



Fine-tuning, agreement and consent: FPIC Action Plan

Solutions



issues and recommendations

Free Prior and Informed Consent (FPIC) for the Transboundary World Heritage Nomination of Hin Nam No National Park

From consultations to solutions and consent

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1.1 Introduction

This report describes the background, design and preparation of the FPIC process designed for the Hin Nam No World Heritage extension process as well as the steps taken during its 3,5 years of implementation. The FPIC process was designed through a triple approach of reviewing international standards combined with an assessment of existing lessons with FPIC approaches in Laos informed by field-based consultations in Boualapha undertaken in January 2020. The overall aim has been to ensure a credible and equitable FPIC process in respect of international standards, while aiming to secure tangible and positive outcomes for ethnic groups and local communities of the Hin Nam No area.

Securing the Free Prior Informed Consent (FPIC) is today a requirement in the World Heritage Convention context for new nominations. Also, Laos has on a number of occasions committed to FPIC in the context of other policy arenas like REDD+ as well as wider human rights processes. The FPIC process in Hin Nam No was designed in accordance with the World Heritage Convention Operational Guidelines and the World Heritage Sustainable Development Policy with an emphasis on inclusive participation, consultations held in good faith and appropriate language. The Operational Guidelines also emphasize the relevance of international standards such as the United Nations Declaration on the Rights of Indigenous Peoples, which equally stresses FPIC and people's own representative institutions, consultation and cooperation.

The nature of the FPIC process is thus two-pronged: i) a consultation, consent and safeguard mechanism, on the one hand, and ii) an integral element a broader rights-based approach and bundle of tools to promote ethnic groups and local communities' ownership and empowerment, on the other. The former aims at ensuring that the World Heritage extension nomination as a specific process and outcome builds on Free, Prior and Informed Consent. The other aims to use the power of World Heritage the process towards strengthening ethnic groups and local communities in the Hin Nam No area to be in control and safeguard traditional lands, waters and resources as well their heritage¹. In the spirit of such commitments, the FPIC approach in Hin Nam No is not a one-off process to secure validation of an existing design, but an on-going process to strengthen World Heritage management of OUV, ethnic group and local community ownership and local values in the long-term through

¹ The two objectives are of course connected. While it is clear that FPIC processes cannot replace a more comprehensive rights-based approach, FPIC can be designed and mobilized to contribute to its realization.

governance arrangements and redress mechanisms to promote equitable conservation as requested by World Heritage policy and operational guidelines.

1.2 Unpacking FPIC and procedural requirements in the World Heritage context

It is useful to briefly summarize how the principles of Free, Prior and Informed Consent have been translated and adapted to the HNN World Heritage context.

FREE: For one, there should be no pressure or force to agree to the World Heritage nomination. If communities are against the nomination, their right to freely decide upon their position should be respected.

PRIOR: Second, communities should be able to discuss and inform the nomination process *before* objectives and activities are finalized and set.

INFORMED: Communities should be adequately informed about what World Heritage means for them both in terms of opportunities and challenges before making up their minds. The following guiding principle from Lao Front guidelines is equally relevant here².

CONSENT: Whereas international standards stipulate this as the right to say no and possibly not consent to the World Heritage nomination, the approach here is equally about **ensuring equitable agreement building** with communities about a World Heritage process in HNN in terms of a process that:

- addresses their questions and concerns including protected area legacies of resettlement, insecurity of land and resource rights, impacts on their livelihoods
- recognizes their values, rights and aspirations
- includes mechanisms for local engagement and support
- involves agreement to solutions identified.

1.3 Tailoring FPIC to Hin Nam No

Laos has for some years now embarked on a process of strengthening FPIC processes in a range of different programmes and projects. REDD+ forest projects and multilateral development projects demonstrate both the practicality, but also certain challenges involved in promoting FPIC and wider ethnic group rights in the Laotian context. A number of Laotian institutions such as the Lao Front for national construction (2013) and the Department of Forestry (in the context of REDD+) have moved towards FPIC guidance and strategic decisions. Whereas progress is being made in terms of increased participation, lessons learned include common risks such as:

² “The information provided has detail reflecting the positive and negative impacts that may happen with project activities (especially all meaning of contract or agreement concerning the current and future rights over the land or over the accessing to resources) and is presented and translated in the language and in the form that is easy to understand and acceptable by many stakeholders in the community.”

- Top-down decision-making “pushing” local communities to consent to pre-defined outcomes without allowing genuine informed consent in setting objectives³
- Outcomes overlooking structural rights-deficits with limited impact on long-term processes of exclusion and marginalization
- FPIC reduced to “tick-off-the-box” exercise rather than genuinely addressing community concerns

The situation in HNN is arguably somewhat particular in that it does not introduce a new project *per se*, but in part builds on and recognizes existing conservation and development efforts, where co-management with communities is part of the institutional set-up. It was in that sense not about securing consent to an external project as much as an opportunity to do a reality check about procedural and substantive rights in the protected area to resolve unattended community concerns and strengthen community inclusion and ownership in potentially agreeing to and shaping World Heritage dynamics in Hin Nam No. Khammouane provincial authorities particularly insisted upon the importance of a World Heritage process which would lead to tangible benefits for local communities.

³ https://www.giz.de/en/downloads/2015-LaoPDR_PLR-Gap-Analysis_FINAL.pdf



Given that Hin Nam No protected area management and the relationship with communities has largely been constructed through co-management⁴, until the most recent park

⁴ Berkmüller, Klaus, and Chris Hallam. "Developing a Roadmap for the Revision of the Co-Management Plan for the Hin Nam No NPA over 2016-2020 Nov. 2014."

designation, the FPIC process was designed in the spirit of strengthening these co-management institutions and its mechanisms as a meaningful long-term relationship addressing World Heritage from the combined perspective of protected area co-management, community well-being and livelihoods. Put in other words, rather than having a pre-designed one-off “FPIC” process, partners agreed to design an FPIC process that would build on and strengthen existing co-management mechanisms. In practice, this meant reviewing whether **the quality and effectiveness of existing co-management mechanisms were adequately functioning as a credible and legitimate consultation and decision-making mechanism**. Exchanges with villages revealed that existing co-management mechanisms were not yet sufficiently strong to guarantee an effective FPIC process for the World Heritage nomination. 2020 consultations revealed very low levels of understanding of existing protected area processes, implications for local livelihoods not to mention low or non-existent knowledge about existing zonation arrangements, rights dimensions, new park measures and possible World Heritage designation implications. Core elements of the co-management system from zonation to consultation mechanisms were not functioning optimally leaving villagers with many unanswered questions about their access and tenure, forest use and farmland issues. Field consultations also identified a strong gender deficit as well as the common absence of hunter-gatherer communities and shifting cultivation communities from decision-making and representative bodies. Consultations revealed recurrent challenges to reach ethnic groups in the Southern area as well as (sedentarized) hunter-gatherer communities, the latter facing major food insecurity concerns. Finally, despite overall good relations with villagers, provincial and district authorities lacked an overview of the issues and perspectives faced by communities.

The FPIC process, in other words, offered an opportunity to bridge a major gap and complement co-management mechanisms and help address unattended issues with more inclusive approaches to hunter-gatherer rights, targeting areas where participation levels were low (notable Southern parts), promoting gender inclusivity and adopting additional consultation mechanisms where necessary to address outstanding issues. The idea is that consent is the last layer building on issues, recommendations, solutions and an FPIC action plan rather than a stand-alone yes/ no process.

1.4 The Hin Nam No FPIC approach in a nutshell: towards a Hin Nam No Consent box

The tailored FPIC approach combined adequate information, strengthening co-management and combining consultation with reiterative problem-solving to a wide range of issues raised by villager. Such an approach obviously went beyond a stand-alone consultation engagement process.

The approach can be summarized as **a reiterative process of identifying community concerns and recommendations, strengthening inputs to the protected area and World Heritage processes, adopting solutions with provincial authorities and enhancing agreement building around concrete tangible outcomes responding to community rights and needs**.

A choice was made early on to train and build capacity of a local FPIC team to run consultations rather than depend upon external consultants to run the FPIC process as a separate “project” activity. While this required additional time in terms of building

facilitation, allowing for learning by doing and technical skills, it also proved beneficial in a number of ways. It offered an opportunity to build (on) local capacity and strengthen awareness about World Heritage standards and recommendations. It offered opportunities to enhance consultation approaches among district and park staff accustomed to top-down approaches. It also allowed to mobilize local skills and competencies such as language, networks and information sharing to work with ethnic groups and village authorities. In practical ways, it also offered a space for protected area leadership to take part in meetings and build understanding of issues as well as create more fluid exchanges with local authorities about key concerns.

The Hin Nam No FPIC approach was structured around several steps of i) issues identification ii) solutions development and provincial commitments 3) fine-tuning and consent through a shared FPIC Action Plan. The rationale for this 3-step tool and consent box was that of a reiterative consent through a process of problem identification, solution building and fine-tuning with communities clearly spelt out in distinct phases with tangible outcomes.

Preparatory activities involved a substantive effort of tailoring information packages and translation to ensure that people would become better informed through core material, maps, audio-visual productions, and targeted questions on key areas such as livelihoods, forest and land tenure, benefit-sharing and participation.

