peoples in terms of community development, techniques, legal supports, etc.
- ✓ The Syhanuvong Universities with CHESH Lao Progra co-conduct action researches in the pilot sites.
- ✓ The Luang Prabang provincial of traditional health care office involves to advise for herbal medicine networks which are being facilitated by SPERI.
- ✓ The Hmong Association in Luang Prabang involves to advise solutions to settle conflicts over natural resources in project areas and guides Hmong people to maintain cultural identities via customary law and traditional rituals.
- ✓ Key farmer networks between Long Lan, Xieng Da and Nam Kha which has been facilitated by CHESH Laos Program over the last ten years plays a role to share experiences with villagers in the pilot sites to learn and apply.
- ✓ Mekong Ethnic Minority Community Networking and Ecological Trading (MECO-ECOTRA) facilitated by SPERI shares experiences and case studies for villagers in the pilot sites protect to learn and apply.
- ✓ The Local Luang Prabang provincial media (news, TV and radio) involves to disseminate, raise public awareness and scale up lessons learnt, experiences of the pilot project.

Analysis and Assessment

Comparison between planned and actual results as well as description of unforeseen outputs

Expected output 1: Community forest (watershed, protected and sacred) in which 980 ha of Phon Xa Vat and 700 ha of Den Xa Vang will be officially allocated to Phon Xa Vat and Den Xa Vang villages will be managed and protected in accordance with Hmong understanding and regulation in the 'No Song' traditional institution, worshipping sacred tree and water spirit of Kho Mu.

Actual and unforeseen results

Villagers in Den Xa Vang, Phon Xa Vat and Na Xam Phan realized clearly causes and consequences of conflicts over land and forest. Then, they come together to discuss and find out resolutions to reconcile conflicts in peaceable and constructive ways. As a result, conflicts over forest and land between Hmong families in Na Xam Phan and villagers in Phon Xa Vat and Den Xa Vang which have been happened over the last ten years are radically resolved by integration between traditional norms and government policies. The turning point is that on 08/12/ 2010 all stakeholders (e.g. villagers of three villages, local authorities) come

up with a disclamation to setting all disputes down in a peaceful way and making a plan in joint-management over conflicted resources².

The Luang Prabang district authority approved allocation of rights to management and use for Phon Xa Vat over 900 ha of forest, Den Xa Vang over 1,800 ha of forest, and for Hmong families in Na Xam Phan to manage over 1,000 ha of forest.

The above 3,700 ha of forest were classified clearly into some types of usage such as protected, spiritual and productive forests. These forests were also allocated to different traditional owners. They are: (a) Phon Xa Vat community represents for 92 Hmong and Kho Mu, (b) Den Xa Vang represents 93 families of Hmong, Kho Mu and Lao Lum, and (c) group of users as 19 Hmong families in Na Xam Phan. These types of forest were measured and officially allocated for the owners to manage and use permanently.

Capacity of the AdB, CoB and PMT in terms of consulting stakeholders i.e. villagers and local authorities to be involved in solving conflicts over natural resources clearly increased. As well, they are able to advise villagers to make plans on natural resources usage and management and community development in accordance with local knowledge and customary institutions.

Expected output 2: 185 households will understand and recognize clearly their land and forest title in their customary laws in adapted to the state law on land and forest.

Actual and unforeseen results

Representatives of 185 families in Den Xa Vang, Phon Xa Vat and 19 Hmong families in Na Xam Phan felt more confident to manage and use their allocated land and forest. They are now real owners of land and forest with the legal recognition. In addition, they are equipped of legal knowledge, deeper understanding of the role and value of customary law and local knowledge in land use planning and forest protection. Prominently, they realize the importance of community right, instead of individual right, over natural resources in the context of market challenges. The customary law itself is no longer to be effective to deal with outsiders. Hence, it requires the customary law of local communities to be in collaboration with the formal system. Customary law in community governing, local knowledge in land use planning and forest management should be recognized by the authorities, policy makers and public as the whole. By such a way, they will have collective will and power to bargaining with the business sector who increasingly tries taking away as much resources of the local as possible for the sake of profit maximization.

