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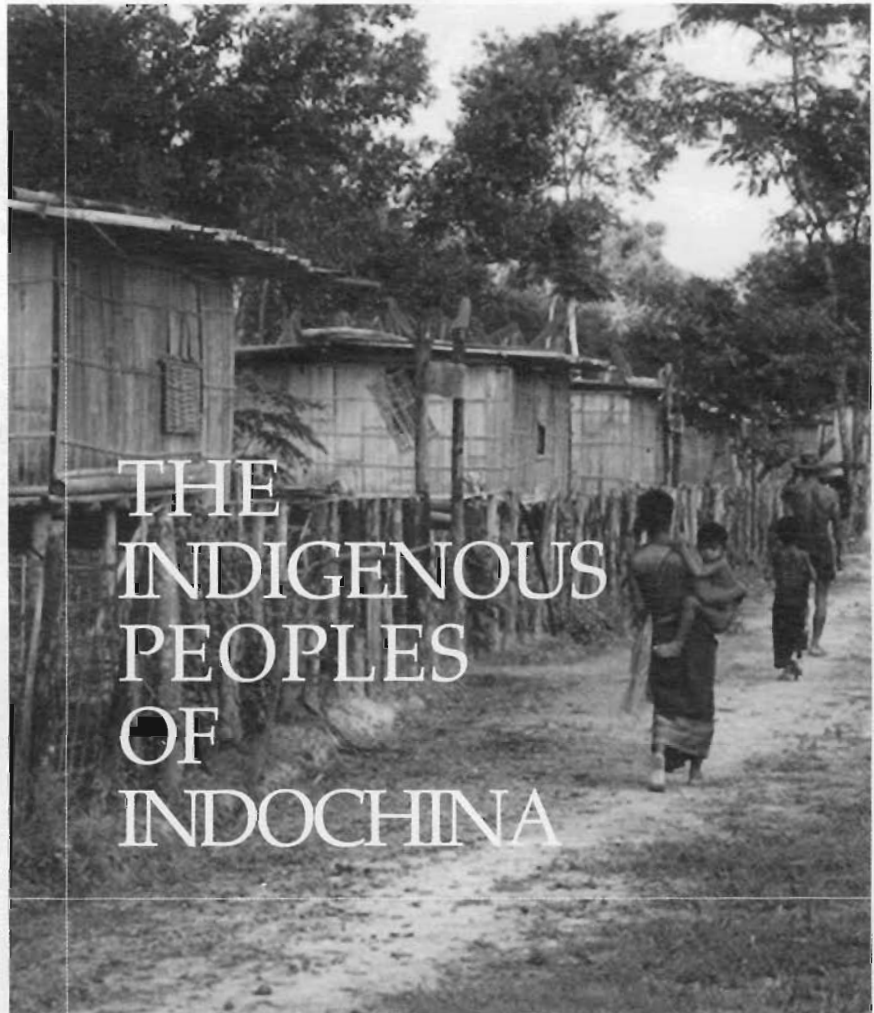
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*Cover: Indigenous highlanders at the market  
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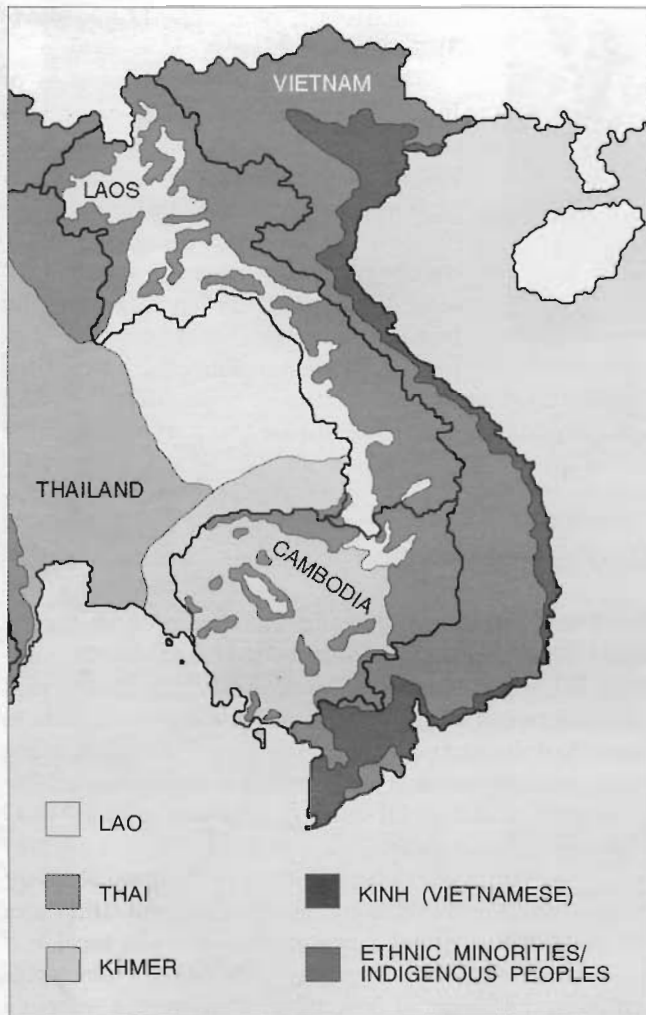
# EDITORIAL



## THE INDIGENOUS PEOPLES OF INDOCHINA



Indochina is the name sometimes given to the large peninsula lying between present-day India and China. It not only refers to the region's geographical location, however, but as much to the strong influence these two cradles of ancient civilisation have had on its political and cultural history. More commonly, however, the name Indochina is applied to the area today covered by the three countries located on the eastern side of the peninsula: Laos, Cambodia and Vietnam. This use of the term is a remnant from almost a century of French colonisation, during which the formerly independent kingdoms, princely states and tribal communities of that part of the world were gradually forced into what was euphemistically named the "French Indochinese



Source: Paffenberger 2000

Union" (after the 2<sup>nd</sup> World War this became the "Indochinese Federation").

### The Legacy of War

To most people, Indochina still primarily evokes images of war and unrest. And indeed, to all three countries, the 20<sup>th</sup> century was one of unimaginable suffering in the wake of their struggles for liberation from foreign domination and domestic tyranny.

With anti-colonial resistance becoming more organized under the communists during the first half of the century, the Japanese invasion during World War II, the

First Indochina War of the Viet Minh against the French in Northern Vietnam from 1946 to 1954 and the second from 1959 to 1975 against the USA and their puppet governments (which all three countries were drawn into), only the last generation of Vietnamese and Laotians born in the 20<sup>th</sup> century has been spared the horrors of having to grow up in times of war. In Cambodia, however, the suffering was not yet over. What was to follow were three years of terror under the Khmer Rouge regime during which over two million people were killed. Vietnamese intervention brought an end to the nightmare but civil war continued during their presence, flaring up after their withdrawal in 1989 and slowly petering out only in the late 1990s.

The legacy of war still weighs heavily on the people of Indochina. It has left many physically disabled and mentally traumatised, forests denuded and children crippled from toxic remains in the soil and food chain following the massive use of defoliants and herbicides. Valuable agricultural land is scarred with bomb craters and large areas littered with so-called "unexploded ordnance" (UXO). It is estimated that by the end of the 2<sup>nd</sup> Indochina War, 1.9 million tons of bombs, at that time half a ton for every person or 10 tons per km<sup>2</sup>, had been dropped by the US on Laos alone. Even after years of UN-funded clearing operations, more than 30% of all villages in Laos are still contaminated by UXO. It is causing an estimated 130 casualties per year (in Cambodia about 800), many of them children.

Much of the bombing and fighting occurred in mountainous areas, especially along the so-called Ho Chi Minh trail, the main route of advance of the North Vietnamese army during the 2<sup>nd</sup> Indochina War. This runs along the Annamite Chain and partly through Laos and Cambodia to South Vietnam. These areas, which were disproportionately affected by the war, are home to mostly indigenous peoples.

Indigenous peoples have not been only passive victims of the war. They have participated actively and on all sides. For those who supported the defeated, the consequences are still felt today. They are often treated with suspicion by their governments. A few thousand Hmong who sided with the Americans are still keeping up their resistance against the socialist government of Laos, supported by organisations of Hmong refugees living in the USA (see article by Gary Yia Lee in this issue).

A less well-known legacy of the Second Indochina War is the still widespread opium production that con-

tinues in Northern Laos, adjacent areas of Burma and, although now to a lesser extent, Vietnam and Thailand. While opium has been produced in the area for much longer, it received a boost during the 1960s and 1970s when the US troops became involved in the war. The CIA was using profits from opium and heroin transported aboard US aircraft to finance its covert operations in Indochina. It led to an increased heroin supply worldwide and, consequently, opium production in the remote areas of what became known as the "Golden Triangle". This has drastically changed the local economy and livelihoods of the villagers involved, who almost exclusively belong to indigenous peoples (see article by Michael Epprecht).



groups" have been officially recognised. The actual number may however be considerably higher since classification seems to be rather crude. Recent estimates put their total population at 10 million, amounting to about 13.5% of the national total of 74.5 million (Zankel 1996: 3).

Though the indigenous peoples of Indochina are vastly outnumbered by the region's dominant populations, the Khmer (in Cambodia), the Kinh (or ethnic Vietnamese, in Vietnam) and the Lao (in Laos and neighbouring Thailand), they occupy a much larger share of the land. While the latter have traditionally lived in the fairly densely populated alluvial and coastal plains, the indigenous

peoples have settled the extensive hills, mountains and upland plateaux that cover the largest part of Indochina (see map).

## Indochina's Indigenous Peoples

It is only since the reforms and the slow opening-up of socialist Vietnam and Laos in the late 1980s, along with the end of the civil war in Cambodia in the mid-90s, that more detailed information on the indigenous peoples of these countries has again become available. This edition of *Indigenous Affairs* will present some of the findings of research conducted in recent years.

But who are we referring to when we talk of Indochina's indigenous peoples? It is not my intention to present and discuss the various internationally used definitions of indigenous peoples or to explore their relevance and applicability to Indochina or the Asian context in general. This has been extensively done elsewhere (Kingsbury 1995, 1998).

In Indochina, the indigenous peoples are more often called "ethnic minorities" or "highland peoples" in literature. In the contributions to this edition, the three terms are used interchangeably. In Vietnam, the official term is "ethnic minorities", in Laos "ethnic groups", "ethnic peoples" or "non-ethnic Lao", and in Cambodia "highland Khmer" or "highland peoples".

The diversity of indigenous peoples in Indochina is staggering. Cambodia has the smallest population of indigenous peoples. Reliable figures do not exist but estimates put their number at somewhat above 100,000. They belong to more than 30 ethnic groups and make up about 1% of Cambodia's total population of 10 million. In Laos, about 70% of the total population of 4.8 million, i.e. approximately 3.4 million people belong to "ethnic minorities", divided into more than 230 different ethnolinguistic groups (ILO 2000: 7). In Vietnam, 53 "ethnic minority

## The Present Situation

The Constitutions of Laos and Vietnam provide for the equal rights of ethnic minorities to their cultural traditions. In Laos, the Constitution explicitly forbids discrimination between ethnic groups and mandates the State to promote unity and equality among them and to "carry out every measure necessary to continue to improve and raise the economic and social status of all ethnic groups" (ILO 2000:39).

In Vietnam, a quota system ensures minimal access of ethnic minority students to higher education, and there are protected political representations at the local and national level (in fact, they are numerically over-represented in the National Assembly). However, a selective education and recruiting system ensures Kinh-dominated party control. And while local government offices in communes and districts with a majority of indigenous peoples are also held by members of their communities, the more powerful positions at provincial (or sometimes district) level are usually held by Kinh.

In Laos, the current ethnic minority policy was formulated in the "Resolution of the Party Central Organization Concerning Ethnic Minority Affairs in the New Era" of 1992. In a policy study on ethnic minority issues commissioned by the ILO, the authors conclude, "Ethnic Minority Policy, as it now stands, is in fact adequate and in accordance with the spirit of ILO Convention No. 169" [Convention Concerning Indigenous and Tribal Peoples in Independent Countries; c.e.] (ILO 2000: 47).

However, the authors also identified controversial

areas, referring to - in particular - programmes and projects "which involve land allocation and stabilization of shifting cultivation, resettlement, and village consolidation" (ibid.:40). They see this, however, not as stemming from the policy itself but from "planning and implementation carried out in a manner that is either contrary to policy or a misinterpretation of policy" (ibid.). And they find the following lacking in Lao policy: in-depth consultation with minority groups, respect for traditional land use practices, study of cultures and belief systems and inclusion of minority leaders in the planning process (ibid.). They also refer to shortcomings regarding language policy (ibid.:47).



While constitutional provision and general policy in Laos and Vietnam may provide a favourable framework for the protection of the rights of indigenous peoples, specific legislation is either weak or ambiguous, and there are a number of other policies and government programmes that work counter to their rights and interests.