The aim was to have an FPIC tool that genuinely identified ethnic group and local community concerns as well as engaging villages and authorities in developing recommendations and help craft solutions with provincial authorities to form part of the World Heritage process and ultimately lead to agreement building and consent around a formalized FPIC Action Plan.

The starting point involved the **identification of key issues and challenges** as well as recommendations through systematic consultations in all villages bordering the protected area. The FPIC consultation team played a key mediatory role in terms of bringing information and issues to the villages and facilitating the identification of key issues, challenges and recommendations. The consultation approaches involved careful adaptation to the culturally diverse contexts and agricultural calendars adapting timing, language and approaches to requests from specific villages, ethnic groups and local communities⁵. Gender and ethnic dimensions were critical in this respect including the organization of specific training sessions and material on working with ethnic groups, cultural diversity and gender inclusivity. In hindsight, working with local teams led to higher levels of ownership as well as facilitating critical discussions about appropriate responses. Gender sensitive approaches, for example, were tested and adapted to socio-cultural specifics on a trial-error basis. The first round of gender training was considered too grounded in international concepts and thus adapted followingly. The consultations, overall, led to preparation of 19+ village summary sheets with thematic overviews of issues, problems and recommendations. For authorities, these **village reports marked an important milestone and “eye opener” in terms of recognizing the voice and perspectives of communities on issues such as forest use, land tenure and cultural perspectives.**

⁵ This included the preparation of audio-visual material in Lao and local languages to address information needs. Materials were developed in Bru-Makong and Salang languages.

The second phase involved a process of **building effective and equitable solutions** responding to the kinds of issues identified. Whereas some issues were village specific, many concerned higher level dynamics to be addressed through adaptive management such as protected area zonation and adapted regulations. An initial consultation with Lao counterparts led to the identification of the Provincial Steering Committee as the entity in charge of solutions crafting. In preparation, a synthesis matrix compiling all village findings was developed to identify common topics. Using design thinking, FPIC synthesis workshops were organized with the participation of key stakeholders to craft and review solutions. Solutions were, in turn, assessed in terms of relevance, effectiveness and equity from the perspective of World Heritage policy and provincial level commitments. The proposed solutions were ultimately presented to provincial authorities for adoption. **The Adoption of 21 Key Activities to address village concerns by the Provincial Steering Committee in 2021 represented an important milestone.** These 21 key activities form part of the national park’s annual plan and have been approved at the provincial level⁶.

Whereas these 21 solutions scenarios represented the “big picture” adopted by the province, it was considered important to double-check the underlying theories of change and the relevance of proposed language from a community perspective. This led to another round of consultations. These were occasions for officials to get feedback on solutions scenarios with concrete and practical recommendations from concerned villagers – what we call “fine-tuning” and “action recommendations”. The third phase of the HNN box of consent, involved moving towards refining and requesting consent around solutions ultimately to be adopted and formalized in an **FPIC Action Plan submitted as part of the World Heritage extension process.**

Once again, FPIC teams were trained to tailor a second round of consultations to revisit problem areas and consult on the relevance of – and fine tune - solutions with villagers. The consensual solutions framework was revisited from the perspective of connecting solutions to initial problems identified by villagers. Subsequently, in each village, critical problem areas and proposed solutions were debated, and final recommendations collected as part of the consent process. Results from each village were compiled informing workshops to consolidate a common FPIC Action Plan to be shared with co-management as well as district, province and national authorities for approval as part of the World Heritage process. The formalized **FPIC Action Plan officially submitted by Lao authorities represents a landmark commitment to use the World Heritage process to respond to the concerns of ethnic groups and local communities in a Laotian context.**

The tailored FPIC process of strengthening the system rather than functioning as a one-off set of activities is largely perceived to have born its fruits. Led by an FPIC team made up of local officials from diverse backgrounds, supported by expert trainers, GIZ support and coaching,

⁶ Grounded in park ownership and management, these 21 activities have been approved by the provincial steering committee and, in principle, integrated in the annual park management plan demonstrating concrete intentions to follow-up. It is noteworthy, that provincial authorities have requested GIZ to publish the results of the initial FPIC consultations considering them a useful reality check of village perceptions and priorities in relation to protected area management.

consultations were undertaken with all villages surrounding HNN with an inclusive emphasis both on gender and ethnic diversity. One of the key strengths of the HNN FPIC team has been a remarkable ability to go further in reaching out to people where they are, rather than expect people to understand the technical language of protected area conservation and co-management. The FPIC process was deliberately designed to address the gap through adapted language (translation into ethnic group languages), tools and approaches (visual reports and adapted gender engagement). This remains work in progress, nonetheless.

There is a potential risk that FPIC plans “only” remain findings in reports without leading to tangible responses. This would jeopardize not only confidence building with communities, but also challenge the World Heritage process. While there are national and provincial level commitments and calls for making the nomination process beneficial for communities, much will depend on whether and how the national park authorities get the necessary support to undertake concrete steps to revise management, regulations and zonation arrangements to demonstrate real progress and translate right commitments into practice.

1.5 Summary table of FPIC process

FPIC design, training and tools development (October 2019 to July 2020)	Issues & problems identification (September 2020 to March 2021)	Design thinking, solutions building and 21 provincial commitments (April 2021 to December 2021)	Community consultations on solutions and fine-tuning and consent (January 2022 to December 2022)	FPIC Action Plan finalization, consent by co-management bodies, provincial and national authorities (December 2022 to January 2023)
Standards review Field consultations Preliminary identification of key issues Process design Preparation Tools development including gender and Consolidation and training of FPIC team	Key issues report shared at co-management meeting Adaptive approach to consultations Village sheets with key issues Synthesis report presented at co-management meetings	Provincial Steering Committee as the group in charge of solutions Design of solutions assessment matrix Design thinking workshops to craft solutions and assess relevance and equity of responses Provincial Steering Committee adoption of 21 Key Activities / solutions framework	Training of FPIC team and co-design of consultation approaches From overall solutions framework to specific problem and solution activities Village consultations on relevance of solutions framework and fine-tuning of sub-activities for consent Compilation of village findings	Draft FPIC action plan elements Workshop to include fine-tuned elements and develop performance indicators Presentation of FPIC action plan for adoption by co-management mechanisms Adoption of FPIC Action Plan by district, province and national heritage authorities Part of dossier submitted to UNESCO

2. Lessons in tools development and design

The FPIC process involved experimenting with multiple tools, mechanisms and approaches to address the participation deficit, build capacity and local ownership. This section seeks to introduce and illustrate a number of these tools and mechanisms tested as well as highlighting relevant key lessons in terms of what they helped to achieve, but also gaps and weaknesses.

2.1 Homegrown FPIC approach

The idea of a homegrown approach was both driven by an overall intent to adapt the FPIC process as well as recognizing the limitation of “parachuting” a consent team and process into the province. Key design elements ranged from a locally composed FPIC team as well as adapting capacity building, tools and consultation mechanisms. Careful emphasis was also put on organizing consultation calendars and time schedules to local needs and requirements such as, for example, to avoid peak periods of labor-intensive harvest moments.

Homegrown approaches: key lessons

The homegrown approach proved relevant on multiple accounts. Building capacity of local district staff and representatives of mass organizations offered new avenues for strengthening dialogue between officials and local community members, also well beyond the process. First of all, it allowed for a rethink of the existing co-management mechanisms. Even in a context of staff change and the creation of the national park during the FPIC process, new leadership and staff members readily contributed to continue the FPIC process demonstrating its value as a space for exchange and deliberation. Hundreds of villagers took part on such exchanges raising land, resource and cultural issues in need for consideration. There is a request from provincial authorities to print village needs overviews.

2.2 Bridging the knowledge deficit 1 – targeted knowledge products and audio-visuals

From early on it was clear that any meaningful *informed* consent required the further development of specific knowledge products about not only World Heritage in general and the consent processes in specific, but also requiring more fundamental introductions to protected area elements such as zonation, regulations and management, which on paper at least had shaped natural resource governance in the area for roughly two decades. While co-management existed on paper, there were real knowledge gaps. It meant little to discuss further World Heritage activities, if communities lacked a basic understanding of protected area processes themselves. The nomination process was a critical opportunity to rethink knowledge products, audio-visuals to present protected area principles in an evolving context.



(photo Larsen, 2019)

Despite two decades of existence, and numerous awareness raising activities, initial consultations revealed a deep-running knowledge deficit about actual implications of protected area regulations for ethnic groups and local community practice. This led the FPIC process to develop multiple knowledge products in terms of both form and content to

enhance understanding. These included introductory videos about World Heritage and FPIC process prepared in ethnic group languages.

Lessons learned from informing better: opening up for management change

There was a general appreciation of improved information material not least videos shared in local languages. While the impact of improved information can be discussed, there was no doubt that the FPIC process led to increasing calls and requests for the protection of ethnic group and local customary livelihoods and tenure security from both a subsistence and cash perspective. Critical land and resource issues were flooded on an unprecedented scale in all villages. Existing zonation arrangements and use regulations were also challenged. Such issues were not per se about changes introduced by the World Heritage, but in fact concerned longstanding protected area issues impacting existing local livelihoods without having been resolved. The FPIC Action Plan thus offers the opportunity for the national park to engage in a more systematic manner with the issues concerned – and World Heritage becoming a positive driver of change.



