**VIET NAM RUBBER GROUP**

# HANDBOOK

## FOR COMMUNITY ENGAGEMENT
## In sustainable rubber forest management

*Ho Chi Minh City, December 2020*

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## INTRODUCTION

The Handbook on Community Engagement in Sustainable Rubber Forest Management (SFM) has been compiled under cooperation between Viet Nam Rubber Group (Group/VRG), Oxfam in Viet Nam (Oxfam) and Consultative Institute for Socio-Economic Development of Rural and Mountainous Areas (CISDOMA) to support VGR and its affiliates to promote sustainable development and responsible investment programmes in Viet Nam; and moving VRG towards becoming pioneering enterprises in implementation of environmental and social responsibilities, with recognized contribution to society and community domestically and internationally, especially in sustainable rubber forest management.

The purpose of this Handbook is to enhance efficiency and quality of community consultation and engagement activities of VRG; on receiving and handling complaints from communities, in relation to investment, production, and sustainable management of rubber forests in the Group's projects in Viet Nam, ensuring compliance with national laws and international standards in community consultation and engagement.

This Handbook is compiled with the reference from the different materials including the Guidelines for community consultation in VRG' rubber development projects in Laos and Cambodia, issued according to Document No. 1001/CSVN-BCĐCPC of VRG dated April 15, 2014, and Regulations on receiving, processing, responding and providing information to individuals and organizations on issues related to VRG's rubber development projects in Cambodia and Laos issued under Decision No. 314/QD-HDTVCSVN dated July 16, 2014. The Handbook was also updated according to a number of legal regulations and requirements on community engagement and consultation related to forest and forest land management, and simultaneously refer to the United Nations Guiding Principles on Business and Human Rights, the International Forest Stewardship Council (FSC) Standards for Forest Management which is applicable in Viet Nam, Guidelines for the implementation of FSC's FPIC (Free-Prior Informed Consent) principles in community consultation. VRG has used FSC Standards, Policies and Guidelines as references for the development of the present document.

Thanks to the efforts of the consultants in compiling the document, great contributions of experts, staffs and members of VRG through seminars, pilot application, the Handbook has been completed to use as a tool to help VRG enhancing its community engagement activities in Viet Nam. The Handbook could also be the reference for developing the Guide to Community Engagements in Cambodia and Laos in the future.

We look forward to receiving further comments to make this Handbook more completed in the future re-publications.

Viet Nam Rubber Group
For the Director General
Deputy Director General

TRUONG MINH TRUNG

## LIST OF ABBREVIATION

| | |
|---|---|
| **CoC** | Chain of Custody |
| **EIA** | Environmental Impact Assessment |
| **EM** | Ethnic Minorities |
| **FC** | Forest Certification |
| **FM** | Forest Management |
| **FSC** | Forest Stewardship Council |
| **FPIC** | Free - Prior and Informed Consent |
| **HCVF** | High Conservation Value Forest |
| **IUCN** | International Union for Conservation of Nature |
| **MARD** | Ministry of Agriculture and Rural Development |
| **MONRE** | Ministry of Natural Resources and Environment |
| **M&E** | Monitoring & Evaluation |
| **NGO** | Non-Governmental Organisation |
| **PEFC** | Programme for the Endorsement of Forest Certification |
| **SD** | Sustainable Development |
| **SFM** | Sustainable Forest Management |
| **TT 28/2018** | Circular No. 28/2018/TT-BNNPTNT of the Ministry of Agriculture and Rural Development dated November 16, 2018 regulating sustainable forest management |
| **UNDP** | United Nations Development Programme |
| **VFCS-CoC** | Viet Nam Forestry Certification System – Chain of Custody |
| **VFCS-FM** | Viet Nam Forestry Certification System – Forest Management |
| **VRA** | Viet Nam Rubber Association |
| **VRG** | Viet Nam Rubber Group |
| **WCED** | World Commission on Environment and Development |

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## TERMINOLOGIES[1] AND DEFINITIONS

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| **Biodiversity conservation** | Biodiversity conservation refers to the protection of the diversity of important natural, special or representative natural ecosystems; protecting regular or seasonal natural habitats of wild species, environmental landscape, unique beauty of nature; raising, planting and taking care of species on the list of endangered precious and rare species prioritized for protection; long-term storage and preservation of genetic specimens. |
| **Stakeholder** | Any person, group of persons, or entity that involving in the forest management activities of forest owner. |
| **Community engagement staff** | The officers and employees of the enterprise who directly involved in implementing, participating to the works with the community to consult and implement enterprise's projects as well as community engagement activities. |
| **Forest owner** | Forest owner may be an organization, household, individual or community that is allocated or leased out a forest by the State; allocated or leased out land for afforestation, forest regeneration or development; receives transfer of the forest, receives the forest as a gift or inherits the forest according to regulations of law. |
| **Certificate of sustainable forest management** | A document that recognizes a part or a whole of certain forest area satisfying criteria for sustainable forest management. |
| **Community** | Community is known as a group of people living in a certain geographical area. Community is defined as all people and organizations potentially directly and indirectly affected by the project, including people and organizations living, working, people with land use rights, etc. |
| **Residential community** | A Vietnamese community living in the same village, hamlet, or residential area and having the same customs. |
| **Local Community** | Local people are those living near the forest and whose livelihoods depend heavily on the products and services of the forest. Local people include local ethnic communities, ethnic minorities, migrants and farmers in rural areas. |
| **Community Representative** | An individual or group of people or organizations proposed to represent the community. However, when referring to the community, it is necessary to reach all different groups of people in the community rather than only approaching community representatives. |
| **Biodiversity** | Biodiversity is the variety and variability of genes, species of organisms and ecosystems in nature. |

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[1] *WWF-Viet Nam (2018), the Handbook "Guideline for sustainable management of rubber plantations in accordance with international forest certification standard"; Viet Nam Law on forestry 2017.*

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| **Legal timber** | Timber or timber products that is used, traded or produced under regulations of Viet Nam law. |
| **Corridor** | The forest strip connects two forest areas along the path where wildlife can travel. |
| **Biodiversity corridor** | A biodiversity corridor is an area connecting natural ecoregions that allow interaction between organisms living in those ecoregions. |
| **Ecosystem** | Ecosystem is a community of biotic and abiotic elements of a certain geographical area, interacting with and exchanging nutrients with each other. |
| **Community engagement** | Community engagement refers to all the activities that businesses carry out to better understand the impacts of their production and operation activities on the community; understand the difficulties, the needs and desires of the community. Base on this understanding, actions will be taken to resolve difficulties and obstacles to strengthen the engagement between businesses and the community, ensuring sustainable development. |
| **Complaints and Grievances** | Include all forms of suggestions, or complaints (complaints, grievances) of the community and other entities to the business to express their dissatisfaction with the activities or omissions of the business that does not comply to or violate the requirements of the law or the conditions to issue certificates as well as the commitments of the enterprise. The concept of grievances in this Handbook does not cover the cases of complaints via government administrative systems as specified in the Law on Complaints 2011 of Viet Nam. |
| **Document on forest products** | An official paper or book that provides information about forest products retained at a forest products factory or store and used in the course of utilization, sale, export, import, transport, processing or storage or forest products. |
| **Forest product** | A product that is utilized from the forest including forest plants, animals and other forest organisms consisting of timbers, non-timber forest products, rattan and bamboo products after being processed. |
| **Endemic species** | Endemic species is an organism that only exists, develops in a narrow range of distribution and limited to a certain territory of Viet Nam, but has not been recorded in other parts of the world. |
| **Invasive alien species** | Invasive alien species means an alien species that invades the habitat or causes harm to local organisms, causing ecological imbalance in the place where they appear and grow. |

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| **Endangered, precious and rare species** | Endangered, precious and rare forest plants and animal species are plants and animal species of special economic, scientific, medical, ecological, scenic and environmental values, which exist in small quantities in the nature or under threat of extinction. |
| **Community development** | Community development is a method to solve a number of difficult problems, meeting the needs of the community, towards the continuous development of the material and spiritual life of the people through capacity building, enhancing the participation, solidarity and close coordination among people, between people and organizations and among organizations within a community. |
| **Sustainable forest management** | A method of forest management that ensures the achievement of forest protection and development objectives without declining values and enhancing the forest value, improving livelihoods, protecting the environment and contributing to maintain the national security. |
| **Ownership of production forests which is planted forests** | Ownership of planted production forest includes the forest owner's right to possess, use, dispose planted trees, livestock and other assets associated with such forest as a result of the forest owner's investment during the terms of forest allocation, lease for afforestation therein. |
| **Forest use rights** | Forest use right is the forest owner's right to exploit the utilities of and enjoy yields and profits from his/her/its forest. |
| **Forest** | An ecosystem including forest flora and fauna, fungi, microorganisms, forestland and other environmental factors in which the main component is one or some species of trees, bamboo or Aceraceae whose height is determined according to the flora of the soil or rocky mountain, submerged land, sandy land or other typical flora; with inter-regional area of at least 0.3 ha; canopy of at least 0.1. |
| **Rubber forest** | The term used in this document refers to rubber plantations or rubber gardens or rubber plantations of businesses, organizations, households, individuals, and communities. |
| **Special-use forest** | Mainly used to conserve natural forest ecosystems, forest biological genetic resources, do scientific research, preserve historical - cultural relics, beliefs, landscapes combined with ecotourism; relaxing and entertainment, except strictly protected sub-zones of special-use forests; provision of forest environment services, including national parks, nature reserves, species-habitat conservation areas, landscape protection areas such as forests for historical-cultural relic conservation, forests for protection of the urban environment, industrial areas, export processing zones, economic zones and |

| | high-tech zones; forests for scientific research and experimentation; national botanical garden; national seed forest. |
|---|---|
| **Protection forest** | Shall be mainly used to protect water resources and soil, prevent erosion/landslides/floods, combat desertification, limit disasters, regulate climate, contribute to protect the environment and national security associated with ecotourism, hospitality and entertainment; provide forest environmental services; and are classified according to their importance. |
| **Production forest** | Production forests shall be primarily used for provision of forest products; combined forestry-agricultural-fishery production and trade; ecotourism, hospitality and entertainment; and provision of forest entertainment services. |
| **Holy forest** | A forest that is associated with beliefs or customs of a forest-dependent community. |
| **Planted forest** | A forest that is newly planted on non-forested land, improved, replanted or regenerated after harvesting by human. |
| **Natural forest** | A forest that is available in nature or restored by natural regeneration or regeneration with additional afforestation. |
| **Community consultation** | Community consultation is the exchange of information between the project owner during the project implementation and involved parties. Stakeholders can be individuals or organizations that are affected by an investment project or have an interest in an investment project. |
| **Buffer zone** | A forest area, land area or water surface area close to the boundary of a reserve forest which serves to prevent or reduce negative impacts on the reserve forest. |

## PART I: GENERAL INTRODUCTION

### Background

Since being initiated by the United Nations at the 1992 Earth Summit, sustainable development has become one of the overarching orientations in the agendas of government agencies at all levels, as well as in the strategy and operational plan of businesses.

In 2011, the United Nations Human Rights Council unanimously endorsed the "UN Guiding Principles on Business and Human Rights: Implementing the "Protection, Respect and Remedy" Framework which was proposed by the Special Representative of UN Secretary General, multinational companies and other businesses involved in drafting and submission. This Handbook provides detailed principles and guidelines for governments and businesses to ensure that their business and production activities will not violating the principles of respect and protection of human rights.

In that context, Sustainable Forest Management (SFM) is the inevitable direction enterprises working on forestry, forest management and afforestation to ensure their adaptation to changing environment, climate change, and simultaneously present the responsibility of business to the social issues and to the lives of future generations. For rubber industry, in recent years, major rubber markets including Europe, America, Japan… have demanded for higher environmental and social responsibility of business, such as, legal timber origin, sustainable rubber forests management requirements, in addition to the current requirements on product quality. Along with these requirements, there are mechanisms to monitor the compliance of businesses such as legal timber traceability monitoring system (VPA/FLEGT), SFM monitoring system certification granted by the Forest Stewardship Council (FSC).

At the national level, the 2017 Forest Law and Viet Nam's standards for SFM also require forest owners to have a sustainable management plan to possess sufficient basis to get forest sustainable management certification. SFM plan is considered as an important framework for forest owners to carry out their forest management activities according to the principles of sustainable management and to demonstrate their responsibility to society and the environment.

Viet Nam Rubber Group (VRG) is a leading enterprise in Viet Nam as well as in rubber industry with a large area of operation in the Mekong sub-region, owning consumer market worldwide. VRG's activities not only make important contributions to the development of rubber industry, to SFM, but also have a great impact on the life, environment, and social settings of communities in which VRG operates, as well as in its consumer markets.

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With a clear awareness of major lobal development trends, market requirements and inevitable roles to society, Viet Nam Rubber Group desires to become a pioneering enterprise, commits to social responsibility to develop a sustainable rubber industry, which bring long-term benefits for VRG and the communities where VRG operates.

In efforts to actualise its aspirations and commitments to sustainable development, VRG identifies the Community Engagement programme as one of the key strategies to pursue a better designed and effective implementation of its community engagement activities in a more a more profound approach, to ensure the Enterprise's commitments in business and to meet market requirements on corporate social responsibility.

## 1.1. Purpose

This Handbook aims at enhancing the efficiency and quality of community consultation and interaction activities, during implementation of VRG's rubber development projects; in handling community complaints related to sustainable rubber forest management plan in other VRG's investment projects in Viet Nam. This will contribute to improvement of VRG's and its affiliates' community engagement programmes, in compliance with national laws and harmonization with international norms and standards on responsible business, social responsibility and principles of SFM.

## 1.2. Scope of application and targeted users

This Handbook is for the use of:

- VRG staff who directly carry out the tasks of community relations and engagement; consultation with community; handling feedbacks, complaints and grievance from the communities.
- VRG's member companies with projects on sustainable development of rubber and other plants, on forest restoration and conservation, on implementation and evaluation of the investment in social security, on environmental protection, on latex or wood processing factories, and other VRG's project in Viet Nam.
- VRG's and affiliates' leaders to use as reference in formulating and issuing regulations, instructions; in approving investment plans which require the engagements with community, as well as for approval of community engagement plan.

## 1.3.    Notes to users

This Handbook was developed basing on the provisions of Vietnamese legal documents and guiding principles of international organizations on business and human rights, on SFM…. The Handbook is not intended to restate, but to codify these requirements and principles; and to provide suggestions on the processes, methods and tools to fulfil the requirements and principles on community consultation and engagement more effectively. Therefore, in order to be able to effectively use this Handbook, it is necessary for readers to understand the requirements and principles on Business and Human Rights of the United Nations, the FSC's International Generic Indicators for SFM, FSC's Guidelines for the implementation of the right to Free, Prior and Informed Consent (FPIC), the Sustainable Forest Management Standards of Viet Nam Forest Certification System (VFCS), and the Guidance on skills and methods for community works in this Handbook (Part IV, section 4.2).