Prejudices and ignorance of the culture and living conditions of indigenous peoples, ultimately rooted in the widespread ethnocentrism existing among the dominant ethnic groups, are as much a cause of misguided government programs as competing interests. The programs to protect forests and reduce shifting cultivation through resettlement of indigenous highland communities in Laos and Vietnam are obvious examples (see article by Brigitte Junker). In some cases, the true reasons behind the resettlement of communities, as in the case of the Heuny on the Boloven Plateau of Southern Laos (see article by Nok Khamin), are not clearly evident and leave considerable room for speculation and suspicion.

Cambodia's "General Policy for Highland Peoples Development", which was drawn up by the Inter Ministerial Committee for Highland Peoples in 1997, still remains no more than a draft. And the commission itself is at the moment barely functioning. Local NGOs and international organisations managed to have a special section on indigenous peoples' communal land rights included in the draft of the new land law. But the law still has to be approved by the National Assembly. A separate community forestry law is being drafted alongside the new forestry law. But the outcome of this is also uncertain. The unclear situation with regard to land and forest use and tenure rights causes much insecurity. Meanwhile, concessions for logging and plantations have been, and continue to be, granted over huge areas of indigenous lands.

Due to the civil war in Cambodia and Laos' political and economic isolation, the indigenous peoples in these

countries have until recently been spared the large-scale encroachment onto their lands caused by commercial exploitation of natural resources, hydroelectric dams, plantations or migrant settlers. But with peace in Cambodia and the economic opening-up of socialist Laos, the situation is now rapidly changing (see articles by Nok Khamin, Sara Colm and Conny van den Berg). And in Vietnam, massive transmigration programs, large scale logging and land conversion for plantations operated by State-run enterprises on indigenous peoples lands have been going on for decades. Government transmigration programs have been stopped but spontaneous migration, especially to the Central Highlands, has

developed into an uncontrollable flood. And under the government's land and forest allocation program it is very difficult for communities to have communal land rights recognised.

The situation of Indochina's indigenous peoples is rapidly approaching that of their brothers and sisters elsewhere in Asia. Confronted with a discriminatory attitude among the dominant population and government officials, they are experiencing intense pressures to assimilate, along with the loss of their lands and resources and increasing poverty. The positive elements in the existing legislation and policy are overruled by the primacy given to national development and modernisation. Economic and development policies are increasingly determined by vested interests buttressed by developmentalist ideology. Informed by crude evolutionist thinking, the problems experienced by indigenous communities as a result of national development policies are often dismissed as unavoidable, as the price they have to pay for progress. Something all too well-known in other parts of Asia, and the world.

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By Gary Yia Lee

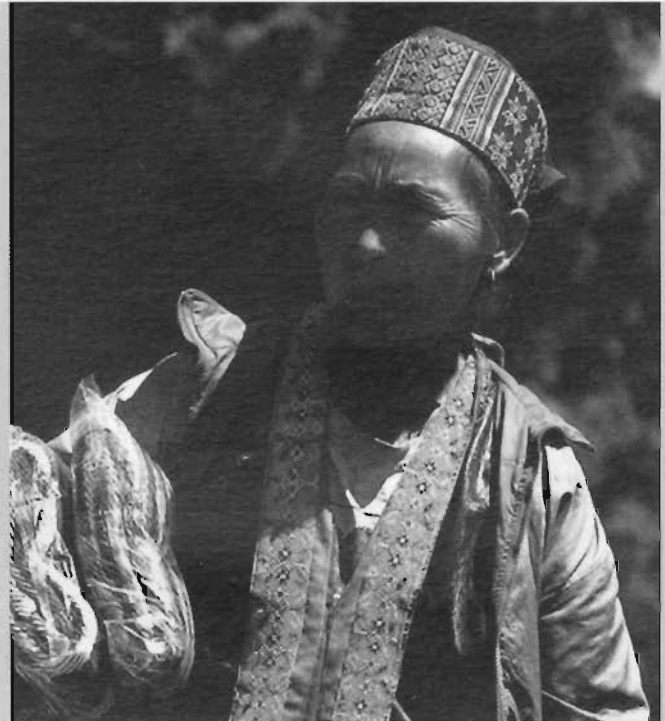
# BANDITS OR REBELS? HMONG RESISTANCE IN THE NEW LAO STATE



On the evening of 31 March 2000, the relative calm of Vientiane, the small dusty capital of Laos, was shattered by a bomb blast in a crowded Korean restaurant with the quaint name of “Khob Chai Deu” (Thank You Yes) in the central part of the city. It was a grenade reportedly thrown by two men on a motor cycle, injuring two local Lao diners and eight foreign tourists (mostly British and German), two of them seriously. A second bomb went off five days later next to a government-run hotel, a few hundred metres from the scene of the first explosion, followed by a third bomb a few days later. Then, a fourth bomb exploded in the busy Morning Market on May 28, injuring 15 Lao civilians.

The Government explained the first explosion as the result of personal business rivalry but offered little information on the other incidents or their perpetrators. Following the 28 May blast, however, it finally declared a national alert. A fifth bomb went off on 7 June 2000, and other bombs were reported to have been found at the airport and near the Vietnamese Embassy. These events finally prompted the Lao Prime Minister, Gen. Sisavath Keobunphanh, to state that he believed the incidents to be the work of Hmong living in other countries who had returned from exile to carry out a campaign “to disturb the government and people” of Laos (*The Nation*, 9 June 2000).

The *Bangkok Post* (1 July 2000) also reported that the Lao Ambassador to Thailand, Mr Hiem Phommachanh, attributed the bombing to “foreign-based Hmong” under



*Hmong living in Vietnam (left) and Thailand. Photos: Christian Erni*

Gen. Vang Pao, a former military commander of the Royal Lao Government (RLG) who opposed the communist Pathet Lao (PL) from 1961 to 1974 with the support of the American Central Intelligence Agency (CIA). Vang Pao was seen as "the only resistance leader still critical of the Lao government and soliciting support" from foreign countries. He now lives in America as a refugee. These assertions seem to be based on the fact that the Hmong had reportedly been intensifying their resistance activities in Borikhamxay and Xieng Khouang provinces since October 1999 and were said to be engaged in shooting and burning houses in Muong Khun, the former Xieng Khouang town in the north-east of the country at the time of these bombings.

Diplomats in Vientiane, however, had a different explanation and saw the bomb explosions as the result of internal disputes between PL leaders vying for control of power and business opportunities. The incidents were designed to create instability in the government, which has been beset by lack of political reforms and economic problems. Those in power are said to be split into two groups. President Khamtay Siphandone and other elderly hard-liners reportedly want to align Laos with the Vietnamese communist government in Hanoi while a second group prefers more economic opening to the outside world. Officially, the Lao government does not admit to this division within its ranks and insists that internal conflicts are impossible because the country's security is so tightly

organised that only exiled Hmong in the United States could have been behind these incidents. How accurate is this assessment?

To examine the reasons for the Lao government's assertions and its attitudes towards the Hmong, it is necessary to delve back into the recent history of Laos, its long struggle for independence from foreign control and the role played by the Hmong in this process.

### **Hmong Resistance in Lao History**

The history of Hmong resistance in Laos goes back a long way, to well before the Lao civil war that ended in 1975 and its subsequent aftermath. After their migration from southern China in the last half of the 19<sup>th</sup> century, partly pushed by the Chinese Taiping Rebellions and partly as a result of their search for new farming lands, the Hmong settled in increasing numbers in the Samneua, Phong Saly, Luang Prabang and Xieng Khouang provinces of Laos. They soon found themselves paying double tax after Laos became a French protectorate in 1893: a traditional tax to the local Lao chiefs and a new one to the French authorities in the form of silver coins and opium levies. This tax burden caused Hmong leaders in the Nong Het area near the Vietnamese border to organise an ambush against tax collectors in 1896 at Ban Khang Phanieng in Muong Kham, Xieng Khouang province (Yang Dao, 1975: 46).

The French viewed the situation seriously enough to agree to negotiate with the recalcitrant Hmong, resulting in the establishment of Hmong *Tasseng* (or canton chief) positions, which were accountable directly to the French colonial administration. The first Hmong *Tasseng* was given to the chief negotiator, Kiatong Mua Yong Kai (Muas Zoov Kaim) in Nong Het, and a second *Tasseng* was created near Xieng Khouang town for Ya Yang Her (Zam Yaj Hawj). This new arrangement would allow all Hmong leaders to collect taxes from their own people and they would have their own autonomy in local village administration, bypassing Lao officials at the *Tasseng* and Muong (or district) levels (Savina, 1924: 238). This was to affect later Hmong involvement in the political events of Laos greatly, for it gave the Hmong leadership a tendency to prefer to deal directly with Western allies (be they French or American) instead of the Lao, primarily because of a basic distrust of Lao authorities based on these early administrative conflicts.

The Hmong again rose up in revolt against the French with the Pachai (Batchai) *Vue* messianic movement - the first of many revivalist cults that gave rise to the "*Chao Fa*" or Lord of the Sky resistance group today. Pachai was a Hmong living in North Vietnam. He was inspired to lead the revolt from 1918 to 1921 out of a strong mythical belief that God had called upon him to deliver the Hmong from unjust treatment by local foreign warlords. The uprising was originally aimed at Thai Dam (Black Thai) mandarins who conscripted Hmong men from their highland settlements to work as free labour for them in the lowlands and who also levied opium tax on the Hmong. However, it soon spread to include French colonial targets when French soldiers became involved in putting the uprising down. They drove Pachai to seek refuge in Laos where he attracted a larger group of followers. It was claimed that the rebellion at its peak covered a territory of 40,000 square kilometres, spanning from Dien Bien Phu in Tonkin to Nam Ou in Luang Prabang, Laos, down south to Muong Cha (now renamed Saisomboun) north of Vientiane, and going north-east to Sam Neua. Many Hmong took up arms with Pachai either out of their own personal grievances against lowlanders or in the fervent belief that they were part of a holy war foretold in many of their myths to regain the country they had lost long ago.

In China, the Hmong had staged many such bloody uprisings through the centuries against Chinese domination, based on a belief in the coming of a mythical king and a new Hmong kingdom (Tapp, 1982: 114-127). As stated by Gunn (1986: 115), the largest military expedition ever organised in Laos "by that date was mounted to break Batchai's rebellion; four companies of tirailleurs were brought in from other parts of Indochina to restore order." Pachai was eventually tracked down and killed in his

hide-out in Muong Heup, Luang Prabang, on 17 November 1921 (Le Boulanger, 1969: 360). Following his death, many Hmong rebel leaders surrendered and were decapitated at Nong Het by the French in front of Hmong spectators who were forced to assemble there. Other supporters of the revolt were required to pay compensation to the French at fifty piastres "for every Lao or Vietnamese (soldier) killed, not including compensation for loss of houses, cattle and crops" (Gunn, op cit.: 120). Altogether, 375 kilograms of silver bars and coins were collected from the Hmong. Many who could not pay had to sell or pawn their children and possessions.

From these early dissident experiences, the Hmong progressed to full participation in the struggle against the French and the subsequent Lao civil war during the Vietnam War period. Rivalry between the Lo and Lee clans in Nong Het for the position of the local *Tasseng* chief split the two groups into bitter enemies when the French gave it to Touby Lyfoung in 1939, following the death of its incumbent, Lo Bliayao (Chongtoua, 1998: 54). Touby Lyfoung thereafter became a capable Hmong leader who was to remain faithful to the French and their right-wing Lao supporters to the end of his life. During the Japanese occupation of Laos in 1945, Faydang, one of Lo Blaiyao's sons and Touby's rival, made contact and sided with the leaders of the left-wing Lao Issara (Free Lao) Movement under the leadership of Prince Souphanouvong. The Lao Issara, later known as the Pathet Lao (PL or Lao Homeland), was to become the main nationalist group that led the fight for independence from French (and later American) domination of Laos with the support of North Vietnam.

The Pathet Lao depended much on Faydang's Hmong and other hill tribes for its main human resources in the jungles of north-eastern Laos. According to Stuart-Fox (1997: 79-80), the movement relied on ethnic minorities for its initial support bases because it had "little opportunity to mobilize lowland Lao", which was firmly controlled by its opponent, the Royal Lao Government. From the outset, the Pathet Lao had thus tried to adopt egalitarian relations with ethnic groups, as well as adopting a well-defined policy regarding national identity and unity involving all ethnic minorities. These were later to be enshrined in the Constitution of the Lao PDR, which was promulgated in 1991. To continue to attract support, the Pachai rebellion, along with similar revolts by Khmu leaders in southern Laos, has been honoured as a symbol of the fight for independence from French colonialism by the PL Revolutionary Party who presently controls Laos. It has named one of its PL People's Army battalions as Krom Pachai, consisting mostly of Hmong. After the PL took control of Laos in 1975, Faydang was made Vice-Chairman of the National Assembly and later nominated as a "Hero of the Revolution".