(photo: Larsen, 2022)

2.3 Bridging the knowledge deficit 2 – putting local concerns on the table

The knowledge deficit was arguable two-fold. Whereas community representatives, and a new generation of village authorities, lacked a basic understanding of protected area issues and the implications for local livelihoods, a new team of provincial and district authorities and park staff also recognized their knowledge gaps in terms of customary livelihood practices and the need to better understand community concerns more systematically across the Hin Nam No landscape.

Lessons learned among officials to learn about local issues

The FPIC process became a central process to officially recognize the presence and scale of a wide range of unresolved ethnic groups and local community issues across the Hin Nam No

landscape. Specifically, we developed shared interview guidelines with a set of key themes to cover a wide range of both topics. Both provincial and district officials, for example, have requested that these findings from specific villages are formally published. Such issues range from acknowledging the neglect of ethnic group and their ancestral connections to the landscape to the need for addressing both individual and collective land and resource rights, which were often documented in specific numbers, species use etc.



(Nongping, August, 2022)



(photo: Larsen)

2.4 Gender mainstreaming

Gender mainstreaming for the FPIC was a critical design priority given the systematic absence of women in decision-making identified during initial discussions. Several interlinked

approaches were tested. Questions were raised in initial village consultations about how to best adapt mechanisms to allow for women's involvement. National gender mainstreaming expertise was hired to pilot targeted approaches and a continuous conversation was held about next steps and there was a strong emphasis in team organization on seeking to raise women's voices.



Lessons learned on gender issues

A first lesson concerned the limitations with national mainstreaming aspirations. This transpired from first pilot efforts with a national consultant paving the way for more localized approaches to bring in women's voices and perspectives in subsequent discussions adapted to the local context. Whereas it was clear that deep-running gender deficits are not resolved through one exercise, explicit attention and mobilization of women's union officials in the FPIC team proved to be effective in taking steps towards more egalitarian consultation practices.

2.5 Compiling issues and engaging with design thinking in solutions thinking

A critical dimension was to move from the large collection of issues and recommendations towards a set of agreed upon solutions. In a wider landscape where top-down decision-making is common considerable thinking went into building ownership in the process. This included methodologies for collectively synthesizing information and grievances and applying design workshop methodologies and exercises to engage the solutions group in crafting solutions. Tailored technical presentations were also made – at distance – with relevant problem-solving from other protected areas to address issues as local ownership, rights and participation. Approaches were co-designed between FPIC and design thinking consultants including a quality check tool, where identified solutions were rated according to relevance based on World Heritage and Green List criteria.



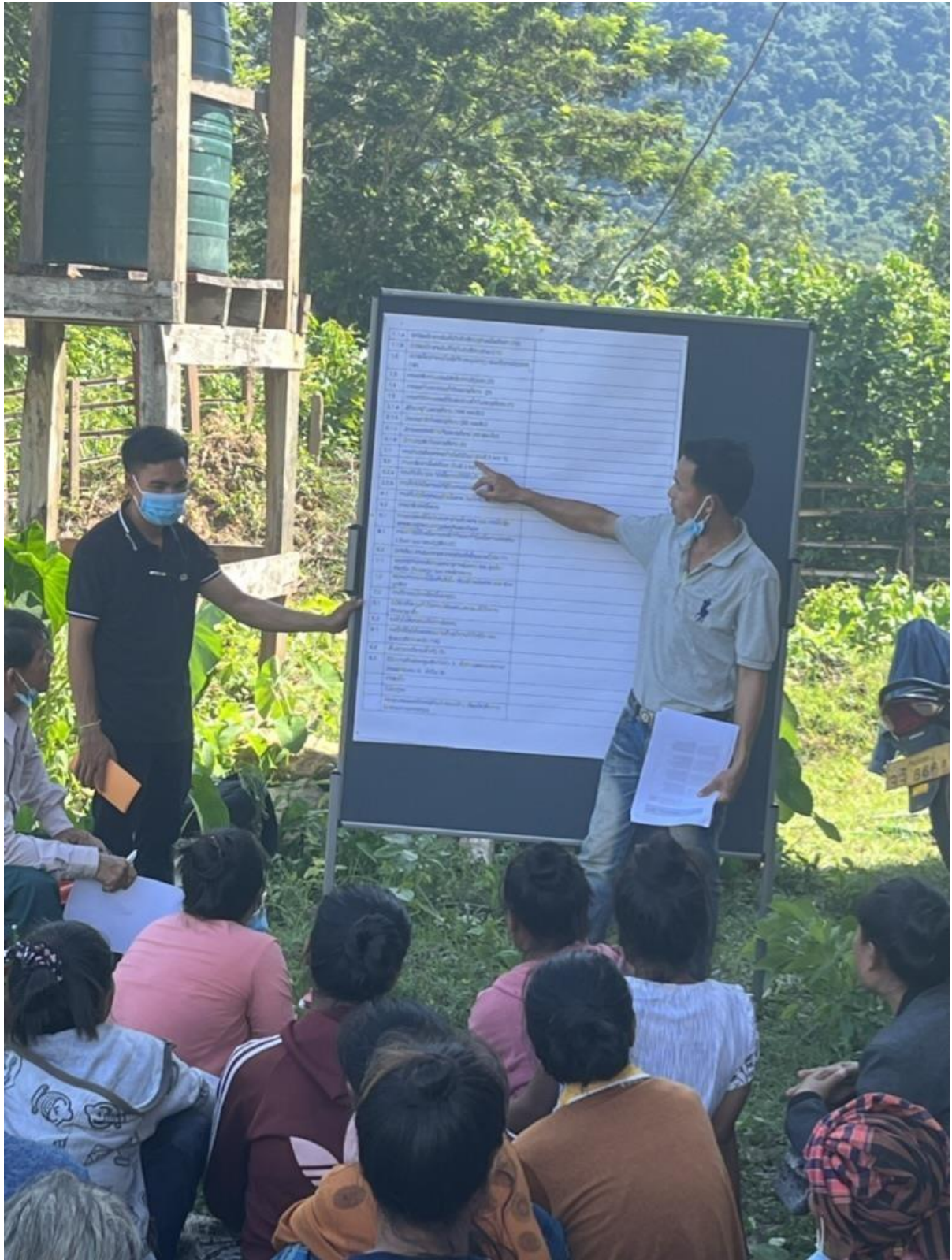
Lessons learned with design thinking

The need for considerable adaptation and flexibility were key ingredients for the success. Considerable follow-up by technical teams in terms of compiling findings in tables and sheets was also necessary. The process was deemed fundamental in building local ownership of solutions put forward to provincial authorities. Design thinking played an important role in this respect.



Mutual education and explanation in reworking arrangements

Perhaps one of the most powerful dimensions of the work involved several layers of explaining and building mutual understanding; of villagers explaining protected area staff, district staff explaining to protected areas, and protected area staff explaining needs and requirements to provincial and national authorities. This process is on-going given the broad ambition of the FPIC action plan. Villagers not only raised concerns in 2021 meetings, but also went through further stages of elaboration in subsequent exchanges explaining particular uses for subsistence or commercial uses, requests and claims for change. Final village consent involved in specifying customary uses, specific land tenure requirements and deep-running cultural connections. Moving from a “paper park” design approach towards rehabilitating customary forms of use and practices is a long-term process.



2.6 From deficits to provincial agendas, engagement and empowerment

The shift from a paper park and participation deficit towards an FPIC action plan with substantive measures to be taken at provincial and district levels is arguably a quantum shift if realized. The opportunity here is one of mobilizing technical support currently present through international institutions and building on the momentum from provincial stakeholders and local capacity.

From deficit to empowerment: key lessons

The FPIC Action Plan represents a major step in identifying the challenges and solutions towards reconciling people and nature in Hin Nam No. It demonstrates key lessons in locally driven solutions development, while also revealing the breadth and depth of remaining challenges. Much will depend on willingness and capacity to follow-up on a wide range of tenure, use and planning challenges, which require long-term implementation commitment.

2.7 Reiterative planning and steps

A particular characteristic of the FPIC process was a frequent process of reiterating and adapting FPIC steps, tools employed and approaches in response to stakeholder responses and advances. If the overall goal of a process responding to needs and rights as a locally grounded consensus building exercise was maintained, adaptation was the name of the game in terms of steps taken to accommodate changes from big issues like the arrival of COVID and lock-down to provincial decisions/ information needs or perceptions regarding the effectiveness of consultation tools on the ground or perceived relevance of local stakeholders. The steps listed in the graphic below were revised at least five times throughout the FPIC process.

2.8 Revisiting problems, theories of change and fine-tuning solutions

A central feature of the reiterative approach involved feedback discussions on problem identification, theories of change and solution building. While difficult to summarize in a paragraph, this included discussions in the FPIC team and provincial authorities about keeping an open mind at defining problems avoiding the pitfall and traps of “business as usual” theories of change and solution scenarios. A common hurdle involved getting beyond merely stating the need for communities to understand and implement government regulations, for example. This involved training sessions where alternative solutions scenarios from other similar protected areas from other countries were presented. It also included training on how to keep an open mind set when exploring possible problems and solutions with villagers (noting without judgement). This eventually led the park authorities to take on board solutions scenarios.

3. Concluding remarks

This report describes the background and outcomes of the FPIC process designed for the Hin Nam No World Heritage nomination / extension process as well as the steps taken during its 3,5 years of implementation.

