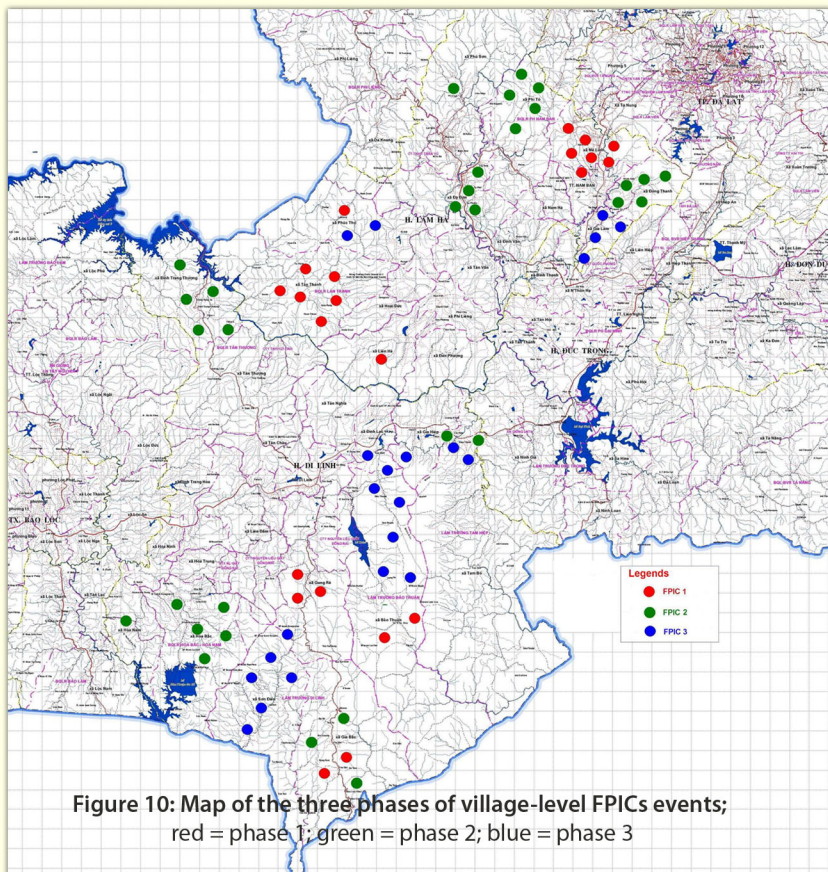


WORK ON FREE PRIOR INFORMED CONSENT



The FPIC process involved - eight steps and three phases, and was completed between April and June 2010. Phase 1 was undertaken in April 2010 (covering 22 villages), Phase 2 in May 2010 (31 villages), and Phase 3 in June 2010 (25 villages).

The UN-REDD Viet Nam Programme has moved swiftly to develop and implement readiness activities. Viet Nam was the first to conduct a Free, Prior and Informed Consent (FPIC) process under the UN-REDD Programme. The FPIC process was conducted in 78 villages in Lam Ha and Di Linh districts in the pilot province of Lam Dong (Figure 1) because of the prevalence of ethnic people: of the 53 ethnic groups present in Viet Nam, around 30 groups are found there. Within the UN-REDD Programme, the FPIC process was also a pilot activity owing to no prior experience or clear and detailed guidance on how to conduct it. Through this exercise, the Programme wanted to draw out lessons for the future implementation of the FPIC process in Viet Nam and beyond.

PRINCIPLES OF FREE PRIOR AND INFORMED CONSENT

FPIC for indigenous peoples and other forest-dependent communities must be adhered to, and is essential to, ensuring their full and effective participation in policy-making and decision-making processes within UN-REDD Programme activities. In this context:

Free implies no coercion, intimidation or manipulation;

Prior implies consent has been sought sufficiently in advance, and in respect to time requirements of those being potentially affected;

Informed implies that information is provided that covers (at least) the reason, nature, duration, size, pace, and reversibility of any proposed project or activity; the locality of areas that will be affected; an assessment of economic, social, cultural and environmental impacts; personnel likely to be involved; and procedures that may be required; and

Consent implies that consultation and participation are crucial components of a consent process. Consultation should be undertaken in good faith, and indigenous peoples should be able to participate through their own freely chosen representatives. The inclusion of a gender perspective is essential. This process may include the option of withholding consent.



Lesson 1: Adequate time needs to be allowed for awareness-raising.

Education and awareness raising at all levels is essential, and is more difficult than might be assumed. The concept of climate change, the role of forests in climate change, and the potential to generate income from reducing emissions from forests are all difficult to grasp, even for well-educated government officials, and much harder for less-educated local officials. The pilot FPIC process in Viet Nam recognized this and substantially increased awareness raising efforts from Phase 1 to 3, but should have made even greater efforts.

Lesson 2: Local FPIC events can be very time consuming and complex.