*General Vang Pao, third from left, at a meeting in St. Paul, Minnesota, USA in 1996. Photo: Gary Yia Lee*

From 1949, when the French ceded control of Laos, to 1954 when it was given full independence, those Hmong who sided with Touby Lyfoung were fighting alongside the French as village militia and French colonial soldiers against communist Vietnamese troops who were helping their PL ally in the latter's expansion across the country. After the French left Indochina, the Americans stepped in to counter the spread of communism. The French helped set up the RLG and its army, which included many Hmong recruits, among them a young officer named Vang Pao who was later to become a General and the Commander of the Second Military Region in 1962 in north-eastern Laos, where most of the Hmong were living. When the Lao civil war was in full swing in 1961, Vang Pao was given the full support of the American CIA to set up the so-called "secret army" to combat the advance of PL troops. This support was to last until the Paris Cease-fire Agreement in 1973, which led to the dislocation and deaths of thousands of Hmong in the highlands of northern Laos. It was estimated that the Hmong then numbered 300,000, with about one third living in areas controlled by the PL and the remainder under the RLG. During this period, close to ten per cent of the Hmong population perished in the war as

civilian victims or conscripted soldiers serving on both sides of the conflict.

### **Resistance or Rebellion?**

After Laos changed hands in 1975, the Hmong under Gen. Vang Pao found themselves seeking refuge in the refugee camps in Thailand and were later resettled in Western countries such as the United States, Canada, France, Australia and Argentina. More than 200,000 of them are now part of this diaspora, including about 30,000 scattered in various locations in Thailand as illegal residents. A large number of more than 20,000 who could not escape to Thailand in the years immediately after 1975 have adapted themselves to life under the new regime, which became known as the Lao People's Democratic Republic (Lao PDR). Many of their leaders, police and military officers under the old RLG were taken to re-education camps where they remained for many years, some never to return. More than 15,000 Vang Pao followers, ever distrustful of the new authorities, went into hiding with their families deep in the jungles of Phu Bia, the highest moun-

tain of Laos, and other adjacent areas from where they have continued to wage a constricted war of resistance against the Lao PDR government (Lee, 1982: 212-214).

At first, the new government tried to talk the Hmong into joining in the new political life and socialist economy of the country through face-to-face discussion, leaflet drops and radio propaganda broadcasts. However, after many frustrated efforts, it resorted to armed suppression following increasing ambushes of Lao army convoys and troops by the Hmong along Route 13 and the road linking Vangvieng and Vientiane in 1976. The Hmong reportedly used arms and ammunition left hidden by Vang Pao in the Phu Bia region, and later captured weapons from their enemy or took them from dead government soldiers. As these ambushes became more widespread and government troops proved ineffective in stopping them, four regiments of Vietnamese troops were sent into the Phu Bia area in 1977 to crush the rebellion, causing thousands of Hmong to flee to Thailand, 2,500 arriving in December 1977 alone. Aerial chemical bombardment was also alleged to have been used on the rebels by the Lao government (Yang Dao, 1978), but this has proved difficult to confirm (Evans, 1983).

It was estimated that only 3,500 Hmong in the Phou Bia area were involved in armed resistance against the government, compared to the 150,000 living in the country at the time (*US News and World Report*, 2 June 1980). At least 1,300 of the rebels were reported killed in 1977, although Vang Pao claimed from his exile in the US that 50,000 Hmong died from Lao government chemical poisoning between 1975 and 1978, with a further 45,000 perishing "from starvation and disease or shot trying to escape to Thailand" (Hamilton-Merritt, 1980: 37). Casualties on the government side were also said to be heavy, including two Soviet helicopters and four crewmen in 1976, in addition to "serious losses suffered by Lao military personnel" (*FEER*, 10 September 1976).

Since 1977, the Lao government has carried out many intermittent suppression campaigns and its casualties continue to be heavy - with some military units reported to be nearly wiped out in ambushes by the Hmong, and a group of 200 Lao soldiers in the Vangvieng area allegedly killed by mistaken aerial bombardment from their own air force MIG bombers in 1988. In December 1997, the "Chao Fa" were said to have eradicated all but one member of a company of government troops near Khang Khai south of the Plain of Jars. Hmong civilians are also targeted, and many have died from attacks on villages or ambushes by both sides. Visitors to Laos in 1998 reported that the "Chao Fao" now claimed to occupy the following areas: (1) Muong Mai, Thasi, Pa Na, Nam Hia, Na Kong, Phu Makthao, Chomthong and Muong Sa in Borikhamsay Province; (2) Khang Khai, Tha Papang, Nam Tao Samseng,

Phu Bia, Muong Mork, Phu Nanon and Samthong in Xieng Lhouang Province; and (3) Phu Kongkhao and Phu Nhay in Luang Prabang Province. Hmong and other inhabitants in these places were said to be living in fear, not knowing which side to align themselves with.

Hmong resistance fighters, albeit uncoordinated and lacking in external support, thus seem to have continued their deadly activities to this very day. The movement has been kept alive by the fiercely anti-communist stance of its followers and other factors, not the least of which is the fact that Hmong civilians who have rallied to the Lao PDR authorities have reportedly been taken to resettlement villages in the lowlands where many of their leaders eventually mysteriously disappear or are imprisoned, depending on the decisions of Lao military officials. A number of Hmong leaders who voluntarily repatriated from the refugee camps in Thailand also disappeared, were allegedly murdered or put in prison. Among the returnees who disappeared was Mr Vue Mai. He was the camp leader at Ban Vinai, the largest Hmong refugee camp in Thailand with more than 40,000 residents before it was closed in 1992 following pressure from the UNHCR and the Lao PDR government, who believed it to be the support base for many resistance groups inside Laos.

The Lao Government has continued to try to get more Hmong involved in the resistance to "come out" from their jungle hide-outs and lead "a normal life". Apart from military suppression, it has tried various development projects, chiefly in the "Saisomboun Special Zone", which was established in 1994 north of Vientiane in an area formerly known as Muong Cha under the old Royal Lao Government. This is the area closest to Phu Bia, the base of most of the "Chao Fa" groups. It hopes to make Saisomboun the centre for political and economic development in order to attract Hmong resistance into the folds of the Lao PDR authorities by withdrawing lowland ethnic Lao personnel from the area and putting Gen. Bounchane (a Khmu who successfully suppressed many "Chao Fa" Hmong in the late 1970s) in as the local military commander, with Col. Lo Lu Yang (a PL Hmong) as deputy commander and Mr Siatou Yang (another Hmong who was formerly the Chao Muong or district governor at Moug Hom) as the unification coordinator. The Special Zone covers the districts of Muong Phoun, Muong Hom, Muong Cha and Long San. The Lao authorities are now putting Hmong to work alongside dissident Hmong in order to try to bridge a deep political and cultural divide between them.

There is no doubt that the Government believes it best to have the Hmong deal with each other over this long-standing political issue. This does not seem, however, to have assuaged the anger of the so-called Hmong "bandits". They continue to ambush army convoys and even

Hmong couple in their dry rice swidden. Photo: Gary Yia Lee



taxis travelling between Vientiane and Luang Prabang, or to and from Saisomboun. This has escalated since May 1998 into free-for-all shooting by Hmong government troops of "Chao Fa" villages, with the resultant armed retaliations on Saisomboun town itself. Whereas previously it was lowland Lao soldiers shooting at Hmong, now the Hmong are killing each other. It is said that many Hmong families have fled Saisomboun to Kilometre 52, the major Hmong settlement on the road linking Vientiane to Muong Phon Haung and on to Vangvieng. The latest overseas resistance propaganda from Radio "Hmong Voice" (broadcasting on the Internet in the US) claims that the Lao Government, in order to continue its campaign against the Hmong, is now "forcing and picking up hundred (sic) of children and young men age (sic) 13 to 25 for military service, especially Hmong and Khmu kids in rural areas" (*Hmong Voice*, 22 July 2000, at [www.geocities/hmongvoice/](http://www.geocities/hmongvoice/)).

The Lao PDR government has appointed Mr Tong Yer Thao, the Vice-Chairman of the United Lao National Reconstruction Front (previously known as the Pathet Lao Revolutionary Front) to negotiate with resistance leaders and to be responsible for the resettlement of former Hmong rebels in the Muong Kao area, Borikamsay province, where they are given lowland wet rice farming land and other forms of assistance. Despite these efforts, the government has not been able to assist with inquiries or explanations regarding the disappearance or mysterious deaths of Hmong leaders who have "come out". This has deterred many of the rebels from finally laying down their arms, reinforced by a strong belief that the Hmong expan-

trates in America and other Western countries will come to their eventual rescue based on propaganda from overseas Hmong resistance groups, broadcast from Radio Free Asia and other covert means of contact. In a sense, the Hmong cannot be said to be rebels against the Lao PDR government, as these dissidents have never joined the new regime. They have chosen to resist by isolating themselves in their mountain fastnesses and refusing to be under the control of the new authorities.

The rebels seem to strongly believe that the current Lao government is no more than a puppet of the Vietnamese politburo, the real colonial master of Laos, a belief fed by a continuing similar political position amongst Hmong resistance groups in America. This ideological stand, stemming also from their past involvement with the Royal Lao Government and the CIA-financed secret army, has prevented the resistance leaders from having any trust in the pronouncements and overt intentions of the new Lao PDR officials. The Lao government, on its part, has tried to hide the problem from the outside world by dismissing Hmong resistance activities as being merely the work of armed "bandits" and "highway robbers". This has also made it easy for real Lao bandits to kill and loot whilst blaming the "Chao Fa" Hmong for their deeds. Lao officials have accused overseas Hmong refugees of trying to create instability in Laos but have never acknowledged the existence of this twenty-five year long rebellion by Hmong living inside the country. The international media and the diplomatic corps have been barred from visiting areas undergoing suppression campaigns by Lao and Vietnamese troops or under the control of the real "Chao Fa" Hmong rebels.

### Who Are Involved?

In 1976, the two major groups of rebels in Phu Bia were under Mr Yong Youa Her (Ntxoov Zuag Hawj), a former sergeant in Vang Pao's secret army, and Mr Xai Shua Yang, a former Tasseng (canton chief) at Pha Khao, east of Long Cheng that used to be Vang Pao's former headquarters. Yong Youa joined a Hmong revivalist movement in 1972 which, amidst all the suffering sustained by Hmong refugees in the Lao civil war, was advocating the formation of a "true" Hmong society, in anticipation of the return of the legendary Hmong king who would rescue the movement's followers from oppression by other groups. Under Yong Youa's military guidance and messianic leadership, the resistance movement soon became known as "Chao Fa" (a Lao term meaning "Lord of the Sky or Heaven" or God).

As stated by Lee (op.cit.: 213), Yong Youa's

leadership attracted a large number of Hmong, and at one stage he was said to have an "army" of 400 or 500 men, operating in units of 20 to 50 against PL forces. Using their claim to invulnerability and God's guidance, they went to war full of religious fervour, carrying old rifles and their own flag.... They used their weapons sparingly and only when sure of their aim, in order to preserve ammunition. When they ran out of necessary supplies, they took what they needed from their victims.

In 1979, Xai Shua Yang's followers had to split up into small bands, no longer able to withstand the shelling and gassing of their strongholds. A few months later, most of them reached Thailand with their families, leaving only Yong Youa and his "Chao Fa" freedom fighters to roam the thickets of Phou Bia in a hopeless resistance struggle for their promised Hmong kingdom. Yong Youa's movement was picked up in Thailand by a group of former "Chao Fa" adherents, headed by Pa Kao Her. For a time, the group gained support from China, which supplied it with arms and military training from 1979 to 1980, following the 1979 border war between China and Vietnam, the Lao PDR government's primary ally. The Thailand "Chao Fa" followers established their base in Nan, near the border of Laos and launched intelligence and armed operations into Sayaboury province in Laos as well as Phu Bia where Young Youa and his followers were stationed. Today, however, the group in Thailand has dissolved into virtually small elements, due to lack of overseas support and a crackdown by the Thai government, acting on border security agreements it signed with the Lao PDR government in 1994. By 1998, Yong Youa also seemed to have pinned his hopes on Vang Pao to return to the jungles of Laos and help him with the resistance, declaring in a video message that "I am continuing the fight for you and we are all suffering from your dirty legacy (of cooperating with the American CIA)".