The overall aim has been to ensure a credible and equitable FPIC process in respect of international standards, while aiming to secure tangible and positive outcomes for ethnic groups and local communities of the Hin Nam No area.

The submission of an FPIC Action Plan as part of the dossier submitted to UNESCO represents a tangible step forward in terms of addressing a wide range of important community concerns with and proposals for effective and equitable protected area and World Heritage management in Hin Nam No. The plan includes not only general intentions, but is also grounded very often in the identification of particular needs such as village-specific in terms of tenure security.

How the FPIC Action Plan is now shared and grounded as part of multiple planning and implementation processes is now critical. Given the wide range of fields addressed, it is critical that i) mainstreaming opportunities in other plans are mainstreamed and ii) results incorporated in community dialogue, monitoring and possible grievance mechanisms (the latter yet to be determined). A systematic quarterly monitoring approach could allow for villagers to follow implementation plans both at local and district levels.

4. Annexes

Annex 1: Official FPIC Action Plan

Hin Nam No

FPIC for the Transboundary World Heritage Nomination as Transboundary Extension to Phong Nha Ke Bang World Heritage Site

Action Plan

Khammouane Province, 16. January 2023

Free Prior Informed Consent: a commitment to 21 action areas

This Free Prior Informed Consent (FPIC) Action Plan of Hin Nam No National Park and Khammouane Province is the formal outcome of the 3.5 years of FPIC consultations to respond to community concerns, ensure consent and build agreement around World Heritage process and actively that strategically respond to the needs and rights of ethnic groups and communities living in the wider Hin Nam No cultural landscape through dedicated activities. Whereas, the well-being, cultural values and sustainable use has always appeared as an objective, this plan offers an operational focus to ensure tangible benefits for the ethnic groups and local communities of Hin Nam No.

Formally adopted by district and province authorities as well as the National Heritage board the FPIC Action Plan signals the strong commitment towards making the World Heritage site and its management a driving force of community benefits, rights and livelihood security. Commitment to realization of this Action Plan is the very basis for village-level consent to the World Heritage nomination in respect of UNESCO standards and Operational Guidance.

Structure and background of the FPIC Action Plan

The FPIC Action Plan is structured around 21 areas of action adopted by the provincial Steering Committee in 2021 and further elaborated in subsequent technical meetings and community consultations. These are areas, where the provincial authorities, in general, and park management, in particular, commit to responding effectively and equitably to the issues and problems identified during the FPIC consultation process (see further below for a short summary, see also annex).

The Action Plan specifies the rationale for each of those areas of action, a narrative summarizing key problems and theories of change as well as a short description of specific sub-activities agreed upon as part of the Consent process (see complimentary description, for further information).

The FPIC consultation process led unprecedented levels of confidence engagement between provincial authorities, park management and the ethnic groups and local communities of the Hin Nam No landscape. Particular emphasis, in line with UNESCO policy, was put on securing an inclusive approach in relation to the rights and interests of hunter-gatherer communities, shifting cultivators and other local communities making up the rich living cultural heritage and ethnic diversity as integral building blocks of the Outstanding Universal Value of the area.

The FPIC process represented a milestone in drawing provincial attention to a wide range of issues, questions and concerns raised by ethnic group and local community voices. These issues ranged from customary resource use and land rights to traditional forest livelihoods, trade in non-timber forest products to the importance of cultural attachment and equitable benefit-sharing in tourism. The diversity of issues was summarized in 27 core problems (see annex).

This action plan was developed by synthesizing the elements of the “Theory of Change” for each of the 27 problems identified by communities across all 21 FPIC-Activities (see annexed table) thus capturing the particular manifestation of each activity in forming part of the comprehensive solution of each problem in narratives and lists activity-by-activity, below.

The listed FPIC activities here range from core commitments to participatory zonation, recognition of ethnic groups and local communities, customary use and land tenure security towards wider collective ambitions to ensure equitable tourism, gender inclusivity, targeted development support and improved food security. Some activities are, in other words, general commitments to *how* national park management and governance measures will be strengthened, while other activities reflect additional activities to be undertaken in cooperation with district, provincial and international conservation and development partners.

Many of the identified activities are mutually linked and interdependent. Effective and equitable participatory zonation (activity 1), for example, relies upon recognizing customary use practices, securing land tenure as well as adapting co-management bylaws and park regulations to reflect new arrangements. While activities are separate here, integrated planning and the mainstreaming of implementation will be undertaken on an annual basis, also in relation to annual work plans by the national park management board, GIZ annual plans and relevant district and provincial agencies.

Monitoring of the Action Plan will be done on quarterly basis with inputs and recommendations for adaptive management from the co-management bodies and park management. A status report will be shared with village authorities twice a year.

1 Undertake Participatory Zonation for equitable zoning arrangements

Aim: Rezonation of Controlled and Total Protection Zones in line with recognized uses different customary use practices detailed below.

Problem rationale and theory of change

Participatory rezonation and use planning are priority activities to redress gaps and challenges with existing zonation arrangements and provide a more socially and culturally relevant basis for management planning. Identified gaps to rework include the current exclusion of customary use areas of hunter-gatherer communities, ancestral settlements, old fallow areas of shifting cultivators and traditional forest use rights. A number of these areas are specified below for specific attention.

Key preparatory activities:

- Organize a technical planning meeting to agree on the criteria and implementation method of participatory zonation (to discuss the zoning for CUZ and TPZ as well as customary use zones) in terms of types of uses and tenure forms to map and recognize and information to be collected.
- Design of distinct participation and consultation measures for zonation of ethnic groups such as sedentarized hunter-gatherers and shifting cultivators
- When there is a consensus, each of the relevant parties together with local communities survey the area to determine and identify the location and area of resource uses
- bring various data to compile into a report as well as a basis for a draft management plan (based on the information from the zoning and based on the Law on Forestry No. 64/NA, Article 71 Protection of Protected Forest Land) to propose and request approval from the district, province and relevant ministries.
- After the completion of this document, there will be signs posted and the regulations will be published so that the public can recognize and understand the area and management regulations.
- The last step is to issue specific permits and licenses to individuals or groups of people based on zoning information and usage regulations (see below).

1.1 Recognize hunter gatherer settlements and customary use areas

Aim: Rights to customary settlement, traditional practices and use areas of hunter-gatherer communities are formally recognized and tenure secured in park management framework.

Problem rationale and theory of change

Hunter-gatherer communities, such as the Rục (Salang, Vangmaner) and the former Arem, have ancestral connections, rights and deep understanding of the Hin Nam No landscape, yet their rights to customary use areas, practices and former settlement areas are not yet recognized and remain invisible in the management framework and zonation arrangements. Their customary use areas are yet to be formally recognized as controlled use zones.

Activities:

- Map and formally recognize customary settlements and forest use areas as customary use zones of hunter-gatherer communities in the park management framework considering both total protection zones and community use zones.
- Rework CUZ and TPZ arrangements with neighbouring communities to ensure acceptance of new customary use zones.
- Adapt co-management bylaws to reflect customary use zones, tenure security and governance practices.

1.2 *Recognize agricultural lands, gardens, shifting cultivation areas and fallows in management framework*

Aim: Ensure that rights to agricultural lands, gardens and shifting cultivation areas including fallows existing prior to protected area establishment are recognized and community tenure security is granted.

Problem rationale and theory of change

The FPIC process documented numerous cases of different types of agricultural lands, the backbone of most community livelihoods, overlapping with park areas whether in the form of wet-rice fields, gardens, seasonal farming areas, shifting cultivation and fallow lands. In each village survey, the number of affected households and their lands were identified with a provincial commitment to ensure tenure security over agricultural lands established prior to protected area establishment. This included recognition of the importance of shifting cultivation practices including old fallow lands of ethnic group shifting cultivators considering their importance also from a living cultural heritage perspective. There is also commitment to clarify conditions for later agricultural uses.

Activities:

- Develop comprehensive maps of agricultural lands for each sub-village including all its cultural forms and practices (wet rice, seasonal plant, shifting
- secure individual or collective tenure of agricultural lands (as appropriate) through documentation of uses and areas/extent of fields, gardens, seasonal plots and fallows in the **village conservation agreement**
- For newly pioneered land in Hin Nam No National Park, create a memorandum of understanding with encroachers based on management regulations.
- There is a need to re-examine the site, determine the area on the map and create a memorandum of conservation agreement based on the use management regulations to make sure there is no agricultural practices or expanding for agricultural land that will affect the forest area. If the area is already on the map, act in accordance with strict management regulations.
- For agricultural land in the tourism development area must comply with the agreement of Bualapha District No. 06/DG BLP. For poor families who do not have land for production elsewhere, appropriate solutions are proposed to help the poor families.

1.3 *Recognize NTFP use including rights to subsistence hunting and medicinal plant use*

Aim: Recognize the rights to NTFP collection and use including subsistence hunting and medicinal plant use and collection by ethnic groups and local communities

Problem rationale and theory of change

The FPIC process revealed the fundamental importance of NTFP collection including plants for consumption, subsistence hunting, medicinal plant use and local NTFP trade for ethnic groups, in particular, as an integral part of the customary livelihood systems of local communities, in general. Consultations also documented extensive use of medicinal plants as part of traditional health practices. Subsistence hunting of unprotected species is an essential cultural livelihood activity of ethnic groups, yet is not yet formally recognized as such.