In Viet Nam, as in many other countries, indigenous peoples and other forest-dependent communities tend to be distrustful of new initiatives, especially if viewed as having government support. Similarly, not having had real experience of genuine consultation or the right to provide or withhold consent, it is difficult to build the necessary trust in a new process with regard to a new and complex issue. It is clear that local FPIC events need to be multi-phased, with an introductory session, followed by an opportunity for the community to reflect, followed by additional information sessions to allow any new questions or uncertainties to be addressed, and after another period of reflection, a decision-making process. Thus, at least three visits to each village should be planned by the same interlocutors – meaning that planning needs to be done very carefully. The cost incurred also needs to be taken into account.

Lesson 3: Engagement with local authorities needs to be managed carefully and flexibly.

Not unnaturally, local government agencies feel that they have the right to be engaged in any process likely to affect their administrative area, and this has to be respected. At the same time, direct and visible involvement of government officials risks violating the principle of “Free” consent. Therefore negotiations with government agencies are needed to clarify an approach and role, which satisfies their desire to be involved, but which does not invalidate the FPIC process and the final outcome.

Lesson 4: Local facilitators are essential for effective awareness raising and discussion of issues.

Communicating complex issues associated with REDD+ is even more difficult when speaking a person’s second language. Communication in stakeholders’ first language is essential, and this will normally mean recruitment of local facilitators. However, the facilitators are also unlikely to be well-educated on the issues initially, and so they also require intensive training.

Lesson 5: Documenting FPIC decisions can be challenging.

Indigenous peoples and other forest-dependent communities may fear submitting a written statement of their decision, especially if individuals’ signatures are appended. Verbal transmission of a decision may be preferred, but leaves open the possibility of future disagreements. A compromise, perhaps involving a written record of a verbal decision (omitting names of individuals) may be needed.

Lesson 6: FPIC is an on-going process, rather than a single event.

National REDD+ strategy with guide the implementation of REDD+. However, FPIC does not apply to the strategy itself, but to the process by which REDD+ is actually implemented. In practice, this means that interventions to reduce emissions need to be integrated with normal socio-economic planning, and it is this planning process that needs to incorporate FPIC. In this way, REDD+ can serve as a catalyst for greater participation by indigenous peoples and other forest-dependent communities in a process that affect their lives, thus increasing transparency and strengthening democratic processes.

Lesson 7: Expectations of the villagers.

Villagers in Viet Nam and elsewhere tend to focus on short-term benefits. A common question in the pilot exercise was “when will we see some benefits” (and “how much”). This makes the timing of the FPIC process and interpretation of the “Prior” in FPIC awkward. The process should be sufficiently in advance of any decisions or actions to honour the principle of “Prior”, but not so much in advance that the villagers lose interest and commitment before any benefits can be realized and distributed. When REDD+ and FPIC are effectively mainstreamed into planning, this issue will disappear, but in getting Ready for REDD+ expectations of benefits will need to be carefully managed.

Lesson 8: Activities/Training follows up FPIC.

Training grassroots REDD+ interlocutors following the FPIC training. The training will provide village interlocutors with the following knowledge and skills:

1. The role and tasks of grassroots interlocutors in raising awareness and changing behavior of the local community related to reducing emissions from deforestation and forest degradation.
2. How to use and apply the UN-REDD Programme’s communication materials, including the Manual for Interlocutors, for activities at the local level.
3. The basic skills of effective communication for facilitating meetings and community counseling sessions.
4. Skills to conduct and reporting on communication activities on REDD+ in the village after the course. Participants will have opportunities to test their skills in real situations and share experiences with each other.

Lesson 9: Target audience.

Viet Nam FPIC’s target audience is not only the local people who live in the village, but also the Kinh and ethnic minorities people, people who have forest and those who do not. The most commonly question that has been raised is: “If I do not have forest could I participate in REDD? If so, what are my possible benefits?”

CHALLENGES

The most important challenge in applying FPIC for REDD+ is scale. REDD+ applies to the entire forest estate of a country which, in the case of Viet Nam, covers nearly 20 million hectares, and affects tens of thousands of communities.

A second challenge concerns how the potential benefits of REDD+ are communicated, as raising false expectations can be detrimental to future implementation of REDD+.

In the case of Viet Nam, an additional challenge stems from the ethnic composition of most forest-dependent communities. Very few such communities are ethnically homogeneous. Rather, a very large proportion of such communities are composed of households of one or more ethnic minorities and households of the Kinh (Vietnamese) ethnic majority. Furthermore, there may also be households of mixed ethnicity.

FACILITATORS

Successfully training a large number of excellent male and female facilitators of different ethnic backgrounds was a major achievement. Many facilitators had previous experience working in the pilot districts. Most were lecturers from the local university, or worked for a local protected area.

After a series of training courses, a strong and sustainable group of facilitators was created; groups were able to work independently and help each other. Of particular importance were the great efforts made by ethnic minority facilitators. The group was also able to prepare issues and present them at commune/village-level awareness workshops.