In 1981, Vang Pao established the United Lao National Liberation Front (ULNLF), based in Santa Ana, California. The Front was supported by a number of prominent former RLG political and military figures such as Sisouk Na Champassak (former RLG Minister for Defence), Gen. Phoumi Nosavanh (the liberator of Vientiane during its occupation in 1960 by Lao Neutralist forces under Captain Kong Le), Gen. Thonglit Chokbengboun, Mr Outhong Souvannavong (elderly statesman and a former minister of the first Lao cabinet after independence from France in 1954), and a number of other right-wing Lao politicians. They formed a government in exile, with Souvannavong

as Prime Minister and Vang Pao as Minister for Defence (Chan, 1994: 47). Members of the Front traveled frequently to different countries sheltering Lao émigré communities in order to promote their organisation and gain support. They were able to increase its membership and financial donations greatly between 1982 to 1992. The Front also established its base in Thailand within the Hmong refugee camps, especially in the former Ban Vinai camp in Loei. It also had the cooperation of Thai army border intelligence units, which were using the Hmong refugee resistance fighters to collect military information inside Laos for Thailand. At the time, Laos and Thailand had not opened up to each other, and the Thai were still treating the new Lao regime with suspicion, depending mostly on refugees from Laos for any border military information.

By 1985, Vang Pao's ULNLF had penetrated deep inside Laos, with many contact points established in the jungles of his former RLG Second Military Command area in north-eastern Laos. It also tried unsuccessfully to make headway into central and southern Laos but found the going difficult as most of Vang Pao's operatives were Hmong, while the Lao resistance groups continued to squabble with each other and to do most of their fighting verbally against the new Lao authorities from the comfort of their armchairs overseas in France, America or Australia. By 1992, however, the ULNLF-like other resistance groups based among the Lao refugees in Thailand - fell victim to the Thai-Lao rapprochement. The Lao PDR government, mindful of the use of Lao refugee camps as the staging points of the overseas resistance groups, made overtures to the Thai government in an effort to bring the two countries closer together and to root out these dissident operations. Vang Pao, who used to be able to spend much of his time in Thailand, was no longer welcome there and he had to content himself with calling the tune from America. Nor could he any longer make radio contact with his supporters in Laos the way he used to, thus gradually losing ground on the resistance.

## The Foreign Connections

### • The Role of Thailand

Because Thailand had been the refuge for more than 300,000 refugees since the PL took control of Laos in 1975, it became the base for many of the resistance groups, which operated inside the refugee camps. Resistance fighters in Laos became better co-ordinated and were even in regular radio communication contact with supporters in Thailand. This support was very ad hoc, however, and only exposed the resistance groups to greater danger of discovery. When the Thai and Lao PDR governments commenced negotiations on border security in July 1994, these



*In a Hmong village near Vang Vieng. The village was established by the government of Laos for Hmong refugees who were repatriated from Thailand. Photo: IWGIA Archive*

resistance support networks were dismantled and their members dispersed or imprisoned. By now, Thailand also had new changes of governments and military commanders, who had developed new attitudes towards a Laos that was beginning to open up its market to the free economy of Thailand and other nations. The older die-hard anti-communist elite of Vang Pao's generation was gone. Many of the new people in command in Thailand did not even know who Vang Pao was, although he used to be its closest ally during the Lao civil war and the fight against communism in Laos throughout the 1960s and the early 1970s.

The new Thai authorities began to arrest Lao and Hmong refugees suspected of being involved in supporting resistance activities inside Laos, and those from America were stopped and turned back at the airport in Bangkok. By 1992, virtually all three Hmong refugee camps (Nam Yao, Chiang Kham and Ban Vinai) had been closed, with more than 20,000 of their residents repatriated "voluntarily" (by UNHCR accounts) to Laos. With the closing of the refugee camps in Thailand, the resistance groups in Laos have been on their own since 1993. The remaining Hmong refugees who had not been repatriated or accepted for resettlement in Western countries,

fled to live at Tham Krabok (a large Thai Buddhist drug rehabilitation centre and temple in Saraburi province, north of Bangkok). Others were dispersed into various parts of northern Thailand, or were relocated to Ban Napho camp in Nakhone Phanom, the last camp scheduled for closure by the UNHCR in December 1999.

#### • **The US Connection**

As the country responsible for supporting the Indochina War, America was also recipient of the biggest number of Indochinese refugees following their exodus from Vietnam, Laos and Cambodia in 1975. The number of refugees from Laos accepted for resettlement in the US is estimated at more than 350,000 with two thirds being Hmong. Vang Pao was among the first to resettle there. As stated earlier, he and Phoumi Nosavanh (a former General in the Royal Lao Army exiled in Thailand) set up the United Lao National Liberation Front (ULNLF) in 1981 in America, with affiliates among Lao refugees living in France and Australia. The Front and other resistance groups have also lobbied the American government for support and for political or economic sanctions against the Lao government. This is despite the fact that US Secretary of State Madeleine Albright has clearly stated that the US Govern-

ment "does not support the Laos Resistance Movement" (*Business Day*, 31 July 2000).

Regardless of the official American stand, much of the support for resistance groups and their morale still emanates from the US, largely because of the huge number of expatriates from Laos in that country who act as a source of financial donations and because of the presence of Vang Pao, Laos' major enemy. He was sentenced to death in absentia by the new Lao government in 1975, but he continues to represent a threat to the Lao regime. Judging from public statements made by Lao officials, there is no doubt that Vang Pao still commands fear among the Lao authorities, although he has vehemently denied being involved in any resistance activities in Laos or the recent bomb explosions in the Lao capital (*Asia.daily-news.yahoo.com*, July 29, 2000). The Lao government accuses the Hmong in America of continuing to send arms and money to resistance groups in Laos. It claims that six Hmong Americans were caught in this act at Nong Khai province in Thailand just across the border from Vientiane in January 2000 (*Far Eastern Economic Review*, 6 May 2000). Two Hmong men from America visiting northern Laos had also disappeared in 1999, although the object of their visit was never made clear. Overall, many Hmong in America still have relatives in Laos and often send them large sums of money - an activity regarded with suspicion by Lao officials. Many of them also visit Laos each year as tourists or on business - again making the Lao authorities suspect that some of them use these visits as a front for politically subversive activities.

#### • The Chinese Connection

Before Xai Shua Yang's escape to Thailand in 1979, rumours were already circulating of Hmong resistance bands harassing Lao troops near the border between China and Laos. Pa Kao Her, the "Chao Fa" Hmong leader in Thailand was also said to have sent 100 young Hmong for military training in southern China. Vang Pao was alleged to have made contact with Chinese leaders in August 1978 (*FEER*, 1 September 1979). Following the capture of a few dissidents bearing Chinese weapons, one prominent Lao official openly commented that "the Chinese have mobilized some Hmong and Lu minority people for a movement against our government" (*FEER*, 8 December 1979). However, there is no conclusive evidence on the extent or effectiveness of China's use of tribespeople to interfere in Lao internal affairs. The Lao government is also mindful of this possible threat and has made occasional high level friendship visits to China each time Hmong resistance activities increase, the latest being a State visit by the Lao Deputy Prime Minister to Beijing and another Lao delegation to Yunnan province bordering Laos in July 2000.

#### • The Vietnamese Factor

The Lao Government's recourse to Vietnamese military intervention every time the Hmong rebels intensify their activities has not helped to quench the resistance movement, but only to reinforce their claim once more that Laos is but a colony of communist Vietnam, although Vietnam denies any involvement by saying that Laos is a country capable of looking after its own security. Resistance sources, however, claim that two battalions of Vietnamese troops have been in Laos since October 1999 (Hmong Voice Radio, 22 July 2000). In any case, a high-level provincial delegation from Xieng Khouang, the seat of most of the Hmong resistance activities, visited Hanoi on 13 June 2000 - shortly after the spate of bombings in Vientiane. The visit was headed by the province's Communist Party deputy secretary, Mr Sivongya Yangyongyia (a Hmong). The group met with the powerful external relations commission of the Vietnamese Communist Party (Agence-France Press, 14 June 2000) with the aim of "strengthening relations between the two parties".

Hmong Voice Radio, however, (22 July 2000) sees the visit as punishment of the PL Hmong leadership in Xieng Khouang for being too weak and lenient by allowing Hmong dissidents to shoot government officials at random, to burn houses and to kill innocent villagers. The party leadership was thus called to Vietnam to get a lecture. The resistance fighters also claim that these killings were carried out by racist and corrupt Lao officials who then blamed them on the Hmong. Many armed highway robberies allegedly committed by the "Chao Fa" Hmong have been discovered to be the work of local Khmu and Lao government troops or village militia. It is difficult to know the truth in the face of this contradictory propaganda.

These foreign influences play an important part in maintaining the survival of the resistance movement and keeping up its morale both inside and outside Laos. As long as these factors remain, Hmong resistance is likely to continue because these influences seem to work for and against each other, reinforcing the ideological stands and resources of the parties involved in this long drawn-out conflict. Only time will tell how long this will continue in the years ahead.

#### The Future

The Lao PDR government has quietly tried to solve the problem of Hmong resistance in the backwaters of its jungles in northern Laos. It has tried to deny that such resistance exists by branding dissidents as "bandits" rather than acknowledging them for what they are. It has

made prominent reference in the country's Constitution to ethnic minorities as inseparable groups in the make-up of the Lao nation's unity, who are accorded equal rights and obligations. It has established the Saisomboun Special Zone as a show-case development site for the Hmong in order to attract Hmong rebels. There are now Hmong district and provincial governors, Hmong deputies in the National Assembly and even a Hmong Minister (for rural development) in the current Lao government. Many Hmong are now in middle management in the Lao public service, more than under the old right-wing Royal Lao Government. A group of Lao soldiers who arrested and killed a number of Hmong civilians a few months ago in Saisomboun were reportedly executed by their local commander in front of survivors as an example of what is not allowed by the Lao government.

However, die-hard resistance groups appear to continue their activities, albeit sporadically, and to distrust the government. Apart from political differences, there seem to be other equally important factors involved in the equation, including racial discrimination of ethnic minorities by private Lao citizens, poverty and high inflation, ripe official graft and corruption, lack of economic and employment opportunities leading people to be easily susceptible to alternative political propaganda, resentment for lack of promotion and forced retirement of Hmong communist party supporters, alleged framing of Hmong officials for drug trafficking and other crimes leading to their arrest and imprisonment in order to deprive the Hmong of their leadership, murder and mysterious disappearances of repatriated Hmong refugee leaders and resistance leaders who rallied to the Lao PDR government.

These factors, together with political influences or material support from the diaspora of Hmong outside Laos, will continue to make it difficult for the Hmong resistance movement to stop its activities. The ultimate aim of some resistance groups is the total overthrow of the current Lao communist government, while others content themselves with simply causing disruption in order to force the Lao authorities to change their political course towards a more democratic and freer regime with a multi-party political system replacing the current totalitarian one-party state. In its attempt to cling to power, the Lao PDR government seems intent on rooting out the resistance by force as well as political persuasion and economic development projects. With such divergent views on the situation, it will be difficult to find viable and enduring solutions to the problem, as long as the current proponents of these conflicting views remain active on their home grounds.

Regardless of this continuing thorn in the side of the Lao government and the resistance leadership, we need

to keep the problem in perspective. There are currently 315,465 Hmong living in Laos according to the 1995 Lao government census, representing 6.9 per cent of the total population of the country. Of this number, less than 5,000 are actively involved in the resistance, and their number ebbs and flows according to their fortune and the action of the Lao government at any particular time. The number is small, but the Lao authorities will need to resolve many of the causes of this discontent before it becomes too widespread to do anything about it. The problem is real and cannot be ignored or simply rooted out by force, as there are many underlying social and economic factors involved, not just political ideologies.

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# THE BLESSINGS OF THE POPPY:

## OPIUM AND THE AKHA PEOPLE OF NORTHERN LAOS



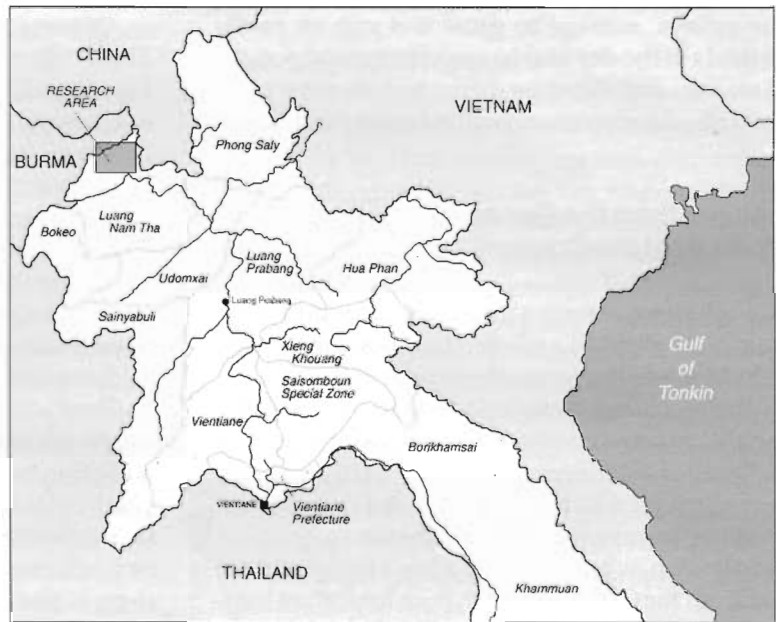
*Akha man smoking opium. Photo: Michael Epprecht*

By Michael Epprecht



*Akha village. Photo: Michael Epprecht*





The amount of rice we expect to harvest in November will probably last for about five to seven months," calculates Cho Chae, the village chief of Ho Leh\*. "If the harvest of the poppy crop we plant now is a good one, the farmers of the village will have less difficulty in feeding their families for the rest of the year," he explains.