Activities:

- Identify collection areas for key NTFPs used mainly for subsistence and local level trade
- secure collective tenure at community-level through documentation of areas and list NTFP regulations as part of **village conservation agreement**
- animal hunting grounds for subsistence: secure collective tenure at community-level through documentation of areas and list of key non-protected animal species and permitted hunting techniques in the **village conservation agreement** with ethnic groups
- main fuelwood collection areas: secure collective tenure at community-level through documentation of areas and list of key non-protected animal species and hunting techniques in the **village conservation agreement**
- secure tenure at bufferzone-level by making provisions for general entitlement by including list of legal uses in **co-management bylaws**

1.4 *Recognize cultural sites, intangible heritage values and associated use practices*

Aim: Enhance the recognition of cultural sites, intangible heritage values associated use practices as integral to management system

Problem rationale and theory of change

The Hin Nam No cultural landscape is home to ethnic groups, a rich cultural diversity, intangible living heritage values and associated practices. Specifically, there is agreement to recognize and respect both culturally significant sites such as worshipping sites, caves and cemeteries as well support communities in their traditional festivals, ceremonies and practices whether held by communities, clans or individuals, publicly or privately.

Activities:

- Ensure that park management frameworks including tourism regulations recognizes tenure and decision-making roles of ethnic groups and local communities regarding cultural sites, access and management.

- Recognize rights to use non-protected animal, plant and NTFP species used for cultural practices
- secure tenure at community/ or bufferzone-level by making provision for general entitlement by include relevant communities, dates, and resources required in the co-management bylaws
- The hunting of wild animals for organizing traditional festivals involving species, that are not on the prohibited list is allowed in the CUZ pending upon a license to an individual or a group of people based on the use management regulations.

1.5 *Address the sustainability of grazing areas overlapping with park*

Aim: Sustainable management responses to grazing in national park consolidated.

Problem rationale and theory of change

The sustainability of grazing areas for cattle overlapping with the park is a concern in multiple localities with considerable impact on certain forest areas, while representing a significant livelihood activity. There is need to deep dialogues on the management grazing areas, the reduction of grazing within the park through building agreements around phasing out and the identification of alternatives.

- secure collective tenure at community level through documentation of uses and areas/extent of grazing areas in the **village conservation agreement**
- Identify specific areas that are less sensitive to degradation, and decide on controlled grazing
- Build phasing-out agreements with communities to reduce and stop grazing in sensitive areas within the park.
- Re-inspect grazing sites, create a conservation contract document in the management of the animal husbandry area for each area

2 Develop village and sub-village use plans, regulations and conservation contracts based on new zonation arrangements

Aim: Develop village use plans, regulations and conservation contracts to compliment new zonation arrangements

Problem rationale and theory of change

Rezoning and recognition of the multiple forms of use rights listed above, presents a need for specific use plans, regulations and conservation contracts/ agreements to ensure sustainability. Such additional management measures offer specify concrete and practical measures to specify use, area, livelihood or species-specific arrangements in village conservation plans and contracts. Specific areas of planning to be covered include agriculture, cultural uses, hunting, NTFP use, timber and tourism

Activities:

- Base use plans and contracts on customary tenure security
- Map and include customary use and controlled use zones in remodeled village conservation contracts
- Develop a use plan, including what uses are allowed and when in ancient settlements and customary use areas
- Develop a standardized use plan for each village and include a map that shows the agricultural and forest use areas including those overlapping with the park.
- Develop a horticulture use plan that limits extension of area and use of inputs (pesticides and fertilizers)
- Derive an agreed use plan from the documentation of the shifting cultivation system as part of the village
- Discuss on a village basis whether firewood collection should be regulated or not, if so, include specific guidelines
- Develop NTFP use plans and regulations for each village
- Identify specific areas that are less sensitive to degradation, and decide on controlled grazing
- Create regulations with the community to open the season for collecting forest products of the forest in the use management area.

3 Issue individual and collective use permits based on zonation

Aim: Develop an effective individual and group permit system to recognize ethnic group and local community access and use rights

Problem rationale and theory of change

A number of the above use forms of issues will require specific individual and group permits to be effectively recognized and specified in the management system in case the form of use cannot be recognized and regulated through bylaws and regulations alone. These range from collective permits for ethnic group subsistence hunting rights to individual use permits for agricultural lands overlapping with protection zones. Certain permits may be temporary, such as those associated with phasing out grazing within protection zones, while others are long-term permits associated with ethnic group identities and customary rights.

Activities:

- Develop permits for associated households or groups for specific festivals and times, based on the identification and
- Identify the groups that are most vulnerable and/or affected by the ban on hunting and issue specific permits for hunting taking into ethnic group customary practices and rights
- Develop and issue group permits for traditional owners of ancient settlements within the park which include a map of those settlements and associated forest use and garden areas.
- develop and issue a permit to every individual user or user- group with a map of the field and the use plan attached
- Develop individual permits for agricultural lands falling within the park

4 Develop or amend regulations for approval of timber extraction requests

Aim: Review process for obtaining permits for timber extraction from protected areas and improve definition and compliance

Problem rationale and theory of change

How to ensure sustainable individual and community access to timber for the construction of houses remains a question raised in several villages.

Activities:

- Review the process of applying for a license to harvest natural timber and fruit trees for individuals, legal entities and organizations.
- For the areas allocated for use in the protected forest, it is in accordance with the Law on Forestry, revised version No. 64/NA, dated June 13, 2019, Article 39, Village level forest management planning (Paragraph 1, village-level forest management planning is the allocation of forests and forest land in the administrative area of the village, which is carried out both inside and outside the protection forest, protected forest and production forest, so that the village is the owner of the management, protection, planting and restoration of degraded forests, preventing forest fires, forest encroachment and reforestation with the aim of making the forests in the management area of the village abundant and becoming a forest development village.)
- For the areas with community tenure in the protected forest, it is in accordance with the Law on Forests, No. 64/NA dated June 13, 2019, Article 39, village level forest management planning (paragraph 2, village forest allocation is defined in separate regulations and recommendations of the Minister of Agriculture and Forestry, No. 3684/MAF, dated August 16, 2022, Clause 3, principles, conditions and verification procedures.
- Activity: Revised Co-management bylaws

5 Revise Co-Management Bylaws and park regulations

Aim: Adapt co-management bylaws and park management regulations to reflect new zonation, use regulations, tenure security and cultural identity recognition.

Problem rationale and theory of change

Existing co-management bylaws and park management regulations in the making do not yet adequately provide sufficient clear framework conditions and guidance to harness sustainable ethnic group and local community use, tenure security, cultural identity recognition and inclusive participation. By strengthening co-management and the park framework, regulatory conditions for the adapted solutions can be put in place.

Activities:

- On the basis of FPIC Action Plan commitments, consolidate list of possible of bylaw amendments on zonation, use, tenure and benefit-sharing among other things.

- Clearly list all protected species, where use is strictly prohibited for use in the bylaw with pictures and local names
- Allow for the use of NTFPs for domestic consumption for all bufferzone inhabitants subject to village-specific regulations and use areas
- Allow dry firewood collection for own use in controlled use zones for all bufferzone inhabitants
- Define “trade” as all transactions beyond the first sale by collectors (selling entitled to local communities).
- Include legal provisions defining requirements of a business license or concession agreement for legally engaging in trade with products from the national park outside the local hamlet
- Allow for the use of listed non-protected species for medical purposes in the bylaw along with a list of those species where use is prohibited.
- Include tenure maps of and use plans for the customary settlements and use areas of ethnic groups
- Allow worshipping in the park within controlled use zones for everybody except for places that are listed as being of special conservation concern (list and map to be attached)
- Define “forest crime” and clearly explain consequences for offenders
- Develop an "operational summary" of the bylaws specifically for ethnic groups
- Explain the community ranger system
- Present the park management officeholders and key management stakeholders with pictures, contacts and responsibilities
- Organize a meeting to publicize the revised version of the Co-management bylaws
- Revise and endorse the co-management bylaws at community-, district- and province-levels
- List and provide a summary of the key legal documents framing Hin Nam No as national park and its management
- Develop an "operational summary" of the bylaws that guides answering of concrete community questions, including all regulations, laws, management plan, bufferzone agreement, etc. broken down to local realities

6 Strengthen cultural identity recognition, cultural practices and support measures

Aim: Recognition and documentation of cultural diversity, practices and cultural heritage of Hin Nam No enhanced

Problem rationale and theory of change

The cultural diversity, identities and heritage values of Hin Nam No are integral to the Outstanding Universal Value and its landscape significance, yet remain poorly understood, documented and supported from a management perspective. There is need for more strategic emphasis on the cultural heritage values, the interconnection with natural values and their importance for the ethnic groups and local communities, in order to adopt supportive management approaches and feed into zonation and the recognition of customary use areas.

