

# Managing forests, sustaining lives, improving livelihoods of indigenous peoples and ethnic groups in the Mekong region, Asia

Lessons learned from the Learning Route



Enabling poor rural people  
to overcome poverty

**Procasur**



Asia Indigenous  
Peoples Pact

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**Asia Indigenous Peoples Pact (AIPP)** is a regional organization founded by the Indigenous Peoples' Movement, committed to the cause of promoting and defending human rights and the rights of indigenous peoples. AIPP advocates on issues and concerns of indigenous peoples in Asia and works to strengthen their solidarity, cooperation and capacities to protect their rights, cultures and identities, as well as sustainable resource management systems, with the aim of promoting their development and self-determination. At present, AIPP has 47 members from 14 countries in Asia, including alliances and network organizations. To learn more, visit [www.aippnet.org](http://www.aippnet.org).

**PROCASUR Corporation** is a global organization that specializes in harvesting and scaling up home-grown innovations. The organization's mission is to foster exchange of local knowledge to end rural poverty. By sharing innovations through customized local knowledge management tools and methodologies, the organization connects global institutions with local talents, providing the structured learning platforms necessary to spread innovation. PROCASUR has facilitated learning opportunities in over 20 countries in Africa, Asia, and Latin America and the Caribbean, affecting the lives and livelihoods of thousands of rural people across the globe. To learn more, visit [www.procasur.org](http://www.procasur.org).

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This endeavour would not have been possible without the active participation and invaluable contributions of the communities of Huay Hang and Napor in Lao PDR and Huay Hin Lad Nai in Thailand, as well as their local leaders. In addition to hosting the Learning Route delegation, these communities and organizations made the Learning Route successful by eagerly sharing their local knowledge and experience. Special thanks go to the government of Sangthong District in Lao PDR for the institutional support, and to the Gender and Development Association, AIPP's member and partner-organization in Lao PDR, for collaboration during the preparation and implementation of the Learning Route, as well as for the inputs provided for this study. Gratitude is also expressed to the IFAD Programme in Lao PDR and the Ministry of Agriculture and Cooperatives in Thailand for the assistance provided in organizing the panel sessions held in, respectively, Vientiane City on 13 November and Chiang Mai on 17 November.

## Foreword

The stories narrated in this paper provide important lessons on the role indigenous peoples' communities and ethnic groups can play in managing and preserving natural resources to nourish and support their present and future generations. In order for these communities to use natural resources to sustain their livelihoods, and to pass on their knowledge to the generations to come, their rights to land territories and resources need to be recognized and respected. The sustainable use of natural resources can benefit society at large and humanity as a whole.

The experiences derived from the Learning Route in Lao PDR and Thailand also illustrate the centrality of partnerships and alliances within the communities, between the communities and local governments and with the support of external actors. The Learning Route can play a useful role in promoting policy dialogue between indigenous peoples' communities and governmental officers. This project provides a unique opportunity to share knowledge and information on the lives, perspectives and world views of indigenous peoples, and to go beyond the misconceptions that often surround them, particularly with respect to their living in a modern world and their linkages with the market economy – a misconception that perceives indigenous peoples as stuck in time and opposed to progress. The Learning Route offers the opportunity to understand that indigenous peoples and ethnic groups are sometimes the most modern of societies, particularly when it comes to sustainable use of natural resources and environmental protection. The experience of the 'sustainable village' of Huay Hin Lad Nai, recognized by the Government of Thailand as a model for a low-carbon, environmentally friendly lifestyle, is an example that should not remain isolated. Likewise, efforts made by communities and the government of Sangthong District in Lao PDR to gain recognition of communal land titles might serve as an inspiration for other provinces. These examples should be scaled up and used to influence policies for the development of indigenous peoples, giving hope for viable economic opportunities to the youth who wish to remain in their communities.

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## Preface

This paper presents the Learning Route, 'Managing Forests, Sustaining Lives, Improving Livelihoods of Indigenous Peoples and Ethnic Groups in the Mekong Region', undertaken in November 2012 by PROCASUR and AIPP with the support of IFAD. It describes the Learning Route process, outputs and outcomes, as well as lessons learned, in addition to two case studies – one in Lao PDR and the other in Thailand – of community-based forest management, communal land titles and sustainable livelihoods. The document also provides a general overview of the land tenure system and its effect on the traditional livelihoods of indigenous peoples and ethnic groups in Asia, with particular focus on Lao PDR and Thailand.

The Learning Route is an innovative initiative, promoting sustainable grass-roots solutions to economic underdevelopment. This collective undertaking brings together key stakeholders – donors, governments, civil society organizations, indigenous peoples and local communities – to interact with each other for a period of at least seven days while learning about community-based projects worth replicating in other areas. The preparation and the process strengthen the partnerships of those directly involved, as well as the capacities of organizers, while at the same time empowering the host communities. These are added benefits to the enriching and inspiring lessons and knowledge gained by the participants.



Participants from Southern Asia join the Learning Route

The indigenous peoples' communities of Lao PDR and Thailand involved in this exchange provided rich experiences to learn from. The strength of the two case studies presented in this document lies in the fact that both concern community-driven initiatives, which have been duly recognized by the governments in their respective countries as models to be scaled up. These cases demonstrate that there is much to learn from grass-roots efforts by people who have been adapting and innovating to meet their economic needs or to cope with climate change, while strengthening community cooperation and social cohesion.

Asia has the largest population of indigenous peoples in the world and, therefore, is richly endowed with traditional knowledge. This highly specialized knowledge has enabled the indigenous peoples' communities to develop livelihood strategies and occupations that are well adapted to the local conditions. It ranges from traditional medicine – which is becoming increasingly appreciated by and integrated into modern health-care systems – to sustainable management of natural resources and climate change mitigation. The development of such specialized knowledge is a growing pattern within many indigenous peoples' communities in Asia and it is ready to be tapped for the common benefit of all.

With this context in mind, the organizers of this enriching exchange are honoured to share this report of experiences. It is comprised of two parts:

- **Part I** reports on the good practices and solutions in natural resource management and livelihood diversification developed by the Learning Route host communities, and documents the main outcomes and lessons learned during the Learning Route, as identified by participants. This effort represents the first step towards scaling up these innovations to the regional level in the Mekong areas.
- **Part II** frames these indigenous experiences in a broader socio-political and legal context, providing an overview of the legal status, the land tenure system and the traditional livelihoods of indigenous peoples in Asia, with specific attention to Lao PDR and Thailand. It identifies the major challenges indigenous peoples and ethnic groups are facing today, as well as the opportunities that could benefit local communities.

## Acronyms

AIPP	Asia Indigenous Peoples Pact
ATSAP	Agriculture Technology and Sustainable Agricultural Policy Division
BTA	Bamboo Traders Association
CAMKID	Community Association For Mobilizing Knowledge in Development
CBFM	community-based forest management
CB REDD+	Community-based REDD+
CLC	community learning centre
CIYA	Cambodia Indigenous Youth Association
CLT	communal land title
COP	Conference of Parties
CPM	country programme manager
CSO	civil society organization
GDA	Gender and Development Association
GPS	global positioning system
ILO	International Labour Organization
IMPECT	Inter Mountain Peoples Education and Culture in Thailand Association
IPO	Indigenous Peoples' Organization
IPRA	Indigenous Peoples Rights Act (Philippines)
Lao PDR	Lao People's Democratic Republic
LR	Learning Route
LWU	Lao Women's Union
MOAC	Ministry of Agriculture and Cooperatives (Thailand)
NFDIN	National Foundation for the Development of Indigenous Nationalities (Nepal)
NLMA	National Land Management Authority
NPA	national protected area
NRA	National Reform Assembly
NRC	National Resources Committee
NRM	natural resource management
NTFP	non-timber forest products

REDD+	Reducing Emissions from Deforestation and Forest Degradation, plus Conservation, Sustainable Management of Forests and Enhancement of Forest Carbon Stocks
RLIP	Rural Livelihoods Improvement Programme
SNV	Netherlands Development Organization ( <i>Stichting Nederlandse Vrijwilligers</i> )
SSSJ	Soum Son Seun Jai
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNFCCC	United Nations Framework on Climate Change
WWF	World Wildlife Fund

# Introduction

It is estimated that there are 350-400 million indigenous people living in 70 countries of the world. Two thirds of these people live in Asia and about 50 per cent of them live below the poverty line.<sup>1</sup>

Despite the lack of monetary income, indigenous peoples have subsisted on the resources found in their traditional territories. They have acquired intricate knowledge of their lands, territories and resources, and they have developed advanced skills and diversified strategies for survival even under very harsh conditions. Such knowledge and skills – for example, in conservation and management of natural resources – acquired through generations of experience, could offer appropriate solutions to some of the crucial challenges of the present time, including climate change and food security.

However, the ability of indigenous peoples to apply their knowledge and skills to mitigate or adapt to climate change, or to alleviate poverty and secure their livelihoods, depends largely on their ability to secure land tenure,<sup>2</sup> which most of them do not have. They are also constrained by the fact that they generally play a limited role in decision-making processes at the national level. In most Asian countries, indigenous peoples and ethnic groups are still among the most marginalized sectors of society.

Therefore, it is important to identify successful indigenous peoples' practices relating to land use, natural resource management (NRM) and conservation, and promote them for the good of all. Moreover, it is crucial to strengthen the dialogue between indigenous and ethnic communities, civil society organizations (CSOs), governments and development institutions in order to develop sustainable partnerships and results-oriented policies.

To this end, IFAD, PROCASUR Corporation and AIPP launched the Learning Route, 'Managing Forests, Sustaining Lives, Improving Livelihoods of Indigenous Peoples and Ethnic Groups in the Mekong Region', aiming to share and scale up outstanding innovations and practices of community-based NRM among indigenous peoples and ethnic communities in Lao PDR and Thailand. Particular attention was given to community-based forest management (CBFM) practices, legal recognition of communal land titles (CLTs), shifting cultivation and alternative income-generating activities.

<sup>1</sup> World Bank, 2010, Indigenous peoples, poverty and development, World Bank, Washington, D.C.

<sup>2</sup> Ewers, Andersen K., 2011, Communal tenure and the governance of common property resources in Asia. Lessons from experiences in selected countries, Land Tenure Working Paper 20, FAO, Rome.

# The Learning Route: sharing indigenous knowledge on NRM in the Mekong region

The Learning Route (LR) is a capacity-building tool developed by the PROCASUR Corporation, which draws upon the local knowledge and experiences to disseminate and scale up field-tested innovations and best practices in rural development. Over the years and across the globe, the LR has proven to be a powerful technique to build capacities through peer-to-peer exchange of knowledge in the field. In this sense, the LR represents a continuous process of 'training in the field', in which local communities act as trainers, as well as trainees. Thus, through workshops, interviews, conversations and other activities in the field, the LR provides an opportunity for individual and collective learning for both visitors and their local hosts.

Through the years, IFAD has promoted the use of LR as an effective tool to further policy dialogue at the regional, country and local levels on such important development themes as public-private partnerships, rural microfinance and NRM. The LR has brought together private and public decision-makers, development practitioners and leaders of grass-roots organizations in a horizontal space for learning and networking. This has led to effective results in scaling up innovative practices, such as: saving and credit mechanisms for women in Latin America (Bolivia, Colombia and Peru); the allocation of financial resources through competitive and transparent systems, which have been replicated and adapted in several countries (including Colombia, Peru, Rwanda and Viet Nam); and strategies to improve access to land for pastoralist and landless rural people.

The LR, 'Managing Forests, Sustaining Lives, Improving Livelihoods of Indigenous Peoples and Ethnic Groups in the Mekong Region' was the result of collaboration between PROCASUR Corporation and AIPP within the framework of activities supported by IFAD.

The purpose of this LR was to identify and analyse outstanding innovations and practices of community-based NRM developed by indigenous peoples and ethnic communities of Lao PDR and Thailand, in order to adapt and scale up such models in the Mekong region. A further purpose was to spread awareness about the role of indigenous peoples and ethnic groups in the sustainable management of natural resources, and to promote visibility, networking and advocacy for their inclusion in policy-making processes at national and regional levels.

The specific objectives of the LR were as follows:

- To identify best practices, innovative solutions and lessons learned in sustainable community-based NRM, for dissemination and scaling up to national and regional levels;
- To analyse sustainable CBFM and land-use planning, livelihood diversification and income-generating activities, as well as the internal regulations used by the communities to achieve food security;
- To recognize the interlinkages between the internal self-organization of communities and the management of community forests, as well as the intimate connection between cultural, spiritual and environmental practices within communities of indigenous people;

- To identify the lessons learned from the strategic steps taken by the communities to claim their CLTs, including networking with CSOs and negotiations with governments;
- To strengthen policy dialogue for the inclusion of indigenous peoples and ethnic groups in decision-making at all levels in relation to the conservation and sustainable management of their traditional territories and resources.

The LR took place in Lao PDR from 12 to 15 November 2012, where it was hosted by the communities of Huay Hang and Napor, and in Thailand from 16 to 19 November 2012, where it was hosted by the Huay Hin Lad Nai community. In Lao PDR, the implementation of the LR was supported by the Gender and Development Association (GDA), AIPP's member and partner organization.

