



## TERM OF REFERENCE (TOR)

<b>References</b>	L4A project documents, budget and cost norm of L4A project and related materials
<b>Project</b>	Secure Land Rights for All - Giving Ethnic Minorities a Voice (L4A)
<b>Mission</b>	National Experts to develop a set of tools for effective land use and management for ethnic minorities.
<b>Activity code</b>	6.1.1 & 6.1.2
<b>Purpose</b>	Review and development of a tool kit on “Efficient Land Use and Management (LRT)” for building capacity of Civil Society Organizations (CSOs), grassroots land policy implementers, mass organizations and Commune Mediation Committees (CMCs).
<b>Place of execution</b>	The provinces of Cao Bang, Hoa Binh, Nghe An, and Hanoi.
<b>Timeline</b>	From October 2020 to January 2021
<b>Supervision</b>	L4A Project Manager, LANDA Coordinator, L4A Project Accountant

## BACKGROUND

Issues related to land use rights often have a major impact on the lives of ethnic minorities (EMs) as their livelihoods depend mainly on land and forest resources. In recent years, the Government of Vietnam has allocated millions of hectares of land and forest land resources to households, groups of households and State Forest Enterprises (SFEs) to create opportunities to improve local people's livelihoods through agriculture production which is based on land and forest resources. However, ethnic minorities still have limited access to information, policies and laws on land and forest as well as other resources in order to actively participate in the policy implementation monitoring process.

The Commune Mediation Committee (CMCs) is the grassroots mechanism for resolving disputes at the village level. This is an unit established by the communal-level People's Committee with the core of the Fatherland Front and its member organizations. CMCs has contributed greatly to solving disputes and problems occurring in communities, highly appreciated by government authorities and the people. However, the knowledge and skills of members of the CMCs at the grassroots level, especially in mountainous areas, remains

limited. CMCs often lacks the legal basis and capacity to deal with problems related to land and forest resources. Therefore, CMCs needs to build capacity in policy and skills to be able to best support the people and government in resolving land and forest resource problems in communities.

The project "Secure Land Rights for All-Giving Ethnic Minorities a Voice" is funded by the European Union (EU) and co-implemented by Helvetas and the Land Alliance (LANDA) which is represented by the Center for Rural Community Research and Development (CCRD). It is implemented in 03 provinces in the North of Vietnam including Cao Bang province (Nguyen Binh district), Hoa Binh province (Da Bac and Mai Chau districts), and Nghe An province (Tuong Duong district) from June 2020 to May 2023. The project will make contribution to addressing the above issues by raising awareness and capacity for CMCs, local social organizations and stakeholders at the provincial, district and communal levels to address these issues concerning access to land and forest resources.

The overall goal of project is to contribute to the effective promotion and protection of land and forest resource rights of EMs in the northern provinces of Vietnam. Through the project support, LANDA member organisations and CMCs will be resourced to support marginalised communities to claim their land and forest resource rights and to pro-actively participate in land governance processes.

Developing and disseminating the set of LTR Tool Kits suitable for EM communities and stakeholders is one of the main activities of the L4A project. Through the knowledge and skills provided by the LRT Tool Kit, the capacity and knowledge of LANDA and CMCs members will be strengthened to best support the EM communities in securing rights to land and forest land resources. The LRT Tool Kit also provides comprehensive and sufficient information for reference by all authorities at all levels.

The LTR Tool Kit will be disseminated through Training of Trainers (TOTs) courses and extensive training programs to members of LANDA, CMCs, community organizations and stakeholders. The LTR Tool Kit will also be widely disseminated through online forums and local media activities.

Helvetas and CCRD will select local experts with suitable qualification and experience to formulate and develop the LRT Tool Kit as described below.

## 1. SCOPE OF ASSIGNMENT

### 1.1 Objective

Review and develop the tool kit "LRT Efficient Land Use and Management" to build capacity for Civil Society Organizations, grassroots land policy implementers, mass-organizations and CMCs.

### 1.2 Tasks

- Review legal documents, related policies on land for EMs; customary land management regulations and practices of EMs; international regulations/guidelines on rights to land; legal documents on mediation and dispute resolution; knowledge

and skills related to reconciliation, dispute resolution, supervision and advocacy of land policy;

- Develop a detailed outline of the set of LRT Tool Kit;
- Conduct consultation with experts/specialists for collecting opinions and proposals on the outline of LRT Tool Kit for improving it;
- Develop a draft LRT Tool Kit based on the improved Tool Kit in which ideas and contribution of experts/specialists have been incorporated;
- Facilitate consultation workshop(s) with different stakeholders (experts, specialists CSOs, land policy enforcement agencies, socio-political organizations, and so on) on the content of LRT Tool Kit;
- Finalization of the LRT Tool Kit;
- Make proposal for at least 2 options for design and presentation in order to make it best possibly suitable to the level of education and practice of the ethnic minority people.

### 1.3 Requirement for product

The product of this mission is 01 set of Tool Kit on “Efficient Land Use and Management for Ethnic Minorities” with the content and specifications as follow:

- Gather relevant legal provisions on EMs' land use rights, customary regulations and practices of local EMs, as well as existing international principles;
- Skills to settle existing issues/disputes related to land and forest resources use and management in EM areas;
- Skills related to policy analysis and development of policy recommendations on the management and use of forest resources in ethnic minority areas;
- The structure and content of the LTR Tool Kit will be developed to satisfy the needs and actual level of education of each and every target group.

## 2. ACTIVITIES AND TIME FRAME

No.	Activity	Timeline
1	Meeting with selected experts/specialists to discuss and outline the methodology and steps for developing LRT Tool Kit	Early 10/2020
2	Review and gather legal documents and related papers.	In 10/ 2020
4	Develop a detailed outline of the LRT Tool Kit	In 10/2020
5	Consultation workshop on the detailed outline of the LRT Tool Kit	Early 11/2020

6	Develop the draft LRT Tool Kit	In 11/2020
7	Consultation workshop on the draft LRT Tool Kit	Early 12/2020
8	Finalization of the LRT Tool Kit based on comments and contribution of the consultation workshop	In 12/2020
9	Acceptance of LRT Tool Kit	In 1/2020

### 3. REQUIREMENT FOR QUALIFICATION AND EXPERIENCE OF EXPERTS / SPECIALISTS

Applications will be evaluated based on technical qualification (70%) and financial estimate (30%). The detailed evaluation criteria are as follows:

- Experience related to the development of land law guidelines and skills related to the areas highlighted in the TOR;
- Knowledge and experience regarding land and forest resource legislation;
- Knowledge and experience in building capacity on the topics highlighted in the TOR for social organizations, community-based organizations and related local agencies;
- Application is well-structured and properly address the expected objective, contents, tasks and results as highlighted in the TOR;
- The appropriateness of the budget projection compared to the cost norm of the project.

### 4. DEADLINE FOR SUBMISSION OF APPLICATION

Applicants should send the following documents in writing to [landrightvn@gmail.com](mailto:landrightvn@gmail.com)

- i. Cover letter explaining the applicants' interest in and suitability for the mission as described in the TOR;
- ii. Individual resume/Profile of expert group;
- iii. Technical and financial proposals.

**Application deadline: Before October 5, 2020**

***Note:*** The selected applicant is required to sign on the Assignment Contract, Helvetas's Code of Conduct (CoC) and other needed documents before conducting the assignment.