## PART II. LEGAL BASIS AND PRINCIPLES RELATED TO COMMUNITY ENGAGEMENT

### 2.1. United Nations Guiding Principles on Business and Human Rights[2]

According to the guiding principles on business and human rights, the United Nations introduced the "*Protection, Respect, and Remedy Framework"* for States and businesses to ensure protection of human rights in business operation. This set of guidelines requires businesses to meet two main responsibilities including respecting human rights and addressing negative business-related impacts on human rights.

*Business enterprises have the responsibility to respect human rights.* This means that businesses should avoid infringing upon the rights of the concerned communities, which are embodied in the International Convention on Human Rights and in the ILO Declaration on Fundamental Principles and Rights at Work. Simultaneously, business enterprises need to address adverse impacts on fundamental human rights with which they are involved. To fulfil their responsibility to respect communities' rights, businesses must:

- Avoid causing or contributing to negative impacts on the rights of communities in all business operations.
- Tackle the negative impacts as they occurred; and
- Seek to prevent or mitigate adverse impacts on fundamental rights of communities related corporate's operations, products or services even if these impacts have been carried out by suppliers or business partners.

To fulfil corporate responsibility to respect human rights, the "Protect, Respect and Remedy Framework" requires business enterprises to have policies and procedures that appropriate to the size and operating circumstances, including:

- Institutionalise a policy commitment to meet the responsibility to respect human rights of the community affected.
- Undertake ongoing human rights due diligence to identify, prevent, mitigate, and account for their impacts on human rights.
- Have processes in place to enable remediation for any adverse human rights impacts they cause or contribute to.

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[2] UNDP, 2011: Implementing the United Nations 'Protect, Respect and Remedy' Framework (*(The UN Guiding Principles on Business and Human Rights)*

For these policies and procedures, it is necessary to identify specific objectives with highest level authority's approval; be widely informed internally, to partner and externally. These commitments should be reflected in the operational guidelines and required procedures to apply in the whole enterprise.

The Guiding Principles of "Protect, Respect and Remedy" also recommends a number of generic solutions for businesses to identify and prevent risks to human rights, particularly:

- *To identify, prevent and mitigate negative impacts on human rights,* businesses need to conduct rights assessment. This process should include assessment on potential and actual impacts on human rights, integration and actions based on results, pay attention to feedback, and provide information on how to address those impacts.
- *To assess human rights risk,* business should identify and evaluate any actual or potential adverse impacts on human rights that the firm may cause or contribute to.
- *To prevent and mitigate adverse impact on human rights*, businesses should incorporate results of the rights assessment into all relevant functions and internal units and take appropriate measures to solve.

Additionally, the Guiding Principles also recommends businesses to provide checking, monitoring and re-evaluation mechanism for their response solutions on business-related rights issues of relevant communities, as well as mechanisms for information provision, receiving and feedback to complaints, collaboration and interaction…, it also suggests mechanisms for effective accountability for human rights violations and for Individuals or communities that potentially be adversely affected by the company's operations.

The "Protection, Respect and Remedy Framework" also emphasizes that, to ensure the effectiveness, non-judicial grievance mechanisms need to build trust among stakeholders; hold its accountability, based on the meaningful engagement and dialogue; consult relevant interest groups about the measures to be designed and implemented.


## 2.2. Viet Nam legal regulations on community engagement in SFM

### 2.2.1. Regulations on SFM

Viet Nam has issued many legal provisions on communities' rights and community consultation requirements, such as the Ordinance on Grassroots Democracy, Consultation on Land-use Planning, etc. This document focus on introducing regulations with regards to the rights of communities, and requirements of community consultation which related to forest management

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as appointed in the Law on Forestry 2017 and its by-law document (Decree 156/2018/ND-CP dated November 16/2018 of the Government detailing a number of the articles of Law on Forestry, Circular 28/2018 /TT-BNNPTNT dated November 16, 2018 on sustainable forest management), Viet Nam Land Law 2013 and Law on Environmental protection 2014.

**Table 2.1. Some key legal regulations on the rights of community and requirements for community engagement and consultation related to forest and forest land management**

| Relevant content/ requirement | Law on Forestry 2017 | Land Law 2013 |
|---|---|---|
| Definition of community | Residential community including a Vietnamese community living in the same hamlet, village (thon, lang, ap, ban, buon, bon, phum, soc), street quarter or similar residential unit sharing common customs and practices (Article 2). | Residential community including a Vietnamese community residing in the same village, street quarter or similar residential area sharing common customs and practices or the same family line (Article 5). |
| Role and position of community (is) | Forest owners (Article 2) | Land users (Article 5) |
| Land/forest relating to community | Holy forest is a forest that is associated with beliefs or customs of a forest-dependent community (Article 2) | Land for belief practices includes land for communal houses, temples, shrines, hermitages, ancestral worship houses and ancestral temples (Article 160). |
| Principles | For Forestry operations: Ensure publicity, transparency and participation of organizations, households, individuals and communities involving in forestry operations (Article 3) | Land use principles: Economy, effectiveness, environmental protection, and causing no harm to the legitimate interests of adjacent land users (Article 6) |
| Specific policies related to | The State shall ensure that people from ethnic minority groups and forest- dependent communities are | 1. To adopt policies on residential land and land for community activities for ethnic minorities in |

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| community rights | allocated forests together with land for combined agro-forestry and fishery production; are entitled to cooperate and associate with forest owners in forest protection and development, be shared with benefits from forests; to practice their forest-associated culture and beliefs in compliance to Government's regulations (Article 4). | conformity with their customs, practices and cultural identities and the practical conditions of each region;<br><br>2. To adopt policies to facilitate for ethnic minorities who are directly engaged in agricultural production in rural areas to have land for agricultural production<br><br>(Article 27). |
| Principles for planning | b. To ensure sustainable forest management; exploiting and using forests in association with natural resources conservation meanwhile enhancing forest economic, cultural and historical values of forests; protecting the environment, responding to climate change and improving the people's livelihoods;<br><br>d) To ensure the involvement of agencies, organizations, households, individuals and residential communities; to ensure publicity, transparency and gender equality; (Article 10) | To be democratic and public (Article 35) |
| Principles for allocation, lease | 7. To ensure publicity, transparency, involvement of local people; no beliefs, religions, and gender related discrimination in forest allocation, forest lease.<br><br>8. To respect the living space, customs, practices of residential communities; to prioritize forest allocation to people from ethnic minority groups and households, individuals and residential | There is no specific regulation on land/forest allocation, land/forest lease to community, but Article 59 stipulate that Provincial People's Committees may decide on the allocation or lease of land, and permit change of land use purpose in the following cases:<br><br>b) Allocation of land to residential community; |

| | communities with forest-associated customs, practices, culture beliefs and traditions, and having village conventions conformable with legal provisions. (Article 14) | |
|---|---|---|
| Community rights to allocated forest/land | To be allocated and leased out a forest by the State; allocate or leased out land for afforestation, forest regeneration or development; receives transfer of the forest, receive the forest as a gift or inherits the forest according to regulation of law (Article 2).

- The State shall allocate special-use forests without forest use levy to Residential communities as for the sacred forests that according to tradition they are managing and using (Article 16 d).

- The State shall allocate protection forests without forest use levy to residential community Residential communities lawfully residing in the commune level localities where exist protection forests as for watershed protection forests; sand-shielding protection forests; wind-shielding protection forests; wave-shielding protection forests; sea encroachment-preventing protection forests; forests for protection of water resources of such communities (Article 16 d).

- The State shall allocate production forests without forest use levy to Households, individuals, residential communities lawfully residing in | (Article 166)

- To be granted the certificate of land use rights, houses and other land-attached assets ownership.

- To enjoy the results of the labour and investment on land.

- To be protected by the State against others' infringements of their lawful rights and benefits involving land.

- To receive compensation when land is recovered by the State in accordance with this Law.

- To complain about, denounce or file lawsuits over violations of their lawful land use rights and other violations of the land law.

- Religious establishments and communities using land may not exchange, transfer, lease or donate land use rights or mortgage or contribute as capital land use rights. (Article 181). |

| | commune level localities where exist production forests; and armed units (Article 16 a). | |
|---|---|---|
| Sustainable forest management | Forest owners are encouraged to develop and implement sustainable forest management plans (Article 27 b) | |

**Circular No 28/2018 T-BNNPTNT on sustainable forest management** (Extracted contents related to community)

**Annex 1: Criteria for sustainable forest management of Viet Nam**

**Principle 2. Forest owners respect the rights of local communities and people:**

- Criteria 2.1. Forest owners ensure that the legal or traditional land and forest use rights of local communities and people is respected.

- Criteria 2.2. Forest owners assume the responsibility for settling disputes relating to forest ownership, forest use and forest land use right in accordance with legal provisions.

- Criteria 2.3. Forest owners assumes the responsibility for creation of employment opportunities and improvement of livelihoods for local communities and local people.

- Criteria 2.4: Forest owners must ensure that the local communities' basic needs of culture, belief and entertainment relating to land and forest under the owners' management according to legal provisions are met.

- Criteria 2.5. Forest owners must comply with legal provisions on handling complaints and settlement of compensation when their forestry activities adversely affect the assets (land, forest and other assets), livelihoods and health of the residential communities and local people.

**Annex 5. High Conservation Value (HCV) forest related to community**

HCV 4: Forests provide natural services such as watershed protection, erosion control, water supply source, etc. These values relate to forest environmental services, which play important role in climate regulation, water flow, and other essential natural services.

- HCV 4.1: Forests play an important role in maintaining and regulating water sources for daily life and irrigation.

- HCV 4.2: Forests play an important role in preventing landslides, flash floods, erosion, storms, sedimentation and coastal protection.

- HCV 5: Forests supply basic demands of the local community.

- HCV 6: Forests with cultural, ecological, economic or religious significance to the local community. This value concerns both local people living inside forest areas and those living adjacent to it as well as any group that regularly visits the forests.

Requirements of community engagement and consultation in HCV planning and identification:

- Carry out investigation, interview of local people to get information on the appearance and distribution of vegetation and animal in the area;
- Conduct survey on cultural and religious characteristics, entertainment areas, places of scenic beauty of community living adjacent and inside forest and then define the forest that serve these needs of the local people.

### 2.1.2. Regulations on community consultation in environmental protection

The Law on Environmental Protection 2014 stipulates:

The investors are required to undertake the environmental impact assessment include (see the details in Table 2.2) projects that can cause adverse impacts on the environment (Article 18).

**Consultation required in the process of the strategic environment assessment:** Project owners are obliged to consult with regulatory agencies, organizations and communities that are directly affected by the project (Article 21).

*Main subject-matters of the report on environmental impact assessment (*Article 22), include:

- Assessment of current state of natural and socio-economic environment carried out at areas where the project is located, adjacent areas and demonstration of the suitability of the selected project site.

- Assessment and forecast of waste sources, and the impact of the project on the environment and community health.

- Assessment, forecast and determination of measures for managing the risks of the project posed to the environment and community health.

- Waste disposal measures.

- Measures for minimizing the impact of the project on the environment and community health.

- Consultation results.

- Environmental management and supervision programmes.

- Budget estimate for the construction of environmental protection facilities and measures to be taken to minimize the environmental impact.

- Alternatives to the application of measures for the environmental protection.

***Responsibility assumed by the project owner before bringing the project into operation*** (Article 27):

- Apply measures for the environmental protection under the decision on the approval of their report on environmental impact assessment.

***Protection and sustainable development of forest resources*** (Article 36):

All activities relating to production, trading and service provision as well as others that cause impacts on land, water, air resources and forest-related biodiversity must comply with regulations set out in this Law and the law on biodiversity, protection and development of forests, and other relevant laws.

***Publishing environmental information*** (Article 131):

- Environmental reports;

- The publishing method must ensure convenience for information recipients.

***Rights and obligations of local communities*** (Article 146):

1) Representatives of residential communities in the area that under environmental impacts of production, business and service entities have the right to ask the owners of those entities to provide information of environmental protection through direct dialogs or in writing; organize practical enquiry into environmental protection tasks by production, business and service entities; collect, supply information to competent agencies and take responsibility for the information supplied.

2) Representatives of residential community in the area that under environmental impacts of production, business and service entities have the right to ask relevant state management agencies to supply results of investigation, inspection and handling of the entities.

3) Representatives of residential community have the right to take part in the evaluation of environmental protection tasks by production, business and service entities; implementing all the measures to protect rights and interests of residential community in accordance with the law.

4) Owners of production, business and service entities must fulfil the requirements of residential community in accordance with this Article.

**Table 2.2: List of projects related to forestry need to make EIA plan, assessment reports, registration of environmental protection plans (according to Decree 40/2019/ND-CP dated May 13, 2019)**

| No | Project | Subjects that are required to make environmental impact assessment reports | The object of column 3 must prepare a dossier requesting to check and confirm of completion of the environmental protection work | Subject must register for the environmental protection plan |
|---|---|---|---|---|
| (1) | (2) | (3) | (4) | (5) |
| 1. | Projects subject to investment policy decision of the National Assembly or the Prime Minister | All | Being subject to test operation of waste treatment works (Decree No. 18/2015 /ND-CP, Clause 2, Article 16b) | Not implementing the environmental protection plan |
| 2. | Project using land or water surface of a national park, nature reserve, world heritage zone, biosphere reserve, geopark, Ramsar site | All (except for investment projects to build national parks, nature reserves, world heritage sites, biosphere reserves according to plans approved by competent authorities; projects in column 5 of this Appendix, which located in the transition zone of the biosphere reserve) | Being subject to test operation of waste treatment works | Investment projects on construction of works to manage and protect national parks, nature reserves, world heritage zones, and biosphere reserves according to plans approved by competent authorities; the projects at this column are located in the transition zone of the biosphere reserve |

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| | Projects using land or water surface of a nationally ranked historic - cultural site or scenic area | All (except for projects of preservation, restoration, renovation, embellishment, and constructions to serve the management, environmental sanitation, protection of historical-cultural sites or famous sites nationally ranked landscapes) | Being subject to test operation of waste treatment works | Not implementing the environmental protection plan |
| | Construction investment projects using forest land | All for special-use and protection forests<br><br>From 10 ha or more for natural forests<br><br>From 50 ha or more for other forest types | Being subject to test operation of waste treatment works | Not implementing the environmental protection plan<br><br>Less than 10 ha for natural forest<br><br>Less than 50 ha for other forest types |
| | Investment projects on construction with levelling lakes, ponds, lagoons and lagoons | Area of at least 05 hectares in urban centres, residential areas or at least 10 hectares in other areas, for lakes, ponds, lagoons | Being subject to test operation of waste treatment works | Area less than 05 ha in urban areas, residential areas or less than 10 ha in other areas, for lakes, ponds, lagoons |
| 51. | Project on investment in construction of wood processing establishments, wood chips from natural wood | Capacity from 5,000 m$^3$ of product/year or more | Being subject to test operation of waste treatment works | Capacity below 5,000 m3 of product/year |
| 52. | Investment project to build plywood production facilities | Capacity from 100,000 m$^2$ / year or more | Being subject to test operation of waste treatment works | Capacity below 100,000 m2/year |

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|---|---|---|---|---|
| 53. | Investment projects to build wooden furniture production | Having a total area of warehouses, yards and workshops of 10,000 m$^2$ or more | Being subject to test operation of waste treatment works | There is a total area of warehouses, yards and workshops under 10,000 m2 |
| 94 | Investment construction project on rubber and latex processing | All for latex processing facilities. Capacity from 100,000 tons of products/year for rubber processing facilities | All | Not implementing the environmental protection plan for rubber latex processing establishments Capacity below 100,000 tons of products/year for rubber processing facilities. |

## 2.3. FSC principles on community engagement and consultation in SFM

### 2.3.1. Prior, Free and Informed Consent (PFIC)

#### a) FPIC definition

**Free, Prior, and Informed Consent (FPIC)** is the voluntary consensus of multi-stakeholders, who have been well informed and aware on the implications and expected consequences of an action prior to its commencement and following their own decision-making process.