The call for application to the LR was open to candidates from Cambodia, Lao PDR, Myanmar and Thailand. Taking into account the general and specific objectives, the LR participants were sought in the following four categories:

- Two host communities championing the management of natural resources in the Mekong region;
- Human rights and advocacy organizations working in support of indigenous peoples and ethnic groups;
- Officials from government departments of the target countries;
- Supportive CSOs operating in the region and international organizations.

In the final selection of participants, attention was given to striking a balance between representatives of the government, community representatives and CSOs, as well as an overall balance in gender. This was aligned with the objective of strengthening the dialogue among all stakeholders concerning the inclusion of indigenous peoples and ethnic groups in decision-making at all relevant levels with regard to the conservation and sustainable management of their traditional territories.

Twenty-one participants from the Mekong Region - 11 women and 10 men – joined the LR. Two were from Cambodia, eight from Laos, five from Myanmar and six from Thailand. They included representatives of the public sector, CSOs and indigenous communities. The selected participants were joined by workshop panelists, among them government officials, representatives from CSOs and Indigenous Peoples Organizations (IPO), community



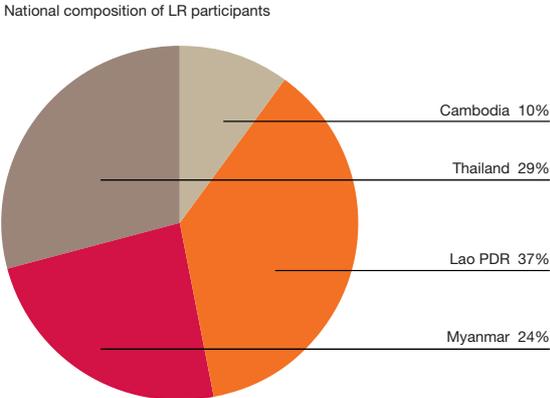
Learning Route's participants

leaders, academics and consultants. The LR team also included three interpreters and one professional photojournalist. The complete list of LR participants and Coordination Team members is available in Annex I, the daily schedule of the LR’s activities is provided in Annex II, while a description of its implementation is provided in Annex III.

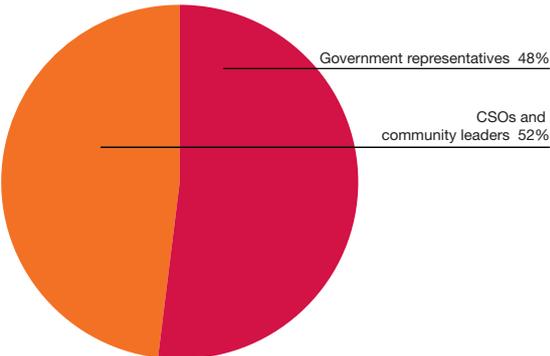
At the beginning of the LR process, best practices and innovations were identified and systematically organized. Concurrently, local communities and their champions were trained to become trainers, using their own experience as the source of knowledge. Knowledge-sharing and learning started at the very beginning of the process, when the LR was first introduced and the interest of the communities assessed. This learning continued during the process of analysing and documenting the experience, which was conducted in the field using participatory knowledge management tools. During the systematization process, the communities were encouraged to critically reflect on their success stories in order to deepen their own understanding of their strengths and weaknesses, as well as of the strategic steps they had taken. The process of describing their collective experiences enabled the communities to draw out the key lessons learned and add them to their collective wisdom, as well as identify new opportunities.

At the end of the LR, participants were asked to convert the newly acquired learning into project proposals, called ‘Innovation Plans’. The objective was for LR participants to return to their organizations and/or communities not only with new knowledge, skills and a strengthened social network, but also with an action-oriented plan aimed at improving the local context. Using specific criteria, a technical committee assessed the Innovation Plans prepared by LR participants. The best Innovation Plans received awards in the form of funding for the proposed activities and technical assistance, provided by PROCASUR Corporation, to launch them.

**Fig. 1. National composition of LR participants**



**Fig. 2. Participants’ affiliation with organizations/institutions**





Women comfortably laughing while learning in the field

## Part I

Sharing good practices in community-based forest management: learning from the field

## Sustainable community-based forest management

The knowledge and livelihood practices of the indigenous peoples in Asia are beginning to be recognized as having potential for poverty alleviation and sustainable natural resource management on a wider scale.

Community-based Forest Management (CBFM), sometimes also referred to as 'community forest management' or 'community forestry', is based on the premise that local communities have the capacity to be the best managers of the forests in their domain. However, in order to succeed in this role, the local communities must first be recognized as the rightful holders or owners of the forests. CBFM pursues two goals at the same time: to conserve the forest and to improve the well-being of the people living in the forest. To achieve this, CBFM aims to strengthen the rights of the local communities to access and manage the forests in order to improve livelihoods and protect resources.

Within this framework, the purpose of the LR was to identify outstanding examples of CBFM and livelihood diversification, and facilitate the adaptation and scaling up of such successful models among the local communities. Two successful experiences, in Thailand and Lao PDR, were identified as host cases for the LR in the Mekong Region. The summary of these two cases is presented in the following pages.

### Case study I – Sustainable bamboo forest management and communal land titles: the experience of Huay Hang and Napor villages in Sangthong District, Lao PDR

The district of Sangthong, one of the nine districts of the Vientiane prefecture, is located approximately 70 kilometres west of Vientiane City along the Mekong River. It contains 37 villages, and is divided into five clusters and 461 units, with a total population of about 28,000 people. The district covers a surface area of about 800,000 hectares.

The inhabitants of the district are mostly Lao Loum (92.8 per cent), with smaller numbers of Kamu (7 per cent) and Hmong (0.2 per cent) people. Agriculture is the main source of livelihood and income for the villagers, followed by trade activities with Thai people living on the other side of the Mekong River. Forest covers more than 50 per cent of the total surface area of the district.<sup>3</sup> Almost 40 per cent of the land is allocated for agricultural purposes, while wetland comprises 6 per cent. Although Sangthong District is one of the poorest in the country, the richness of its natural resources and proximity to Vientiane City endow it with immense potential for trade and commerce-related activities.

The area is characterized by large tracts of natural bamboo forest, which is an important source of livelihood for the local communities. Bamboo has significant environmental advantages because of its high water absorption capacity. It maintains soil stability by preventing soil erosion. Furthermore, as a fast-growing plant, it can provide rapid vegetative

<sup>3</sup> Boonmany L., 2011, Communal land titling in Sangthong District, PPT presentation, available at: <http://www.slideshare.net/LIWG-Laos/cit-presentation-dlma-dafo-sangthong-6102011-eng>

cover to deforested areas. Bamboo also has high carbon sequestration properties; a bamboo plantation can absorb twice as much carbon dioxide per hectare compared with a similar forest made up of trees.<sup>4</sup>

During 1995-2002, many families migrated to Sangthong District from Luan Prabang and other provinces, as a result of which much of the bamboo forest was converted to agricultural land. Land concessions were also given to companies for commercial plantations of rubber, cassava and other crops. This greatly increased the pressure on natural resources in the area.

In 2007, in response to this situation, district authorities – in collaboration with CSOs and local communities – initiated a process to protect the bamboo forest from overexploitation and promote the development of new income-generating activities. This process was launched alongside the process of securing CLTs in Sangthong District.

### **The emergence of communal land titles in Lao PDR**

Experiences of communal land tenure recently emerged in Lao PDR in the form of delegated management of specific common natural resources, such as land and forest. In this model, the state maintains ownership of the resources and delegates management to local groups for a specific period of time.

The Prime Minister's Decree No. 88 on Land Titling in Lao PDR, which was announced on 3 June 2006, stipulates that CLTs could be issued for all types of land allocated by the government to village communities. The development of CLTs has also been included as one of the objectives of the five-year National Socio-Economic Development Plan, aiming to issue 1.5 million title deeds over the period 2011-2015.

Sangthong was the first district in Lao PDR to claim CLTs. The procedure initially put in place by the state for the processing of CLT claims was too complicated. A simpler procedure, which was jointly proposed by the Netherlands Development Organization (SNV), Sangthong District and the communities, was subsequently adopted, setting a precedent for the process.



Sharing food and wisdom

4 Greijmans M., Hitzges C., 2012, SNV Bamboo Programme. Approaches, lessons and innovations in Lao PDR, SNV, Vientiane (p. 7).

**“In the future we also hope that communities will be able to sell carbon credits. So we explained these to the local government and they showed a lot of interest in this initiative. This is the key reason for the success of this experience.”**

Mr Souranhpheng Phommasane, SNV

SNV is one of the three NGOs – the others being GDA<sup>5</sup> and the World Wildlife Fund (WWF) – which have been supporting bamboo handicraft producer groups in 17 villages of Sangthong District since 2007. The project initiated by these NGOs aimed to improve the livelihoods of the villagers. As part of the project, plans were prepared for the participatory management of bamboo resources in order to secure a sustainable source of raw materials for these producer groups. Specific bamboo collection forests were geo-referenced in the field using global positioning system (GPS) equipment and mapped. Specific rules were set up to regulate the harvesting of bamboo in a sustainable manner.

In order to secure the villagers’ rights to communal bamboo resources, SNV decided in 2010 to conduct a short pilot study on the participatory development of CLTs in a cluster of villages in Sangthong District. The selected cluster consisted of four villages – Ban Na Po (or Napor), Ban Wang Mar, Ban Xor and Ban Kouay – with a total land area of 24,889 hectares. In 2011, a total of 726 families were living in the area, consisting of 3,821 people, of whom 1,850 were women.<sup>6</sup>

These villages were selected for the study because they had already prepared clear management plans for their bamboo resources. Moreover, the residents of these villages possessed traditional knowledge and skills in bamboo forest management and production of handicrafts. In 2011, the cluster succeeded in getting 2,970 hectares certified and received a CLT from the District Land Management Authorities.

#### **Key steps in the process of acquiring communal land titles:**

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- a. Organize a public hearing (e.g. village consultation meeting) with the concerned villagers to collect information about the history of the land;
  - b. Negotiate with individual landowners on the demarcation of the proposed communal land;
  - c. Measure the land using GPS and establish land markers/poles;
  - d. Draw the map of the area and validate it with villagers;
  - e. Request temporary CLT by submitting official paperwork to the relevant land management authorities at the provincial level and await approval;
  - f. Announce the ongoing temporary CLT application process;
  - g. Allow 90 days for comments from concerned villagers and bordering landowners. If no comments or feedback are received, issue permanent CLTs;
  - h. Organize the official handover ceremony of CLTs (called *Bai Ta Din Khok Thong*) in the presence of the district governor and provincial authorities;
  - i. Expect that, after three years, the land title will be reviewed and re-approved to issue a permanent title.
- 

Source: Adapted from Syalath et al. (2011) and Boounmany L. (2011).

<sup>5</sup> Formed in 1991, GDA acts as a platform to promote information and knowledge-sharing on gender issues in Lao PDR. With the mission to work for more joint action, information, knowledge and expertise on gender mainstreaming and gender-based discrimination, GDA targets mostly staff of CSOs, providing capacity-building and training on gender-related issues. Since 2004 GDA has supported the establishment of women’s saving groups and the participation of women in bamboo value chains in Sangthong District. For more information, visit: <http://www.gdglaos.org/>.

<sup>6</sup> Sayalath et al., 2011, Towards communal land titles in Sangthong District. Participatory development of a format for communal land titles in four villages of Sangthong District, Greater Vientiane Capital City Area, SNV, GDA, GEF, UNDP.

The success of this village cluster in obtaining CLTs was attributable to several factors, including:

- The ability of the villagers to organize themselves and cooperate with other villages;
- The establishment of partnerships between the villages, the local government and CSOs;
- The trusted and dynamic leadership at the community level;
- The willingness of the villagers to explore new opportunities and face new challenges.

However, the key factor that led to the success of the partnership between the communities and the external actors was the realization that CBFM implemented in conjunction with a viable income-generating venture would persuade the decision-makers to grant CLTs to the concerned communities and contribute to poverty reduction in the latter.

Today, the experience of Sangthong District serves as a model that other districts in Lao PDR follow to establish CBFM and secure CLTs.

Overall, land-use planning and forest allocation has been slow. In this district, most villages have demarcated their village boundaries and classified their land use into settlement and agricultural areas, and protection and conservation areas. However, the majority of them still do not have official permanent land title certificates.

### **The experience of Huay Hang village**

The village of Huay Hang (cluster number 02) joined with the villages of the Ban Xor cluster in the process of establishing CLTs.

The Huay Hang community is mostly composed of families that migrated from other provinces, particularly Luang Prabang province, in the middle of the 1990s. Contributing factors to this migration were the scarcity of natural resources and the lack of land to expand agricultural activities in the areas of origin, as well as the presence of unexploded ordnance (UXO),<sup>7</sup> which posed a serious threat to people's lives.

In 1995, 17 families arrived in the place that today is Huay Hang village, where only three families had been living at the time. Because the village was rich in natural resources, particularly in bamboo, other families from Luang Prabang gradually came and settled there as well. At the time the settlement was part of Huay La village.

From 1995 to 1997, the Government of Lao PDR supported the building of infrastructure in the area, including a road to connect the village to the district, a primary school and a Buddhist temple. Villagers relied mainly on upland farming for subsistence. Their knowledge and skills enabled the villagers to take advantage of the province's natural resources. Bamboo was used as a source of material for building houses, handicraft production and for food. Traditional knowledge of the lunar calendar and other local wisdom facilitated the efficient management of bamboo forests.