Expected output 3: 1,824 ha of forest and agricultural land of Phon Xa Vat and 1,400 ha of Den Xa Vang villages will be planned in accordance with local knowledge and customary law of Hmong, Kho Mu and Lao Lum minority groups. This is a foundation for villages to self-establish pilots on eco-farming (veggies / gardens), herbal medicine forests and traditional weaving in Phon Xa Vat and Den Xa Vang for the purpose of on-site studies and lobbying.

² Nha Kha Luong and Long Ngau forestland which is the traditional domain of Hmong families in Na Xam Phan, while they are conflicted zones, are planned as: a) watershed areas to preserve water sources for downstream dwellers. Hence, there is a forbiddance of any human activities such as slash-burn cultivation, cow raising and cutting timbers within these areas; b) spiritual area for Hmong families in the region, especially Na Xam Phan to organize rituals for worshipping the big tree in every year; c) cow raising area of families in Phon Xa Vat and Den Xa Vang.



Actual and unforeseen results

Villagers in the targeted communities discussed and made plans on co-management and usage over 3,700 ha of forest in which 1,800 ha is belonged to Den Xa Vang, 900 ha of Phon Xa Vat and 1,000 ha of Hmong families in Na Xam Phan. These plans are built up in accordance with customary law, norms and knowledge of each indigenous minority such as 'Nao Long' of Hmong in worshipping big tree, rituals of Lao Lum and Kho Mu to pray to the 'water mother'. Hmong families already planned to organize 'Tong Xenh' ceremony to worship the big tree in the next year. Kho Mu and Lao Lum families are getting more confident and encouraged to continue their eco-rituals. Therefore, proof of the traditional domain has brought about the strengthening of local governance, customary law and indigenous religion.

Customary law based planning and regulation in management and usage of the above area of forest has been discussed and set up by Den Xa Vang, Phong Xa Vat, Na Xam Phan and other neighboring villages such as Na Tan, Xieng Lom (Nhuom minority), Phic Noi and Phic Nhay (Lu minority). These plan and regulation were recognized and officially approved by the district authorities. Hence, villagers felt gaining more bargaining power which might minimize situation of encroachment of commercial plantations (e.g. Teak and Rubber) over natural forest areas caused by market incentives.

16 indigenous youths (4 girls) from Lao Lum, Kho Mu and Hmong were selected and attending the practical training course in eco-farming at FFS_HEPA, Vietnam for ten months (from Mar to Dec 2010). After one year training, skills, knowledge and attitude of youths in sustainable agriculture production via practicing and learning ecological farming and other supportive themes like farming management, English and computer increase significantly. They now clearly show up their commitments and attitudes to farming job, as well their responsibility to the existence and development of their communities. They are able to make plans in ecological farm development. Some of them are promising to be trainers for their friends and villagers in ecological farming (e.g. farm design, management and other particular techniques).

However, some relevant activities in the post conflict resolution over natural resources management and use are not done yet. They are: i) publishing and disseminating documents within two villages and surrounding villages, ii) setting up 8 titled boards at two villages (four boards / per village), and iii) organizing a workshop for sharing lessons and lobbying, at Luang Prabang. These activities will be moved to the second phase. Activity of lobbying an approval of the district authority to community titles over land and forest for different owners was completed in the first quarter of 2011(see in detailed the rational of changes).

Expected output 4: Two groups in eco-farming (veggies and gardens), two groups in herbal medicine and two groups of women in traditional weaving in Phon Xa Vat and Den Xa Vang will be set up based on their interests and building up via the local traditional governance of Hmong, Kho Mu and Lao Lum. Each group expectedly has from 15 to 20 members.

Actual and unforeseen results

For one year implementation of the pilot, via opportunities and conditions i.e. study tours, practical training, the project has created an enabling foundation for establishment of thematic interest groups like handicraft textile, herbal medicine, animal raising, forest protection and farming. Villager's awareness of key farmers, 20 people per each village with one third of women, in maintaining good practices of the traditional agriculture production and custo-



mary law in forest protection is clearly increased. They realize importance and values of gathering into groups for mutual helps in the daily life and production.