The upland rice in the fields of the village stands as good as in any average year. Nevertheless, unfavourable weather - especially during the harvest time - can still jeopardize the outcome of the crop.

### In the "Golden Triangle"

Ho Leh lies about 1200 meters above sea level in the far north-west of the Lao People's Democratic Republic, or simply Laos. The people of the village belong to the ethnic group called Akha, one of the many ethnic minorities living in the mountainous tri-border area of Thailand, Burma and Laos, a region which gained a mysterious and sometimes shady reputation that became internationally well known as the Golden Triangle. Reports of dubious warlords controlling the local drug trade still inspire the fantasies of many western adventurers.

Indeed, poppy is grown in large parts of this area, a plant whose seed pods produce a sap containing opium, the basis for heroin production. So it is also in Ho Leh, where every household maintains its own poppy fields. In January, when days are cool and rain is rare, the fields surrounding the village stand in full flower. The beautiful white and purple flowers sway chest-high in the fresh wind while farmers busily weed unwanted plants out.

However, not all villages of the Golden Triangle engage in opium production by any means. The climatic conditions of the lower lying areas are not favourable for the poppy plants. The Lue for instance, who live predominantly in the fertile valleys, manage to grow wet rice on partly irrigated fields in the dry season too - the typical poppy-growing season - and therefore do not feel the same pressure as the upland farmers to engage in opium production.

## **Marginalized from the General Development of the Country**

While the Akha people form a majority of around 55% in the Muang Sing district as a whole, the Lue are in the vast majority in Muang Sing town, the capital of the district. Thanks to their economic superiority, it is also the Lue who hold the political power in the area. Not least because of their possibility of growing wet rice on the partly irrigated fields, they also have much greater economic power than the other ethnic groups living in the district.

The small town, which lies only a few kilometres by a good road from the Chinese border, is an important trading centre for the region. Nevertheless, for the Akha living in the mountains around Muang Sing, the town plays only an ancillary role in their economic life.

In order to get from Ho Leh to Muang Sing, a strenuous one-day walk through a rugged area has to be undertaken. There are no roads and horses are, for most families, too expensive considering their practical value. Only a few products are carried every few months to the market in Muang Sing, which then always also becomes a social event. They meet other Akha people of the region there, a few modern consumer goods such as torches and batteries are bought, and normally at least one night is spent in town.

However, the gap between the people of the mountains and the lowlanders is not only spatial in nature. While the valley dwellers speak a Thai-related language, the Akha speak a Tibeto-Burmese language, which is more closely related to Chinese. In Ho Leh, the village headman is the only one who speaks some Lao – the language of the lowlanders.

And it seems that the gap between the relatively well-off lowlanders and the sometimes extremely poor upland farmers is even growing: the pressure of population is also growing in the mountain areas, but a more intensive agricultural use of the steep slopes is, at least in the long-term, not possible given their traditional shifting cultivation method. However, the danger of over-exploitation of natural resources is ever present given that most farmers have no other alternatives. Decreasing soil fertility causes smaller harvests of rice and only increases poverty. Unsustainable use of natural resources in the mountains also causes problems in the valleys, stirring up already existing animosities and prejudices between the two peoples.

Besides that, primary health care services are extremely poor in the mountains, and a program for primary education has started only recently thanks to the efforts of foreign development projects.

### **Opium for the People**

The fact that poppy is grown in the mountains of northern Laos is well known. That the drug produced does not, as is generally assumed, reach the international market, is, however, less known. In-depth research has shown that not even ten per cent of the average total annual output of opium (around four to five tonnes) produced in the district is leaving the area. Too many opium addicts live in these mountains, and their addictions need to be satisfied: of the total Akha population of the area around Muang Sing almost 12% smoke opium on a daily base.

It is generally the lack of a primary health care system and bad access to medicine overall that are mentioned by the people concerned as the main reasons for the very high addiction rate. Indeed, opium is the only effective medicine available for them to fight mental and physical pains. Opium is therefore used as an all-purpose drug, which is very effective in suppressing many symptoms. However, there is also a high risk of user addiction inherent in this practice.

In Ho Leh, ten out of the twenty households of the village have at least one person addicted to opium. Three quarters of these addicts are male. Such numbers make Ho Leh average amongst the Akha villages of the area. Nor is it exceptional that the village headman, Cho Chae, is also an habitual opium pipe user several hours every day. For many years now, he has not worked the fields. His three sons, one of his two wives and one daughter till the soil. "I have tried many times to stop smoking opium, but I lose my vitality and my appetite and my body starts to ache," explains Cho Chae of his continued addiction. Asked about the amount of opium he uses each year the skinny man with the prominent cheekbones and the tired looking eyes replies, "About two kilos a year". A simple calculation reveals that even in a year with a good harvest producing up to 1.5 kilos, a season's crop of an average household is not enough to support the addiction of one household member for a full year. Additional opium therefore has to be bought from other families who do not house an addict, either from someone within the village, or from a family in any of the surrounding villages. With one water buffalo, two cows and three pigs, his household is relatively well-off. Through the sale of one or two pieces of his livestock, enough silver can be gained to buy half a kilo of opium. However, that such economy bears considerable risks is obvious.

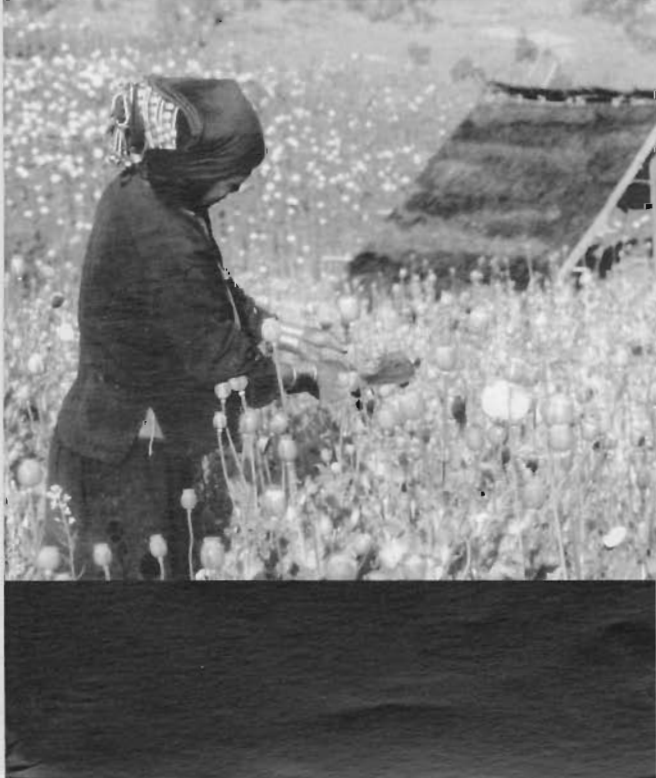
## **A Vicious Circle of Poverty and Addiction**

Nonetheless, only a small minority is in a position to 'solve' the household's addiction problem so comfort-



*Much of the cash savings of each Akha household is in silver. Girls and women wear it as jewellery on their headgear and on their distinctive traditional dresses. Photo: Michael Epprecht*

*The harvest is the last of the many labour intensive tasks involved in raw-opium production. Photo: Michael Epprecht*



ably. In most households with an addict, either the addict himself, or at least as often, the wife or the daughter has to sell their labour and work on other families' fields in order to earn some money, or work to be paid in opium directly. Working temporarily on other families' fields against wages is common practice in Ho Leh. More than half of the households of the village have one or two persons working on other families' fields for silver, opium, or even rice. Per person and day, about ten kilos of rice, or – depending on the season – two to three saleungs (between five and eight grams) of opium are paid for the labour. The latter represents roughly a day's consumption for an addict.

However, as additional labour is especially in demand when labour intensive work on fields is at a peak, such as during rice planting or harvesting times, the fact that these people work on other families' fields means that much needed work cannot be done on the household's own fields. Consequently, only smaller fields can be prepared, and accordingly smaller harvests are the result. For many families, a few hundred grams of opium determines whether a family has enough rice for the whole year, or whether shortages are to be faced. However, due to high domestic consumption it is unfortunately often the case that the most important locally producible commodity with which to barter for rice is in short supply: opium.

Considering the commonly faced rice shortages, such circumstances can have severe repercussions, and are often the start of a dangerous vicious circle. Increased rice shortages and the resulting malnutrition weaken the general physical conditions of the people. In view of the very weak primary health care system, it is true that even relatively harmless illnesses can lead to serious health problems in both humans and livestock, and even to death. Loss of young family members – and therefore the work force, and diminishing livestock is not rare in the mountains of the region.

Apparently the only means to suppress these physical and mental pains is, again, opium. Addiction and hence a further aggravation of the rice supply situation closes the circle. Opium addiction therefore has to be seen as a huge problem for the whole of the household and even the village community as a whole.

From this perspective the Golden Triangle is not so golden for the mountain farmers of the region, and the 'blessings of the poppy' has little meaning for them.

### **Part of the Subsistence Economy**

Nevertheless, the cultivation of the poppy and production of opium is an important element in the relatively isolated economy of the highland farmers, an economy that is primarily based on subsistence agriculture. If the addictive nature of opium did not backfire on its own population, poppy would be an ideal crop for this mountainous region and its farmers. The climatic conditions of the cool mountains are ideal for poppy, and the labour intensive tasks of tilling the ground, the repeated weeding of the fields and the harvesting fit well into the cultivation cycle of the local traditional upland agriculture. Unlike upland rice, poppy is cultivated in the dry season, and therefore conflicts with the labour demands of rice cultivation in only a very limited way. Furthermore, opium is easily storable and it even improves in quality during storage. As a commodity with high value in small quantities, it is easy to transport over difficult terrain with limited transport possibilities. Also, from an ecological point of view, poppy has several comparative advantages over other crops: The plant grows best on soils which are unfavourable for rice, and it exhausts soils to a much lesser extent than rice, for instance. As already mentioned, for most households today opium represents an indispensable product for trading important goods such as rice or modern medicine, if available. Against the backdrop of diminishing rice harvests on over-exploited soils, opium even gains in attractiveness as a crop to be traded for rice.

### **The Law and the Government's Stance**

Since the middle of the 1990s, Lao law has prohibited the production, trade and consumption of opium. However, up to now, poppy cultivation in the mountainous areas is still tolerated by the authorities. A repressive drug policy, as has been implemented for many years in neighbouring Thailand for example, would indeed cause enormous problems. Without alternatives, repression would only aggravate the already widespread poverty in the mountains. In addition, such steps would most probably force the addicts to switch from opium to the much more powerful heroin, as the example of Northern Thailand has shown. Surprisingly enough, Laos has so far, at least in

remote areas, largely been spared the problem of heroin addiction, despite wide problems in that respect in all neighbouring countries. It would indeed be unwise for this comparatively 'good' situation to be put at stake by misguided law enforcement.

At present, several development projects have at least one component focusing on reducing drug production and consumption through alternative development and detoxification activities. But the present tendency – very much due to the strong impact of the United Nations Drug Control Programme (UNDCP) policy on respective Lao policy making – goes much further in the direction of repressive law enforcement. The farmers will be given only a few years to abandon poppy growing before punitive measures are applied. The goal of the UNDCP is that by 2006 drug production on an agricultural basis will be eliminated.

### **A Curse Introduced by the West**

It is often believed that opium production has been practised by the people of the Golden Triangle for hundreds of years. The fact is, however, that opium production and the highland farmers of the area were not originally natural bed partners: the drug has most probably been known in this region only since the first half of the 19<sup>th</sup> century.

It was largely European traders who introduced opium as a stimulant in imperial China on a large scale. Quickly, tens of thousands of Chinese addicts were eager to get more of the drug, and the western trading companies, first and foremost the British East India Company, secured a ready market. Nobody seemed to care that this trade was illegal in China at this time, nor were moral reasons an issue in Europe, where the economic benefits of this trade supported development and contributed to the increasing wealth of these nations. Goods from China were in high demand in Europe, and opium from India, where the British Crown held the monopoly over the opium business, was a much more economical means of payment than silver, the only legal good from the West that was in high demand in China.