In the beginning, the integration of new families was manageable. There was sufficient land for everybody and the new arrivals could easily find a free piece of land to cultivate. However, after some years, the situation became increasingly difficult as more families migrated to the area.

7 Unexploded ordnance (or UXOs/UXBs, sometimes acronymized as UO) are explosive weapons (bombs, bullets, shells, grenades, landmines, naval mines, etc.) that did not explode when they were deployed and still pose a risk of detonation, even many decades after they were used or discarded. Lao PDR is the most heavily bombed country, per capita, in history. More than 580,000 bombing missions were conducted over Lao PDR and approximately 25 per cent of villages in that country are contaminated with UXOs.

## Present map of Huay Hang village

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The map depicts the current socio-environmental situation of the village area. Almost 100 households (more than 400 people) live in the village today. The village is developed around the main road and along the Mekong River. Taking the main road (the thick brown line on the map) as a reference, the houses on top represent the savings groups; between the road and the Mekong River (bottom of the map) are the family houses and the plantations (coconut and banana). On the left corner (top) is the communal land managed by the community; the right corner (top) represents the conservation area. In the future, villagers would like to extend the communal land to a part of this conservation area.



The map of the present, Huay Hang village.

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Source: Adapted from Syalath et al. (2011) and Boounmany L. (2011).

In 1998, the villagers began defining the boundaries between Huay Hang and Huay La village, under the jurisdiction of which the first village was initially established. The district authorities provided specialized technical staff to map the village boundaries using GPS and geo-referenced maps. The mapping included bamboo forest areas, agricultural lands and watershed areas of the two villages.

On 15 June 1999, Huay Hang was officially declared a separate village. Subsequently, several activities were introduced within the community. In 2004, the Lao Women's Union (LWU) supported the creation of four savings groups, mostly composed of women, which provided training on administration, accounting and financial management. In 2007, with the collaboration of SNV and WWF, the authorities of Sangthong District established the Bamboo Traders Association (BTA), the initial purpose of which was to assist bamboo artisans from the district trade simple handicrafts to Thailand in a sustainable and efficient manner. In the following years, as the bamboo value chain in Sangthong developed, the BTA began commercializing a wider range of products, including furniture and valuable handicraft, ensuring that producers received a fair price for their output.<sup>8</sup>

In 2006, GDA began to operate in the district. It conducted pioneering research on domestic violence, which revealed a correlation between domestic violence and household income level. In response to this, GDA, with the support of Oxfam Novib, launched a programme to create income-generating opportunities for women, such as mushroom farming, frog breeding and banana fibre-weaving. Unfortunately, none of these activities gave good results. Eventually, attention was focused on non-timber forest products (NTFP). Entering into partnership with SNV, GDA focused on gender mainstreaming in bamboo value chain development, while SNV provided technical support to producer groups in market development and NRM.

<sup>8</sup> For more information, visit: <http://www.matesai.com/en/artisans/147-bta>.

In 2008, LWU and GDA started collaborating to improve bamboo production and marketing. Machines for processing bamboo were bought and specialized training was provided to 15 communities in the district. In the same year, with LWU as the broker, villages started selling their products within Sangthong District and in Vientiane City. As part of this project, GDA rented a shop in the capital where artisans could directly sell their bamboo handicrafts and furniture.

Also in 2008, to continue the activities of land-use planning and allocation undertaken since the 1990s, the local government initiated a zoning programme in Sangthong District; territorial boundaries were demarcated at the village level, and areas of forest and non-forest resources identified.

In 2010, landmarks and resource areas were identified and a plan for land use allocation and sustainable bamboo management was developed. In the same year, Mr Lounthong Boounmany, a community leader from Huay Hang, joined a study tour in Nepal on bamboo forest management. The experience convinced him of the importance of securing CLTs in order to achieve environmental and livelihood improvement for forest-dependent communities. As a result, a pilot programme for securing and developing CLTs in Sangthong District was initiated in partnership with the district government, SNV, GDA and the Land and Natural Resources Research and Information Centre of the National Land Management Authority (NLMA).

On 7 July 2011, the government approved temporary CLTs covering 2,970 hectares of forest area in five villages and, finally, on 6 January 2012, the CLTs were issued to the communities. While the local government recognized communal land titling as an effective way to conserve and promote sustainable use of the forests, the communities also saw it as an opportunity to secure their access to forest resources and to protect them from being rented out as concessions to outsiders. This addressed a growing concern among the villagers that their resources would disappear, or that they would no longer be allowed to use them, if common lands were rented out to third parties.<sup>9</sup>

As villagers reported, "Some outsiders were cutting bamboo to sell in Thailand, which is just on the other side of the Mekong River. We decided to claim communal land titles to stop the exploitation of our forest resources."

### **Management and regulation of bamboo forests and other resources**

The zoning programme initiated in 2008 in Sangthong District led to the development of forest management plans, with a focus on bamboo. This was the result of a participatory process that actively involved local communities, supporting organizations and the local government.

During this process, forest resources were first identified and catalogued into an inventory by technicians from SNV and WWF, together with experts from the local communities. Once data were collected and the position of forest resources mapped using GPS, the villagers selected those resources which could be sustainably managed over a long period of time. Bamboo was identified as one of the NTFPs with high potential for sustainability and income generation for local people.

The bamboo forestry management plan developed through this process aims to regulate the use of bamboo resources in the district. To this end, some forest areas have been allocated to management uses, while others have been designated as conservation areas.

<sup>9</sup> Sayalath et al., 2011:12.

A committee has been set up at the village level to oversee the management of the forests and regulate the use of resources. Members of the committee include village authorities, representatives from LWU and the youth union. Villagers must seek permission from the committee before undertaking any activity in the forest management area. The committee also coordinates the work of four other groups:

- The survey or land-monitoring group monitors the status of natural resources in the communal land and maintains an inventory of bamboo in the forest;
- The boundary group identifies the land boundaries, including new ones for the extension of the communal land, and defines the different management areas;
- The security group protects the community forest lands; and
- The producer group, also called the leader group, coordinates the bamboo handicraft producers. This is also the group most directly involved in the management of bamboo resources.

The management plan prescribes the maximum number of bamboo poles to be harvested per year to ensure adequate regeneration of the resources. The number of bamboo poles in the four villages, whose forest area is part of the management plan, is estimated to be around 35 million, of which 18 million poles could be harvested sustainably in a year.<sup>10</sup> Bamboo suitable for cutting should be 2-3 years old; it is forbidden to cut young bamboo poles that are less than 1 year old. Moreover, it is not permissible to cut the whole clump – one or two poles must always be retained within a cluster.

Regulations have also been enforced with regard to water use and maintenance of water resources within the communal land. Erosion of riverbanks, particularly along the Mekong River, was first noticed in 2008, attributable to the numerous boats that used to navigate along the river as the main means of transport before the construction of roads. Once the main road connecting the villages within Sangthong District and to Vientiane was built, the river transport also diminished. In order to stop the erosion, communities planted bamboo along the riverbanks and introduced a regulation which prohibits the cutting of trees within 20 metres of the riverbanks. Hunting within the communal land area is also forbidden.

<sup>10</sup> Ibid. p. 18.



Women's hands are turning bamboo handicrafts into opportunities

### Voices from the field

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Today, a total of six families produce bamboo furniture in Huay Hang village. In Sangthong district, 12 families have income primarily based on the sale of bamboo handicrafts and furniture. However, each village produces different kinds of handicrafts or furniture in order to avoid competition. The savings are usually deposited in the savings group and incomes are used mostly for family supplies as well as for education of the children.

Ms Channao Wungsakda, 40 years old, is a skilled bamboo handicraft producer from Napor village. In 2009, she attended, for the first time, a training course in bamboo furniture production provided by SNV and GDA. Since that time, Ms Channao has attended several technical training sessions and has become a trainer herself. In the past three years, she has trained more than 100 farmers in the production of bamboo handicrafts and furniture.



*"Before 2009, I was a farmer, growing rice. In that year I received support from SNV and GDA to attend training on bamboo handicraft production and I liked it. In the beginning, it was difficult to make furniture, but now I have learned and it is not difficult anymore. I produce mostly table and chair sets, which I sell in Sangthong district. I started selling already in 2009. A table and chair set costs 500,000 kip [about US\$63] and I sell three or four sets in one month. My family and I still plant rice and cassava for consumption, but the main source of income now comes from the sale of bamboo furniture. My family is in a better situation now. We have a bigger house and I am able to send my three kids to school. After the first training, I attended other trainings and I have also trained more than 100 people, mostly in Vientiane, the capital. They are now also already producing and selling bamboo handicrafts."*

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## Case study II: Shifting cultivation as an integrated and self-sufficient system – the experience of Huay Hin Lad Nai, Thailand

The northern region of Thailand is mostly mountainous, with almost 20 per cent of the region located above 1,000 metres and 60 per cent above 500 metres. The uplands include a variety of landscapes: high mountain peaks and ridges, among which *Doi Inthanon* (2,565 metres) is the highest peak; upland plateaus; mountain slopes; and small intermountain valleys with irrigated rice terraces.

The northern region is home to the majority of indigenous peoples in Thailand, of which the Karen is the largest group. The Karen comprises at least 20 subgroups,<sup>11</sup> with a population of about 400,000 people.<sup>12</sup> Huay Hin Lad Nai is a Karen village situated in the northern region.

The ancestors of the Karen community living in the Huay Hin Lad Nai watershed originally migrated from the Mae Chang Khao watershed. The community is organized into one administrative unit, called *Moo*, comprising three village settlements: Huay Hin Lad Nai, Pha Yuang and Hin Lad Nok. These settlements are located between the National Forest Reservation Area and the Khun Jae National Park. Huay Hin Lad Nai is located in a hilly forest area, out of which several small streams flow into the Huay Hin Lad stream, which empties into the Mae Chang Khao River.

The community forest covers 3,119.68 hectares, while agricultural land constitutes 567.52 hectares. The community's livelihoods come mostly from upland rice farming and from tapping the natural resources found in their village territory. The villagers grow rice, wild tea, bamboo and a variety of fruits and crops for both commercial and local consumption.

Wild tea is native to the local forest. However, the bamboo species were transplanted from the neighbouring forest to an area close to the village in view of bamboo's many uses, including as a resource for income-generating activities (e.g. selling of bamboo shoots). Another source of cash income for the community is honey collected from bee-keeping.

Huay Hin Lad Nai community members consider their practice of shifting cultivation to be a sustainable and self-sufficient agricultural model that would ensure food sovereignty for generations to come. Throughout the past few years, the village has become a 'learning centre' for people who want to improve knowledge and skills in the sustainable management of forest resources. As Huay Hin Lad Nai representatives affirm, "We offer sustainable solutions for self-sufficient people."

11 Institute of Medicine (IOM), 2006, in: <http://www.cdc.gov/tb/publications/guidestoolkits/ethnographicguides/burma/chapters/chapter2.pdf>.

12 Delang, Claudio O. (ed.), 2003, *Living at the edge of Thai society: The Karen in the highlands of northern Thailand*. London: Routledge.

### The tale of Huay Hin Lad Nai

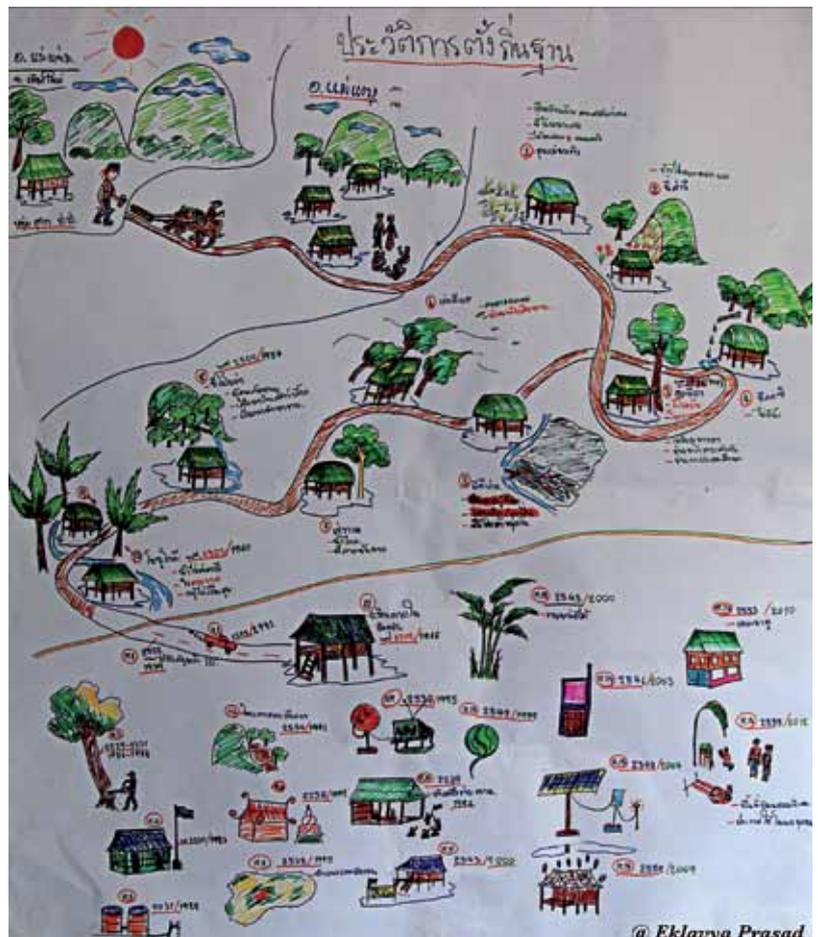
The ancestors of the current inhabitants of Hin Lad Nai used to live in Chiang Rai province, which is now a part of the Mae Chang National Park. During the first half of the 1900s, Mr Suka, the founder of the village, left the forest to join a logging company as an elephant trainer. On one of his trips in the region, he met Ms Norkue and they were married. But hunger prevailed in the area, so the young couple decided to try their fortune in finding a better place to live.