Activities:

- Document in a participatory way the human history and cultural diversity of the area, the traditional ecological knowledge, environmental ethics, customary use areas and resource use practices (including shifting cultivation, hunting, medical and spiritual uses of resources and places)
- Support documentation and recognition of ceremonies, rituals and related festivals,
- Promote official recognition of the ethnic groups, cultural identities and heritage values in the Hin Nam No landscape
- Promote inclusive documentation and interpretation (including as part of awareness and environmental education) and celebration of festivals as a basis for a strong cultural identity and local pride, through technical and financial means.
- The use of non-prohibited animals in rituals while respecting management regulations and the Forestry Law, Article 31 and Article 32. For animals that are on the prohibited list (List 1 and List 2) that people still propose to continue using, it is necessary to submit a proposal to the upper level for further consideration and dialogue.

7 Finalize Bufferzone agreement on good practice and equity

Aim: Build principles and good practice for equitable bufferzone management to strengthen local tenure and livelihood security

Problem rationale and theory of change

FPIC consultations revealed some concern from ethnic groups and local communities about being located in between different protected areas with questions about the future land use, access and tenure security as a risk for their livelihoods. In parallel with the official designation of bufferzones^[4], there is a need and opportunity to build a set of principles and good practice that prioritize ethnic group and local community land tenure and livelihood security, access to business opportunities, education, vocational training and employment creation.

Activities:

- Undertake consultation on relevant principles and good practices for equitable bufferzone development and management
- Identify practical mechanisms to strengthen community tenure and support mechanisms from a bufferzone perspective
- Finalize the bufferzone agreement and include key content in the co-management bylaws
- Raise awareness among relevant line agencies and provincial authorities

8 Develop a Sustainable community-based Tourism Charter

Aim: A sustainable tourism charter developed for the Hin Nam No area.

Problem rationale and theory of change

FPIC consultation underlined the importance of clarifying the rights and roles of ethnic groups and local communities in the management, stewardship and benefits from growing tourism activities in the Hin Nam No area. With growing private sector interest and partnership development, there is a need to ensure safeguards to protect ethnic groups and local community stewardship, access and equitable benefit-sharing. A sustainable community-based tourism charter with a set of principles and criteria guiding provincial tourism development and the tourism sector would be adopted by district and provincial authorities for this purpose.

Activities:

- Develop a list of principles for tourism development around Hin Nam No National Park that clearly outlines the authority and right to stewardship, consultation and benefits (material and immaterial) of ethnic groups and local communities applicable to all tourism co-management stakeholders in decision making on new services or concessions.
- Consider respect for places of worshipping in the tourism charter as tourism no-go areas unless permitted by the respective communities.
- Ensure Free Prior Informed Consent of ethnic group and local communities potentially affected by, or whose use areas, overlap with new tourism concessions and activities
- Maintain respect for ancient settlements and customary stewards in the tourism charter as tourism no-go areas unless permitted by the respective communities.
- Any tourism development in customary areas including settlements and caves should prioritize community-owned initiatives and prioritize local employment.
- Research and collect information on tourist sites, create a development plan together with the community to find cooperation (public-private) in the improvement and development of such tourist sites, publicize widely through various media
- To improve the administrative system and services again so that tourism is sustainable.
- Summarize and report on the results of the implementation of tourism work by arranging a meeting to conclude on a monthly basis, or at least 3 months to 6 months regularly.

9 Develop Gender equality charter

Aim: Develop a gender equality charter for Hin Nam No as a whole

Problem rationale and theory of change

FPIC consultations revealed widespread gender inequalities in terms of voice, decision-making and representation, yet also commitment to recognize women’s rights to resources and decision-making processes, promoting gender equality and combatting gender-based discrimination and violence in accordance with the Lao government policies, provisions and targets^[2]. A gender equality charter could allow for establishing general principles and building concrete measures, targets and indicators for Hin Nam No co-management, at all levels.

Activities:

- Develop and endorse with women and men a set of principles for strengthening women engagement and empowerment in national park governance and management
- Organize a joint meeting with relevant sectors (Mayor, Council, Justice, District Women, HNN NP, Village Party Committee) to approve the Gender equality charter that is used for HNN.
- The document should also outline requirements, roles and responsibilities, criteria for the responsible committee, detailed work plan for implementation (district, village level)

10 Demarcate of park boundaries equitably

Aim: Demarcate park boundaries according to international good practice

Problem rationale and theory of change

FPIC consultations revealed some uncertainty regarding park boundaries, particularly in areas where boundaries had changed upon its redesignation as a national park. This raised questions regarding community tenure security, access to forest areas and implications for local livelihoods. Park authorities are committed to a demarcation process that consolidates community tenure security and grievance mechanisms

Activities:

- survey the extent of Park expansion area (changed from 82,000 hectares to 94,121 hectares).
- Collaborate with the relevant parties to determine the demarcation as well as revise the old demarcation to be accurate with particular attention to overlapping tenure claims from ethnic groups and local communities
- Demarcate the park boundary according to Lao and international best practices and guidelines
- Ensure new park boundaries reflect and demarcate the new zoning arrangements, as established through participatory zonation (see above) inside the park
- Maps should indicate new zones with clear regulations per type of zone from the perspective of communities (what is allowed, what is not, who's zone (village/community) is it?)

11 Capacity development for village rangers to bridge park management and community views

Aim: Strengthening capacity of village rangers not only in their technical contribution to the management of Hin Nam No National park but also in terms of building their capacity to represent voice of community and bridge park management and community views towards conservation work

Problem rationale and theory of change

FPIC consultations revealed a need to strengthen capacity of village rangers to better bridge park management and community views. Compliance monitoring or law enforce alone could not fulfill the conservation objectives, this process has to be accompanied by building better understanding of local communities towards conservation and at the same time taking into account communities voices so that local people can fully participate and support the park management.

Activities:

- Strengthen capacity of community rangers and village co-management committees to organize village meetings and to disseminate the co-management bylaws to all groups, including women and ethnic groups.
- enable community rangers to facilitate the dialogue between villagers with grievances on the one hand and village- and park authorities on the other to support good governance and combat discrimination and exclusion of marginalized stakeholders at village level.
- enable community rangers to carry out land-use compliance monitoring in controlled use zones

12 Enhance the role of VCMC sub-committees for specific sub-hamlets

Aim: Sub-committees set-up for sub-hamlets in villages with ethnic group presence or large sub-hamlets

Problem rationale and theory of change

FPIC consultations revealed how existing village level co-management institutions (VCMC) are not always equipped to represent all sub-hamlets, ethnic diversity and village perspectives. Specific gaps included the exclusion or absence of hunter-gatherer communities or distant sub-hamlets from village decision making as well as their lack of participation in community ranger teams. The new approach involves setting up specific sub-committees and secure ethnic group representation when ethnic groups are concerned as well as in the case of large villages with sizeable sub-hamlets.

Activities:

- Set-up and support of subhamlet VCMCs in selected villages with ethnic group presence or distant subhamlets
- Secure more inclusive representation by appointing representatives of ethnic groups as members of the village co-management committees
- Ensure representatives from all ethnic groups at co-management meetings at the district level
- Explore and pilot relevant mechanisms for ensuring better representation, regular participation and voice of ethnic groups in park co-management
- Set-up regular consultation mechanisms for ethnic group inputs on relevant programmes, projects and activities
- Strengthen capacity of representatives to moderate community dialogues on rights and tenure issues, participation in wider governance and support resolution and ensure non-discriminatory accessible grievance mechanisms, and monitor other

provisions made through FPIC and participatory zonation specifically for ethnic groups, such as traditional settlement areas inside the park, shifting cultivation management and specific provisions and renewal of customary use and tenure for ethnic groups in general

- Facilitate yearly ethnic group monitoring and evaluation of FPIC-related activities such as participatory zonation approaches, recognition of customary settlement areas inside the park, hunting rights, shifting cultivation and the recognition of customary use zones and tenure security.
- Set-up grievance mechanism and procedures for ethnic groups and local communities

13 Strengthen role and outreach capacity of community ranger teams for sub-hamlets

Aim: Strengthen the role and outreach of community ranger teams to enhance effective co-management

Problem rationale and theory of change

FPIC consultations indicated a functioning ranger system, which nonetheless lacked representatives from ethnic groups and needed strengthened capacity to build bridges between park management and village authorities and villagers themselves not only in terms of enforcement, but also other outreach roles.

Activities:

- Set up and train community ranger forces for sub-hamlets of ethnic groups and foster their integration in terms of skill development, recognition and exchanges with the existing community ranger system.
- Set up and train community ranger forces for sub-hamlets of ethnic groups and foster their integration in terms of skill development, recognition and exchanges with the existing community ranger system.
- Explain the **Hin Nam No co-management system** with regard to explaining the tangible ways for communities to engage in conservation, report misconduct and express grievances
- **Explain the zonation**, demarcations and key regulations, including bufferzone
- **Explain the FPIC action plan** development and implementation/monitoring process

14 Women's advisory council to the DCMC

Aim: Set-up a functioning women's advisory council to advise DCMC on implementation of the gender equality charter.

Problem rationale and theory of change

Given the continuous gender deficit, the aim is to create a standing women's group at district level that advises the park management and co-management institutions during co-

management meetings and other decision-making processes. The idea is to ensure the women's advisory council remains an effective body that represents women's concerns at local level within the park co-management system & is able to monitor and hold the co-management stakeholders accountable for implementation of the gender equality charter and FPIC solutions on gender equality and to strengthen and support female village conservation committee members in the villages.