In an act of despair, Chinese authorities confiscated 1200 tonnes of British opium and threw it into the harbour at Canton. What followed made history as the First Opium War, after which the defeated Chinese government was forced to legalise opium imports. Up to 1886, approximately 15 million Chinese were addicted to opium, representing almost a quarter of the population of China at that time and, for economic reasons, the imperial government saw itself forced to tolerate domestic opium production.

As in many other parts of China, poppy fields started to flourish also in the remote mountainous areas of Yunnan and Szechwan Provinces in Southern China. With the continuous migration of the ethnic minorities living in these mountains to Burma, Laos and Thailand, the knowl-

edge and the seeds for opium production were also brought south and were introduced into these countries for the first time in the late 19<sup>th</sup> century.

Once opium production gained a foothold in Laos, it was first the French colonial power that supported and controlled the opium business in Laos, before the American CIA got engaged in the opium trade during the Vietnam war.

### What Next?

These times are well remembered by the older people of the indigenous highland communities, and they look back on that chapter of their lives with mixed feelings. In view of this historical backdrop, it appears even more grotesque that it is now the western nations in particular that support a more repressive approach to the suppression of opium production in the South and East, apparently in an effort to stem the flow of heroin to Europe and America. However, as we have seen, poppy is today an important agricultural product in the subsistence-oriented agro-economy of the indigenous highland farmers. Nevertheless, a solution to the severe addiction problem is urgently needed. Given that repressive measures would only increase poverty and marginalization in the highlands, the question arises as to how external assistance could help break the vicious circle.

Health problems, disillusion and depression as a result of poverty and a lack of medical services are the main causes of widespread habitual opium consumption in the mountains of the Golden Triangle. Lack of alternatives is the main obstacle to quitting engaging in opium production. Improvements in general living conditions, better access to medical and education services and a stronger voice for the minorities in the political decision-making process would significantly improve the overall situation of the Akha people of northern Laos. This, in turn, would increase the farmers' readiness to take the economic risk of abandoning opium production. Several foreign aid projects are active in helping to improve the situation. The main goal of many of these projects is to bring about improvements in the primary health care system, increase access to primary education services for minorities and improve extension services in the agricultural sector.

Intervention activities in the field of agriculture are aimed at introducing new but locally adapted technologies for a sustainable use of natural resources such as soil, forests and water, while at the same time bringing about an increase in food production. With measures such as the introduction of terracing and irrigation techniques, improvements in the general food security situation have already been achieved. Land titling in remote mountainous areas would also increase the readiness of farmers to invest in labour-intensive land improvement and conservation measures.

In the health care sector, the obvious question arises as to whether the introduction of modern medicine leads to a loss of valuable knowledge in indigenous traditional healing methods and medicine. However, it seems that in the Akha communities of northern Laos, most such traditional medical knowledge has already been lost, maybe not least due to the readily available opium. This fact should not, however, lead to a temptation to neglect traditional indigenous knowledge that is still in existence.

The main obstacles to an improved primary health care system and better access to modern medicine are, on the one hand, the remoteness of these villages and, on the other, the communication difficulties of the ethnic minorities with medical staff who all live in the lowland and do not speak the language of the minorities. Village health volunteers introduced by foreign aid projects have shown little success and do not promise to be very sustainable, as they are normally not willing to stay for extended periods in remote areas, especially given the low salaries the government is able to pay them. Improved access for the highland people to services in lowland centres appear to be the only option.

Improvement in access to primary education services is one of the main outstanding problems to be solved. Drug prevention through non-formal education is as important as giving ethnic minorities the opportunity to learn the Lao language. Knowledge of Lao gives the minorities not only a better position in everyday dealings with the lowland people but it also helps them to participate in the political decision-making process.

A stronger voice for the minorities living in Laos is undoubtedly much needed: too many prejudices exist on both sides. Whether at a political level or in the opinion of the people, it is too often the ethnic minorities who are made the scapegoat for many problems. For instance, the indigenous highland farmers with their shifting cultivation practices are held responsible for the large scale deforestation in the uplands of Laos, rather than the many commercial logging companies often illegally active all over the country.

A stronger voice for ethnic minorities in the political decision-making process as well as a better mutual understanding among the different peoples living in Laos requires an educational process that will overcome prejudices both in the lowlands and in the highland communities. Such a process will take time. This is also the case with respect to developments in the agricultural sector. It remains to be seen whether the ongoing development projects are successful enough to prevent repressive law enforcement measures being imposed on opium cultivators.

As argued above, poppy could be an ideal crop for these farmers. And opium production in general can be well justified. Opiates are widely used in the pharmaceutical industry. It is not only developed countries such as France, Holland, Australia, Rumania or Turkey that have a considerable, state-controlled opium production for the pharma industry. Countries like India, too, manage to thus guarantee a secure income for licensed poppy farmers. Furthermore, opium is a good foreign currency earner for the State, who controls the business. There is, in fact, no rational reason why a country like Laos should not be able to manage a state-controlled legal opium production for the pharmaceutical industry, so that the blessings of the poppy can in fact be such, for the farmers as well as for the State.

*\* Out of discretion, names have been changed.*

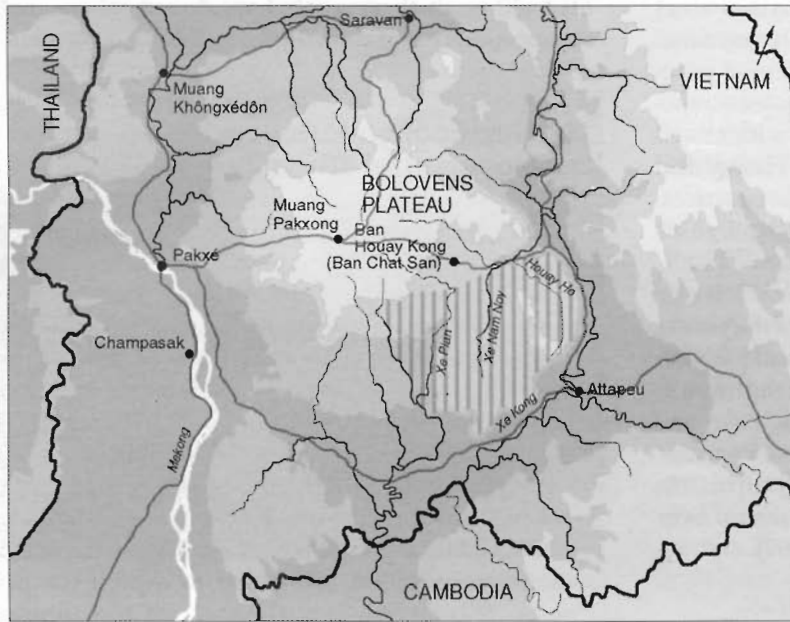
*Michael Epprecht has worked for extended periods as an associate expert in GTZ's Lao-German Muang Sing Integrated Food Security Programme (IFSP). In order to research the position of opium in the socio-economic setting of the Akha people of northern Laos, the author spent several months in different Akha villages in the mountains around Muang Sing. □*

# MORE TROUBLE FOR THE HEUNY

By Nok Khamin



*Ban Chat San resettlement site. Photo: IWGIA archive*



 Heuny Ancestral Land



**L**aos is a country of great cultural diversity. There are at least 240 different ethnic groups living in the landlocked Indochinese country (Chamberlain *et al.*, 1995), which borders Vietnam to the east, Thailand to the west,

Cambodia to the south and China and Burma to the north. The "Heuny", or the "Nya Heun", "Nya Hon" or "Gna Hon", as ethnic Lao people and the Lao government refer to them, are one of those culturally and linguistically distinct ethnic minorities. Their language belongs to the Western branch of the Bahnaric group of Mon-Khmer Austro-Asiatic languages. They inhabit remote mountainous areas approximately 800-1000 metres above sea level on the Boloven Plateau in Southern Laos. When compared with Laos' 5 million people, the Heuny are a very small group, their population encompassing approximately 5,522 people grouped within 1,200 families in 1995 (Chazée, 1999).

Similar to the Heuny, there are many other indigenous peoples living in remote and heavily forested parts of Southern Laos. Most practise various forms of animism and speak different languages and dialects of the Mon-Khmer Austro-Asiatic language family. In Laos, these groups are often collectively known as the "Lao Theung" or "Lao Kang", which loosely translates as the "upper Lao" (Chazée, 1999; IRN, 1999).

The Heuny are largely subsistence farmers and forest dwellers that practise a form of rotational mixed crop

upland shifting cultivation. (see Wall, 1975). It is believed that the Heuny have long inhabited the area, and their history on the BOLOVEN Plateau probably stretches back many thousands of years. The recent history of the Heuny, like those of many other indigenous minorities, has been tumultuous due to years of war. Throughout the 1960s and the early 1970s, the Plateau was one of the main battlefields of the American War in Indochina (the Vietnam War). In the early 1960s, part of the Plateau was home to a US airforce base. Later, the area became a stronghold of the pro-Viet Cong Pathet Lao army. Of the many places the US bombed from the air during the war, the Annamite Mountain range, and the adjacent Boloven Plateau, were particularly targeted.

By 1973, when the bombing ended and the US forces began to pull out of Indochina, it was estimated that 580,944 sorties had been conducted over Laos in nine years. At least 2,093,100 tonnes of bombs had been dropped on the country and, in 1965 and 1966 alone, over 200,000 gallons of herbicide were dumped on Laos. To this day, no other war has been categorised by such a high level of aerial assault, and Laos has the dubious distinction of being bombed more per capita than any other country in history (*in litt.*).

The Heuny are widely known by members of other indigenous peoples as a strong and independent people (Chazée, 1999). They largely survived the war and, despite the turmoil that it brought and the legacy of unexploded US bombs that litter parts of the Bolovens to this day, they have managed to retain their culture and traditional way of life. The Heuny never considered leaving their home-

land, as their lives are invariably linked to the lands, forests and rivers of the Plateau.

Since the War ended - over 20 years ago - and the Pathet Lao came to power, the Heuny have not had an easy time. The revolutionary government considers animist practices to be overly superstitious and, in many cases unacceptable, and has for years been conducting, with mixed success, campaigns aimed at convincing the Heuny and other ethnic minorities to give up their religious practices, including buffalo sacrifices and other sacred religious traditions that are an important part of their culture (Chazée, 1999). For example, every October or November, all Heuny people used to meet for the biggest ceremony of the year at the juncture between the Houay Ho Stream and Xe Nam Noi River but, in 1970, the Pathet Lao banned the three to four day gathering. The Heuny have also long been discriminated against and are considered as "backwards" by the Tai-Lao speaking peoples (the largest group in this linguistic family are the ethnic Lao), who make up over 60% of the country's population (Chazée, 1999).

### **Government Resettlement Plans: Misguided Forest Conservation Policy**

The Heuny, along with other indigenous groups, have been criticised by the Lao government for living in small communities in remote areas, where the authorities have found it difficult to govern them. The government's solution to this perceived problem has been to adopt a program known as "Hom Ban", which requires that various smaller communities be forcibly moved into single larger villages. The Heuny have been impacted by this programme, and there are now only 20 Heuny villages whereas a few decades ago there were 30 (Wall, 1975; Chazée, 1999). Many other indigenous peoples in Laos have also faced similar changes (Goudineau, 1997; Chazée, 1999). For example, in 1975, shortly after the Pathet Lao came to power, 11,000 ethnic Brao (known as Lave by the Lao) people were forcibly moved from the highlands to the lowlands in the Southern Lao province of Attapeu (Goudineau, 1997). This policy has been very unpopular with indigenous communities.

The government has criticised the traditional agricultural systems of the Heuny and other indigenous groups for contributing to deforestation. This belief has been reinforced in recent years by various international organisations working in Laos, which have found it convenient to put blame on minority groups for the deforestation occurring in the country. For example, a 1990 report prepared as part of the Tropical Forestry Action Plan (TFAP) estimated that there were 340,000 families engaged in uplands shifting cultivation in Laos. The TFAP recommended that the government relocate 60% of these highlanders to the lowlands by the year 2000 in order to reduce deforestation in the country. The government has, in fact,

taken this recommendation a step further and, in 1995, planned to stop all shifting cultivation by the year 2000 (*In litt.*), although observers in Laos do not believe that such an ambitious program will be possible to implement fully.

### **The New Economic Policy: Development for Whom?**

Despite years of government criticism, the Heuny may now be facing the biggest threat to their way of life and future well-being. Sometimes called "development" or "progress", it has begun to arrive to the Bolovens through the new open-door economic policy of the Lao government, which has been widely lauded and influenced by international organisations and banks such as the International Monetary Fund, the World Bank, the Asian Development Bank, the Mekong Secretariat, and the United Nations Development Program. Changes have taken place quickly and local and foreign business-people and multinational corporations are eager to exploit the pristine forests, clear mountain rivers, and rich agricultural soils that adorn parts of Southern Laos.