Mr Suka recalled the richness of the forest in the Huay Hin Lad Nai watershed area, which he had visited during one of his expeditions for the logging company, and so the couple, together with three other families, decided to move to the area. However, they had to change location nine times for various reasons, including the presence of bad spirits, food or water scarcity, spread of disease, or the presence of drug smugglers and robbers, before finally settling down in 1966 in Huay Hin Lad Nai.

At that time, there were no infrastructures and the forest was rich in wildlife. Hunting was one of the main sources of food for the villagers. In 1979, the government constructed a road connecting the village to the main highway. In the same year, the Thai Government issued identification cards to the residents.

In 1986, the Thai Government allowed Chiang Rai Tha Mai logging company to operate in the Khun Jae area, which included the Huay Hin Lad Nai community. Sacred forest areas, including water sources, and the community's cemetery were destroyed within a span of a few years.<sup>13</sup> In response, the community members organized themselves and revitalized their traditional knowledge, beliefs and cultural practices in sustainable resource management to restore the ecosystems and forests, formulating community rules and regulations for forest management.

In 1992, the Thai Government established the Khun Jae National Park and the community was ordered to move from the park's territory. The community and its leaders responded by forming the Northern Farmers' Network in order to fight for their land rights. To make their voices heard, community leaders also took an active role in the 'Assembly of the Poor' at the national level in 1996. A series of protest actions were carried out, including the formation of alliances



Karen interpretation of the settlement and development of the Huay Hin Lad Nai community

13 Northern Development Foundation (NDF), Climate Change, Trees and Livelihood: a case study on the carbon footprint of a Karen community in Northern Thailand, AIPP, IWGIA, NDF, p. 8.

with other communities at the subdistrict level, press releases and sit-in protests in Chiang Mai and Bangkok. Finally, in 2003, the village was officially recognized as Huay Hin Lad Nai, under Wieng Pa Pao town of Chiang Rai province.

In 1999, Huay Hin Lad Nai was honoured for its work on environmental restoration and sustainable management of the forest. The community was named a 'sustainable village' by the Government of Thailand.

In recognition of its innovative and successful conservation initiative, Huay Hin Lad Nai earned several awards from various government agencies of Thailand and the United Nations, including:

- Democratic Community (1992), by the Matichon Newspaper Company under the department of Welfare, Government of Thailand
- Green Globe Awards in 1999 and 2005, by the Public Company Limited, Government of Thailand, for the innovative ways of conserving and managing the forest
- True Friend Award (2009), by the National Anti-Corruption Commission, Government of Thailand
- Social Venture Network Asia Award (2011), award in the youth category on Culture Conservation<sup>14</sup>
- 2012-2013 Forest Heroes Awards from the United Nations Forest Forum

Today the community is considered a model for a low-carbon and environmentally friendly lifestyle. Huay Hin Lad Nai receives many visitors from around the world and a tourist circuit has been created to show visitors the main areas of interest concerning CBFM.

### Commercial forest products

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**Wild tea** is the main product commercialized by the community. Tea needs four or five years of growth before its leaves are ready for collection. The community harvests tea leaves three times per year. In the past, they could sell 1 kg of tea for 2 Bath, but now they are selling the same quantity for 100 Bath (approximately US\$3.00). Each family is able to sell between 200 kg and 600 kg a year of both raw and dried tea. In a year, the community sells around 30,000 kg of tea.

**Honey** is available from March to May. The community started producing and selling honey about 10 years ago, when bees returned to the area due to forest regeneration.

**Bamboo** is another source of income for the community. There are five different types of bamboo growing in the forest, which were transplanted from a nearby forest outside their village territory. Three of the bamboo varieties are edible. The community is able to sell up to 20,000 kg of bamboo shoots per year. Bamboo leaves and poles are also used for making mats, handicrafts and other small articles for household use.

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14 Video clips available at [http://www.youtube.com/watch?feature=player\\_embedded&v=aMJHL2lg\\_Y](http://www.youtube.com/watch?feature=player_embedded&v=aMJHL2lg_Y).

### **Intergenerational transfer of knowledge**

The transmission of the community's deeply rooted spiritual and cultural patrimony is seen as key to ensuring social security. Hence, the community actively promotes intergenerational transmission of indigenous knowledge and practices from its elders to its young people.

The community is working hard to build a Karen educational system, which would integrate the mother tongue and the indigenous knowledge into the curriculum. The goal is to strike a balance between 'tradition' and 'modernity', enabling community members to take advantage of Western education and science without losing their cultural roots, language and beliefs. In the words of the villagers, "We want to proceed slowly, step by step; we don't want all the modern commodities at the same time." However, they hope that exchange visits would increase, so that they could learn from other people and enrich their own wealth of local knowledge.

To this end, the community has taken initiatives in developing curricula for the transmission of indigenous knowledge, particularly for the youth. The curricula include the Karen language and costumes, the art of sword dancing and mastering bamboo handicraft. The indigenous educational system integrates informal teaching methods, such as traditional storytelling, with practical activities in the field and hands-on learning. In this way, the community provides an education that adheres to indigenous perspectives, world view and lifestyle, thereby promoting the transmission of cultural values over time. As a result, 99.9 per cent of the youth have remained in the community and are now its main force in the management of natural resources and income-generation ventures.



**Inclusion and sustainability have young faces**

### **Shifting cultivation as a self-sufficient and sustainable system**

Rotational farming or shifting cultivation, as practised in Huay Hin Lad Nai, is a cultural and physical integration of forest and agriculture; it is an indigenous agricultural system.

#### **The ritual production of rice**

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Rice is the main food supply for Huay Hin Lad Nai families. Specific rituals are performed and taboos are followed before preparing the land for the cultivation of rice. The spiritual leader of the community is responsible for identifying a suitable area for cultivation and asking permission from the spirits that govern the area before starting any farming activities. Performing ritual offerings to the river and water sources is fundamental to the traditional cultivation of rice.

Once the rituals have been successfully performed, the first activity is to dig small canals to bring water to the fields. Then the community prepares the soil. This is done during the rainy season. Rice seedlings are grown elsewhere and then planted in the paddy fields. Once the rice has been planted, the community performs another ritual to bless the rice and ask the spirits to ensure its good growing. Rice takes up to six months to grow. The harvesting season is between November and December.

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A diet aligned with the shifting cultivation cycle is always diverse

The shifting cultivation cycle aids the regeneration of fauna and flora, and consequently promotes biodiversity – conserving both animals and plants.

Continuing prejudice against shifting cultivation on the part of some academics and government authorities has created a negative public image of this practice. It has been perceived as one of the main drivers of forest destruction in Thailand, as well as in the Mekong region in general, and for this reason indigenous peoples are usually held responsible for environmental destruction, even though other factors – such as agricultural extension or logging concessions – are major contributors to the continuing deforestation of landscapes. On the other hand, reputable institutions and researchers have identified this form of agriculture as environmentally sound, preserving biodiversity and securing livelihoods. It is considered a sustainable resource-management practice that can even contribute to climate change mitigation.<sup>15</sup>

### Shifting cultivation cycle in Huay Hin Lad Nai

Before undertaking any activity, the spiritual leader seeks permission from the spirits to access the area and use it for farming. The rituals will show if permission is granted and if the field is suitable for cultivation. If not, a new area will be selected and rituals will be performed again until the right place is identified. Grass and trees are cut and firebreaks are created around the area chosen for farming. After the land has been burned, the community erects ritual poles or sticks to let the spirits know that the area now belongs to them. Once the soil is ready, they start farming.

“For the practice of shifting cultivation, we don’t use the whole mountain area but only a part of it. The highest part of the mountain is for conservation. We cut the trees to prepare the land but not their roots. In seven years, the trees will be grown again. We also do not cut trees along the water sources or water springs,” the community representatives pointed out.

The whole cycle of shifting cultivation takes eight years. In the first year, only small vegetables, such as chili peppers, herbs and mountain rice are planted. During the second and third year, more crops are cultivated, such as pumpkins, corn, watermelon, papaya and banana. In the following years, the community continues to plant crops and trees. At the end of the eighth year, the field is abandoned to allow the land to rest.

During the process of planting and harvesting, women and men have complementary roles; for instance, men make the holes in the soil and women put the seeds in them.

Shifting cultivation is clearly an integral part of the community’s traditions and beliefs, encompassing other important aspects of the indigenous culture, such as gender roles and the differentiation of roles at the village level. The process involves the whole community, strengthening collaboration and unity among its members.

“People from the lowlands usually don’t understand the system in which people and nature are bonded together; they think we are just doing deforestation,” stated Mr Nu, the spiritual leader of the community.



Shifting cultivation cycle

15 Trakansuphakon, P., 2010, Strategy workshop on rotational farming/shifting cultivation and climate change.

### Community strengths

The unity of the community and a shared commitment towards common goals are among the main strengths of the Huay Hin Lad Nai people. These principles find their roots in the patrimony of local traditions and wisdom. The vibrant cultural practices of the Karen people promote good cooperation and organization among the community members, as well as respect for common rules and regulations. Furthermore, the will to keep the Karen culture alive leads elders and youth to collaborate to ensure that local knowledge and beliefs are transmitted through generations.

The Huay Hin Lad Nai people recognize that the integration of 'people and forest' is the key to their sustainable self-sufficient model, and that their traditional agricultural practices ensure that their village would have a reliable food supply for generations to come. "If we take care of the forest," they say, "the forest will take care of us in the future."

The integrated system maintained by the people of Huay Hin Lad Nai – which is fully rooted in their beliefs and traditions – makes their case one of the best examples of a self-sufficient community in Thailand.



Karen children are happy and proud



We believe in our future

## Innovation plans

With the completion of the LR 'Managing Forests, Sustaining Lives, Improving Livelihoods of Indigenous Peoples and Ethnic Groups in the Mekong', four country Innovation Plans were submitted to the LR organizers for funding and implementation in 2013. The following table provides a summary of these plans:

### Summary of the innovation plans – Learning Route

Country	Title	Main objective	Proposed activities	Proposing organization/s
Cambodia	Leng Orn and Leng Khen Natural Resource Development for improving livelihoods and forestry conservation	To improve communities' knowledge and skills in forestry management in order to generate new income opportunities and improve livelihoods.	Define forestry regulations in a selected community area; recruit Lao experts (from Huay Hang village) in bamboo forestry management as trainers; train local artisans in bamboo handicraft and furniture production; establish a handicraft producers group.	Cambodia Indigenous Youth Association
Lao PDR	Knowledge management and learning exchange between Lao PDR and Cambodia on NRM	To enhance local and ethnic communities' capacities to lead their own development by strengthening their national and regional networks, promoting the sharing of knowledge and experiences, and improving local skills in NRM.	Promotion of exchanges at the country level between the public sector and local communities; organize an exchange visit to Cambodia to share lessons learned and best practices in community-based NRM and CLTs.	Rural Livelihoods Improvement Programme (RLIP), Attapeu (on behalf of Lao team)
Myanmar	Improving community NRM through learning exchanges	To strengthen the network at the regional level and improve community forestry management in southern Myanmar.	Organize an exchange visit between Meet Chaung Laung village (Myanmar) and Huay Hin Lad Nai village (Thailand) in order to improve skills in conservation and forestry management.	Ministry of Border Affairs SPECTRUM
Thailand	Community food crops and herbal farms for self-reliance	To reduce communities' dependence on external markets by enhancing food security at the local level through the promotion of organic, traditional crops and herbs.	Revive and scale up the traditional indigenous peoples' practice of backyard gardening; reintroduce traditional food crops and edible plants from the forest to the community.	Agriculture Technology and Sustainable Agriculture Policy Division (ATSAP) Ministry of Agriculture and Cooperatives



Wisdom, taste and health – three reasons to be happy

The Innovation Plan presented by the Thailand Country Team was a concrete example of an enhanced dialogue between indigenous leaders, CSOs and government authorities, converted into an Action Plan aimed at benefiting both local communities and the Thai society at a broader level. The Plan, presented by representatives from the Thai Ministry of Agriculture and Cooperatives (MOAC), together with three Karen communities and their supporting organizations, proposed to establish the first community learning centre (CLC)<sup>16</sup> in Northern Thailand. The CLC, the purpose of which is to propagate indigenous environmental knowledge, is to be managed by the communities themselves, with the support of MOAC.

The Innovation Plan of the Thailand Country Team has been ongoing since March 2013 and its activities will be carried out through the year.

16 The CLC is an innovative model for capacity-building and knowledge-sharing managed by local champions (called *Prach Chao Ban* in Thailand) that provide training and knowledge transfer to other farmers. Initiated by the King of Thailand in 1977, the idea of CLC relies upon the theory and principles of the self-sufficient economy; through learning exchanges, the provision of technical assistance and peer-to-peer training, the CLCs are used to spread innovative solutions related to rural development at the national and international levels.