Activities:

- Discuss with the district committee to select the appropriate candidates at district-level (5-7 people), draft the district-level agreement and propose to the district authority for approval.
- Discuss with the “committee to build the foundation of political leadership of the village group”, the village authority to select the suitable candidates at village level (3-5 members), draft the agreement at the village level and propose approval
- Organize a meeting with the district-level leadership committee, the district-level responsible committee through an agreement to appoint a women's committee (district, village) to be responsible for the work, the requirements for the roles, rights, and duties of the women's committee responsible for the (district, village) level.
- Organizing meetings, trainings to strengthen women's groups at the district and village levels
- Build capacity of female village co-management committee members to effectively represent female concerns in co-management meetings at village and district level
- Facilitate grievance processes for women and monitor implementation of the gender equality charter on the ground and inform women in the villages about developments and regulations of Hin Nam No national park.
- improvement in matters women groups to disseminate regulations at park and village levels and to collect questions and concerns of communities and feed them into the co-management upward reporting process

15 Women resource use monitoring groups in selected villages

Aim: New approaches to women’s involvement in conservation monitoring tested.

Problem rationale and theory of change

Despite women playing a central role in resource use, conservation and management, FPIC consultations identified low levels of active involvement at the village level. The aim here is to set up and run female-led community conservation action planning processes in 3 selected villages as pilots, which include community actions and specific female involvement in combatting wildlife crime, and regulation and monitoring of critical land and resource uses inside the park (NTFP collection, grazing, horticulture), and addresses specific dynamics of women’s concerns.

Activities:

- Discuss with the “committee to build the foundation of political leadership of the village group”, the village authority to select the suitable candidates at village level

(3-5 members), draft the agreement at the village level and propose approval (Same group with FPICA 14,)

- Organize a meeting with the district-level leadership committee, the district-level responsible committee through an agreement to appoint a women's committee (district, village) to be responsible for the work, the requirements for the roles, rights, and duties of the women's committee responsible for the (district, village) level (Same group with FPICA 14)
- Encouraging, inspecting, monitoring, summarizing the report, drawing lessons from the implementation.

16 Community dialogues on alternative resource uses, practices and livelihood options

Aim: Identify community-driven alternative resource use and livelihood options where biodiversity is under threat

Problem rationale and theory of change

In a number of cases, community use and practices present possible threats to specific species and important habitat in Hin Nam No. FPIC consultations initiated, but did not finalize, dialogues about possible alternatives. There is a need to continue community dialogues as means to identify effective and equitable alternatives in the medium and long-term.

Activities:

- Conduct community dialogues in areas, where specific threats are identified.
- Identify with relevant sectors (government agencies) most vulnerable groups and households and explore the development of specific custom-tailored livelihood improvement alternatives within a value-chain and food-systems approach
- Identify measures to reduce dependency on commercial hunting and uncontrolled harvesting and sale of natural resources or cultivation of land inside the park
- Develop together with community rangers an incentive scheme which supports the livelihoods of community rangers, their families and offspring in the long-run sustainably.
- Identify and allocate the budget to encourage people to cultivate and raise animals to generate income for them.

17 Devise and implement targeted social support and food security schemes for vulnerable groups and households

Aim: Mobilize other line agencies for intersectoral collaboration for better access to public services and infrastructure development

Problem rationale and theory of change

FPIC consultations revealed major food insecurity and health challenges among vulnerable groups and households, in particular sedentarized hunter-gatherer communities, with high

frequencies of disease, malnourishment and high mortality rates. There is an urgent need to identify both short and long-term responses to improve food access and improved health conditions for vulnerable groups and households.

Activities:

- identify most vulnerable groups and households and develop a subsidy-scheme to strengthen food security and health services (hospital treatment and access to and incentives for education (school fee waivers, school meal programs etc.)
- Identify former hunter-gatherer groups work with the health-sector to develop targeted schemes to improve health and nutrition security in these communities (hospital waivers, food for work program, etc.)
- Devise and develop a sustainably financed social security support scheme for community rangers and their families, including accident and health insurance and provision at old age (pension).
- Find financial sources of support to help the orphans, the disadvantaged and those at high risk who do not have access to social security and the health system

18 Intersectoral partnerships and community dialogue to improve access to public services and infrastructure

Aim: Mobilize other line agencies for intersectoral collaboration for better access to public services and infrastructure development

Problem rationale and theory of change

Access to basic infrastructure, basic public services and development support remains limited in large parts of the Hin Nam No area. Access to villages in rainy season is difficult for several (Vang Maner, Thongxam, Dou, Nong No, Nong Seng, Phanob) and year round for 4 villages Thaplao, Ka-i, Laboi and Nong Ma. Several villages lack access to electricity (Thaplao Village, Ka-i (Tong), Laboi Village (Pacham), Nong Ma Village (Langi, Pa Ak Dong), clean water (Thaplao Village, Ka-i, Laboi Village, Nong Ma Village), toilets / sanitation (Thaplao Village, Ka-i, Laboi Village, Nong Ma Village). The provision of basic health, extension and education services is also limited. The approach here is that of mobilizing wider intersectoral support to improve access to public services and infrastructure in bufferzone communities.

Activities:

- work with the public works department to improve access to clean drinking water supplies, sanitary facilities, electricity and road access
- Work with health sector to improve access to health and nutrition services for everybody (health posts, food for work, mobile clinics, etc);
- work with the education sector to improve access to education for everybody

19 Intersectoral partnerships and community dialog to improve access to productive assets

Aim: Secure better access to and use of productive assets

Activities:

- Work with agricultural extension partners and with the communities in a participatory way to identify productive assets
- Develop specific projects together with the relevant sectors and with the communities to improve agricultural land area through UXO clearing and land rehabilitation
- Develop specific projects together with the relevant sectors and together with the communities to improve access to veterinary services and animal rearing, fodder grass cultivation and rotational grazing outside the park

20 Participatory development and Implementation of community-driven forest and land restoration and rehabilitation

Aim: Practical measures to support community-driven forest and agricultural land restoration

Problem rationale and theory of change

Degraded forest and agricultural lands represent an everyday challenge both for ethnic groups and local communities use of forest resources and farm production in the Hin Nam No landscape as well as from the perspective of biodiversity conservation and connectivity.

Activities:

- Develop with the relevant sectors incentive programs for restoration and rehabilitation projects in degraded agricultural, pasture and shifting cultivation fields of farmers and communities
- Create regulations for the use of resources (the use of forest products, logs, firewood) and memorandums with targeted individuals/groups that receive incentives to make the restoration project sustainable.
- Identify scarce NTFPs used for medicinal purposes, ceremonial or trade purposes and develop agroforestry projects together with the communities for growing and cultivating those products ex situ
- Develop specific projects together with the relevant sectors and communities to rehabilitate forest areas inside the park and in the bufferzone that are under high pressure (NTFP use, timber, firewood) and the community intends to protect through better management, suitable regulations (rotational use for regeneration) and supporting measures (cultivation) etc.

21 Support community-driven approaches to combat illegal wildlife trade.

Aim: Ethnic group and local community actively engaged in combating organized, illegal wildlife trade and external demands in the Hin Nam No area.

Problem rationale and theory of change

Considerable pressures on the wildlife of Hin Nam No come external pressures and demand. On the one hand, the FPIC Action Plan aims to consolidate community tenure and use rights,

on the other hand, this creates a strong basis for mobilizing ethnic groups and local communities in fighting illegal wildlife trade through strengthened social mobilization, law enforcement and community action plans.

Activities:

- Develop and disseminate community action plans on combatting wildlife crimes
 - Work with youth groups (Emyouth), VCMCs and law enforcement agencies to report and prosecute wildlife trading and trafficking through Lao-WEN (Expand Lao-WEN to P-WEN, D-WEN)
 - enforce the ban on wildlife trade (as defined as supply chain beyond first sale) in the area strictly to discourage middlemen from engaging local people in hunting for commercial purposes
 - Encourage the village organization, village patrol team and district stakeholders to develop effective monitoring and prosecution of external hunters from other places with modern weapons to hunt for commercial purpose
 - - Engage with Vietnamese authorities in transboundary monitoring and prosecution of illegal wildlife trade.
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- ^[1] Agreement of the Minister of Agriculture and Forestry No. 0005/MAF dated January 4, 2023 on the endorsement of Phu Luang-Phu Khao Nok National Protection Forest as a Buffer zone for World Heritage Site.
 - The agreement of Governor Khammouan No. 1542 dated September 9, 2022 regarding the adoption of 19 villages and the area of Phu Luang-Phu Khao Nok National Protection Forest which surrounds Hin Nam No National Park as the buffer zone of the future natural world heritage site.
 - The agreement of the Deputy Mayor of Bualapha No. 241 dated July 12, 2022 regarding the adoption of the boundaries of 19 villages surrounding Hin Nam No National Park as a buffer zone of natural world heritage site.

^[2] Relevant policy documents include the Law on Gender Equality, Law on Combating and Suppressing Violence against Women and Children, Law on Development and Protection of Women, Law on Combating and Suppressing Human Trafficking, Documents to Promote the Advancement of Women, International Conventions Related to the Legitimate Rights of Women and Children, Rules of the Lao Women's Union, Family Law.



Lao People's Democratic Republic
Peace Independence Democracy Unity Prosperity

Khammouan Province
45/ Gov

No.