The indigenous inhabitants of the Plateau have not had any direct involvement in the area's various commercial logging operations, which have been dominated by logging companies based in lowland urban centres like Pakse. Neither have they participated in the eucalyptus, pine and other monoculture plantation projects that are being developed on the BOLOVENS, including the 16,000 hectare project being developed by Thais and New Zealanders working for Asia Tech Co. They have also been left out of the large-scale agro-business projects that have arrived in recent years, including the World Bank-funded Upland Agriculture Promotion Project.

The J'rou (or the Laven, as the ethnic Lao refer to them) are the largest ethnic "Lao Theung" group on the Bolovens. They have adapted to the changes brought from the outside somewhat better than the Heuny. While many of the J'rou have taken up growing small patches of coffee and cabbages as cash crops, the Heuny have largely resisted entering the cash economy; most preferring the traditional way of life and little, if any, contact with the outside world.

### **The Ultimate Threat: Hydropower Development Projects**

Beginning in the 1980s, a flood of foreign consultants and multi-national corporations began pouring into Southern Laos, and particularly the Boloven Plateau, to study the potential for developing large hydropower dam projects. Foreign engineers have long viewed Southern Laos, including the Sekong Basin, as an area with considerable potential for large-scale hydropower development. However, the first foreign consultants to conduct detailed field



surveys regarding the potential for hydropower in the area since the American War in Vietnam were the Japanese government's bilateral aid agency, JICA. JICA has undertaken a number of hydropower studies in the Sekong, including the recently completed "Sekong Basin Hydropower Master Plan", which envisages building 12 large dams in the Sekong Basin in Laos.

However, no hydropower projects were under construction by 1993, when the governments of Laos and Thailand signed an agreement in which the Laotians agreed to sell power-hungry Thailand 1,500 MW of electricity per annum by the year 2000 (IRN, 1999). Following the agreement, the South Korean multi-national, Daewoo Co., began working with consultants hired from Electrowatt Co. (Switzerland-based) and the Hydro-electric Commission's Enterprise Corporation (Tasmania, Australia-based) to look into the potential to build a large dam on the Plateau. After completing just a few preliminary studies, Daewoo signed an agreement with the Lao central government in the remote capital of Vientiane to build the 150 MW Houay Ho dam in the eastern Bolovens, which is in the heart of the Heuny's traditional homeland (IRN, 1999).

By late 1994, Daewoo's trucks and bulldozers suddenly started rolling in with no previous warning to either the local population or even the local governments in Champasak Province or Pak Song District, where the dam was to be built. The Heuny were suddenly faced with hordes of Korean project planners, engineers and road crews. The road-building crews quickly ripped their way through Heuny lands so that construction on the Houay Ho dam could begin (IRN, 1999).

The Houay Ho Hydropower Project is being developed as a Build-Operate-Transfer (BOT) scheme, which prescribes that Daewoo Co. arranges for all the project financing, builds the dam, and operates it for 25 years before handing it over to the Laotian government at the end of the concession period. Almost all of the hydropower to be generated by the dam will be sold to Thailand, since the demand for electricity in Laos is very low. Actually, one can only wonder why the Lao government agreed to the terms for development of the Houay Ho dam, as there appear to be few benefits for the Laotians. Most of the profits from electricity sales will go to Daewoo, and virtually all of the environmental and social costs related to the projects were not considered in the project's cost-benefit analysis or the agreement between the Lao government and Daewoo. Laos and its people will therefore have to absorb these losses at no expense to the dam builders (IRN, 1999).

As part of the dam deal, Daewoo agreed to build a new road over the Bolovens to the provincial town of Attapeu, which is situated southeast of the dam-site along the edge of the Sekong River. Cutting through dense forest, the Koreans' first plan for the road ended, before reaching its prescribed destination, at the edge of a 200 metre cliff. Despite bulldozing a large area of forest down along the edge of the steep mountain, and causing a number of

landslides and considerable damage to the fragile escarpment below, the road builders eventually came to the conclusion that it was not possible for them to go any further. So they abandoned the first road and followed a different route down the valley of the Xe Nam Noi River. While that road has since been completed, both roads, along with other project-related access roads, have caused a large amount of damage to the Plateau, its forests and its wildlife populations (IRN, 1999).

With the Houay Ho dam under construction, two Thai logging companies have rushed into the area to take the valuable timber out of the pristine forests in the dam's reservoir area before its doors are closed and over 32 km<sup>2</sup> of Heuny land go underwater. According to Champasak provincial forestry officials, the agreement between the Lao government and Daewoo stipulates that the dam would be closed in 1997, regardless of whether the government has been able to finish logging the reservoir area or not.

Apart from working in the reservoir area, the logging companies have cut out the paths for 10s of kms of new all weather roads that have been built to provide the dam-builders with easy access to previously remote areas. In the midst of the confusion, Thai loggers have also taken the opportunity to take large trees out of adjacent areas not officially prescribed for timber extraction by the Lao government.

To make matters worse, the Korean road crews disrespectfully bulldozed over a number of sacred J'rou burial houses, destroying many of these culturally important sites.

Despite the damage that intensive logging and road building is doing to the area, along with the impact of the in-migration of hundreds of outside workers brought in to build the dam, including Thais, Indonesians, and South Africans, the Heuny have had other things on their minds. Their biggest problem has been the plan to relocate 12 of their villages, include two largely J'rou populated communities, out of the forests and off their traditional lands. The relocation was to make way for the Houay Ho dam, and also the Xe Pian-Xe Nam Noi Hydropower Scheme, which is another large dam project that was scheduled for commencement of building in 1996 by the South Korean multi-national, Dong Ha Co.

A team of socio-economic consultants was hired by Electrowatt Co. to consider the relocation plan for the Heuny. They determined that the Heuny's agriculture system is sustainable and not a serious threat to the environment or the forests, due to the low population density in the area (just two people per km<sup>2</sup>). These findings directly conflict with the Lao government's claims that the Heuny need to be relocated because of the damage they are doing to the forests (Electrowatt, 1996).

Nonetheless, plans to relocate the 12 villages (including 10 Heuny villages), encompassing 50% of all the Heuny communities in existence, were moving ahead quickly. According to Lao people working for the Koreans, complaints from the Heuny about these plans have not influenced the government officials or the Houay Ho Project

managers, whom the villagers have approached. As one Heuny villager put it, "None of us want to be moved away, but what can we do? Nobody will listen to us. We told them we would never agree to go, but they said that if we didn't agree, the government would force us to go anyway."

## Relocation: Nightmare Coming True

At the very end of 1994, the first four villages situated in the eastern part of the BOLOVEN Plateau - Ban Thong Gnao, Ban Nam Han, Ban Nam Tieng and Ban Nam Ngaw - were forcibly relocated by the government to a new location called "Ban Chat San". The name can be loosely translated as "planned village". About a year later, Ban Latsasin and Ban Xe Nam Noi were moved too. At the end of 1996, Ban Nam Leng and Ban Keo Khoun Muang were the next to be relocated into Ban Chat San and, in early 1998, Ban Nam Kong and Ban Houay Soi were moved as well. The four stages of relocation took place over an almost four year period between early 1995 and late 1998. Ten villages in total, including nine Heuny communities (out of a total of 20 communities) and one J'rou village, have been forcibly relocated to Ban Chat San. 1,598 people in 421 families have been moved there so far. (*pers. comm.*, Lao government officials, July 2000). The Houay Ho dam has been completed, and electricity is being generated and exported to Thailand (IRN, 1999).

Initial construction of the Xe Pian-Xe Nam Noy dam by the South Korean company Dong Ah Co. began in 1997. While many roads have since been built through the forest, Dong Ah pulled out of the project area in 1999 when it became clear that Thailand was not going to buy as much electricity from Laos as originally expected. It is unclear whether they will return to the project once the prospects for selling electricity improve but actual construction work on the dam had not yet begun when Dong Ah pulled their staff and equipment out of the area.

It is ironic that of the ten villages that have been relocated, only one (Ban Nam Han) was situated within the reservoir areas for the Houay Ho and the Xe Pian-Xe Nam Noy dams. It is therefore incorrect to assume that the communities had to be relocated to make way for the dams. In fact, the Environmental Impact Assessment for the Xe Pian - Xe Nam Noy dam specifically recommended that the communities should not be relocated to Ban Chat San. Instead, it was suggested that they either be left in their previous locations, or be moved a little up the mountain to avoid being flooded by the dam reservoirs (Electrowatt, 1996). However, the project developers and the government did not follow this advice.

One stage of the government's relocation plan remains to be completed. Two villages, Ban Houay Chote (Heuny) and Ban Nong Phanouan (J'rou), are still scheduled to move, and the relatively large communities comprise 855 people in 226 families. They have still not been relocated

due to a lack of government funds to support the move. The provincial government has so far been unsuccessful in getting international donor support for relocating the last two villages into Ban Chat San. If they move, the total population at Ban Chat San would rise to about 2,453 people in 647 families.

Government officials have told the leaders of Ban Houay Chote and Ban Nong Phanouan that it is still expected that they will be forcibly relocated eventually but villagers have also been told that it is possible that they might not be moved at all. The inhabitants of the two communities are vocal in their opposition to being moved to Ban Chat San, since they have seen the suffering that others have already had to endure. However, villagers are especially critical about the uncertain relocation plans, since they would at least like to know one way or the other whether they will be moved. Villagers are unwilling to plant any long-term crops or do repairs to their houses due to the uncertainty of their remaining in their present villages in the future. They are unable to plan for the future, since they do not know where they will be living. One villager from Ban Houay Chote said, "We do not want to relocate, but if the government says we must, then we want know for sure so that we can plan for the future. If they are not going to move us, we also want to know, so we can build up our community".

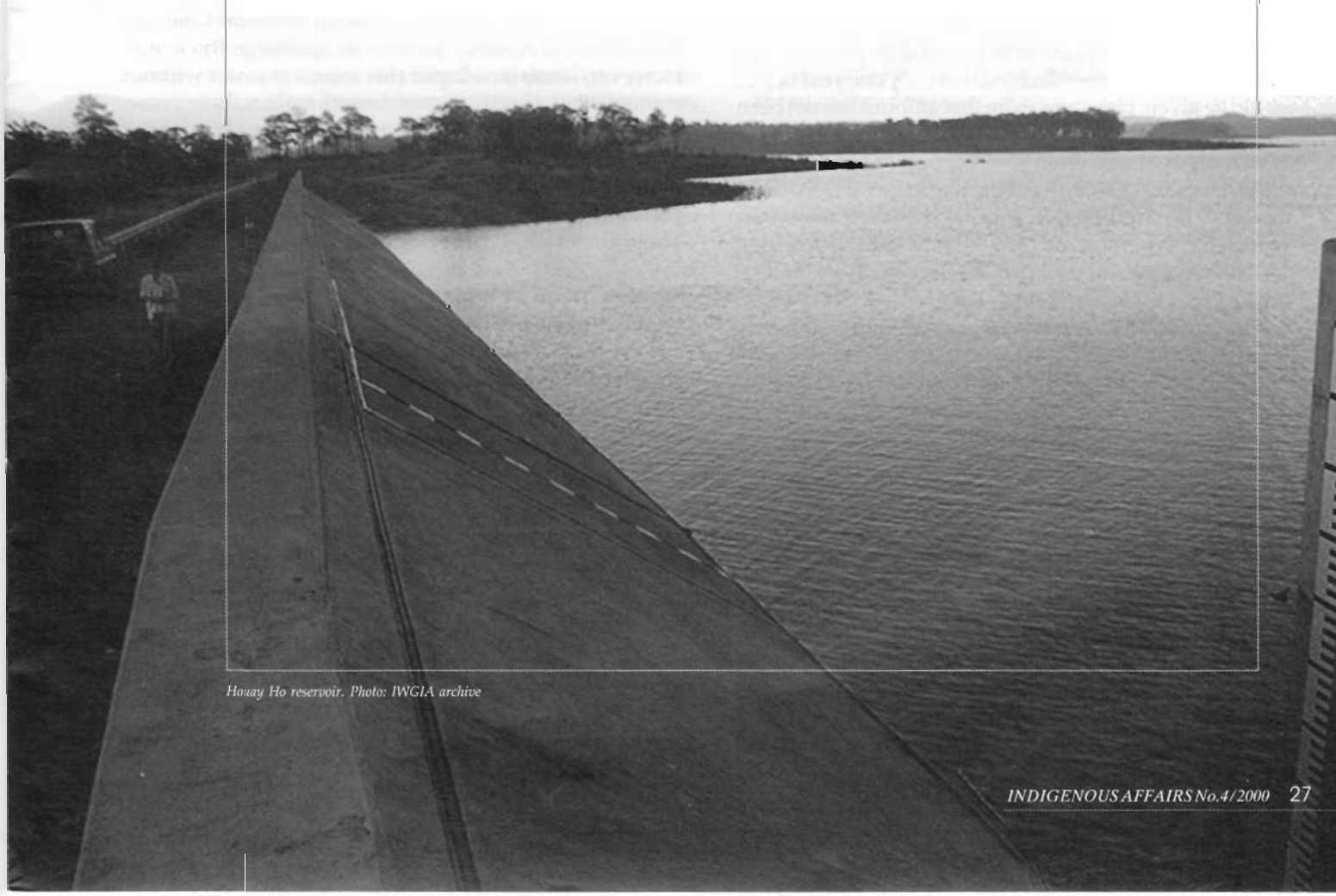
## Food Shortage

For the ten villages that have already been moved, the situation is miserable, and appears to be deteriorating. As anticipated long before any people were relocated to Ban Chat San (see Electrowatt, 1996), the biggest problem facing relocatees is a serious lack of suitable agricultural land in the Ban Chat San area. The socio-economic researchers associated with the Environmental Impact Assessment (EIA) for the Xe Pian - Xe Nam Noi dam clearly indicated that a minimum of three hectares of land per family would be required for relocatees. However, most villagers now have only one or two hectares, with only a few getting the full three hectares they were promised. Much of this land is marginal, poor quality land covered with imperata grass, which is unsuitable for swidden agriculture.