The right to FPIC can be simply understood as the right to participate in decision making and to freely decide, modify, withhold, or withdraw consent to an activity affecting the holder of this right. Consent must be freely given, obtained prior to implementation of such activities. Hence, FPIC is about local community having a specific right that investor/other people must respect. It is a collective right, which means that a community as a whole has the right to give or deny its Free, Prior, and Informed Consent.

Today, FPIC is widely accepted as a right, a principle, and a process that has been applied to working with local communities in a number of cases involving conflicts of interest over their land and resources. The FSC has set out regulations on the FPIC rights of Indigenous Peoples, traditional people, and local communities **(IPTPLCs)** in FSC international generic indicators on forest management (FSC-STD-60-004 V1-1) basing on consultation and integration of UN Declarations on

the Rights of Indigenous Peoples in 2007 and in the conventions (169) of the International Labour Organization (ILO).

b) **The four elements of FPIC**

**Free (F)** means not being coerced by force, intimidation, oppression or pressure from anyone (the government, company or any organization).

**Prior (P)** Prior implies that consent has been sufficiently sought in advance of any authorization or commencement of any project. Also, local communities must be given enough time to consider all the information and make a decision. Simultaneously, the local community must be given enough time to consider all the information and make decision.

**Informed (I**) means that the community is fully and appropriately provided with all the information to decide whether the project is accepted or not.

**Consent (C)** is a form of a freely given collective decision by parties, requiring the actors involved in the project must allow the local community says "yes" or "no" to proposed plan/project. This has to follow the decision-making process chosen by themselves.

### 2.3.2. Prevention and handling with disagreements and conflicts

- Identify local communities within the project location and communities that may be affected by the project activities.

- Through the culturally appropriate participation of the local community as identified above. The following content should be documented and/or included on the map:

  + Their legal and traditional use rights.

  + Their legal and traditional rights to access and use forest resources and ecosystem services.

  + Legal and traditional rights and obligations to apply.

  + The desires and perspectives of the local community related to the project activities.

- Develop a Free – Prior - Informed - Consent with local communities before implementing project activities that may affect their rights. This can be identified through a process including: ensuring local communities to be known about their rights and obligations relating to resources; Informing local communities of the economic, social, and environmental value of the resources that being considered to be handled to the projects; Informing local communities of their rights to refuse or adjust the proposed practices at the

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suitable level to protect their rights and resources; and Informing local communities of current and future forest management activities.

- Through culturally appropriate participation of the local community, solutions are adopted to identify, prevent, and significantly mitigate the adverse economic, cultural and social impacts caused by the project activities.

- Through the involvement of local communities, forest owners must have grievance redress mechanisms in place and provide fair compensation to local communities and individuals involved due to the negative impacts caused by these management activities.

- Suspension of operations at places where disputes has occurred in the following cases:

   ✓ In significant severity level.

   ✓ For a relatively long time; or

   ✓ In relation to the interests of many parties.

- Local communities are compensated under a binding agreement reached voluntarily and prior informed.

### 2.3.3.  FPIC requirements in FSC standards

The FSC's International Generic Indicators sets the requirements for FPICC in two principles: Principle 3 - Indigenous peoples' rights and in Principle 4 - Community relations. The FPIC's requirements in these principles that apply to the target groups of indigenous peoples and local communities, these two groups are fundamentally similar. It is required that forest owners must: (i) define, recognize and uphold legal and traditional rights of indigenous people and local communities to land and resources as well as the assets on their land; (ii) the processes and decision to delegate/authorise the use of natural resources, land or local knowledge to a third party (e.g. investor, etc.) must be based on a Free – Prior - Informed Consent.

| PRINCIPLE/ INDICATOR | CONTENTS |
|---|---|
| PRINCIPLE 3: INDIGENOUS PEOPLES' RIGHTS | The Organization shall identify and uphold Indigenous Peoples' legal and customary rights of ownership, use and management of land, territories |

| Principle 3.2 | The Organization shall recognize and uphold the legal and customary rights of Indigenous Peoples to maintain control over management activities within or related to the Management Unit to the extent necessary to protect their rights, resources and lands and territories. Delegation by Indigenous Peoples of control over management activities to third parties requires Free, Prior and Informed Consent. (C3.1 and 3.2 P&C V4) |
|---|---|
| Indicator 3.3 | In the event of delegation of control over management activities, a binding agreement between The Organization and the Indigenous Peoples shall be concluded through Free, Prior and Informed Consent. The agreement shall define its duration, provisions for renegotiation, renewal, termination, economic conditions and other terms and conditions. The agreement shall make provision for monitoring by Indigenous Peoples of The Organization's compliance with its terms and conditions. (new) |
| Indicator 3.6. | *The Organization shall uphold* the right of *Indigenous Peoples* to *protect* and utilize their traditional *knowledge* and *shall* compensate *local communities* for the utilization of such knowledge and their *intellectual property*. A *binding agreement* as per *Criterion* 3.3 *shall* be concluded between *The Organization* and the Indigenous Peoples for such utilization through *Free, Prior and Informed Consent* before utilization takes place, and *shall* be consistent with the *protection* of *intellectual property* rights. (C3.4 P&C V4) |
| PRINCIPLE 4: COMMUNITY RELATIONS | The Organization shall contribute to maintaining or enhancing the social and economic wellbeing of local communities. (P4 P&C V4) |
| Indicator 4.1. | The Organization shall identify the local communities that exist within the Management Unit and those that are affected by management activities. The Organization shall then, through engagement with these local communities, identify their rights of tenure, their rights of access to and use of forest resources and ecosystem services, their customary rights and legal rights and obligations, that apply within the Management Unit. (new) |
| Indicator 4.2. | *The Organization shall* recognize and *uphold* the *legal* and *customary rights* of *local communities* to maintain control over management activities within or related to the *Management Unit* to the extent necessary to protect their rights, resources, *lands and territories*. Delegation by *local communities* of control over management activities to third parties requires *Free, Prior and Informed Consent*. (C2.2 P&C V4) |
| Indicator 4.8 | The *Organization shall uphold* the right of *local communities* to protect and utilize their *traditional knowledge* and *shall* compensate *local communities* for the utilization of such knowledge and their *intellectual property*. A *binding agreement* as per *Criterion* 3.3 *shall* be concluded between *The Organization* and the local *communities* for such utilization through *Free, Prior and Informed Consent* before utilization takes place, and *shall* be consistent with the *protection* of *intellectual property* rights. (new) |

**Steps for community consultation process**

**Implement follow up actions**

Announce/
Declare
results

Consolidate,
report and use
of information

Verify and
analyse
information

Conduct
consultation

Preparation

The process of preparing and conducting community consultation for different subject are similar and follow the above steps. For each topic of consultation, the target, methods, and tools could be modified to fits with the community arrangement and context.

### 3.1. Community consultation in developing and operating the SFM plan

#### 3.1.1. Consultation objectives

- Ensure the community to be fully informed about, participate and consent to the process of establishing, assessment of SFM plan, complying with legal requirements on participation, consultation, and transparency.

- Collect and synthesize the analysis, feedbacks and opinions of the community about the potential risks and impacts of the project on the community's rights.

- Socio-economic-environmental factors may affect the project, to ensure the feasibility of the project/plan.

- Identify solutions to ensure community rights are respected, protected, and promptly overcome the negative impacts caused by the project.

#### 3.1.2. Main results

- The project/plan received the community's consent.

- Results minutes/records of community consultation on the project plan (notes, consultation minutes, agreement, photos, etc).

- Procedures/guides to conduct stakeholder consultation and list of stakeholders consulted.

#### 3.1.3. Actors to be consulted

- Local government and functional agencies (Natural Resources and Environment, Agriculture and Rural Development…at provincial, district and communal level)

- Local communities, residents in which the project operated, especial attention should be paid to ensure participation of vulnerable groups including women, disable and ethnic minority people.

- Representatives of organizations/institutions/groups/associations in the community.

- Local social organizations.

#### 3.1.4. Main contents

- Conduct survey and assessment the socio-economic situation in the proposed area to implement the project. Special attention should be paid to survey local communities located in and adjacent to project area that may be affected by the project. Analysing especially the current state of community rights practice, including traditional rights, and

existing mechanisms and institutions to protect the rights and interests of the community. Special attention should be paid on analysing the vulnerability of those disadvantaged groups including women, disable and ethnic minority people.

- Define the boundaries of the project area and pay special attention to the locations and areas of existing legal and traditional land use as well as land ownership of the people within the boundaries of the project area and adjacent areas. This should involve the participation of stakeholders including representatives of local government and local communities in the process of planning and conducting filed survey with participatory approach and the one that is suitable to local people.

- Collect and document (both in written and using map) forest lands, status of resources as well as assets attached to land of all stakeholder, and legal rights, traditional rights of community to land and forest resources, especially the regions with high values to local communities lives and livelihood (spiritual, historical, traditional cultural and religious beliefs, and environmental economics- HCVF), indigenous knowledge system. These will be basis for suitable compensation (if any), to establish HCVF and coordinate to manage HCVF areas.

- Assess socio-environmental impacts in short-term and long-term of the project activities in accordance with existing laws; figure out level of risk and potential impacts of each activity on community's legal and traditional rights (by location, scope, time, level of impact and subject to be affected).

- Identify, formulate a plan in timely manner to prevent and resolve disputes in accordance with legal provision or customary law, with the participation of affected parties to ensure the principles to respect and remedy community rights violation.

- Develop a system of objectives, content, and solutions to implement project in accordance with current regulations (for example, SFM plan following specific provisions of Circular 28/2018 on Sustainable Forest Management). Special attention should be paid to identify and materialise solutions to promote community participation in forest management, protection as well as development with a clear and consensus on benefit-sharing mechanism, solutions to facilitate social-economic development of affected community, solutions to overcome the adverse impacts of involved community rights. Priority should be given to measurements to protect the rights of disadvantaged groups including women, disable and ethnic minority people.

- Timely provide and public all information (except confidential information as prescribed) on the project so that all stakeholders enable to give comments, feedbacks, etc. This is useful to appropriately and effectively update as well as adjust forest management plans.

### 3.1.5. Implementation steps

**a. Prepare for consultation**

- Prepare relevant documents (refer to Appendix II, issued under the Circular No. 28/2018/TT-BNNPTNT of the Minister of Agriculture and Rural Development dated November 16, 2018).

- Publish documents, information about the project and the consulted contents (inform in advance, send directly to the actors in need of consultation in appropriate forms and understandable languages).

- Fulfil necessary administrative and logistical procedures to organize consultation activities

- Equipment, communication facilities, stationery

- Forms and templates: Sample of SFM plan (applicable to forest owner which organization), Appendix II - Issued under Circular No. 28/2018/TT-BNNPTNT.

- Forms/templates for collecting and synthesizing information in accordance with Appendix VII issued under Circular 28/2018 / TT-BNNPTNT.

- Template for documenting of consultation results (refer to Appendix II, issued under Circular No. 28/2018/TT-BNNPTNT and the Community Engagement Handbook for guideline, etc).

**b. Conduct consultation**

| TT | Content | Method | Suggested tool |
|----|---------|--------|----------------|
| 1 | Current socio-economic status, legal and traditional rights of local community. | Secondary information<br>Direct consultation | Social maps |
| 2 | Define the project areas, boundaries, location, current situation of land ownership and land use both in terms of legality and tradition. | Direct consultation in the area<br>Stored files, digital solutions | Map, diagram<br>Necessary equipment |

| 3 | Assess the impact of the project on local socio-cultural and environmental aspects. | Secondary information Direct consultation Independent assessment | Survey forms, questionnaires |
|---|---|---|---|
| 4 | Identify risks, potential impacts on (legal and traditional) rights and benefits of the community. | Direct consultation Independent assessment | Map, schema, problem tree |
| 5 | Propose solutions to prevent and overcome project's adverse impacts on the (legal and traditional) rights of the community. Establish dispute resolution mechanism. | Direct consultation | Diagram, schema, prioritisation matrix, stakeholder analysis diagram |

### c. Examination and verification

Direct consultation with the community provides primary qualitative information, which may be influenced by the subjective views and interests of participants. Therefore, verification is inevitable step to ensure the reliability of information before the decisions being made.

- Do cross-check information with different actors to get multi-dimensional information

- Compare information against secondary sources, official information

- Compare information against the results of independent assessment, in-depth studies

### d. Synthesize, report and use consultation results

- Synthesize assessment results as a basis for supplementing and adjusting the plan of SFM, EIA report.

- Use the results for developing community engagement programme/plan.

- Develop solutions to prevent and remedy the impacts of the project on the (legal and traditional) rights of the community and define appropriate dispute resolution mechanism.

### e. Publicise consultation results

- Inform the consulted actors and impacted communities.

- Publicise information on official communication channels of the business.

- Release information via the press, mass media.

### 3.2. Community consultation on assessment of High Conservation Value Forest (HCVF) and High Carbon Stock Forest (HCSF)

### 3.2.1. Consultation objectives

- Ensure the community to be fully informed about, participated to and consent on the evaluation processes, which comply with legal requirements on participation, consultation, and transparency.

- Collect and synthesize the analysis, feedback and opinions of the community on the identification and establishment of high conservation value areas (HCVF and HCSF) to conserve and promote these values.

- Identify the cultural, religious, recreational, and scenic characteristics and values of the communities living in these areas and develop plans to conserve and promote those values.

### 3.2.2. Main Results

- HCVF/HCSF investigation minutes/records and attached maps.

- Training materials on HCVF and HCSF.

- Minutes of consultation with local community on investigation results, on HCVF and HCSF management solutions.

- Relevant photos and relevant materials.

### 3.2.3. Actors to be consulted

- Local communities, neighbouring residents.