However, as solving conflicts and post-conflict activities such as land use planning, setting up regulations on natural resources management, particularly empowering capacity and raising awareness of villagers took longer time, thematic groups as stated in the approved plan are not yet done (see in detailed the rational below). Hence, establishment of above thematic interest groups will be re-assessed and taken into the second phase action plans.

Rational of changes compared to the approved plan

Initially, the pilot is not only taken place in Den Xa Vang and Phon Xa Vat. One of the findings from the NAS recommending that in order to ensure rights of local communities, secure local livelihoods, and sustain natural resources it firstly requires a peaceful resolution to tackle down conflicts between Den Xa Vang and Phon Xa Vat with Hmong families in Na Xam Pham over Nha Kha Luong and Long Ngau watershed areas. Therefore, Hmong families in Na Xam Phan need to be also involved in the pilot. Why? Nha Kha Luong and Long Ngau which are areas administratively belonged to Den Xa Vang and Phon Xa Vat, but are the traditional domains (e.g. farming, pasture land and spiritual forest as 'Tong Xenh') of Hmong families recently living in Na Xam Phan village. These Hmong families used to live in Nha Kha Luong and long Ngau. However, over the past ten years, they have been forced by the resettlement program to settle down in Na Xam Phan today. However, they still raise cow, practice slash-burn cultivation and organize the 'Tong Xenh' ceremony in Nha Kha Luong. This has brought about conflicts between Hmong, Kho Mu and Lao Lum families in Na Xam Phan, Phon Xa Vat and Den Xa Vat. These conflicts are in various forms such as overlapping interests (e.g. farming, raising animals, etc), concerns i.e. forest protection, water resource preservation, rights over land and forest, as well practices of the indigenous religions, customary law and local knowledge.

Having realized the importance of solving radically all conflicts among identity groups, the project has taken almost time and human resources to carry out activities related to awareness raising, capacity building for villagers via study tours, training, village meeting, etc, lobby with the local authorities i.e. consultation, dialogue, seminar/workshop and study visits to recognize role of the AdB and CoB in conflict resolution and customary law in natural resources management. Therefore, some activities such as setting up groups of women in handicraft production and healers in using, preserving herbal plants and setting up eco-farm pilots are not yet done. These activities will be followed up in the second phase.

As recommends of villagers during the NAS, natural resources (e.g. forest and land) should be allocated, then managed collectively by community rather than individuals. Why? As lessons in Long Lan village - the neighbor of Den Xa Vang and Phon Xa Vat show that individual rights over land and forest are no longer to deal with market challenges where business companies increasingly tend to take away resources via monetary transactions. However, the land market is hard to be successful in where resources are managed collectively by community. Hence, the project changes its focus, from allocating land use rights for individual households to groups of families and community as a whole.



Overall Assessment

In general, the first year pilot has addressed real values of democratic participation - a underpinning towards sustainability of community development, natural resources management, especially in conflict resolution, land use planning and community governance. The project has mobilized voluntary participation of different stakeholders i.e. villagers, authorities, researchers, trainers and media. Decisive roles of the local communities, especially women are recognized and encouraged in every stage of implementation.

The project reveals flexibility via course of learning-by-doing. Good practices in terms of local knowledge, traditional governance and customary law in natural resources of the community are carefully studied and recorded to become recommendations to project approaches.

The project has addressed rights of indigenous minority communities over natural resources domain, indigenous knowledge and customary law. Evidently, there is an enhancement of ability of villagers in problem identification, planning, implementation and setting up upcoming directions for their own development. Significantly, the pilot has somewhat tough into right of women in home and public affairs. Their vital roles are being getting advanced.

Minority youth empowerment through the YIELDS is seen as a strategy to provide chances of young people to having more educational alternatives in one hand, create job opportunities and human resources for local communities in the other hand. For the longer-run, results of the YIELDS could as well contribute to prevent 'side affects' of the modern development such as HIV/AIDs, prostitute, etc which are easily absorbed by young generations.