The Lao PDR Country Team working on its Innovation Plan

### Community Food Crops and Herbal Farms for Self-Reliance Innovation Plan, Thailand Country Team

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Proposing organizations: Ministry of Agriculture and Cooperatives, Thailand  
Inter Mountain Peoples Education and Culture in Thailand  
Representatives from three indigenous Karen communities: Pa Kia, Akha Community; Huay Hin Lad Nai, Pgageunyaw Community; and Pha Tai Mai, Lahu Community

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#### **Innovation Plan: justification, proposal and main activities**

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In the past, most households of indigenous peoples had a backyard garden, but recently commercial farms and the promotion of monocropping have led to the disappearance of backyard gardens in many villages. At present, several communities have to buy food, including vegetables, which are often not chemical-free.

The Innovation Plan aims to promote food security at the community level, revitalizing and building upon indigenous environmental knowledge and practices, in line with the policy of self-sufficiency advocated by the Government of Thailand.

To this end, the Innovation Plan proposes to revive the tradition of backyard gardens by implementing a pilot project in three indigenous peoples' communities and then scaling up the practice to other indigenous and not indigenous peoples' communities at the regional level.

For this purpose, five to ten indigenous leaders will be trained in *Prach Chao Ban* Learning Centres sponsored by MOAC. Upon completion of the training, they will work in their own communities to revitalize home gardens with the technical support of the Inter Mountain Peoples Education and Culture in Thailand Association (IMPECT).

Furthermore, a food crops and herbal garden established by the participating communities will be used as a learning site for children and youth from within the communities and neighbouring villages. This indigenous Community Learning Centre, the first of its kind in the country, will be integrated into the *Prach Chao Ban* (local champions) Learning Centre Network supported by the Government of Thailand. After the completion of the project, it will continue to serve as a model for efforts to promote the role of indigenous peoples' practices in the sustainable management of natural resources and food security in northern Thailand.

This Innovation Plan has a total budget of US\$7,500, of which US\$5,000 was allocated by PROCASUR and US\$2,500 by MOAC.

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## Outcomes and outputs: raising voices of local people, strengthening networks and enhancing capacities

One of the main objectives of the LR was to strengthen the policy dialogue for the inclusion of indigenous peoples and ethnic groups in decision-making at all relevant levels in relation to the conservation and sustainable management of their traditional territories. The LR achieved this by facilitating exchanges between indigenous leaders and governmental representatives at both the local and the national level on key issues, such as the role of indigenous peoples' practices in the sustainable management of natural resources and the promotion of local environmental knowledge in land-use planning.

Other outcomes were the following:

- Increased awareness among LR participants about the key issues affecting indigenous peoples and ethnic groups with respect to CBFM and NRM, land tenure and sustainable livelihood practices;
- Establishment of a community of CBFM and NRM practitioners in the Mekong region;
- Strengthened networks and partnerships at the country and regional level between the public sector, NGOs and local communities.

The LR also produced the following outputs:

- Over 25 local experts trained to provide training and technical services at the community level in Lao PDR and Thailand;
- Four Implementation Plans prepared, of which two have received funding and technical support from PROCASUR to launch the proposed activities.

## Lessons learned

As intended, partnerships were established among the government representatives, communities and the CSOs towards the end of the LR. This was manifested by the fact that the participants chose to work on their Innovation Plans as country teams, raising hopes that they would continue to work together in the implementation of the Plans. The sole exception was the Cambodia team, which did not include a government representative.

The four Implementation Plans produced by the country teams were innovative, each with distinctive merits. They reflected the ability of participants to: learn from the innovations of the two host cases; understand the differences and commonalities of their realities; and contextualize and transform ideas drawn from the experience of the LR into specific Innovation Plans to address their own realities.

It was observed that the success of the communities was largely attributable to their strong sense of self-reliance and their ability to organize themselves to respond to their realities. As Mr Preecha Siri of Huay Hin Lad Nai remarked, "Everything depends on us. It's not about borrowing somebody else's nose to breathe."

It was also observed that the rules and regulations which the communities established were distinct from the statutory laws forged by legal practitioners. The former are rooted in the beliefs of the communities and their strong connection with the environment, and as such are much more effective than if they were promulgated only by formal laws. This clearly emerged during the learning on the practice of shifting cultivation, when the spiritual leader of Huay Hin Lad Nai remarked, "If we continue to practice our rituals of shifting cultivation, the system will work; otherwise it will not."

Lessons learned from the two host cases were discussed by the participants after the field visits and recommendations to the host communities were provided. The overall lessons learned from the LR experience were drawn out during the technical wrap-up session held




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**Conservation and community-based forest management**

1. Communities take independent initiatives to promote conservation and sustainable livelihoods, as well as environmentally friendly income-generating activities, because they are directly impacted by environmental degradation and devastation.
2. CLT claims accompanied by comprehensive and integrated forest management and socio-economic development plans are more persuasive and strategic, and create more opportunities.
3. Strong attachment to land, territories and resources creates a spiritual and respectful relationship with nature and the environment.

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**Community empowerment, gender equality and networking**

1. Women's empowerment strengthens the community and improves its overall well-being. It also gives greater visibility to the issues and concerns of the community before the national authorities and the international community.
2. Strategic interventions achieve multiple results. For example, the introduction of women's savings groups to address the issue of poverty also helped to address the issues of violence against women and gender inequality.
3. Strong partnership, transparency and trust between the community, CSOs and the local government are essential for the achievement of the community's goals and objectives.

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**Self-sufficiency**

1. A self-sufficient economy operates in a cohesive community with a strong tradition of reciprocity and a sense of responsibility towards fellow community members.
2. A self-sufficient economy promotes biodiversity and sustainable development because resource utilization tends to be limited and very little energy or resources leave the local area.
3. Diversification of socio-economic activities results in sustainable livelihood systems and ensures the well-being of the community.

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**Local knowledge**

1. Appropriate blending of traditional knowledge and modern/scientific knowledge adds value to traditional knowledge and provides new solutions.
  2. Formal education does not necessarily equip one with the capacity to live in harmony with the community and with nature, or to address the issue of livelihood security.
  3. Intergenerational transmission of knowledge and skills helps to retain the youth within the community and secures the future of the community.
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on the last day. These lessons, presented in the table below, are relevant in both local and broader contexts, and should be of interest to governments and communities, development scholars and practitioners, NGOs and IPOs, as well as other institutions.

### LR references and tools

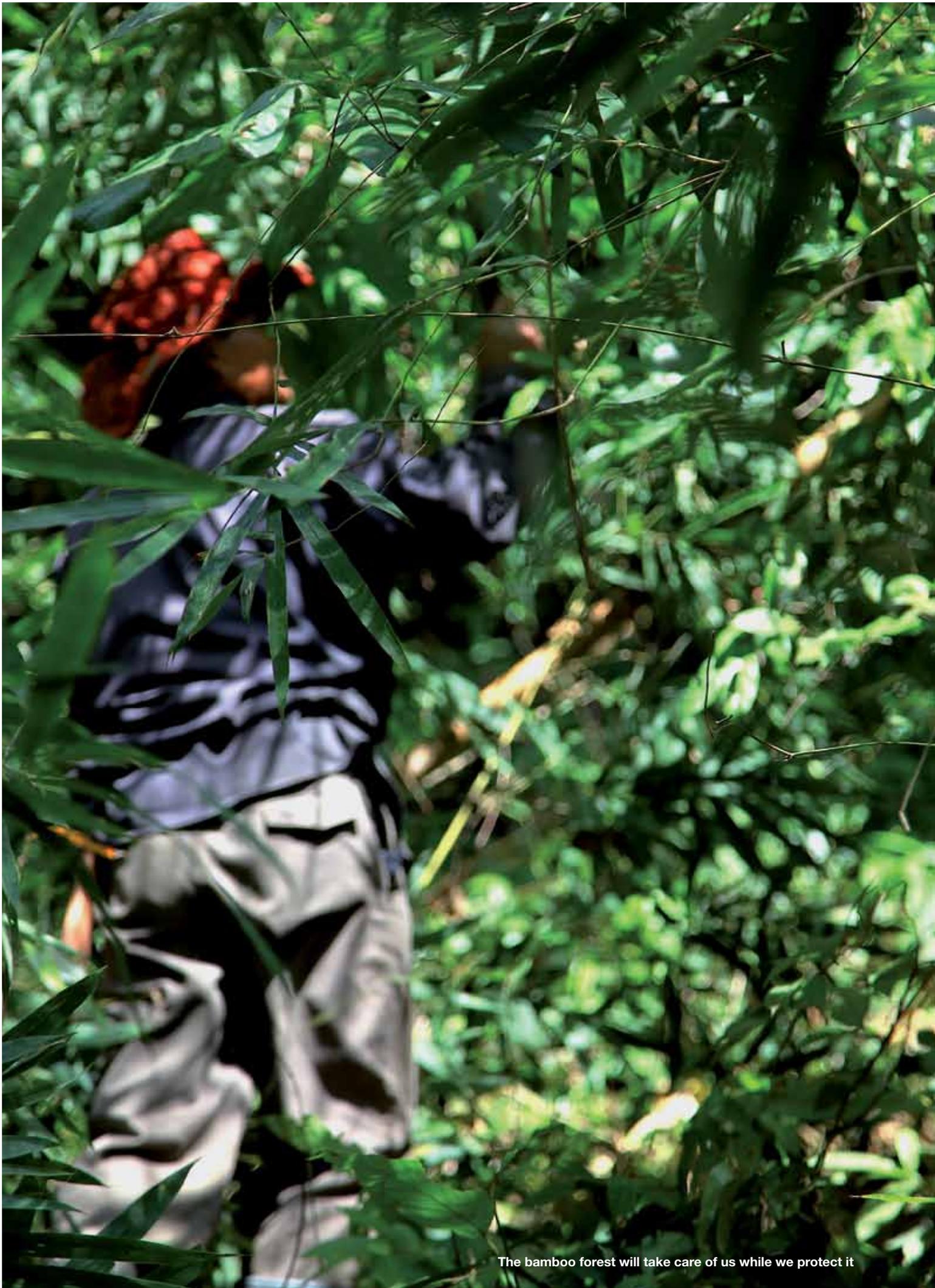
A set of documents was published in five languages (English, Burmese, Khmer, Lao and Thai) and distributed to participants before the start of the LR. It included:

- The scoping paper, 'An Introduction to Land Tenure, Sustainable Livelihoods and Indigenous Peoples in Asia', which provides an overview of the situation of indigenous peoples and ethnic groups in Asia in relation to the sustainable management of natural resources in their traditional territories, with a focus on Lao PDR and Thailand. This paper is reproduced in Part II of this document;
- Two systematization reports on the experiences in forest management of Huay Hin Lad Nai village in Thailand and Huay Hang and Napor villages in Lao PDR, from which the information presented in Part I of this publication has been sourced:
  - o Sustainable bamboo forest management and CLTs in Sangthong District: the experience of Huay Hang and Napor villages;
  - o Sustainable solutions for self-sufficient people and shifting cultivation as an integrated and self-sufficient system: the experience of Huay Hin Lad Nai, Thailand;
- Organizational files on AIPP and GDA; and
- Supporting material for the development of the LR's methodological activities, e.g. case study analysis, the development of Innovation Plans, etc.

These documents are available online in the above-mentioned five languages:

[http://asia.procasur.org/our-routes/indigenous\\_environment\\_knowledge/](http://asia.procasur.org/our-routes/indigenous_environment_knowledge/).

During the preparatory, implementation and follow-up phases of the LR, the PROCASUR Asia Pacific Facebook page (<http://www.facebook.com/procasur.asiapacific?fref=ts>) was used as a platform to facilitate interaction among LR participants, disseminate information and share images. Moreover, a diary of the LR was maintained on the IFAD social blog (<http://ifad-un.blogspot.it/search/label/procasur>).



The bamboo forest will take care of us while we protect it

## PART II

Indigenous peoples in Asia: legal recognition,  
land tenure and traditional livelihoods

## Indigenous peoples in Asia: an overview

The Indigenous and Tribal Peoples Convention (C169), adopted by the General Conference of the International Labour Organization (ILO) in 1989, refers to:

- Tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations; and
- Peoples in independent countries who are regarded as indigenous on account of their descent from the population which inhabited the country, or a geographic region to which the country belongs, at the time of conquest or colonization or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their social, economic, cultural and political institutions.

The Convention makes it clear that self-identification as indigenous or tribal is a fundamental criterion for determining the groups to which the provisions of the Convention apply.

Further, the study conducted by Jose R. Martinez Cobo, Former Special Rapporteur of the Sub-commission on Prevention of Discrimination and Protection of Minorities, on the problem of discrimination against indigenous populations defines indigenous peoples as:

*“...those which, having a historical continuity with pre-invasion and pre-colonial societies that developed their territories, consider themselves distinct from other sectors of societies now prevailing in those territories or parts of them. They form, at present, non-dominant sectors of society and are determined to preserve, develop, and transmit to future generations their ancestral territories and their ethnic identity as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal systems.”<sup>17</sup>*

The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), adopted by the United Nations General Assembly at its 61<sup>st</sup> session on 13 September 2007, recognizes the basic rights of the indigenous peoples, which collectively constitute the minimum standards necessary for their survival, dignity and well-being. It provides measures to address their particular situation by rectifying the historical injustices and discrimination against indigenous peoples, regardless of how they are referred to in different countries. In Asia and the Pacific region, all member states voted favourably except Bangladesh, which abstained. These countries are: the Democratic People’s Republic of Korea, India, Indonesia, Japan, Lao PDR, Maldives, Micronesia [Federal States of], Mongolia, Myanmar, Nepal, Philippines, Republic of Korea, Thailand, Timor-Leste and Viet Nam.