- Representatives of the elderly, people with experience and reputation in the community; promote participation of vulnerable groups including women, disable and ethnic minority people where appropriate.

- Experts on silviculture, environment, culture, forest conservation and development.

- Local government and functional agencies (Natural Resources and Environment, Agriculture and Rural Development … at provincial, district and communal level).

### 3.2.4. Main contents

- Conduct survey with participation of community, local people with wisdom and experience in identifying High Conservation Value Forest (HCVF) and High Carbon (HCSF) Stock Forests. For the HCVF4, HCVF5, HCVF6 related to the essential common values of the community in terms of environment, cultural, economy, it is necessary to conduct more group/village

meeting consultation to ensure the consensus of the community in addition to the method with the participation of local experienced people.

- Consult stakeholders on the report's results of identification and management solutions for HCVF and HCSF. For the local community, this consultation must be conducted in the community, which is suitable for their culture so every participant's opinion can be heard.

- Develop and implement regulations, in coordination with the community, in investigating, monitoring and managing all types of HCVF and HCSF.

### 3.2.5. Implementation steps

#### a) Prepare for consultation

- Prepare relevant documents (*refer to Appendix IV, issued under the Circular of the Minister of Agriculture and Rural Development No. 28/2018/TT-BNNPTNT dated November 16, 2018*).

- Publicise information and relevant materials (inform in advance, using appropriate means)

- Prepare administrative and logistical procedures to organize consultation activities.

- Equipment, facilities, communication materials, stationeries, etc.

- Forms: Appendix IV – High conservation value forest, issued under Circular No. 28/2018/TT-BNNPTNT.

- Forms and templates to collect and synthesize information in Appendix VII issued under Circular 28/2018/TT-BNNPTNT.

- Forms and templates to document consultation results (refer to Appendix IV, issued under Circular No. 28/2018/TT-BNNPTNT and Appendix of the Community Engagement Handbook).

#### b) Conduct consultation:

| TT | Content | Method | Suggested tool |
|----|---------|--------|----------------|
| 1 | Identify types of High Conservation Value Forest (HCVF) from 1 to 6 and High Carbon Stock Forest (HCSF). | Direct consultation Field survey | Map, diagram |
| 2 | Identify HCVF4, HCVF5, HCVF6 related to essential common values to the | Direct group consultation | Map, diagram |

| | | | |
|---|---|---|---|
| | community regrading environmental, socio-economic aspect. | | |
| 3 | Identify conflicts risks affecting the community's rights. | Direct consultation | Map, diagram, problem tree, stakeholder analysis matrix |
| 4 | Develop and implement mechanism, in coordination with community on investigation, monitoring and management. | Direct consultation | Diagram, schema, prioritisation matrix, stakeholder analysis matrix |

c) **Examination and verification**

- Do cross-check information among actors to get multi-dimensional information

- Compare information against secondary information, official information, in-depth studies

- Consult with experts on conservation, forestry, culture, environment, etc.

d) **Synthesize, report and use consultation results**

- Integrate into project evaluation results, HCVF and HCSF establishment and protection plan;

- Use the results as a basis for developing solutions to prevent and remedy the adverse impacts of the project on the (legal and traditional) rights of the community, and dispute resolution mechanism;

- Use the results to develop community engagement plan/programme.

e) **Declare consultation results**

- Publicise information on official communication channels of the business;

- Send summaries of consultation results to relevant units and declare them in meetings and briefings with stakeholders;

- Release information through the press, mass media.

### 3.3. Community consultation on Social and Environmental Impact Assessment

### 3.3.1. Consultation objectives

- Ensure that the community is fully informed about the project and its potential risks, have real and full participation in the evaluation process, which comply with legal regulation on rights, participation, community consultation.

- Synthesize the community's assessment and perspectives on impacts of the project on local environment, society, communities' (legal and traditional) rights, community interests, and propose solutions to mitigate, remedy the adverse impacts of project and to respect communities' rights.

- Promote the participation and consensus of local communities in project monitoring and evaluation and commitment to implement the project.

### 3.3.2. Main results

- Report on environmental impact assessment (EIA), social impact assessment (SIA) in accordance with the law, potential risks to the rights and interests of the community.

- EIA and SIA documents and guidelines.

- Results of stakeholder consultation on EIA and SIA.

- Plan and results of implementing environmental and social impact mitigation measures; solutions to ensure and respect the (legal and traditional) community rights.

### 3.3.3. Actors to be consulted

- Local government (village, commune, district, province);

- Local communities, residents where the project is implemented, it is essential to ensure participation of disadvantaged groups including women, disable and ethnic minority people.

- Representatives of institutions/groups/associations in the community;

- Local social organizations;

- Experts and scientists who have knowledge and experience on local social and environmental characteristics.

**Main activities:**

- Before implementing activities with potential impacts on the localities, forest owners (in collaboration with relevant stakeholders) identify and assess the size, intensity and potential risks of the impacts caused by the project activities to environmental and social

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values of the inside and adjacent areas (which is possibly affected by the project); and analyse the risks to the local community in exercising their (legal and traditional) rights. Special attention should be paid to analyse vulnerability of those disadvantaged groups including women, disable and ethnic minority people.

- Forest owners (in collaboration with relevant stakeholders) identify and propose effective solutions to prevent adverse impacts of the project activities on environmental and social values; solutions to ensure (legal and traditional) rights of the community be respected.

- Forest owners coordinate with relevant stakeholders (especially with local communities) on mitigating and remedying the negative impacts that have been occurred, which correspond to the scale, intensity and risks (e.g. training for local workers on low impact exploitation activities, coordinating with communities in protecting forest resources and forest land, preventing forest fires, etc); implement solutions to ensure that (legal and traditional) community rights are respected and remedied if being affected. Priority should be given to measurements to protect the rights of disadvantaged groups including women, disable and ethnic minority people.

- Collaborate with the community in following and monitoring activities that may cause negative impacts on environment and society (relating to communities).

### 3.3.4. Implementation steps

#### a) Prepare for consultation

- Prepare relevant documents: *Refer to Appendix I issued under the Circular of the Minister of Natural Resources and Environment No. 25/2019/TT-BTNMT dated December 31, 2019*

- Publicise informational materials (prior notice in appropriate forms and language)

- Prepare administrative and logistical procedures to organize consultation activities.

- Prepare equipment, communication materials and facilities, stationery, etc.

- Forms and templates: forms in *Appendix I issued under Circular No. 25/2019/TT-BTNMT* and corresponding section in the Community Engagement Handbook.

#### b) Conduct consultation

| TT | Content | Method | Suggested tool |
|----|---------|--------|----------------|
|    |         |        |                |

| 1 | Identify and evaluate the scale, intensity and risks level of the potential impacts caused by project activities on socio-environmental values. | Direct consultation | Map, problem tree, stakeholder analysis matrix |
|---|---|---|---|
| 2 | Analyse risks of conflicts and potential impacts on community (legal and traditional) rights. | Direct consultation | problem tree, stakeholder analysis matrix |
| 3 | Determine solutions to prevent and remedy adverse impacts on community (legal and traditional) rights and social and environmental values. | Direct consultation | prioritisation matrix |

### c) Examination and verification

- Do cross-check information among actors to get multi-dimensional information

- Compare information against secondary information sources, official information

- Compare information against independent evaluation, reports, in-dept studies; consult with environmental and social experts.

### d) Synthesize, report and use consultation results

- Synthesize consultation results to use for EIA documentation and assessment.
- Use the results for community engagement programme/plan development; develop solutions to ensure that (legal and traditional) community rights are respected and remedied.
- Use the results to develop social, environmental management solutions and plans for SFM project (including financial plan).

### e) Publicise consultation results

- Publish information on official communication channels of the business.
- Release information through media, press.

### 3.4. Community consultation when implementing community development activities

#### 3.4.1. Consultation objectives

- Ensure that the community is fully informed about the business's investment in community development and other corporate social activities.
- Mobilize the participation, contribution and consensus of the local community in determining the suitable activities, planning, implementation, monitoring, and receiving results of business's investment activities on community development.

#### 3.4.2. Actors to be consulted

- Local government.
- Communities benefited from social/development programmes, special attention should be paid to ensure participation of disadvantaged groups including women, disable and ethnic minority people.
- Representatives of institutions/groups/associations in the community.
- Local social organizations.

#### 3.4.3. Implementation steps

#### a) Prepare for consultation

- Prepare related documents (business enterprise introduction, proposed community engagement plan, available results from previous evaluation/analysis, etc.
- Prepare administrative and logistical procedures to organize consultation activities.
- Equipment, communication materials and facilities, stationery, etc.
- Forms to gather and synthesize information from community consultation (see Appendix in Community Engagement Handbook)

#### b) Conduct consultation

| TT | Content | Method | Tool, form |
|----|---------|--------|------------|
| 1 | Identify contents and size of operation | Direct consultation | Diagram, problem tree, prioritisation matrix |
| 2 | Identify beneficiaries. | Direct consultation | Prioritisation matrix, stakeholder analysis matrix. |

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| 3 | Make plan for resources mobilization, community engagement activities monitoring and evaluation | Direct consultation | Map, diagram, stakeholder analysis matrix. |
|---|---|---|---|

**c) Examining and verification**

- Do cross-check information among local authorities, different stakeholder to get multi-dimensional information.
- Compare results of community consultation with results from previous consultation conducted such as the EIA, consultation on SFM plan, the HCVF/HCSF assessment and secondary sources, official information.
- Consult with social experts, community development experts.

**d) Synthesize, report, and use consultation results**

- Use the results to develop community engagement programme/plan.
- Supplement updated information to EIA report, and preparing solutions to respect, remedy community rights.

**e) Publicise consultation results**

- Share information with communities and entities that have been consulted; and Inform actors related to implementation of community engagement activities.
- Publish information on official communication channels of the business.
- Release information through the press, media.

### 3.5. Handling community complaints, grievance, and conflicts

#### 3.5.1. Objectives:
- Promptly aware about the feedbacks, suggestions and reactions of the community and stakeholders involved in/related to business operation.
- Identify and assess the risks of conflict and disputes when implementing the project, especially conflicts relating to land and traditional rights of local communities; and propose remedy solutions.
- Prevent potential conflicts by developing conflict resolution rules/regulations with coordination among stakeholders.
- Build trust and strengthen community relations, ensuring local community support for project activities.

#### 3.5.2. Targeted users of the instructions
- VRG's companies, representative offices, project offices.
- The personnel which are assigned to receive, and handle issues related to community relations.
- The leaders of departments/units at all levels as reference when making decisions and handling community's complaints.
- Local government, local communities, and public representatives (for information).

#### 3.5.3. Scope of application
- Cases of people's comments and complaints about VRG's operations and about its personnel.
- Feedbacks of organizations and individuals involved, who have interest and possess relevant information about VRG's operations.
- Non-administrative complaints against enterprises, excluding the official/legal complaints regulated the Law on Complaints 2011 and the Law on Denunciations 2018 of Viet Nam.

#### 3.5.4. Channels to receive complaints
- Directly receive the complaint at the headquarters of companies, representative offices, department to handle complaints *(list of representative offices, department assigned to receive complaints, and address attached)*.
- Feedback by telephone *(attached list of phone numbers and receiving locations)*.
- Receive complaints via email and other social network channels (if any): *(List of social network channel attached)*.

- Receive by leaders, representatives of the Group: in case, problems need to be resolved at the Group level, or serious complaints, repeating suggestions or complaints at the company level has not been solve (*Attached contact information*).
- Receive through representatives of government or community *(this is the responsibility of the grievance officer)*.
- It is noted that the channels for receiving complaints should be clearly presented, accessible by disadvantaged groups including women, disable and ethnic minority people. It should be safe for the information providers, both for anonymous and open complaints.

### 3.5.5. Procedures for receiving and responding to complaints

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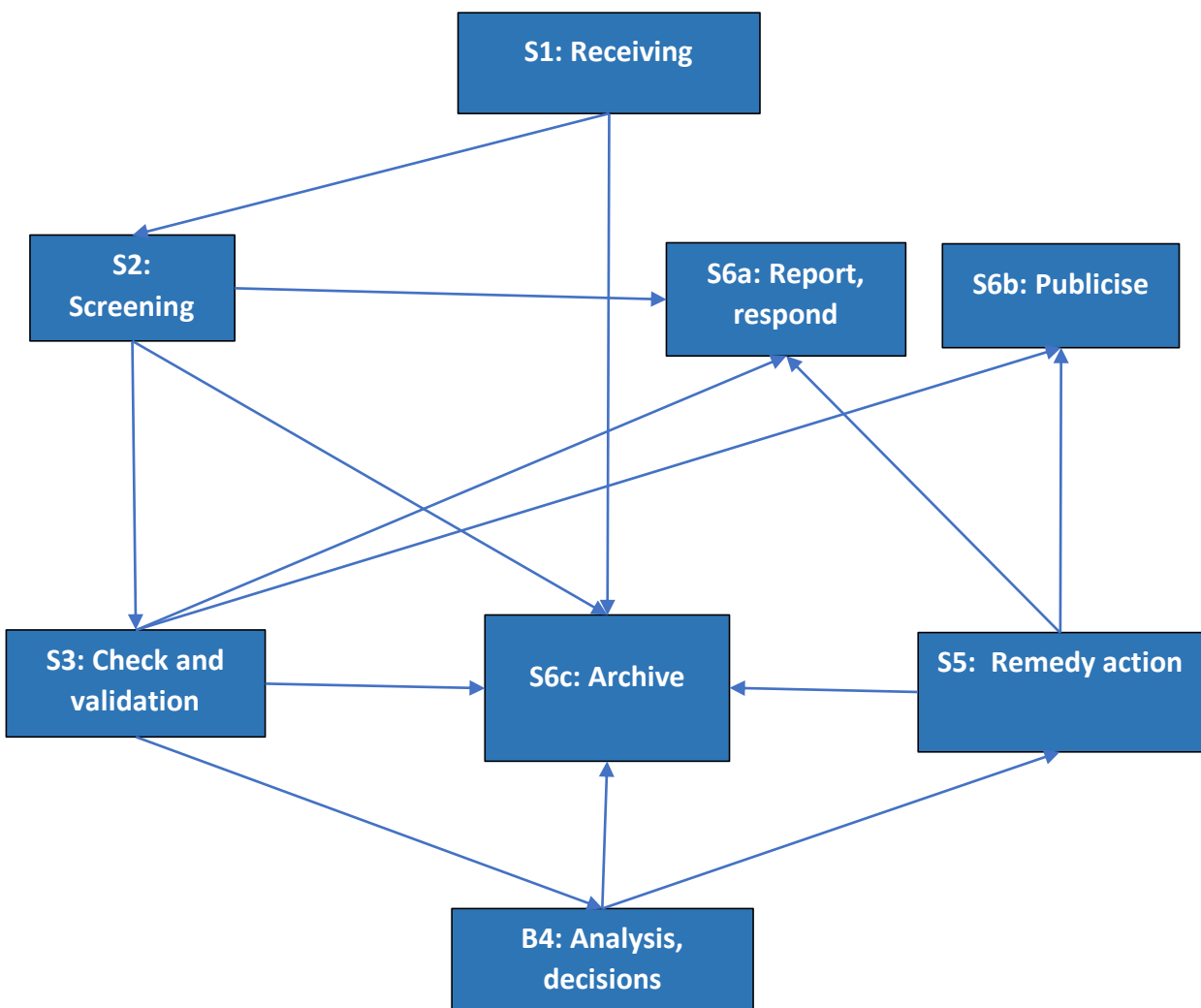
1) **Step 1: Receiving**
   - Reception assigned department/personnel receive complaints, feedbacks, suggestions, etc. from all sources including both open and anonymous providers.
   - Screen the information/feedbacks (step 2).
   - Report to the person in charge and respond to the ones who provided information/complaints (step 6a).
   - Record /document results of receiving and processing of the complaints (step 6c).