Community based natural resource management; local knowledge and customary based land use planning are actually supported by local authorities. These approaches become examples for local government and functioning organizations to study and apply at the larger scale.

Yet, some minor planned activities were not yet done in the first phase time. They are being carried out in the first and second quarter of 2011. Post-conflict resolution and land use right, promotion of the grassroots civil society, improvement of living conditions, minority youth empowerment, and research publication are on-going issues require to be addressed in the next phase.



Followed up action plan

Followed up action plan includes on-going activities in the post-conflict resolution and land use right, promotion of the grassroots civil society, improvement of living conditions, minority youth empowerment, and research publication. These activities are based mainly on outcomes, recommendations of the first year implementation, new challenges and higher needs of the locals³.

On-going activities in the post - conflict resolution and land use right

1. Support local communities to setting up ecological farming pilots which will be based on good practices of traditional cultivation and newly suitable solutions. These pilots will be live curriculum and on-site schools for practical training and sharing solutions in sustainable land use planning and livelihood security.
2. Support local communities and groups to maintain and strengthen their customary law based regulations in natural resources management and community governance which were approved by the district authority. Some activities which were not carried out in the first year i.e. setting up titled boards in forest protection and disseminating community regulations in natural resources management will be continued in the second quarter of 2011.
3. Support minority groups to practice indigenous beliefs / religions i.e. 'Tong Xenh' ceremony of Hmong, worshiping big tree, 'water mother' and other types of agricultural spirituals of Kho Mu and Lao Lum.
4. Encourage and support initiatives of local communities in natural resources management, land use planning and community governance.

Promotion of the grassroots civil society

1. Re-assess needs of communities relating to setting up thematic interest groups such as herbal medicine, gardening, forest protection, animal raising and handicraft textile, etc. Outcomes of this activity are references of establishing and strengthening the thematic interest groups.
2. Strengthen role of the Advisory Board and Coordinating Board in supporting local communities to implement activities related to community development, natural resources management and livelihood security.
3. Link initiatives of the above thematic interest groups with existing networks for instance Lao-Thailand-Vietnam network on customary law in watershed management, herbal medicines, ecological farming and handicraft textile.

Improvement of living conditions

1. Support Den Xa Vang and Phon Xa Vat to upgrade and manage drinking water systems which will be sufficient in both dry and rainy seasons.

³ These activities are already mentioned in the second year pilot on Enriching Customary Law in Forest Management and Land Use Planning at Phon Xa Vat and Den Xa Vang villages in the 'Phu Sung' watershed areas in Luang Prabang district, Luang Prabang province, Laos.



2. Raise awareness and ability of the villagers in Den Xa Vang and Phon Xa Vat in environment and hygiene management.

Minority youth empowerment

1. Support minority youths in Den Xa Vang, Phon Xa Vat and Na Xam Phan to attend the practical training course in eco-farming in FFS-HEPA, Vietnam.
2. Support minority youths in Den Xa Vang, Phon Xa Vat and Na Xam Phan to attend the advanced training course on eco-farming in FFS-HEPA, Vietnam.
3. Support initiatives of graduated students in farming, community development and other relevant topics.

Research and publication

1. Organize evaluation and training workshops. Suggested topics could be customary law based natural resources management and natural resources conflict resolution and community governance.
2. Conduct action researches (documentation, video, picture) on customary law, local knowledge in farming, forest management, community governance, etc
3. Documentation and publication of the workshop proceeding and research findings for public awareness raising, lobbying and training.

The AdB, CoB will still play a key role in supervising and coordinating activities of the pilot. Along with the PMT and key farmers in each village, graduated students will be the main supplementary human resources to carry out development activities. Involvement of research and teaching institutions and media will be increased in the second phase (Jan -Dec 2011) to carry out documentation and publication for teaching curriculum at the FFSs, raising public awareness and lobby an improvement of government policies in natural resources management, land use planning and community development, etc.



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