Despite their cultural diversity, indigenous peoples in Asia share common experiences and issues. They have historically been dominated by others through colonization and/or through the building of nations or states and subsequent globalization. At the present time,

<sup>17</sup> See Footnote to Annex I, Paragraph 2 of the Cancun Agreement.

in most cases, they remain marginalized and subordinated economically, politically and culturally.

Though they represent a very diverse picture, a characteristic common to indigenous peoples in Asia is their strong cultural attachment to and the dependence of their livelihoods on their lands and territories, and the natural resources found therein. Their lands, territories and resources are a source of identity, culture and spirituality, which defines their worldview.

In Asia, indigenous peoples are called various names by governments and outsiders, such as 'hill tribes', 'aboriginal people', 'tribal people' or 'native people.' Often, these names imply notions of cultural inferiority, i.e. of being 'primitive' or 'backward'.

At the local level, however, the indigenous peoples use the names that their ancestors called themselves. Most of the indigenous peoples' communities are small in numbers, with a population of just a few thousand, but they have distinct languages, cultures, customary laws, and social and political institutions that are different from those of the dominant social groups. The following table shows the distribution of indigenous peoples among the different Asian countries:

Country	Number of ethnic groups	Estimated total population of indigenous people (percentage of national population)
Bangladesh	45	1.7-3.7 million (1.2-2.5%)
Myanmar/Burma	135	14.4-19.2 million (30-40%)
Cambodia	19-21	101,000-190,000 (0.9-1.45%)
China	Around 400 (55 officially recognized ethnic minorities)	105 million (8.5%)
India	622-635 (622 recognized scheduled tribes)	84.32 million (8.2%)
Indonesia	Over 700	50-70 million (20-29%)
Japan	2	Ainu: 50,000-100,000 (0.04-0.08%) Ryukyu: 1.3 million (1%)
Lao PDR	Around 200 (49 officially recognized ethnic minorities)	2.4-4.8 million (35-70%)
Malaysia	97	3.4 million (12%)
Nepal	Over 80 (59 recognized indigenous nationalities)	10.6 million (37.1%)
Pakistan	Over 20	35-42 million (21-25%)
Philippines	110 officially recognized indigenous peoples	6.9-12 million (10-15%)
Thailand	Over 25 (10 officially recognized hill tribes)	925,825 (1.5%)
Viet Nam	Over 90 (53 officially-recognized ethnic minorities)	15 million (13.8%)

Source: AIPP, IWGIA 2010, Trakansuphakon 2010.

Over the past decades, as movements of indigenous peoples have advanced globally, the concept of indigenous peoples has evolved beyond the original meaning still found in dictionaries. This new meaning makes political reference to indigenous peoples as groups with distinct identities entitled to certain collective rights. This meaning is now well established under international human rights instruments.

### Status of legal recognition of indigenous peoples in Asia

Legal recognition granted to indigenous peoples by Asian states varies from country to country. In colonial times, some were given special legal status, as in Bangladesh, India, Indonesia, Malaysia and Myanmar. After independence, however, many Asian countries asserted the principle of 'national unity' to suppress any specific recognition of indigenous peoples. This approach has begun to change in recent years. In a number of countries, indigenous peoples are granted constitutional recognition or are subject to special laws. In most countries, the recognition accorded relates largely to indigenous peoples being culturally different from the rest of the population. It does not provide for rights to their lands, territories and resources, or the right to self-determination. Nonetheless, constitutional recognition has been provided or progressive laws enacted in a number of countries, and these potentially offer opportunities for enabling indigenous peoples to exercise their collective rights.

Constitutional recognition of indigenous peoples is provided in the Indian Constitution (1950), which has provisions for 'scheduled tribes'; the Constitution of Malaysia (1957), which has special provisions on the natives of Sarawak and Sabah; the Constitution of Pakistan (1973), which recognizes federally and provincially administered Tribal Areas; the Philippine Constitution (1987); and the Interim Constitution of Nepal (2006). In some countries, indigenous peoples are recognized through special legislation, including the Cambodian Land Law (2001), Philippine Indigenous Peoples Rights Act (IPRA) of 1997 and the Nepal National Foundation for the Development of Indigenous Nationalities Act (NFDIN) of 2002.

In China, Lao PDR and Viet Nam, indigenous peoples are given legal treatment similar to that of other minority groups. In Indonesia, those who identify themselves as indigenous peoples fall under customary law or *adat*. In some countries, court decisions have affirmed the rights of indigenous peoples, based on international indigenous rights standards. This occurred in Japan with respect to the Ainu, and in Malaysia, where the title to the traditional aboriginal lands has been affirmed for the Orang Asli.<sup>18</sup>

### Land tenure, community-based forest management and REDD+

#### Land tenure

It is difficult to generalize about the status of recognition or trends in the administration of land belonging to indigenous peoples for such a vast region as Asia. Although individual land titling has been promoted in some countries, most Asian states have been reluctant to recognize collective forms of landownership for indigenous peoples. This reluctance has undermined the traditional economies of indigenous peoples and often led them to abject poverty.

<sup>18</sup> Lasimbang, J. et al. (2010). Asia Indigenous Peoples' Perspectives on Development. Asia Indigenous Peoples Pact, Chiang Mai.

Broadly, two trends can be identified with regard to land tenure in Asia. In some countries, such as the Philippines and parts of India, the laws recognize indigenous collective tenures and provide strong ownership rights to the communities. In Cambodia and Lao PDR, legal provisions exist for claiming CLTs and the process of CLT issuance has started in both countries. In other countries, such as Indonesia, Malaysia and Viet Nam, the law grants usufruct rights to the communities.

In some countries, such as Bangladesh and India, administrative measures exist to prevent the sale of tribal lands to non-tribal people. However, most collective tenures in Asia do allow land sales and other transfers of rights. Land markets and markets in timber or biofuels are thus prevalent in indigenous areas. However, contrary to the expectations of those who favoured land markets as 'an engine of development', there is widespread evidence that land and resource mobilization has actually increased poverty, landlessness and environmental damage in indigenous areas.<sup>19</sup>

The issues of sustainable livelihoods, reduced poverty levels and general well-being of indigenous peoples are strongly linked to collective ownership of their lands and sound management of their resources. This can be seen in countries like Lao PDR. Under the Prime Minister's Decree No. 88 on Land Titling, announced on 3 June 2006, the government in Lao PDR started issuing CLTs in Sangthong District (as described in Part I of this report). This was part of an initiative to promote the well-being of the communities and to protect the environment by involving the communities.

### **Community-based forest management and REDD+**

Indigenous peoples' communities in Asia have long traditions of NRM and forest management systems. Over the course of time, they have also adopted, developed or refined new techniques as they experimented with them. CBFM can generally be defined as a form of 'participatory' forest management, in which communities participate and govern, with clear roles and responsibilities within the communities. A community may manage either its own forest, or a forest that belongs to the government which has given the community some rights to use it. Alternatively, the community may manage a forest on behalf of a company that holds the rights over the forest, as under a contract. There may also be a kind of joint management between a community and the government's forest department. Thus, there are many forms of forest management in which communities are somehow involved, and all of these can be referred to as 'community-based forest management' or CBFM.

Recognizing the communities as owners of the forests is a sensitive issue for some governments, because it would imply losing central control over the forests. Nevertheless, there are governments in Asia that recognize and adopt this type of forest management because they understand the potential value of its contribution to forest conservation and to the well-being of the communities. There are several relevant examples of good practice in Asia, e.g. the recognition of indigenous peoples' communities as holders of rights over forest lands in the Philippines and in parts of India.

Furthermore, the United Nations Reducing Emissions from Deforestation and Forest Degradation (REDD) programme<sup>20</sup> seems to offer new opportunities for indigenous peoples' communities and for local communities in general, with respect to both their livelihoods and the protection of their rights. Initially promoted as a strategy to create

19 IWGIA (2012) The Indigenous World, IWGIA, Copenhagen.

20 For further information visit: <http://www.un-redd.org/aboutredd/tabid/582/default.aspx>.

financial value for the carbon stored in the forests, REDD aimed to offer incentives for developing countries to reduce emissions from forested lands and to invest in low-carbon paths for sustainable development. In its further conceptual elaboration, REDD+ went beyond deforestation and forest degradation to include the role of conservation, sustainable management of forests and enhancement of forest carbon stocks. This was agreed at the United Nations Framework Convention on Climate Change (UNFCCC) Conference of Parties (COP) 16 in Cancun in November 2010. It is now widely accepted that REDD+ is no longer just about the reduction of carbon emissions, but that it could potentially provide other benefits, such as conservation of biodiversity, taking into account the sustainable livelihoods of indigenous peoples and local communities and their interdependence on forests. However, this would depend on the actual recognition of the rights of these peoples and communities, and on the terms of implementation on the ground. For example, the potential for success would be much higher if a project were promoted as Community-based REDD+ (CB REDD+).

If CB REDD+ were established in indigenous territories, it would be a value-adding activity which indigenous peoples' communities could integrate into their existing forest and resource management systems. In this manner, CB REDD+ could help address the issues of rights and well-being of indigenous peoples' communities, while working towards the prevention of carbon emissions and the enhancement of carbon uptake by forests. Such opportunities exist in many countries. For example, in Lao PDR, CLTs have been issued in Sangthong District, which is very rich in bamboo resources. The communities have an elaborate management plan in place, which enables them to use the bamboo resources efficiently and sustainably for various purposes, thus improving their livelihoods and cash income. If CB REDD+ were introduced, the additional benefits that the communities could acquire might include payment for ecosystem services, prevention of carbon emissions, enhancement of carbon uptake by forests and carbon credits.

### Traditional livelihoods and indigenous peoples

Many of the indigenous peoples' communities in Asia live in the mountains, plains, river basins, forests and coastal areas, to which they have strong cultural attachment. Often, their territories are rich in biodiversity and they engage in a range of occupations for their livelihoods.

The traditional occupations of indigenous peoples' communities in Asia include farming, raising livestock, fishing, hunting and gathering, making handicrafts and food items, selling local products and small-scale mining, among others. These traditional occupations remain the chief sources of livelihood for the indigenous peoples. During the Fourth Indigenous Development Conference in Asia held in Sabah, Malaysia, in 2008, it was estimated that traditional occupations account for 95 per cent of livelihoods for indigenous people in Timor-Leste, 90 per cent in Cambodia, 80 per cent in Malaysia, 70 per cent in Thailand and 50 per cent in the Philippines. Some of the major traditional occupations are described below.

The majority of indigenous peoples are engaged in agriculture. Sedentary and shifting forms of agriculture are widely practised, both for subsistence and for the market. Shifting cultivation is done on mountain slopes and in forested areas where there is no dependable source of water. It is a sustainable farming system that shifts cultivation from place to place in a cycle in order to give recently cultivated fields ample time to lie fallow and recover their fertility and forest cover. In this sense, it is also carbon neutral. Another system is a crop rotation system of cultivation. This system depends on the cultivation of different types of

crops in the same field every year, recognizing that different crops extract different nutrients from the soil.

Many indigenous peoples' communities living in forests also engage in hunting wild animals, including gathering animal materials or products, as a major source of livelihood. For indigenous peoples living near bodies of water, such as rivers, ponds, lakes and seas, fishing is a significant traditional occupation.

There are several other traditional occupations still practised in Asia, such as:

- Creation of handicrafts such as basketry, textile-weaving, carpet-making, pottery, blacksmithing, jewelry-making, beadwork and others;
- Carpentry, wood or stone carving, sculpting;
- Traditional small-scale mining for gold and other metals; and
- Wine and beer-making, refining of sugar and salt, other local food production and processing.

Many of these occupations also produce items for sale to tourists, travelers and other consumers, generating a cash income for local artisans and traders. There are also people who earn some or all of their livelihoods as traditional healers, or by engaging in mediation with the ancestors and nature spirits, divining, and conflict mediation and resolution of intra and intercommunity conflicts.

A few international instruments and standards recognize or relate to traditional livelihoods. The most important ones are ILO Conventions 111, 169 and 107, and UNDRIP. The table below lists the Asian countries that have ratified ILO Conventions 111, 169 and 107.

The UNDRIP contains a number of provisions and preambular paragraphs in relation to the livelihoods of the indigenous peoples' communities and asserts their right to be free from discrimination in the exercise of their traditional economic practices. The preambular paragraphs 4, 6, 10 and 11, as well as Articles 3, 21, 26, 32, are of particular relevance.

**Asian countries that have ratified ILO Conventions 111, 169 and 107**

Convention 169	Convention 107	Convention 111
Nepal	Bangladesh India Pakistan	Bangladesh Cambodia China India Indonesia Lao PDR Mongolia Nepal Pakistan Philippines Republic of Korea Viet Nam

Source: ILO Committee on Legal Issues and International Labour Standards. Ratification and promotion of fundamental ILO Conventions. Geneva, November 2008, ILOLEX – 27.9. 2010.