2) **Step 2: Screening and classifying complaints**
   - If the information is clear, relevant, sufficient => Send those to the individual or department responsible for information assessment and verification (Step 3).
   - If the information is not clear, incomplete, or inappropriate => Respond and discuss with complainant/information provider for clarification, supplement information, provide guidance on follow up (Step 6a).
   - Report to the person in charge on the results of the process and results of handling the complaints (step 6a).
   - Record/document results and archive (step 6c).

3) **Step 3. Check and verification**
   - Assigned departments/individuals are responsible for verifying information.
   - If the information is correct and follow-up action is needed=> Send those to the authorized person/department to make a decision on the next action (step 4).
   - If the feedbacks are inaccurate, or the received feedbacks need no further action to resolve, it is necessary to communicate to the comment/complaint providers on the verification results (step 6a).
   - If the comments and complaints are outside the jurisdiction of the Company and require the intervention of the Government authorities => respond and guide the complainant to transfer the information to the capable agencies (step 6a).
   - Report to the person in charge on the results of the receipt processing (step 6a).
   - Publicise the results to wider stakeholders or to the public if needed (step 6b).
   - Archive records and document on the process and results of handling the case (step 6c).

4) **Step 4: Analyse and make decision**
   - Authorized Personnel/department makes decisions about the next steps based on the analysis of verified information.

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- Take the necessary action to solve, remedy the problem and allocate resources to implement (step 5).
- If the comments and complaints are outside the jurisdiction of the Company and require the intervention of the Government authorities => respond and guide the complainant to transfer the information to the capable agencies (step 6a).
- Assign and direct appropriate individuals and departments to perform the necessary tasks to take corrective actions, respond to information provider, complainant.
- Decide on the form and subject/scope of information to declare if necessary.
- Report to the person in charge on the results of the analysis and decision-making (step 6a).
- Keep a record the decisions (step 6c).

5) **Step 5: Remedy action**
- Assigned personnel/department to execute actions, remedy measures or response to complaints in accordance with decisions in step 4.
- It is necessary to have a unit to coordinate and monitor the implementation of remedy actions.
- During the implementation, it is necessary to have regular exchange and update with the relevant departments and personnel to make timely adjustments when necessary.

6) **Step 6: Respond, report, publicise results and archive evidence/materials on the case**
- 6a. Respond to the complaint/feedback givers: The receipt department/person is responsible for giving feedbacks to complaint/feedback givers, the one who provide information on resolved results after each step (in accordance with the progress of handling the problems), may acquire and supplement additional information if needed. The response can be done by the corresponding receiving feedback channel, or with suitable form that has been notified in advance to the complainant/information provider. And report to the person in charge of handling the case.
- 6b. Publicise information to relevant stakeholders or widely to the public if necessary.
- 6c. Keep a record of the case and results at each step. After each step, the assigned department at that stage is responsible for keeping the records.

### 3.5.6. Templates for handling complaints, feedback

**FORM NO.1: RECECEIPT OF INFORMATION RECEPTION**

| | |
|---|---|
| ………………….. | **SOCIALIST REPUBLIC OF VIET NAM** |
| ……………….. | **Independence - Freedom - Happiness** |
| -------- | |
| | ---------------- |
| No: …/…… | *….., month…… date … year…….* |

**FORM 1: RECEIPT**

**For the reception of relevant information, document, evidence related to feedback, complaint**

At …….. hour, on date ……… month ……. year ……., at……………….......................

Receiving Party (full name, title, phone no.): …………………………………………………….......

Disclosing Party (full name, ID card no., date and place of issue…….., address, phone no.): …………………………………………………………………..

Have delivered and received the following information, documents and evidence:

1. …………………………………………………………………………………………………….…

2……………………………………………………………………………………………………......

3…………………………………………………………………………………………………….…

This receipt is made into ….. copies, each party shall keep 01 copy./.

| **Disclosing Party** | **Receiving Party** |
|---|---|
| *(Sign, write full name, stamp - if any)* | *(Sign, write full name, stamp - if any)* |

**FORM NO.02: FORM OF TRANSFERING INFORMATION, FEEDBACK RECORDS, COMPLAINT**

| | |
|---|---|
| ………………… | **SOCIALIST REPUBLIC OF VIET NAM** |
| ………………… | **Independence - Freedom - Happiness** |
| -------- | -------------- |
| No: ….. / ……… | *………, month …… date …….. year ……* |

**FORM**

**TRANSFERING INFORMATION, FEEDBACK RECORDS, COMPLAINTS**

**To: …………….…………………**

In accordance with Decision No …………………………….................................

Month …. date …... year …….

(Unit/department/individual) ……………… has received the contents of complaints and complaints of…………………………………………………………………………………………………….

About: ……………………………………………………………………………...……………………….

Forward to ……………………………………………………………………………………………………..

To review, assess and follow up.

| | |
|---|---|
| *Recipients:* | **Person/department responsible for receiving complaints** |
| - As above; | *(sign, write full name, stamp - if any)* |
| - Save: VT, file. | |
| _____ | |

**FORM NO.03: RESPONSE TO COMMENTS, COMPLAINTS**

| | |
|---|---|
| ………. (1) ……….. | **SOCIALIST REPUBLIC OF VIET NAM** |
| ………. (2) ……….. | **Independence - Freedom - Happiness** |
| ------- | --------------- |
| No: … / TB- ……. | ……., *date … month …. year …* |

**NOTIFICATION**

**On receiving and resolving complaints**

**To: ……………………..…………….**

Month….date….year…., ……… received comments and complaints from ……………………………………………………………………………………………………….

Address: ……………………………………………………………………………………………………...

ID card no. /Passport no., date of issue, place of issue: …………………………………………………………

Suggestions, complaints about ………………………………………………………………………………

After considering the comments and complaints (competent units/ individuals) have the following responses:

…………………………………………………………………………………………………..……………………

…………. ……………………………………….. ……………………………………………………………………….

Notice to ………. (3) ……… to know./.

**Head of an agency, organisation or unit**

*(Sign, write full name and stamp)*

**FORM NO. 04: REPORT ON RESULTS OF HANDLING FEEDBACKS AND COMPLAINTS**

| | |
|---|---|
| ………….. ……… .. | **SOCIALIST REPUBLIC OF VIET NAM** |
| **…………. ……… ..** | **Independence - Freedom - Happiness** |
| -------- | --------------- |
| No: … /BC -..….… | *…………, date … month …. year ….* |

**REPORT**

**Result of receipt and verification contents of feedbacks and complaints**

**To: ………………………………**

In accordance with Decision No. ……………………………… ................................. ...

From the date… /… /… to the date… … /…, … (5) … verified the contents of the reflection and complaint of…….. towards……..

Based on information, documents, evidence collected in the process of verifying the contents of the complaints, results after working with related agencies, organizations, units, individuals, ..... (5) …… reports the results of complaint verification as follows:

1. Requests of complaint providers.

......................................................................................................................…..……………….

2. Summary of verified content and verification results for each verified content:

......................................................................................................................…..……………….

3. Conclude that the contents of the complaint are verified as (true, false or partially correct):

......................................................................................................................…..……………….

4. Proposals on the promulgation of decisions on settlement of complaints and complaints:

......................................................................................................................…..……………….

Above is the report on the results of the verification of the content of the complaint, to submit to ... review and give direction./.

| | |
|---|---|
| ***Recipients:*** | **Person in charge of verification/Team Leader/ Verification Team Leader** |
| - As above; | |
| - Save: VT, file. | *(sign, write full name, stamp - if any)* |

_____

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**FORM NO.05: RESULTS OF DIALOUGE, RESPONSE TO COMPLAINT PROVIDERS**

|  |  |
|---|---|
| ………. (1) ……….. | **SOCIALIST REPUBLIC OF VIET NAM** |
| ………. (2) ……….. | **Independence - Freedom - Happiness** |
| -------- | ---------------- |

**MINUTES OF DIALOGUE**

At ... hour ..., date ... month ... year ..., at ………………………………………………………………………………

**I. Participants in dialogue:**

1. Complaint settlers and persons responsible for verifying the reported and complaint contents:

Mr. (Ms.) ……. title ………………….., agency (organization, unit) ...............................................………

2. The note taker:

Mr. (Ms.) ……. title ………………….., agency (organization, unit) ...............................................………

3. The complainant (or the complainant's representative, authorized person):

Mr. (Ms.) ………….. title …………….., agency (organization) .......................................................…..

ID card/Passport no., date of issue, place of issue: …………………………………………………………………..

Address…………………………………………………………………………………………………………………………………………

………….

4. Respondent (or the complainant's representative, authorized person (if any)):

Mr. (Ms.) ………….. title ……………., agency (organization, unit) ...........................................……..

5. Persons with relevant interests and duties (if any):

Mr. (Ms.) ……………………………………………………………………………………………………………………………………

ID / Passport no., date of issue and place of issue: …………………………………………………………………….

Address: ……………………………………………………………………………………………………………………………………

6. Representatives of relevant agencies, organisations and individuals (if any):

Mr. (Ms.): ……………………………………………………………………………………………………………………………………

Address: ………………………………………………………………………………………………………………………………………

**II. Content of dialogue:**

1. ………………………………………………………………. ……… ……………………………….…………………………………….

2. Opinions of participants in the dialogue ………………………………………………………………………………………

**III. Dialogue results:**

……………………………………………………………………… ……………………………………………………………………………..

The conversation ended at ... hour ... date ... /... /...

The minutes of the dialogue were read back to the participants to listen and sign for certification. The record is made into .... copies, the complaint settler, the person responsible for verification, the complainant and the complained person, each party keeps 01 copy./.

|  |  |
|---|---|
| **Respondent** | **Complaint settler (or person responsible for verifying complaints)** |
| *(signature and full name)* | *(sign, write full name, stamp - if any)* |
| **Persons with relevant interests and duties** | **The record maker** |
| *(signature and full name)* | *(Sign, write full name)* |

**FORM NO.06-KN: DECISION ON COMPLAINT RESOLUTION**

| ………. (1) ……….. | **SOCIALIST REPUBLIC OF VIET NAM** |
|:---:|:---:|
| **………. (2) ……….** | **Independence - Freedom - Happiness** |
| ------- | --------------- |
| No: …. / QD - ……… | *…………., date… month … year ……* |

**DECISION**

**On the settlement of complaints by**

.............................................................................................

Based on ……………………………………………………………………………………………………..

Considering the complaint dated … /…/… of ………………………………………………………………

Address...................................................................................................................

**I. Content of the complaint:**

............................................................................................................................

**II. Results of verification of complaint contents:**

............................................................................................................................

**III. Dialogue results (if any):**

............................................................................................................................

**IV. Conclusion**

............................................................................................................................

From these above judgments and bases,

**DECISION:**

**Article 1.** ...........................................................................................................

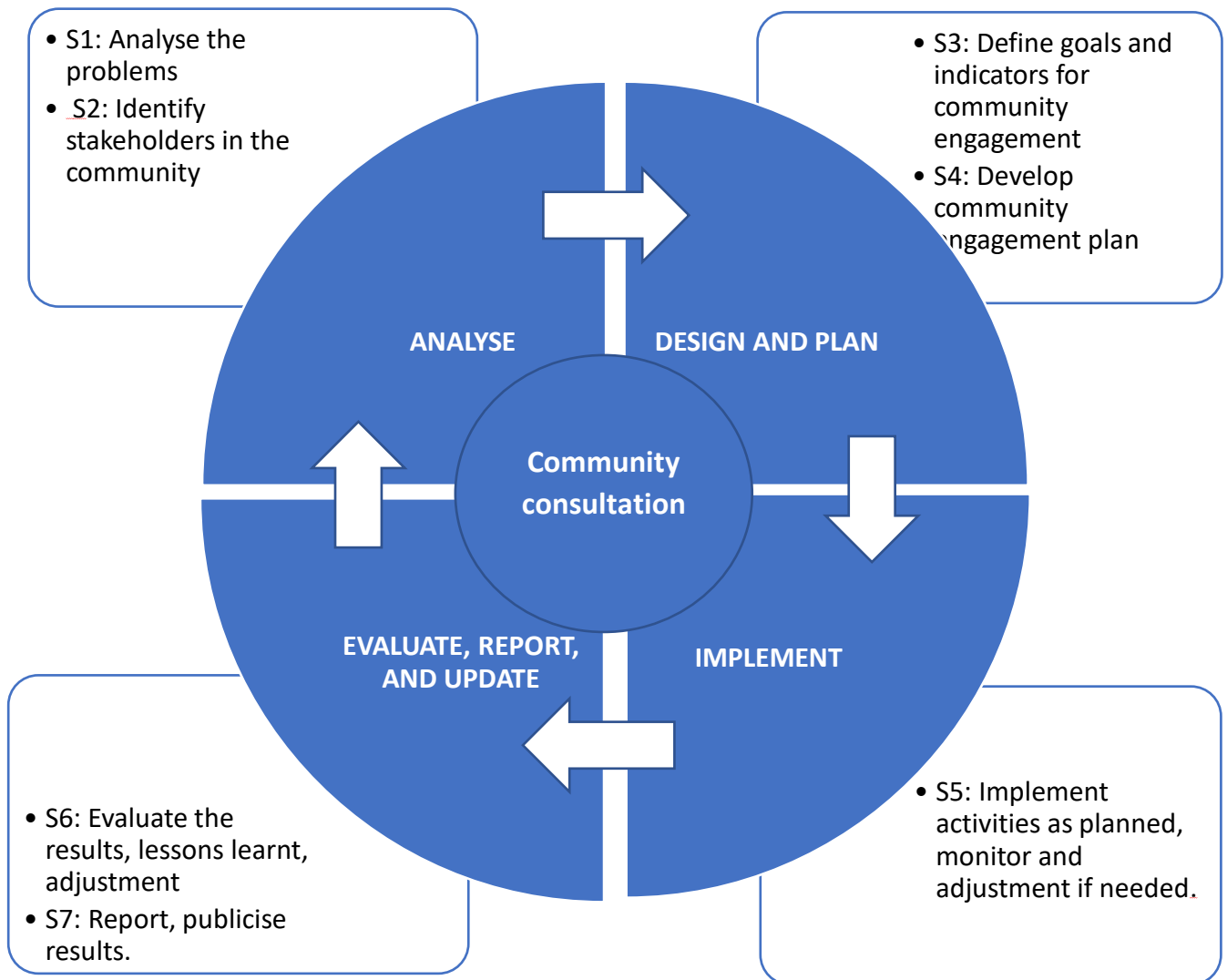**Article 2.** ...........................................................................................................