17 January 2020

Khammouan, date

Decision

On the Adoption of the Free, Prior and Informed Consent (FPIC) Action Plan.

- Pursuant to the Law on the Local Administration No. 68/NA dated 14 December 2015
- Pursuant the Decision on the appointment of the steering committee and secretariat at provincial level to nominate Hin Nam No National Park, Boualapha district of Khammouan provincial to be the Natural World Heritage No. 121/Gov dated 29 June 2022;
- Based on the Minutes of the Provincial Steering Committee and the Secretariat on the management of Hin Nam No National Park for the preparation of Nomination Dossier for Natural World Heritage dated 16 January 2023;
- Based on the PAFO request letter of Khammouan province, No. 122/KM.PAFO dated 17 January 2023.

The Governor of Khammouan Province agree:

Article 1. Agree to adopt the Free, Prior and Informed Consent (FPIC) Action Plan composes of the total 21 activities with the focus to solve the issues and problems of livelihood of local villagers living in the surrounding of the Hin Nam No National Park, Boualapha District of Khammouan province.

Article 2. Assign to the Provincial Office of Agriculture and Forestry, the Hin Nam No National Management Office to lead the coordination with relevant sectors both Central and local authority to interpret, propagate and

Article 3. This Decision is effective from the date of signature.

Governor

For the Provincial

Ounsida

Dr. Somsa-ath

Annex 2: Dos and Don'ts 1 pager

Introduction

This briefing note is a response to request for a set of do's and don'ts / Frequently Asked Questions specifically for the final phase of providing feedback to villagers about the FPIC results, explaining park management responses and getting final input from villagers for fine-tuning.

- Dos: Inform in advance, explain, repeat, share and translate
- **Inform in advance and be ready**
- Let villagers know in advance through normal channels that meeting is taking place
- Be **ready** with graphic material, video in local language
- Take time to **explain** what the 21 technical responses mean in practice for the village
- Can the team provide concrete details for when, how and what activities will take place? By whom?
- **Repeat and share** key messages is always useful to make sure that everyone is on board
- Reformulating a sentence in different words can be helpful
- **Translate** as much as possible
- The FPIC team has already proven that translation into **local language** can be helpful. For other languages like Salang or Ngwan the team may identify one person who translates key messages. This can also serve as useful repetition
- **Translation through** images can also help explain concepts like participatory planning, use regulations etc.

Don'ts:

- **Don't wait** for people to ask questions
- Ask simple questions to check whether people understand
- People are often shy to admit that they did not quite understand
- Small breaks for tea or water may be a moment to check with youth, elders or women if they're comfortable
- **Don't ignore critique**
- If villagers have critical questions about the solutions make sure you note them for follow-up and discussion with park management. Critical questions are useful "ingredients" in adapting solutions
- In this case, it is important that the FPIC team gathers as much information as possible to better understand what the village concern/ questions are. Do villagers have specific recommendations for improving/ adapting/ fine-tuning park management responses that have not been considered yet? Let villagers know that information will be transmitted to park management
- **Don't rush**
- Too many FPIC processes fail because meetings are rushed ahead
- Don't forget to allocate enough time for some flexibility

Annex 3 : Community solution review matrix, Hin Nam No

Purpose and the way it works

Identifying solutions that **respect and contribute to the realization of UNESCO Standards such as the World Heritage Operational Guidelines** is a **key ingredient of a successful nomination**. For individuals and organizations involved in a World Heritage nomination for the first time, it is often quite difficult to grasp what this means.

This review table allows for the **Hin Nam No Solutions group** to check to what extent a proposed solution e.g. by a community or government office is compatible with requirements and aspirations of the World Heritage system. Many of these aspirations also overlap with national and provincial sustainable development plans as well as GIZ gender and human rights standards.

After offering a description of the problem and solution proposed, a set of questions based on relevant UNESCO, IUCN and World Heritage policy standards are to be answered. The way it works is to discuss a proposed solution through a set of questions reviewed collectively in the group to assess whether the answer is green, yellow or red.

Towards green solutioning

If considered:

Green: the solution is likely considered to be compatible with UNESCO/ IUCN standards.

Yellow: the solution is in need of improvement to be compatible with UNESCO/ IUCN standards. Consider whether solution can be adapted or whether an alternative solution may be more appropriate.

Red: the solution is likely to be considered to be incompatible with UNESCO/ IUCN standards. Shift to other solution or adapt as necessary.

Ideally, the solutions group would choose and move towards **as many green responses as possible, rework yellow ones and avoid red solutions**. Note that the criteria and questions used correspond to the questions and matrixes used by UNESCO, the World Heritage Centre and the IUCN standards for evaluation. **The greener the score, the more likely the nomination will receive a positive evaluation.**

Name and description of problem and proposed solution:
 PLEASE DESCRIBE THE ISSUES RAISED AND THE SOLUTION PROPOSED.

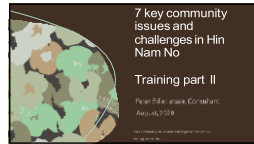
In xxx villages, the problem of XXXX was raised. Solutions considered include .XXXX. This solution involves XXXXX was proposed by YYYYY. It involved...

Community area and topic	Key questions	Green light	Yellow	Red
Participation and consultation rights	To what extent have communities been consulted on the design of the solution proposed?	Full support and involvement from communities	Unclear how communities were involved and whether they support	No support or likely resistance from communities
	Does the solution improve or strengthen community participation, representation and voice in park and bufferzone management?	Solution favors stronger community voice and representation in the national park management framework	Unclear how participation and voice is addressed	No provisions are included for community participation.
	Is the right to consultation/ consent of ethnic groups being restricted in connection with measures that concern their land/territory, its natural resources and/or their identity?	Solution strengthens mechanisms for ethnic group consultation and consent	Unclear	Solutions restrict consultation by ethnic groups
Land and resource tenure rights	To what extent does the solution harness or weaken community land and resource access tenure security?	The solution involves supporting recognition of community rights to traditional lands and resources	Unclear how land and resource tenure rights are addressed	The solutions reduce or annul community rights to traditional lands and resources
Livelihood and benefit rights.	Does the solution strengthen livelihood opportunities, also for marginal people?	The solution specifically targets livelihood improvement, also for the poorest and women	Unclear	Solution likely to negatively affect livelihood activities
	Does the solution strengthen access to basic state services?	Yes	unclear	Solution reduces access to state services
	Does the solution enhance equitable benefit-sharing arrangements with communities?	Benefit-sharing and/or compensation arrangement in places and likely to be implemented	Unclear how costs and benefits would be distributed. No clear mechanisms in place.	Communities will bear the cost of the solution (e.g. through loss of livelihoods) without reaping benefits.

Gender	Does the solution empower women to actively participate?	Solution fully supported by women and likely to enhance their participation	No clear role for women in the activity	Women likely to be excluded from the solution
	Are there one or more forms of gender-based discrimination and disadvantage that might be consolidated and/or exacerbated by the solution?	Analysis and consultation reveal no risks	unclear	Yes, solution likely to reinforce discrimination against women
Management and decision-making rights	To what extent does the solution strengthen community involvement in relevant management and decision-making?	Clear mechanisms for community empowerment in management of activity	Unclear how communities are involved in management and decision-making	No community involvement
	Does the solution allow for community monitoring/ conflict resolution/ grievance mechanisms?	Yes	Unclear	No
Relocation and/or loss of resource access	Does the solution involve relocation, taking away land or removing access to resources?	No or solution involves building consent and equitable compensation.	Unclear	Yes, with no consent or compensation
Culture and ethnic group rights	Does the solution recognize and support local cultural values, stewardship and heritage?	Yes	Unclear	No.
	Does the solution recognize and enhance ethnic group rights to traditional resources and voice on their own development?	Yes (for example, recognizing customary resource use areas)	Unclear or only partial recognition	No
Legacy	Does the solution proposed help to solve legacy issues such as resettlement, exclusion or conflicts?	Yes, the solution involves reconciliatory efforts such as introducing community rights, restitution and conflict resolution.	Solution may potentially address legacy issues, but unclear how.	Legacy issues remain ignored.
	Have rights issues identified by GIZ, CSOs and other development partners been addressed in designing the solution?	Yes	unclear	No

Annex 4: selected training presentations

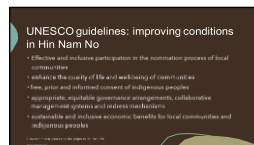
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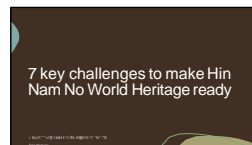
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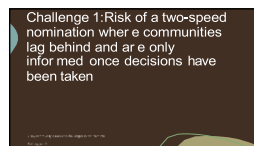
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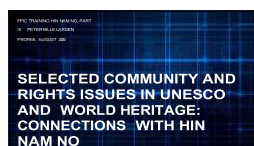
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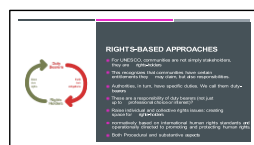
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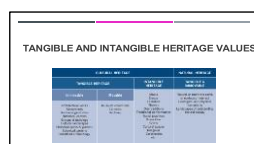
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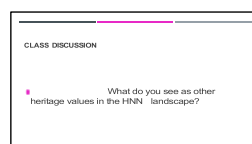
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