# Indigenous peoples in Thailand and Lao PDR: land tenure, community-based tenure, community-based forest management and traditional livelihoods

## Lao PDR

The total population of Lao PDR is about 6.4 million. Before 2000, Lao ethnic populations were divided into three major groups – Lao Soung (Hmong), Lao Theng (Khmu) and Lao Lum – which were subdivided into 68 smaller groups. The census of 2005 identified 49 ethnic groups with at least 240 subgroups; these groups can be broadly divided into four ethnic-linguistic groups – Lao-Tai (8 ethnic groups), Mon-Khame (32 ethnic groups), China-Tibet (7 ethnic groups) and Hmong-Emein (2 ethnic groups). The Lao-Tai group dominates culturally, politically and economically, and generally inhabits the river plains, particularly along the Mekong. The majority of the other ethnic groups inhabit the mountainous territory that covers about 79 per cent of the country.<sup>21</sup>

In the words of the Lao PDR Government, Lao people share solidarity with each other in the same way as flowers with different colours growing on the same tree. The Government provides positive safeguards in laws and policies for the ethnic groups, such as:

- Resolution of Political Party Division issues related to indigenous peoples, 1981;
- Article 8 in the Lao Constitution of 1991 and 2003; and
- Resolution of the Central Party Committee on ethnic groups, 1992.

These resolutions and provisions relate to promoting solidarity among ethnic groups, providing equality before the law, ensuring rights to traditional and cultural practices, addressing economic, social and cultural gaps, and eliminating discrimination against ethnic groups. However, the Lao PDR Government does not recognize the term 'indigenous peoples' as used in the UNDRIP. Almost 80 per cent of the population of Lao PDR lives in remote areas, with limited access to public health services, education, modern infrastructure and technology. Access to information is limited to shortwave radio broadcasting delivered in various ethnic languages. The Government's education policy and plan is to eliminate illiteracy for all adults, but most of the ethnic groups live far away from where formal education is available. Ethnic groups have their own languages and the majority of them cannot read and write because formal education, where available, is provided only in the official Lao language.

Within almost all ethnic groups, men occupy the important positions and dominate decision-making in their communities. They control matters relating to family, community, spiritual leadership, and religious and traditional practices. Besides promoting general rights and solidarity among the ethnic groups, the government and development agencies also support women's empowerment at all levels – family, community and national – especially women's political participation and decision-making. The leading body in this

21 IFAD, AIPP (2010), Country Technical Notes on Indigenous Peoples' Issues, Laos, p. 8.

regard is the Lao Women's Union, which mobilizes women from the grass-roots to central level, promoting three types of exemplary models for women from the ethnic groups: entrepreneur, good citizen and good mother.

### **Land tenure and community-based forest management**

After 1975, all land was converted into state property and the management of land use was decentralized to the village-level institutions. This policy was reaffirmed by Article 3 of the new Land Law of 2003. The decentralization of land management enabled the village authorities to adopt autonomous systems of land-use planning and forest management. The law also states that all villagers have the right to use land and forest according to their customary practices. Although a project for boundary demarcation was initiated, land titling was implemented only in urban areas. The current land tenure policy reform has two major components:

- The extension of land titling; and
- The allocation of state land to individual households or village collectives.

Of the 236,800 square kilometres of the total land area of Lao PDR, 79 per cent comprises mountainous areas and plateaus, including 29 National Protected Areas (NPAs). In addition to the NPAs, some 276 areas of locally significant conservation or watershed value have been designated as conservation or protection forests at the provincial and district levels.<sup>22</sup> In villages where land and forest allocation have been completed, village conservation areas have also been demarcated, in which villagers are allowed to collect firewood and some NTFPs for local consumption only.

One of the controversial issues in Lao PDR has been the promotion by the Government of land markets as an 'engine of development', in an effort to attain the development goals set for 2020. However, land and resource mobilization tactics employed to attract foreign investments led to many discrepancies in terms of quota management for land concessions. After a comprehensive assessment of the problem in 2007, the Prime Minister announced an indefinite moratorium on large land concessions for industrial trees, perennial plants and mining.

### **Traditional livelihoods and food security**

Many government policies in Lao PDR pursue the objective of improving the livelihoods of the country's rural population. The relevant policies on rural development concern the provision of public services, land zoning and management, opium eradication and national security.

In Lao PDR, 80 per cent of the population lives in rural areas and relies heavily on natural resources for livelihood. The ethnic communities mainly depend on upland farming, fishing, traditional home gardening, livestock-keeping, hunting and collection of NTFPs. However, their traditional practice of shifting cultivation has been stigmatized as the main driver of deforestation, prompting the Government to ban the practice in most of Lao PDR. This has had dire consequences for the livelihood security of the ethnic communities.

In an effort to improve the living condition of the ethnic communities, the Government has pursued a policy of resettling them from the highlands to the lowland areas. This policy has been justified on the grounds of ensuring access to education, health and other facilities

<sup>22</sup> Protected area report, PAD-Mekong, 2003.

for all people of Lao PDR. However, this policy has drastically affected the lives of the ethnic communities, who had to give up their traditional lifestyles and occupations, as well as rituals and spiritual relationship with the forest.

## Kingdom of Thailand

The Kingdom of Thailand lies in the heart of South East Asia, bordering Lao PDR and Cambodia to its north-east and south-east respectively, Malaysia to its south, and the Andaman Sea and Myanmar to its west. Thailand comprises 76 provinces with a total area of 513,115 square kilometres and has a population of 62.4 million.<sup>23</sup>

The indigenous peoples in Thailand are commonly referred to as 'hill tribes' and sometimes as 'ethnic minorities'. The ten officially recognized groups are usually referred to as '*Chao Khao*', meaning 'hill/mountain people' or 'highlanders'. These recognized hill tribes and other indigenous peoples live in the north and north-western part of the country. A few groups live in the north-east, while fishing communities and a small population of hunter gatherers inhabits the south.

No comprehensive official census data are available on the population of indigenous peoples, but according to the Department of Social Welfare and Development, the total population of those officially recognized as hill tribes stood at 925,825 in 2002.<sup>24</sup> No official data are yet available for the groups in the south and north-east. A widespread misconception – that indigenous peoples are drug producers and pose a threat to national security and the environment – has historically shaped government policies towards indigenous peoples in the northern highlands.

Legal recognition of indigenous peoples in Thailand has been a contentious issue. Like most other governments in Asia, Thailand has rejected application of the term 'indigenous peoples'. The Government has often stated that the hill tribes and other ethnic minorities are simply Thai citizens, able to enjoy the fundamental rights of citizenship and protected by the laws of the Kingdom.<sup>25</sup>

The problem of legal recognition has been compounded by cross-border migration of tribes – a common phenomenon that dates back to pre-colonial times. When national boundaries were drawn in South East Asia during the colonial era and in the wake of decolonization, many indigenous tribes living in remote highlands and forests found themselves split among different countries without their consent. As a result, there is not a single indigenous group that resides wholly in Thailand. Some of the indigenous communities currently found in Thailand have only recently arrived from other countries.

## Land tenure and community-based forest management

Thailand hosts 409 protected areas, 27 marine national parks, 10 Ramsar<sup>26</sup> sites (wetland areas), 2 World Heritage sites and 4 biosphere reserves. The percentage of protected areas accounts for 20 per cent of the country's total land mass. In 2000, the total forest area was estimated to be 14,762,000 hectares, with 9,842,000 hectares of natural

23 Central Census Bureau publication of the Kingdom of Thailand, including Bangkok, the surrounding area, and the provinces. 31 December 2005.

24 A directory of ethnic highland communities in 20 provinces, in Thailand B.E. 2545 (2002), provided by the Department of Social Development and Welfare.

25 UNHCR, Sub-Commission on Prevention of Discrimination and Protection of Minorities. WGIP 10th session. E/CN4/Sub.2/1992/4.

26 These are Thai wetlands deemed to be of 'international importance' under the Ramsar Convention. For additional information visit the site of the Convention on Wetlands of International Importance; [http://www.ramsar.org/cda/en/ramsar-home/main/ramsar/1\\_4000\\_0\\_](http://www.ramsar.org/cda/en/ramsar-home/main/ramsar/1_4000_0_).

forest and 4,920,000 hectares of plantations, together accounting for 29 per cent of the country's territory.<sup>27</sup>

Unfortunately, the rights of indigenous peoples living within the protected areas continue to be a contentious issue. The Thai National Park Law of 1961 was framed within a conservationist approach, whereby protected areas were to be completely free of people and land use. As a result, even forest-dwellers and forest-dependent people, who have been living there before the promulgation of the law, are considered illegal inhabitants. Currently, an estimated 460,000 people live and depend on the land and resources that the Government has designated as protected areas in view of their ecological value or tourism potential. This has led to increasing conflict between the people living in such areas and government authorities.

The conflict over land tenure and forest management has generated a lot of debate in Thailand and the demand for community rights in this regard has been consistently growing. This resulted in some positive developments at the law and policy level. The Constitution of 2007 reaffirmed the principle of decentralization of the management of natural resources from the state to the local communities, previously stipulated in the Constitution of 1997. However, various forest laws and Cabinet Resolutions passed before 2007 continued to be obstacles to the realization of community rights described in the Constitution of 2007.

On 7 June 2010, the Prime Minister's Office issued the Regulation on Community Land Titling, which temporarily allows communities to collectively occupy and use state land for settlements and farming. The purpose of the regulation is not only to address the long-standing conflict between communities and the state with regard to land and forest use, but also to ensure the livelihood security of communities and the sustainable use of natural resources and conservation. Despite various shortcomings, the regulation is seen as a first step towards the state's recognition of community land rights.

### **Traditional livelihoods and food security**

Indigenous peoples in Thailand practice diverse forms of traditional occupations for their livelihoods and food security. In the hill areas, the major traditional occupations of the Mlabri communities include hunting and gathering, as well as agriculture using both irrigated paddy fields and shifting cultivation. In the south, particularly in the coastal areas, communities such as the Chao Lay earn their living primarily by trading resources from the sea, such as fish, sea plants and seashells, in exchange for staples like rice, taro, potatoes and coconuts. There are also traditional healers who partially or wholly depend on the income generated from their services.

In the past, the hill peoples lived in a subsistence or semi-subsistence economy. At present, most of them have adopted cash cropping as a result of the Government's policy for economic development in the highlands. However, the changes in their farming methods – from the practice of multi-cropping rotational farming to permanent monocropping – have made communities reliant on external inputs (such as seeds, pesticides, herbicides, etc.), thus pushing them towards market-dependent agriculture. In some cases, this has also led to the loss of traditional seed crops and to the increase of soil and environmental chemical pollution.

The most persistent controversy relating to traditional occupations of the upland indigenous peoples' communities has been the one surrounding shifting cultivation.

<sup>27</sup> Convention on Biological Diversity. Country Profile Thailand. <http://www.cbd.int/countries/?country=th>.

Shifting cultivation is the main source of livelihood and food security for the upland indigenous peoples' communities; however, the government sees it as an ecologically harmful practice and a backward form of agriculture. Therefore, the general approach of the government has been to reduce or eradicate the practice. Furthermore, the expansion of national parks has subsumed traditional farmlands in many areas. This has resulted in occasional arrests of hill farmers for practising shifting cultivation, as well as involuntary relocation of the hill tribal peoples.

In the south, the declaration more than 40 years ago of the government's intention to accelerate the fishing industry resulted in the use of heavy fishing equipment and trawlers, which destroyed the surface of the seabed and killed the smaller fish. Moreover, the demarcation and declaration of fishing boundaries by neighboring countries forced big fishing boats to come closer to the shore where small fishermen, including the Chao Lay, used to fish. As a result, the livelihoods of the Chao Lay were adversely affected.

Apart from the major occupations mentioned above, indigenous peoples' communities living in Thailand are also experts in weaving and handicraft-making. There are many producer groups that are linked to market chains and make a living by selling their products. There are also cooperatives linked to 'fair trade' that export the products of Thai indigenous peoples' communities to other countries. Other sources of cash income derive from the sale of wild vegetables, sea plants, cash crops, traditional wine and beer, etc.

### Major challenges and opportunities in Asia

The main challenges facing indigenous peoples and ethnic groups in Asia are related to their struggles to gain legal recognition as 'indigenous peoples', maintaining their collective forms of landownership and using their traditional institutions and governance systems to achieve self-determination. These challenges are linked to their political and economic marginalization, social discrimination, militarization of traditional territories and conflict over natural resources.

However, the changes occurring in different countries in Asia with regard to the treatment of indigenous peoples are opening up new opportunities. Some countries have legally recognized indigenous peoples and there are also countries with constitutional provisions that enable the indigenous peoples to begin to exercise collective rights over their lands, territories and resources.

Many governments in Asia are also promoting different forms of CBFM and collaborative management of forests and natural resources as a means towards poverty reduction and conservation of the environment. While much remains to be done to fully achieve the aspirations of indigenous peoples in Asia, these developments offer some good opportunities for indigenous peoples to improve their lives.

### Challenges and opportunities in Lao PDR

Lao PDR is a highly diverse country in terms of the number of ethnic groups with distinct cultural and livelihood practices. Hence, the challenges and opportunities are also enormous. Major challenges faced by these groups include the following:

- Limited opportunities and little access to education for ethnic groups, which limits their capacity to express their views or participate in policy-making on issues that affect them directly;
- Lack of channels or mechanisms to allow full and effective participation of ethnic groups in decision-making regarding issues and concerns related to their traditional institutions and governance, NRM systems and livelihood practices;

- Land management approach and the promotion of land markets to attract foreign investment, which is adversely affecting the livelihoods and environment of ethnic groups;
- Lack of information available in ethnic languages, which poses a major constraint for outreach to the communities;
- Lack of recognition of the knowledge systems and customary laws of ethnic groups in the national legislation;
- Gender inequality; and
- Discrimination against ethnic groups.