Article 3. Mr. (Ms) ... (13) ... are responsible for implementing this Decision./.

**The decision-maker to resolve the complaint**

*(sign, write full name and stamp)*

## 3.6. Guidelines for implementing, monitoring and evaluation of community engagement activities

- S1: Analyse the problems
- S2: Identify stakeholders in the community

- S3: Define goals and indicators for community engagement
- S4: Develop community engagement plan

**ANALYSE**

**DESIGN AND PLAN**

**Community consultation**

**EVALUATE, REPORT, AND UPDATE**

**IMPLEMENT**

- S6: Evaluate the results, lessons learnt, adjustment
- S7: Report, publicise results.

- S5: Implement activities as planned, monitor and adjustment if needed.

### 3.6.1. Step 1: Analyse the problems

**Objective:**

This step needs to determine the impacts of the project on the (legal and traditional) rights of the local community where the project is to be implemented; identify the seriousness of problems and solutions to prevent and overcome those impacts.

**Identify the problems**

The potential negative impacts of the project on the (legal and traditional) rights and benefits of the community, as well as the impacts on local economic, social, and environmental aspects include:

- Livelihoods, land, income, housing, health, security, safety of the community, etc.

- Traditional cultures, heritage.

- Local employment and works.

- Environment, biodiversity, water resources, air quality and other natural resources….

- Infrastructure, transportation

- Social investment, social capital

**Sources of information:**

- The results of community consultations on the contents of SFM, HVCF/HCSF, EIA and additional direct community consultation if needed.

- Secondary information sources.

- The in-depth assessments and surveys.

- Community's complaints, feedbacks, etc.

### 3.6.2. Step 2: Stakeholder analysis

**a) Objective:**

In this step, it is necessary to identify all the possible groups who are potentially affected in the community located in the areas where the project operated, and people who has influence on the success or failure of the project. Simultaneously, it is important to identify the level of influence

and impact of the project on each of those actors; understand the level of interest, the level of influence of each stakeholder on the success of the project.

**b) <u>Identify relevant stakeholders</u>**

<u>Residential community</u>:

- Neighbouring communities around production areas, raw material areas.

- Community where offices, factories, warehouses, processing zones located.

- Communities affected by the production processes of enterprises such as raw materials, finished products, etc.

- Ensuring the participation of vulnerable groups such as women, the elderly, people with disabilities, orphans, ethnic minorities, etc.

<u>Social organizations</u>

- Formal and informal community groups

- Religious associations, organizations

- Cultural associations, groups

- Ethnic groups, family lineages

- Environmental groups

- Charity groups and sponsors operating in the area

- Local and international social organizations operating in the area, etc.

<u>Local government</u>

- Local government at village and commune levels

- Provincial and district authorities

- Ministries, Central Departments

- Administrative authorities at all levels

**c) <u>Analyse stakeholders and define engagement strategy</u>**

Conduct classification of stakeholders regarding level of being affected by the project's, level of their interest, attitude towards the project and level of their influence on the project. Then, propose strategies and priority engagement activities that suitable to each actor. Following actors should be prioritised to engaged with.

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- Actors that are more affected by the project, and highly interested.

- Actors with a high level of influence, but do not support the project.

- Actors with high level of influencing and support the project.

### 3.6.3. Step 3: Define the goals contents and indicators for community engagement

**a) Objectives**

According to international recommendations, the community engagement programme should achieve the following goals:

- Minimize negative impacts of the project on community rights and benefits on local environmental and social issues (respect for community's rights).

- Remedy the adverse impacts of the project on community rights and interests, local environmental and social issues (overcome the risks on community rights).

- Contribute to solving difficulties and problems, improving the life of the community.

- Promote community relationships and support to facilitate implementation and promote success of the project and business.

**b) Define Indicators**

Identification of indicators and targets for the community engagement programme is an important step to ensure that the planning, organisation, and implementation of community engagement activities is efficiently executed and feasible. Based on the results of consultation with community and problem analysis, the content of activities for the community engagement programme and related indicators can be developed. Indicators include:

- Input indicators: Funds, human resources, and other resources.

- Output indicators: Direct results from the activities (number of consultation sessions, number of participants, number of households supported, etc.).

- Impact indicators: to measure long-term changes that businesses expect to receive from their resettlement activities such as percentage of income increased, number of poor households reduced.

Indicators can be in the form of quantitative or qualitative information, in which quantitative indicators need to be specific, clear, measurable, have a specific time frame and be realistic and feasible (SMART).

c) **Define content of engagement activities**

The engagement activity should include and prioritise the following groups of activities:

- Solutions to minimise the negative impacts of the project on the (legal and traditional) rights of the community (respect for community rights), especially of the disadvantaged groups such as women, disable and ethnic minority people.

- Solutions to remedy the negative impacts of the project on the (legal and traditional) rights of the community (remedying the risks on the rights of the community).

- Activities to support the community, solve difficulties, improve the material, cultural and spiritual life of the community.

- Activities aimed at strengthening cohesion, improving relationships between enterprises and the community and relevant local actors.


### 3.6.4. Step 4: Planning of the community engagement programme

The development of the community engagement plan needs the consultation and participation of relevant stakeholders, who are the individuals and departments who are responsible for implementing, benefited from, or affected by the enterprise's engagement programme. Depending on the complexity of the activities, it is possible to arrange the participation of the parties under many different forms (refer to guidance on community consultation in previous section).

When developing a community engagement plan, it is necessary to clearly define:

- Contents of activity associated with each actor and problem to be solved.

- Set out SMART result's indicators.

- The resources (financial, technical, human…) needed for implementation.

- Timeframe.

- Responsible person.

- Monitoring and supervision mechanisms.

### 3.6.5. Step 5: Implement the planned activities

- In the process of implementing the community engagement activities of enterprise, it is encouraged to mobilise the participation of all parties, the affected people, especially disadvantaged groups in the community, and beneficiaries of the enterprise's community engagement activities.

- The implementation of community engagement activities can be implemented directly by VRG's staff, or other individuals and organizations with expertise and skills relevant to the community engagement activities.

- It is necessary to have close monitoring and supervision with each actor, associated with each problem to be solved; update the progress of activities and indicators, track developments, related changes, from which make timely adjustments.

### 3.6.6. Step 6: Assessment of results and lessons learnt

- Assessment should determine the extent to which the implementation progress was achieved compared to the original plan.

- Determine the results and basic products of the community engagement programme.

- Conduct the assessment based on specific indicators and objectives built in the original plan.

- Evaluate the effects and impacts of community engagement activities on the community, their contribution to the prevention, mitigation and remedying the negative impacts of the project on the rights of local communities.

- Impacts of community engagement activities on the level of support and consensus of the community and stakeholders related to the business and the project.

- The assessment can be done by VRG's staff itself or by an independent expert if necessary.

### 3.6.7. Step 7: Report and publish results

**Report**

Depending on the purpose, different types of reports can be created. Each report can focus on presenting information relevant to the interests and requirements of a particular targeted audience. Though the level of details and focus topics could be different in different types of report, it is advised to ensure that the contents of information should be accurate and consistent among the reports.

- Make Internal reports, send to leaders of the company, send to head quarter etc.

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- Report to authorities.

- Sharing experiences, share to press agencies, disseminate publicly, etc.

**Publication of results**

- Publicise through official channels of the business (website, social networks, places for public interaction, etc).

- Through an official spokesperson.

- Through the press and media.

## PART IV: APPENDIX

### 4.1. Tools and templates for consultation and analysis

### 4.1.1. Village map

**Description**

The maps are to make a general visualization of the site. This tool can be used to assist in initial understanding of communities, describing social and institutional structures of the communities, forest boundaries, typology, geographic names, important institutions in the area. It is used when evaluating HCVF, HCSF, EIA,… and can also be used to find out the differences in access to resources and services among community groups in each area, to facilitate plaining, defining locations for certain interventions.

The local map can be used as a tool to get started. This is easy and fun for the villagers. It helps to initiate discussion in the community and with the community outreach group. All team members should observe the mapping process as it provides a general picture of community with cultural, social characteristics, and different groups of people within the community.



**Time:** 1.5 - 2 hours.

**Tools/Materials:** Sticks, branches, leaves, stone, gravel or any other locally available materials.

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Information synthesis form, paper size A0 and markers to draw the diagram.

**Instruction method:**

- Ask the participants to draw a village map/diagram with the households. It is recommended to start with the main terrain, roads, rivers, mountains, which is better to have a good orientation.

- Identify the project's location boundaries and geographic terrain on maps.

- Identify major locations in the area, (pagodas, churches, schools, offices, markets, etc)

- Identify locations that may be affected by the project.

- Identify the inhabited areas of different ethnic groups, religions, and vulnerable groups.

- Identify other contents required for discussion (depending on the requirements of each type of map that defines the content of different locations).

- Record take picture and keep the map for later discussion.

- Take notes of all the discussions that participants made when drawing the maps.

*Main questions:*

1) How are land resources, forests, rivers, streams, and water resources distributed?
2) Where are the production areas (planting trees, forest, grazing) of the community?
3) How many households are there in the village and where do they live?
4) What is social structure and social institutions in the community?
5) What are the religious groups in the village? Where do these religious groups live in the village?
6) What are the ethnic groups in the village? Where do they live in the village?
7) Which are the women-headed households, people with disabilities? Where do they live?
8) How are local livelihoods and jobs?
9) How communities are accessing natural resources and social services, whether there are changes in resources (specific types);
10) How could be the changes in the ability of communities in accessing resources during the time when project implemented?
11) What does the community expect to change when implementing the project?
12) What need to be done to avoid and to remedy negative impacts of the project?

### 4.1.2. Cause and consequences trees

**Description:**

Tree diagrams are used to analyse the causes and effects of a certain problem, such as the cause and effect of an issue that the community is facing...
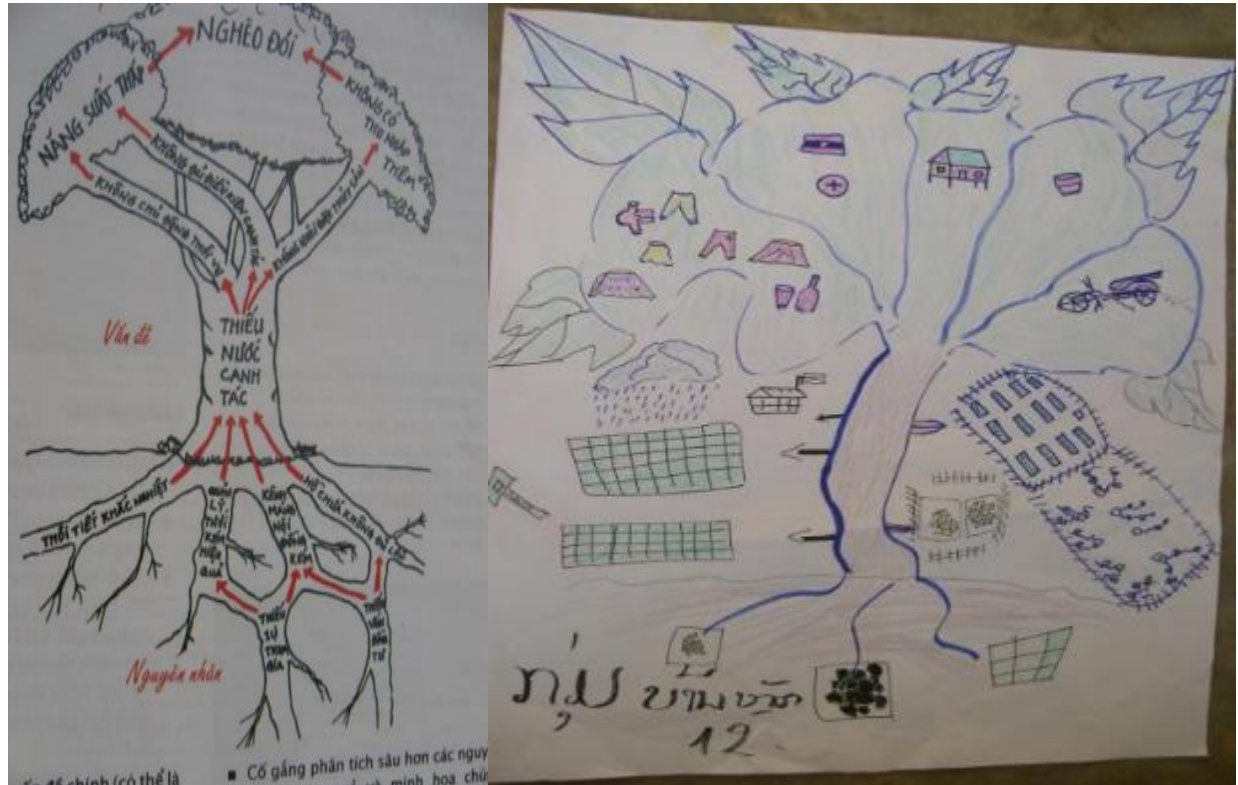


**Time:** 1.5 hours - 2 hours

**Tools/Materials:** Information synthesis form, paper size A0 and markers to draw the diagram. Use sticks, branches, leaves, strings, stones, gravel or any other locally available materials.

*Instruction method:*

- ♣ **Step 1:** State the issues that need to be discussed, such as cause and effect of forest degradation, environmental pollution, etc.
- ♣ **Step 2**: Introduce the ways to draw a tree-shaped diagram with roots representing causes and branches representing consequences of a problem. Then ask the members to develop a tree diagram of the problem themselves (forest degradation, environmental pollution, etc.) with roots representing the causes of the problem, and tree branches show the consequences of the problems.

- **Step 3:** Ask participants to sit in a circle or a semi-circle in front of the area to be drawn. Instruct the participants to draw a picture of a tree with the roots is below and above is branches. Each root is a cause, each branch is a consequence. Encourage and invite people to discuss, listing the causes and consequences of the problem.
- **Step 4:** Suggest the participants to use symbols or write each cause on each tree roots and write each consequence on each branch. If the participants are not literate, they should be encouraged to use drawings instead of letters, community facilitators can help to write the name of the tree

*Main questions:*

1) The reasons for forest degradation, why is the environment polluted?

2) What should be done to remove the causes?

3) What to do to remedy, prevent bad consequences?

4) What factors cause the problem?

*\*\*\*\* Note when discussing:*

*Try to make the statement of cause and consequences as much detail as possible, when the statement is general or not clear, it is necessary to ask questions that elicit and deepen discussion to find the root cause of the problem, to avoid presenting general causes.*

### 4.1.3. Prioritization Matrix

**Description**

The prioritization matrix by scoring the criteria is a tool used to analyse and relatively compare the choices and thus classify/rank the level of importance, priority among different choices.

| No | Criteria | Proposed activities | | | |
|---|---|---|---|---|---|
| | | Act 1 | Act 2 | Act 3 | Act 4 |
| 1 | Solution to remedy the impacts caused by project on community rights. | | | | |
| 2 | Solutions to prevent negative impacts of the project on community rights. | | | | |
| 3 | Solutions to address the issues affecting a large number of people, public area such as schools, hospitals, etc. | | | | |
| 4 | Prioritize addressing issues that affect the poor, children, women and beneficiaries ò social welfare in the community. | | | | |
| 5 | Prioritize sustainable and long-term solutions | | | | |
| 6 | Prioritize solutions that contribute to the orientation of long-term development of the community. | | | | |
| 7 | Prioritize activities involving stakeholders and community's participation, contribution and sharing. | | | | |
| 8 | Prioritize cost-savings, low-investment solutions. | | | | |
| 9 | Prioritize activities creating more jobs and generating income for people in the directly affected areas. | | | | |
| … | Criteria…. | | | | |
| | **Total** | | | | |
| | **Priority ranking** | | | | |

*Table: Example of a prioritisation matrix to select proposed community engagement activities*

Time: 1.5 hours - 2 hours

Materials: Form to synthesis information, paper size A0 and markers to draw the diagram; besides ticks, branches, leaves, strings, stones, gravel or any other locally available materials can be used.

**Instruction method:**

- Step 1: Identify choices that need to be analysed and compared, for instance, livelihood activities, types of building to be constructed, types of crops, etc.
- Step 2: Identify criteria to evaluate the options in step 1. These criteria are factors that need to be considered when taking a certain option, given based on discussions with community.
- Step 3: Set up a comparison matrix, the columns' heading contains choices, the rows' heading contains criteria
- Step 4: Guide people to score and rate the choices according to each criterion. For each criterion, whichever is more appreciated by the people (in term of that criterion), it will be given a higher score.
- Step 5: Sum up the scores for each option, insert additional criteria if necessary and determine the order of priority. The selection having highest total score shall take precedence. If the two options have the same score, additional criteria can be added to choose priority 1.
- Take notes of all the analysis and explanations that the participants made when they do the scoring.

*Main questions:*

1) Why this option is chosen?

2) What factors, issues need to be considered when choosing this option?

3) Which option is the most suitable among the criteria (one by one) and why?

4) which one is the most important criterion among the criteria used to compare and evaluate choices?

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## 4.1.4. Stakeholder analysis matrix

**Description:**

A stakeholder analysis matrix is used to analyze the roles, influence level and interest of different actors in a given issue. Hence, it helps to determine the most suitable strategy for the engagement with each actor.
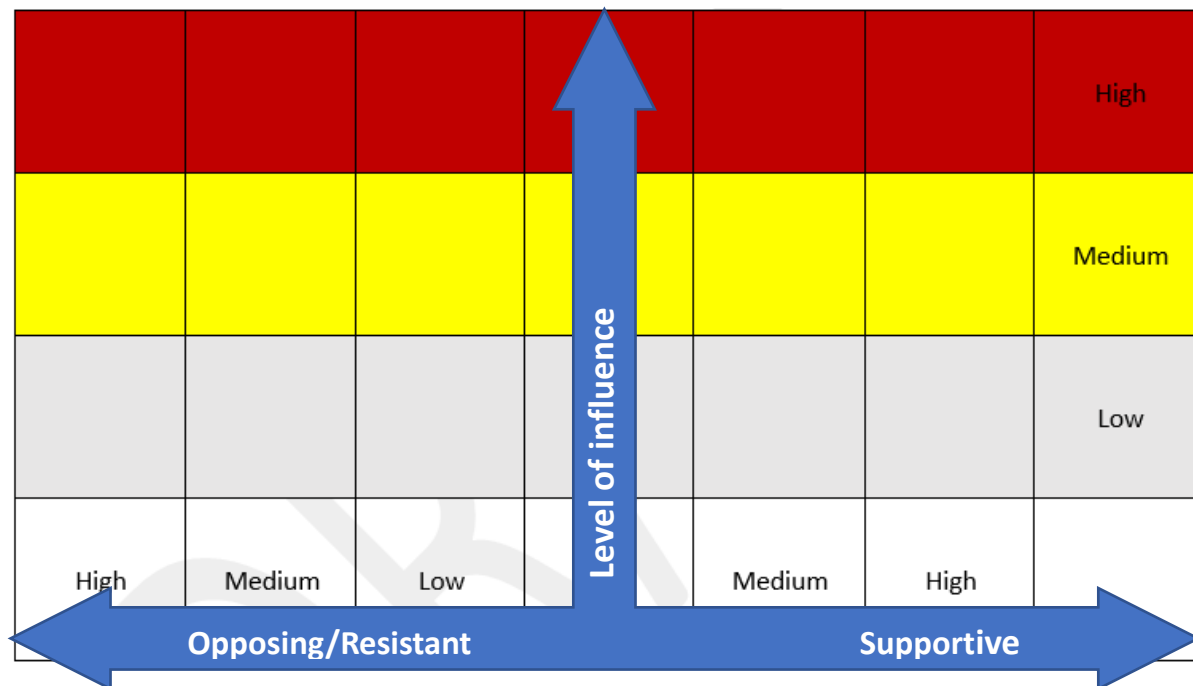


**Time**: 1.5 hours - 2 hours

**Materials:** Form to synthesis information, paper size A0 and markers to draw the diagram. ticks, branches, leaves, strings, stones, gravel or any other available locally can be used.

*Instruction method:*

- **Step 1**: Identify the actors involved in or affected by the project
- **Step 2**: Analyse level of influence of the actors on the success of the project, which is ranked by level range high - medium – low.
- **Step 3**: Analyse the level of interest, attitude (negative or positive), opinion (supportive or opposing) of each actor, which is ranked by level range high - medium - low
- **Step 4**: Set up a matrix of stakeholder analysis, arrange each actor in the box corresponding to their level of interest and influence.

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- **Step 5**: Identify engagement approach and strategy that suitable for each corresponding actor. Actors who are more affected and those with higher interest or greater influence should be prioritized to have actions for engagement.
- Take notes of all the analysis and explanations that the participants made when they discuss about the actors.

**Main question:**

1) Who are the stakeholders involved in the project (who might be affected by the project, how is the project's impact)?

2) Who can influence the ability to implement the project and its success? How is the level of influence?

3) Who is the supporter of the project, who is against the project, and why?

4) Are there any opportunities to approach, mobilize and persuade the actors?

### 4.1.5. Sample of minutes of public consultation meeting

**The name of the host country in the current form**

---------------

(Place), date ... month ... year ...

**MINUTES OF COMMUNITY CONULTATION MEETING**

_____

*Today, date.…. month…. year……, at………………..…., the community consultation meeting of the project named "………………………………......" is organized.*

**I. Participants**

1/……………………………………………………………………….

2/……………………………………………………………………….

3/………………………………………………………. ………………......

Chairperson: ………………………… ………………………………………………….

Note taker: ………………………… …………………………………………..

**II. Content of the meeting**

Mr./Ms.………………………… chairperson approves the meeting agenda.

Mr./Mr. ………………………… representative of the project investor presents an overview of the project including the following contents:

- Brief overview of project development process; legal documents of the Project on area and boundary of the business' land leased by the Government;
- Environmental and social impacts caused by project activities and applicable mitigation measures;
- The labour demand of the project and the Company's labour attraction policies, the recruitment and attraction of workers around the project area;
- Other contents related to the Project.

**III. Discussion and feedback**

*3.1. Community's opinion*

1. Mr/Mrs …………………………………………………………….……………………………………………………………

66

Comments:

……………………………………………………………………………………………………………………………………………………………………

2. Mr/Mrs ………………………………………………………………………………………………………………………………………………

Comments:……………………………………………………………………………………………………………………………………………

3. Mr/Mrs ………………………………………………………………………………………………………………………………………………

Comments:……………………………………………………………………………………………………………………………………………

4. Mr/Mrs ………………………………………………………………………………………………………………………………………………

Comments:……………………………………………………………………………………………………………………………………………

*3.2. Investor's comments*

……………………………………………………………………………………………………………………………………………………………………

……………………………………………………………………………………………………………………………………………………………………

*3.3. Conclusion*

Points with consensus:

……………………………………………………………………………………………………………………………………………………………………

……………………………………………………………………………………………………………………………………………………………………

Points disagreement (if any):

……………………………………………………………………………………………………………………………………………………………………

……………………………………………………………………………………………………………………………………………………………………

……………………………………………………………………………………………………………………………………………………………………

The minutes of the community consultation meeting for the Project ended at…… of the same day. The content was read loudly for everyone to listen and approve.

| **Note taker** | **Chairperson** |
| :---: | :---: |
| | |
| (Signature, full name) | (Signature, name, position, stamp) |
| **Investor representative** | **Community representative** |
| | |
| (Signature, full name) | (Signature, full name) |

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**LIST OF PARTICIPANTS**

| No | Full name | Phone number | Signature |
|----|-----------|--------------|-----------|
| 1 | | | |
| 2 | | | |
| 3 | | | |
| … | | | |

Photos of the meeting (if any)

**Attach**

- **Pictures, audio records of the meeting (if available)**

- **Questionnaires, survey forms (if available)**

### 4.2. Attitudes and Skills for Community Engagement Facilitator

### 4.2.1. Attitudes and principles when conducting community consultation

- **No prejudice:** People with different backgrounds and conditions, they come from different places; therefore, they will, in most of the cases, have different views and understandings on a certain subject. In community discussions, all these differences need to be encouraged, collected, respected, and reflected by using different perspectives, methods, tools, and sources of information. In addition, it is also necessary to show the sources information: information of group members (in term of location, people, gender, age groups, interest groups, key information providers, groups property, crop, problem with specialization and discipline).

- **Community interaction is a flexible process and promotes** communication between stakeholders and the community rather than an assessment process, or just simply a tool for information collection.

- **Gender sensitivity is required at all time** at any times.

- **It is process of learning and sharing:** Learning from local people, sharing with them. It is necessary to look for and use their symbols, criteria, categories and metrics; It is advisable to learn and appreciate local's people knowledge.

- **Combining both qualitative and quantitative**: there is no need to look for unvaluable data in some cases or to have absolute measurement but the comparison instead. In addition to absolute measurement results and accurate numbers, relative percentages, relative trends, scores or ratings are also important for decision-making and planning.

- **Look for diversity and differences**: People often have different perceptions in the same situation. This diversity needs to be reflected and respected.

- **Attitude:** To ensure a successful discussion with communities, it is necessary to build positive relationships with different local groups, especially with disadvantaged groups, and reputable peoples. Outsiders need to have an attitude of respect, humility, patience and a willingness to learn from the local people.

### 4.2.2. Skills in using verbal language

Oral language skill is the ability to use words, volume, and intonation in specific contexts to achieve target and to be effective in communication. Oral language is considered as one of the most effective means of communication in discussions. Oral language is used by community facilitators to transmit information to participants to listen and note. An employee has good oral language skills is the one being able to transmit information effectively and to attract listeners. To achieve this requirement, the employee should pay attention to:

- Use familiar language.
- Use short, meaningful and clear sentences.
- Have moderate speaking speed, not too fast for listeners to follow, not too slow to make it boring.
- The speaking volume should not be too loud or too small for everyone to hear clearly. If needed, the loudspeaker can be used to ensure volume. When using the speaker, the volume should not be too loud to avoid making the listener tired.
- Uneven rhythms make listener feel sleepy. The facilitator should stop, pause, change tone up and down. Emphasize key and relevant points to the content to make emphasis and attract listeners.
- Combine skilfully body language and words to create vividly and effectively verbal language. Remember that listeners not only hear with their ears, but they can also hear "with the eyes" and feel messages from you with other senses.

### 4.2.3. Listening skills

The ability to listen to participants during the discussion is the most important task.  The facilitator's willingness and ability to listen will significantly determine the level of interaction in the discussions. Listening is the willingness to receive and understand a message from others directly through communication or indirectly through observation. Listening is different from hearing since it requires concentration and intellectual impact. Listening lead listeners to the world of speakers.

Listening effectiveness will be affected by many factors such as speakers, listeners, contents, and surrounding environment.  The listeners are attracted if the facilitator having good skills such as expressing clearly, attractively, easily to understand, logically, respectfully, suitably prepared in advance. In contrast, if the speaker is faltering, shy, or unfriendly, it will cause inhibition. Listening reliably and enthusiastically, asking questions for more information, voluntarily responding when asked creates more enthusiasm for the speaker. If the listener has no goodwill, disrespect, make

noise, talks privately, or interrupts the presentation, it will inhibit the speaker and affect the general atmosphere.

While listening, focus on listening and keep information in mind or by taking notes. Do not ask questions while listening to others. After listening, analyse the information and ask questions if necessary.

The community facilitator has good listening skills when s/he collect sufficient information and use them to provide reasonable answers.

To achieve this result, the facilitator needs to pay attention to his attitude when listening (expressed in body language):

- Express attentive attitude and interest to listen by looking toward to the participant, being silent or taking notes, nodding, or expressing surprise or delight.
- Patiently give participants time to say what they want or message they want to convey, even something they do not agree with.
- Respectfully and objectively listen to what participants are saying, which are not because of the evaluation, following questioning or feedback.
- Avoid interrupting frequently when participants speak.

Feedback for participants:

- After the participant stops talking, summarize the key points.
- Ask question to clarify when participants finish show that the message is successfully conveyed.
- Comment and give appropriate feedback to them or encourage others to participate in the discussion.
- To complete the listening process, it is necessary to analyse and synthesise the information to make reasonable conclusions.

### 4.2.4. Observation skills

In order to be proactive in all situations, community facilitator needs to know what is happening in the meeting. Therefore, the facilitator needs to practice observation skills. Observation is an active process that requires the facilitators to use all of their senses to assess the atmosphere of the meeting. The purpose of observations during the discussion is to ensure the best momentum of the meeting environment. To do this, the facilitator needs to understand the situation of the meeting by collecting information through observation, listening and feeling. Therefore, the facilitator should observe:

- Each person to evaluate their knowledge, attitudes, skills, and gather feedback from them.
- Interaction among participants to assess skills and social relations.
- Other facilitators or teaching assistants to coordinate smoothly with each other during discussion.
- Ambient and social environment to evaluate the effect of discussion.
- Groups to build relationships among participants and help them close he gaps created by differences in qualifications, status, age, gender, and geographic boundaries.