However, there are numerous opportunities available as well, which include the following:

- A promising new approach to build on the economic, political, social and cultural practices of the ethnic groups to improve their well-being;
- Emerging and increasing collaboration between ethnic communities, government departments and CSOs, which also contributes to the capacity-building and strengthening of the ethnic communities internally; and
- The introduction of local staff to work closely with the ethnic groups, which should make it easier for the latter to express their views, concerns and needs, and could lead to a better understanding of the issues at the local level.

### **Challenges and opportunities in Thailand**

There are major hurdles to cross in order to address the key issues of indigenous peoples in Thailand. The major ones are recognition of their identity and collective rights relating to their land, territories and resources. However, there are positive developments on which CSOs and indigenous organizations could build, such as:

- The passage on 7 June 2010 of the Regulation on Community Land Titling by the Prime Minister's Office, aiming to address the long-standing conflict between communities and the state on the issues of land and resource use, and to ensure sustainable livelihoods for the communities;
- The establishment in early 2012 of the National Reform Committee (NRC) and the National Reform Assembly (NRA) as independent mechanisms to address the political situation in Thailand by means of institutional reform. These committees are open to hearing the demands of indigenous peoples, which indigenous organizations intend to put forward after consultations with the concerned communities;
- The preparation of a strategic plan on social and welfare development for indigenous peoples and ethnic groups, drafted by the Ethnic Affairs Institute, Department of Social and Welfare Development. This plan specifies 'indigenous peoples' as one of the key target groups and provides space for indigenous peoples' representatives to participate in the governance structure, as well as play a role in approving projects and programmes submitted by indigenous peoples' communities and organizations. The strategic plan is being finalized and will soon be submitted to the cabinet for approval. Once it is passed, it will provide a new channel for indigenous peoples to promote their rights;
- The present Government's promise to develop a comprehensive law dealing with community rights, particularly in relation to the management of natural resources, including land, water, forests and seas.

# ANNEX I

## List of participants – Learning Route

### Thailand

Mr/Ms	Family name	First name	Organization
Ms	Laba	WADSANA	Indigenous Women Network of Thailand
Mr	BANDIT	WETCHAKIT	Community representative of Huay Hin Lad Nai
Mr	BUNYUENKUL	MANOP	Akha Network Committee
Ms	PIAMSAART	KHAMNUENG	MOAC
Ms	PETSRI	SUPAWAN	MOAC
Ms	MANEEPITAK	SUMANA	MOAC

### Lao PDR

Mr/Ms	Family name	First name	Organization
Ms	KEODOUANGDY	HONE	Community Forestry Project
Mr	KOUNLAVONG	KHAMMAN	Huay Hang village, Sangthong district
Mr	VUE	SAI	Community Association For Mobilizing Knowledge in Development (CAMKID)
Mr	PHONEKEO	SOULICHANH	RLIP, IFAD
Mr	PHONSAVATH	KOUMPHAN	SSSJ programme, IFAD
Mr	(Only one name)	KHAM	SSSJ programme, IFAD
Ms	VONGKHAMPHAI	TOUN	Santhong district
Ms	SONEBAIKHAM	SOMPONG	Lao Women's Union Santhong

### Cambodia

Mr/Ms	Family name	First name	Organization
Mr	VAN THOEUN	CHHENG	Indigenous Community Support Organization
Ms	YUN	MANE	Cambodia Indigenous Youth Association (CIYA)

## Myanmar

Mr/Ms	Family Name	First Name	Organization
Mr	HAN	LIN	SPECTRUM
Ms	NAW	LAURA	SPECTRUM
Ms	SHANG HKAWNG	JA GU	Ministry of Border Affairs
Ms	KHIN	YU ZA NA	Ministry of Border Affairs
Mr	AUNG	HTET	Ministry of Border Affairs

## Learning Route Coordination Team

Mr/Ms	Family name	First name	Organization
Mr	HALPERN	ARIEL	PROCASUR
Ms	PEDONE	GIULIA	PROCASUR
Mr	SHIMRAY	GAM	AIPP
Mr	NURI SHERPA	LAKPA	AIPP
Ms	LUNGHARWO	THINGREIPHI	AIPP
Mr	HEAN	BUNHIENG	AIPP
Ms	YONGCHIALORSAUTOUKY	SOUKNIDA	GDA
Mr	VIENGGHAM	OULATHONG	GDA
Mr	PRASAD	EKLAVYA	Photographer (India)
Mr	CHUPINIT	KESMANEE	Interpreter (Thailand)
Mr	LUANGBOUNHEUANG	SHANTIPHAB	Interpreter (Laos)
Mr	B LA DOL	MAUNG	Interpreter (Myanmar)

## ANNEX II

### Learning Route schedule

#### Lao PDR & Kingdom of Thailand, 12-19 November 2012

Date	Place	Time	Activity
<b>Sunday 11/11/2012</b>	Vientiane City, Lao PDR	Whole day	Arrival of LR participants and check-in at the hotel
<b>Monday 12/11/2012</b>	Vientiane City, Lao PDR	10:30 – 12:00	Opening of the Learning Route: Induction workshop, presentation of participants and of the LR at Lao Women's Union
		12:00 – 13:30	Lunch
		13:30 – 15:30	Preparation of the Experience Fair
		15:30 – 17:00	Experience Fair
		19:00	Welcome dinner
<b>Tuesday 13/11/2012</b>	Vientiane City, Lao PDR	07:00 – 08:00	Breakfast and hotel check-out
		08:30 – 09:00	United Nations House: Registration of participants
		09:00 – 10:15	Introduction to Lao PDR: panel session
		10:15 – 10:30	Tea break
		10:30 – 12:00	Introduction to Lao PDR
		12:00 – 13:00	Lunch
		13:00 – 15:30	Travel to Sangthong district
	Sangthong district		Case one: Bamboo forestry management and communal land titles in Sangthong district
		15:30 – 16:30	Meeting with Sangthong district government
		16:30 – 17:30	Travel to Huay Hang village
		17:30 – 17:45	Community reception
		18:00 – 19:00	Welcome dinner
		19:00 – 21:00	Cultural night
<b>Wednesday 14/11/2012</b>	Sangthong district	21:00 – 21:30	Travel to Napor village and accommodation for the night
		07:00 – 07:45	Breakfast
		07:45 – 08:15	Visit to bamboo handicraft production in Napor village
		08:15 – 08:45	Travel to Huay Hang village
		08:45 – 09:45	Presentation by community representatives: Huay Hang experience in bamboo forestry management and communal land titles
		09:45 – 11:30	Visit to the communal land (Bamboo Forestry Area)
		11:30 – 12:00	Visit to the Mekong Conservation Area
		12:00 – 13:00	Lunch
		13:00 – 13:30	Products from the forest, visit to banana fibre and bamboo handicraft production

<b>Wednesday 14/11/2012</b>		13:30 – 14:15	Presentation of the Women's Saving Groups
		14:15 – 15:30	Time to rest
		15:30 – 18:30	<i>Basi</i> ceremony and dinner
		18:30 – 20:00	Travel back to Vientiane and check-in at the hotel
<b>Thursday 15/11/2012</b>	Vientiane City	08:00 – 09:00	Breakfast
		09:00 – 09:30	United Nations House: registration of participants
			Case two: Gender and Development Association (GDA)
		09:30 – 12:00	Panel session, GDA
		12:00 – 13:30	Lunch
		13:30 – 15:00	Workshop analysis
		15:00 – 15:15	Tea break
		15:15 – 16:45	Introduction to the Innovation Plans
		16:45 – 17:00	Wrap-up of the day
		18:00	Dinner
<b>Friday 16/11/2012</b>	Vientiane City	Morning	Hotel check-out and travel to the airport
	Chiang Mai, Thailand		Travel to Chiang Mai and check-in at the hotel
		16:00 – 18:00	Work on the Innovation Plans
		18:00	Dinner
<b>Saturday 17/11/2012</b>	Chiang Mai	08:00 – 09:00	Breakfast
		09:00 – 10:15	Introduction to Thailand: panel session
		10:15 – 10:30	Tea break
		10:30 – 12:00	Introduction to Thailand
		12:00 – 13:30	Lunch
		13:30 – 16:00	Travel to Huay Hin Lad Nai village
	Chiang Rai province		Case three: Shifting cultivation as a self-sufficient system in Huay Hin Lad Nai
		16:00 – 16:15	Welcome speech and village rules by the community
		16:15 – 17:30	Cultural reception: sword dance, traditional songs and music
		17:30 – 18:30	Presentation: lessons learned from advocacy for our land rights
	18:30 – 20:00	Dinner with products from the shifting cultivation fields explained by the women	
	20:00	Accommodation of participants in their host houses	
<b>Sunday 18/11/2012</b>	Chiang Rai province	07:00 – 08:00	Breakfast
		08:00 – 10:00	Field visit: Learning trek on the way to the shifting cultivation fields. Thematic learning stops in the forest
		10:00 – 12:00	Understanding shifting cultivation: Explanation of the process, socio-cultural component and practical demonstration
		12:00 – 13:30	Lunch in the field (talking about food security)
		13:30 – 14:30	Walking back to the village
		14:30 – 16:00	Time to rest
		16:00 – 17:30	Workshop analysis
	Chiang Mai	17:30 – 19:30	Travel back to Chiang Mai
		19:30 – 20:00	Check-in and installation at the hotel
		20:00	Dinner

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<b>Monday 19/11/2012</b>	Chiang Mai	07:30 – 09:00	Breakfast
			Case four: Asia Indigenous Peoples Pact (AIPP)
		09:00 – 10:15	Panel session: AIPP
		10:15 – 10:30	Tea break
		10:30 – 12:00	Roundtable discussion and open floor debate
		12:00 – 13:00	Lunch
		13:00 – 15:00	Working on the Innovation Plans
		15:15 – 15:30	Tea break
		15:30 – 18:00	Presentation of the Innovation Plans
		18:00 – 19:00	Closing meeting
		19:00 – 21:00	Delivery of certificates, closure of the Learning Route and dinner

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## ANNEX III

### Learning Route's implementation

The LR commenced on 12 November 2012 in Vientiane City, Lao PDR, and concluded on 19 November 2012 in Chiang Mai, Thailand. It was designed to alternate field visits to the host communities and case analysis with panel discussions and open spaces in which LR participants could interact.

A country-thematic panel held at the United Nations House in Vientiane City officially inaugurated the LR. Opened by Ms Stefania Dina, IFAD Country Programme Manager (CPM) for Lao PDR, and Mr Xaypladeth Choulamany, representing the Ministry of Agriculture and Forestry, the panel hosted experts from academic and scientific institutions, as well as international development organizations. Presentations were made to give participants an overview of the socio-economic context and national forestry regulations in Lao PDR, and current challenges and opportunities facing local communities and ethnic groups in the management and conservation of natural resources.

This was followed by a two-day field visit to Huay Hang and Napor villages, which was organized around several different activities, including: meetings with district authorities; presentations about the CLT application and approval process, bamboo forestry management regulations and associated communal practices; field visits to the bamboo management and conservation areas, as well as to the handicraft production sites. The visit also offered an opportunity to experience the local culture through music, dances and sacred rituals.

The learning acquired in the field was then reinforced by a thematic workshop organized by GDA. The topics addressed at the workshop included the role of women in the conservation and management of natural resources, as well as issues related to the work of CSOs with local communities and ethnic groups in Lao PDR, etc.

On 16 November 2012, LR participants travelled to Thailand. Same as in Lao PDR, an introductory panel was held to give participants a general overview of the country's socio-economic context, land tenure, forestry regulations and associated law reform, as well as the constitutional framework for indigenous communities at the national level. The panel included representatives from the public sector, CSOs and indigenous leaders from northern Thailand.

A two-day visit was undertaken to the Huay Hin Lad Nai village to learn about the strategy of sustainable self-sufficiency of the Karen indigenous community. The villagers organized field excursions to the forest area and the shifting cultivation fields, where LR participants came to appreciate the many advantages of the sustainable shifting cultivation practices of the Karen people and taste the products of their fields. The field visits were followed by presentations on food security and land rights. Cultural events concluded the visit.

On 19 November 2012, AIPP staff presented the different programmes and projects supported by their organization and their country-based partners, focused mainly on capacity-building, community empowerment, advocacy and network strengthening.

The meeting also informed the participants about the main issues affecting indigenous peoples in the region current opportunities and major challenges.

At the conclusion of the LR, participants finalized the draft versions of their Innovation Plans, which were later submitted to the LR's organizers for evaluation.





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**Links:**

Indigenous Peoples Assistance Facility  
<http://www.ifad.org/english/indigenous/grants/index.htm>  
IFAD's Policy on Engagement with Indigenous Peoples  
[http://www.ifad.org/english/indigenous/documents/ip\\_policy\\_e.pdf](http://www.ifad.org/english/indigenous/documents/ip_policy_e.pdf)  
United Nations Permanent Forum on Indigenous Issues  
<http://www.un.org/esa/socdev/unpfii/index.html>

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