Similar to listening skills, the facilitators having good observation skills when he/she can collect sufficient information and make accurate conclusions. To achieve this result, the employee should pay attention to:

- Scope of observation: It is necessary to observe from multi-scope covering different angles, aspects to narrow scope that is individuals, small groups, and events.
- Time to implement observation: Be continuous from the beginning to the end of the discussion and in some special cases.
- Attitude when observing: Be objective, relaxed, friendly, open-minded, happy attitude when observing. Show affection and encouragement.
- Do not impose or be influenced by prejudices, perceptions or individual experiences.
- Avoid prejudice: Have an objective view and avoid emotional feelings affecting the assessment of people and work.
- Note observation information: It is necessary to combine listening, meditating, and taking notes to improve observation efficiency.

### 4.2.5. Questioning and feedback skills

Questioning is a way to gather information from answers. Questioning is the human's main means of communication. Questions are also used to provide opportunities for two-way communication. In discussion, questions are often used to gather information such as knowledge, needs and opinions of participants. Questions are also used to probe or clarify an issue.

### 4.2.5.1. Types of questions

Questions which are commonly used in discussion, are closed questions, open questions, guiding questions and rhetorical questions.

*Closed-ended question*

Closed questions are those having very little choice and ask respondents to choose "yes" or "no". Closed questions are often used to check information, confirm information, and when there is not much time for discussion.

*Open question*

Open-ended questions are questions that have many options and are used to collect information. It usually starts with who, when, where, how, why or how. Open-ended questions are used to ask respondents to provide information, to help them broaden their mind and to elicit ideas. Therefore, it is applied in active discussion method to create opportunities for members to participate.

*Guiding question*

This is a question aims at directing the answer to a specific problem. They are used to get more information if the answer is incomplete or unclear and get more information or check previous information.

*Ways to ask questions*

In a discussion, there are usually two ways to ask questions including asking directly to participants and or giving questions to the group. These two ways of questioning should be use alternatively. Avoid putting too many questions to a person, it will create heavy atmosphere. It will gradually lead to questioning or examination situation rather than conversation. If too many questions are asked to the group, the participants' attention will decrease because normally some people talk much more than the others. Therefore, two ways of questioning above should be used harmoniously. The questions can be initially used for group, followed by individual questions to ensure all attendees are involved. In certain situations, it is possible to switch from one way to the other and vice versa.

### 4.2.5.2. Characteristics of a good question

A good question has characteristics of:

- The structure is short, clear, and express one idea/content.
- Language used is common and easy to understand.
- Content is suitable to the topic of discussion and to the ability of the participants.
- Attract listeners' attention.

A community facilitator with good questioning skills will get good, correct, appropriate answers and achieve the goals set out when using the question. To achieve this result, the facilitator needs to pay attention to:

- Prepare questions:
- ✓ The question should be prepared in advance and meet the requirement of a good question.
- ✓ Avoid asking too difficult questions.
- ✓ Consider time and situation, for example: using open-ended questions when brainstorming, group discussion, closed-ended questions to confirm information and end the problem.
- When asking questions: Speak loudly and clearly to make sure everyone can hear. Spend enough time for the respondent to brainstorm for the answers. Be cheerful, open-minded, respectful, and encouraging to the respondents.
- When participants respond: Invite participants to respond and thank them when they finish. If necessary, it is possible to invite other attendees to supplement the answer.
- Avoid answering questions on behalf of participants.

### 4.2.6. Group facilitation skills

One of the key tasks of community development facilitators (CDC) is to guide and support members of the community group in the discussion session or team work as well as participate in other group activities such as making work plan, monitoring activity, etc.

- Facilitators need to own good facilitation skills. In addition to this, it is necessary for facilitator to be well prepared, open-minded, enthusiastic and respect for attendees. The role of the community facilitator is to guide, support but not doing the work by her/himself instead of the members. In order to facilitate the discussion effectively, the facilitator needs to do the following:
- Carefully prepare goals and contents, choose suitable methods, questions, activities and ready for unexpected circumstance which may happen.
- Introduce the topics, requirements, and modality of discussion to ensure team members work closely together and reach consensus with important conclusions.
- Lead the participants on the right track by clearly explaining requirements and the things they need to do, and promptly adjusting if the discussion goes beyond the focus subject.
- Support by using questions or suggestions, listening to ideas, taking notes, and systematising ideas, analysing information to solve problems together.

- Mobilise participants: encourage the participants who are shy and not yet participate much, encourage the group with praise for the group's results and create a relaxed, open, and pleasant atmosphere.
- Manage time by limiting the time for group activities, regularly announcing the remaining time, and adding or shortening time as needed.
- Using results from discussion or group works: Community facilitators need to summarise and comment on the results of the group activities to give consensus on the content. For example, use results from different groups to analyse and compare to find the most suitable solution.

Community facilitator should avoid:

- Evaluate participant's opinion based on the facilitator's own opinion.
- Impose his/her own opinion on the discussion.
- Argue against a group or group members.
- Let the group work go in the wrong direction but cannot control it.
- Teaching to members and consider himself/herself to be as an expert.
- Participate or do group work himself/herself directly.
- Insist on appointing someone instead of encouraging and asking everyone to get involved.

To achieve effective results, in the process of conducting group discussions, a facilitator should have the following behaviour and attitude:

- Be flexible. For example, s/he can allow the discussion to stop when the group seems boring or overly aggressive.
- Be keen and delicate when promptly intervening in some situations that may arise such as group confrontations, a few members overwhelming other members, or the deviations of the group discussion from to the initial purpose.
- Be humorous to create a happy, joyful atmosphere that attracts all members to join and get closer together.
- Should express collective spirit, not targeting individuals when speaking, such as: we together discussed about this, agreed to do, etc.
- Have a good attitude when asking or giving suggestion to the group. Respect each member's opinion. Be close, friendly, opened and humble to make impression and build good relationships with members to gain their trust, making it easier when seeking their comments.

### 4.2.7. Skills to handle conflicts

In community group discussions, conflicts occurred quite often. Such the situation happens when there is no harmony or difference of opinions, interests, or perspectives among members or different groups. Conflicts can arise due to unrelated reasons such as personality, social position, education level, gender and age, or even reasons of conflict among members before joining the discussion. Conflicts can be classified based on the following criteria:

- Personal conflict (personal): occurs when there are members who dislike each other or have conflicts in the past that are not related to the discussion.
- Technical conflict: often occurs when members have different views on a specific technical issue.
- Conflict between individual and individual - between individual and group – among groups.
- Fierce conflict: This conflict requires outside interventions, otherwise it will be detrimental to the group environment.
- Passive Conflict: Conflict is not manifest but still affects the psychology of members, community facilitator and learning environment.

Not all conflicts are negative. Positive and resolvable conflict can be used to foster group debate to clarify the issue. Negative and unresolved conflicts should be avoided and limited during group activities.

Some ways to avoid negative and unresolvable conflicts:

- Pre-identify potential problems and solutions to avoid a conflict.
- Define criteria for reference when necessary and inform in advance information such as agenda, rules, regulations, specific task requirements, duties and benefits.
- Regularly record and review agreements which have been reached, remind and use skilfully giving and receiving positive feedback.
- Take advantage of pre-existing situations by sharing conflicts which happened in other places as a kind of advance notice.
- Arrange and organize the group properly, avoid having participant with too big difference in term of needs, interests and knowledge in the group, and avoid individuals having conflicts with each other in the same group, etc.
- Use sense of humour to ease the atmosphere of conflict and avoid discrediting others.

To handle personal conflicts, following steps can be used:

- Step 1: Request involved people to present directly their opinions and reflect on the situation.
- Step 2: Both parties to reflect on the situation/problem from personal perspectives to better understand the situation/point of view of the others.

- Step 3: Both parties reflect on the situation/problem from a common perspective to find common voices/opinions.
- Step 4: Discuss together to come up with solutions which is win-win, compromise, right/wrong, suitable/inappropriate. It is possible to mobilise the intervention and consultation of the facilitator, the group leader, the reputable people and the voice of the community.
- Step 5: Get consensus on the final solution and act on this solution.
- Step 6: Reconfirm if the solution is reasonable or not.

When the worst conflicts occur and the facilitators are also involved in her/himself, then they should seek help from reputable people who are not involved in the conflict to intervene.

The results of conflict resolution do not necessarily to make all people agree with each other's opinion, but it is important to respect the other person's point of view and each one still can keep their own view. When disputes or conflicts are subjective and there are many different opinions that need the consensus to make a decision, then the facilitator can apply the following ways:

- Vote;
- Analysis and selection based on criteria;
- Use tool for prioritisation.


### 4.2.8. Skills to solve difficult situations

Not only personal conflicts, but many difficult situations to deal with also frequently occur during discussions, especially with farmers because they are not familiar with the formal discussion environment and professional method of discussion. In this section, we will cover some common situations and suggest solutions for your reference.

*The silence lasted in the long period of time*

This is a situation that the atmosphere in the meeting seem to be frozen for a long time. Attendees are silent, whether you try to bring up a lot of questions or situations to engage them. This silence will start to annoy everyone.

The first thing to do to deal with this situation is the offers ask themselves: how to deal with this situation. Some solutions for specific reasons are as follows:

- If the participants do not understand what you are saying, change the used method and the content.
- If attendees are reluctant to speak in front of crowd, personal questions should be asked to break the atmosphere of shyness.

- If the attendees are tired, the atmosphere can be changed by restarting with games or taking a break. In case, the meeting will end soon, the attendees can be invited to come home earlier.
- If you think you did something wrong with local custom/culture, talk to them to explain during a break.
- If silence is specific characteristic of culture and personality, it is important to give participants time to understand and become familiar with the method of discussion. The facilitator should also spend more time getting to know them.

### People talk too much and overwhelm others

It is a common phenomenon that some group members talk too much and overwhelm others in the group. The facilitators have to solve this problem otherwise it will affect the discussion environment.

- For aggressive people: Before directly intervening, let other people to calm them down.
- For the overwhelming people: Talk to them during the break, thank them for the comments, and ask them to keep a little quieter to allow others to participate. If they continue to overwhelm others, ask them to do special task that is to keep quiet and play the role of observing other members.
- For talkative people: Interrupts them, summarizes what they have said, then immediately moves on to another part. Limit speaking time for everyone. Group them into one.

### People who are always silent

Sometimes, some of the team members are always silent. It is necessary to find out the reasons. That person may come just to listen and observe. The person may be too shy. The facilitator needs to encourage them to participate by:

- Asking them a few questions directly and start with relatively easy questions.
- Asking them to participate in some teaching activities such as taking notes on the board, facilitating to get feedbacks, do some exercises, etc.

### Person who proves to know everything

There are times when you meet participants who proves to know everything. They always correct mistakes, oppose, ask difficult questions to challenge and argue. The facilitator can use the following ways to keep friendly atmosphere in the meeting:

- Promote them to take notes for discussion.
- Promote them to be a 'leader'.
- Let them sit in separated place, paying little attention to them (politely ignore).

- Talk to them (during the break) that everyone should keep their own opinion, everything will be discussed step by step.
- Acknowledge their "wisdom" and politely ask them to give up the opportunity to speak to others.

### *Digress from the discussion*

This common situation can be solved by:

- You can ask if the information being discussed related to the topic or not. If it is not in the right direction, ask them to go back to the topic.
- The facilitators can say: this issue is very interesting. However, the time is limited so only focus on the content set out.
- Add this issue to your list of unresolved issues.
- If the discussion continues, you can stop the discussion and move on to another activity.

### *Problem are beyond ability and power*

The facilitator can say that the matter is beyond his/her ability or authority. They will bring this up in the next discussion or ask an authorised person to answer.

### *Negative controversy arises*

- Fierce controversies may arise in meeting. Sometimes these controversies adversely affect the meeting. In this case, the atmosphere can be change by:
- Take breaks and create situations for members to move the seats.
- Ask others for comments.
- Interrupt and move to other problems, activities.
- In case the solution to change the atmosphere of the meeting does not work, then you should use your conflict resolution skills to reach an agreement.

### *Private talk*

Few ways to politely end a private conversation:

- Ask the persons with private talk to share their questions so everyone can hear their opinions.
- Move to stand near the people talking privately.
- Stop talking for a moment for a tender reminder.

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### 4.2.9. Negotiation skills

Being a good negotiator requires a set of skills and knowledge to make sure goals are met. This can lead to increased competitive advantage and profitability. It is essential to provide an effective training and development programme for staffs, allowing them to learn about the nature of negotiation and the steps to follow. In this Handbook only provides some hints for community facilitators on negotiation.

*Preparation*

Preparation accounts for 90% of the negotiation success. The more you prepare for a negotiation in advance, the more likely that the outcome of the negotiation will be accepted by all the parties involved. The two most important things to do when preparing a negotiation: 1) Make sure you have all the information as you can search for, about the upcoming negotiation; 2) Think about the negotiation process from start to finish and be fully prepared for any given situation.

You need to know about the products, services and the competitors you will be negotiating with. To get this information, you need to find answers to the questions relating to competitor in order to deduce. Remember that power is always belong to those who have the best information.

*Patience*

Good negotiators are usually very patient. They focus mainly on negotiation on all the parts of the contract that the two sides have in common before they continue to look for sincere ways to resolve other issues. In addition, it is important to prepare good questions to ask for clarification and understanding on each point. This will help avoid confusion in the future.

*Active listening*

During the conversation, the good negotiators have the ability to listen attentively from the other side. Active listening includes both the ability to read body language as well as to communicate verbally. It is important in the meeting to listen to what the other party says to find the scope of the compromise. Instead of spending most of their time in negotiations defending their views, the experienced negotiator will take the time to listen to the other side and find clues for further debate.

*Emotion controlling*

During the negotiation process, it is important for the negotiator to have good control of his or her emotions. Negotiating on the sensitive issues can be frustrating and if the emotion is out control, it can aggravate the situation in a negotiation. This will lead to negative results. For example, in a negotiation of a supplier benefit agreement, employees may react angrily when the supplier is

persistently holding high prices. This should be avoided at all costs and employees should be advised to stay calm throughout the negotiation process.

### *Verbal communication*

Skilled negotiators must be able to communicate clearly and effectively with the other party in the negotiation process. If the negotiator does not clearly state her/his wishes, conditions and abilities, it can lead to misunderstanding and bring an unfavourable result. In a negotiation meeting, an effective negotiator must have the skills and dexterity to specify the desired outcomes as well as his or her logical perception.

### *Problem solving*

Negotiator with good negotiation skills can find many solutions to problems. Instead of focussing only on their desired goal for negotiation, which may lead to communication deadlock, they offer solutions to solving existing problem; and therefore, two sides can benefit.

### *Ethics and Reliability*

To comply with the ethical norms and the credibility of a well-skilled negotiator will increase the confidence that the effective negotiations can take place. Both parties in a negotiation must have confidence that the other side will fulfil their promises and agreements. A negotiator must have the skills to deliver on his promise after a negotiation has ended.

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