Land tenure problems near Ban Chat San are also serious, as expected, and much of the land given to relocatees was actually fallow farmland of the neighbouring villages of Ban Thong Vai, Ban Nong I-Oi and especially Ban Nam Tang (see Electrowatt, 1996). Conflicts with these communities have forced many relocatees to abandon land given to them by the government, since the original owners of the land demanded it back.

Another serious problem with the relocation plan has been the expectation that locals would switch from shifting cultivation to fixed coffee farming. Over the last two years the international price of coffee has plummeted, making the crop much less attractive to farmers than it was

Members of the relocated Heiny community of Latash on a visit to their former village. Photo: IWGIA archive



Houay Ho reservoir. Photo: IWGIA archive

a few years ago. At present prices, which are not expected to rise much over the next few years at least, it is not feasible for relocatees to grow coffee to sell and make enough money to buy sufficient rice to eat. Another problem is that the coffee seedlings provided to villagers were improved dwarf varieties that require a considerable amount of care and fertilizer inputs. Since locals do not have the funds to invest in inputs, and also have little interest or experience in growing coffee, most coffee fields have not developed well, and large numbers of seedlings have died.

While 90% of the relocated families used to be self-sufficient in rice before being moved, it is now estimated that 95% have serious rice deficiencies, with only enough rice for three months of eating being grown per family on average. Some villagers with small land holdings have been forced to grow small patches of highland rice and other crops around their houses, in a similar fashion to how they used to make their swiddens. However, the area available for these small swidden plots is not sufficient, and land fertility cannot be sustained in these patches indefinitely without leaving them to return to fallow intermittently. There is not enough food harvested from these areas to meet subsistence needs. Moreover, only a very small quantity of forested land was given to relocatees, and most of it was degraded prior to the establishment of Ban Chat San. There is little of use for relocatees in these small remnants of forests, making fishing and gathering of forest products near Ban Chat San very difficult.

The people were promised a supply of rice to get them through hard times directly after being relocated, but those promises have not been fulfilled. While it was originally expected that three years of rice would be provided for each family, it was later decided that only one year of rice would be given. However, even that amount has not been provided. The first three groups relocated received just three months of rice, and the last group has not yet seen even one grain of that rice. This has led to serious food shortages for local people. It is also believed that other items such as clothing and blankets have also been at least partially diverted before reaching the relocatees. For example, each person was supposed to receive one blanket, but many families only received one blanket for the whole family. It is unclear where the rest of the blankets ended up.

It is ironic that the relocation of the Heuny and J'rou has been justified in the name of environmental protection, since those who have studied their swidden agriculture system have not deemed it a threat to the environment. (Chazée, 1999; Electrowatt, 1996; Wall, 1975). Although the Lao government has given up on its plan to stop swidden agriculture by 2000, it is continuing its dogmatic efforts to decrease the amount of shifting cultivation going on in the country. There seems to be an unjustified, but continuing, belief within the largely lowland ethnic Lao-dominated government that all swidden agriculture is bad; thus, the Heuny have become the victims of this belief and the government policy.

The relocatees are faced with serious livelihoods and food security problems, and many have been forced to hire out their labour to surrounding villages for weeding and land clearing on a daily or monthly basis, and for very low rates (often in exchange for food). Others have resisted attempts to settle them in Ban Chat San by constantly finding excuses to return to their former fallows and villages, where fish and forest foods can still be easily found. There are strict rules disallowing villagers from moving out of Ban Chat San, and permission from village chiefs must be received before anyone can leave the village. However, judging from the many abandoned-looking houses (approximately 30%) at Ban Chat San, it is clear that many villagers are spending more time outside Ban Chat San than in it, and one to two month trips at a time are not uncommon. In 1999, about 20% of the families also moved illegally into other Heuny villages that had not been relocated in order to undertake shifting cultivation. However, none are legally allowed to be there, and their children cannot go to school in the villages because they are not registered residents.

One serious problem is a lack of suitable, easily accessible drinking water. Although it was expected that five hand pump wells would be drilled, only three were actually provided and, of those, only one has water suitable for drinking or domestic use. The water from the other two wells is contaminated with "unidentified minerals", which have made the water unusable. Ban Chat San villagers claim that even plants watered using water from the two wells die. Apart from the single operational well, local people have dammed a small stream near Ban Chat San and are using bamboo sections to discharge the water. However, locals developed this source of water without any assistance from the government or others. In any case, many villagers must still travel one to two kms to the nearest water source, causing villagers considerable hardship, especially considering that they used to live near to perennial water bodies with relatively good quality water. There are no good fishing grounds near Ban Chat San.

### **Declining Health and Education Standard**

Health problems are serious for relocatees at Ban Chat San. Lack of good quality drinking water has contributed to many problems. Diseases also spread more easily due to a much higher population density at Ban Chat San. General malnutrition and undernutrition have become much worse since relocation, and have generally contributed to increased health problems. Stomach ailments and malaria are the most common forms of illness reported by villagers, but villagers are stricken with many other illnesses as well.

An attractive government-operated health centre has been built near Ban Chat San, and it is staffed with govern-

ment health workers. However, villagers are very critical about the health centre, and claim it is of little use to them. Originally, basic medicines were supposed to be supplied to relocatees at no cost but the health-care workers soon started incorrectly charging patients for these medicines. Later, when foreign donors found out about this practice, the clinic reverted to giving medicine away to villagers for free but, after just a short period, the health workers again returned to selling them. For villagers, the cost of medicines is a serious concern, since the economic base of the people in Ban Chat San has deteriorated considerably, leaving locals with very little money. Without money, the health clinic is worth little to relocatees, since they cannot afford to buy medicine, and most villagers have returned to relying on animist ceremonies as their primary means for driving illness-causing spirits away.

Primary education in the Ban Chat San area has deteriorated recently, despite the fact that the school built for the relocatees is relatively attractive. To begin with, parents have less money than they used to, and many cannot therefore afford to pay for their children's education, including basic school supplies. More importantly, adults must often venture from Ban Chat San to other far away places, including their old homelands, to find forest food, fish and plant crops. Since children are often forced to travel with their parents, many have had to quit school. Children from eight villages are also cramped into a single school. The education situation is worse for the most recently relocated villages of Ban Houay Soi and Ban Nam Kong. Both had elementary schools in their communities prior to being relocated, but there is not a school near where they have been moved. The area where they have had to move is many kilometers away from the school, making it impossible for the children to attend at all. It appears that both health and education standards have declined since villagers were relocated.

## A Failed "Experiment"

The relocation programme associated with Ban Chat San has been a massive failure, and people with close contacts in the communities believe that at least 80% of the relocatees would return to their original communities immediately, if they were given the chance. They have almost given up waiting for government support. While their first choice would be to return to their old villages, their second strategy is to slowly move into other Heuny villages where agricultural land, water and forests are relatively plentiful. But they have to move out little by little, in order not to draw attention to their abandonment of Ban Chat San.

While the relocatees are determined to move out of Ban Chat San one way or another, the government is unlikely to continue to keep villagers there against their will. Ironically, the provincial government considers Ban Chat San to be an example relocation site, and many want to avoid losing face by letting the truth come out. Secondly, admit-

ting the problems that are occurring at Ban Chat San could draw attention to the fact that much of the support promised to the relocatees never reached them. Many officials with dirty hands certainly do not want to see these problems brought out into the open, especially at the provincial level. The government would most likely prefer to see the Heuny remain in Ban Chat San, because allowing them to live in their original small and scattered communities is considered a potential security risk. The government has not yet understood that improved road access means little to the Heuny at Ban Chat San, because they now have little to sell to outside markets, no money to buy anything, and certainly do not have enough money to travel frequently by bus.

As an extremely vulnerable group of very traditional indigenous peoples, the future of the Heuny on the BOLOVEN Plateau in Pak Song district is uncertain. What is clear, however, is that they are suffering incredibly due to a very poorly conceived and implemented forced relocation plan that, in fact, was not even necessary. Now is the time for the Lao government to abandon the "experiment" and admit their mistakes. The Heuny and J'rou should be allowed to return to their traditional villages as soon as possible.

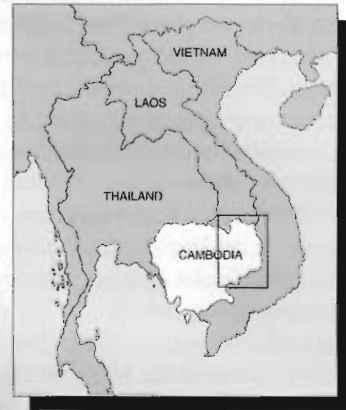
The first part of this article was researched and written in 1995 and 1996. Now, approximately five years later, the Boloven Plateau has been revisited, and the author has re-investigated the status of the indigenous people living there, particularly the Heuny. I would like to thank a Heuny colleague who is very familiar with the actual status of the Heuny in Pak Song District; he has supplied much of the information, but must necessarily remain anonymous. The second part was written with his help in September 2000.

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# SACRED BALANCE:

## CONSERVING THE ANCESTRAL LANDS OF CAMBODIA'S INDIGENOUS COMMUNITIES



By Sara Colm

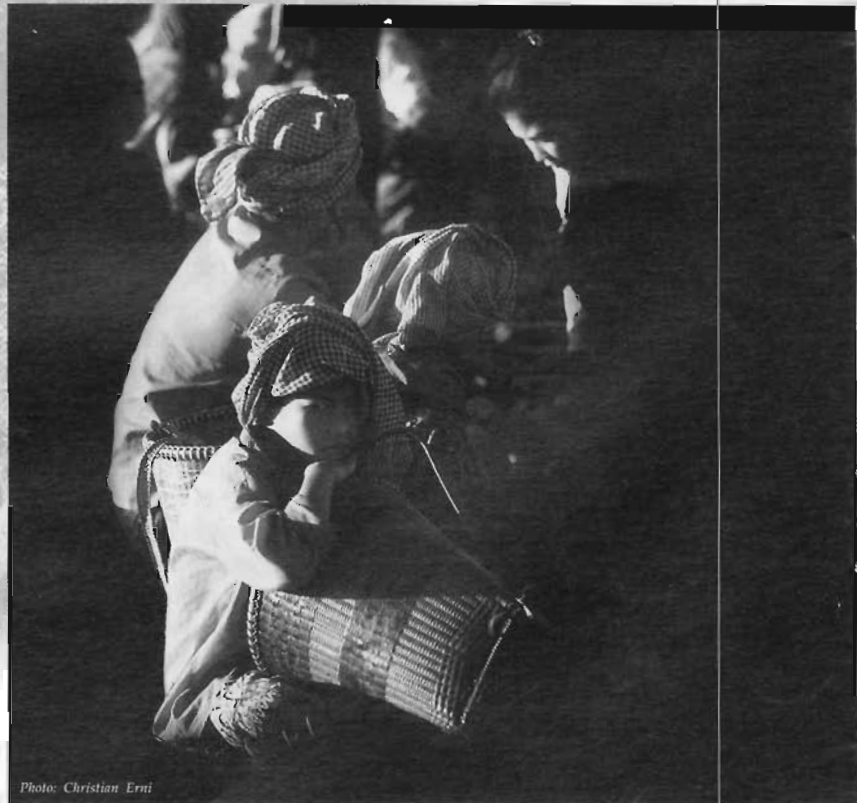
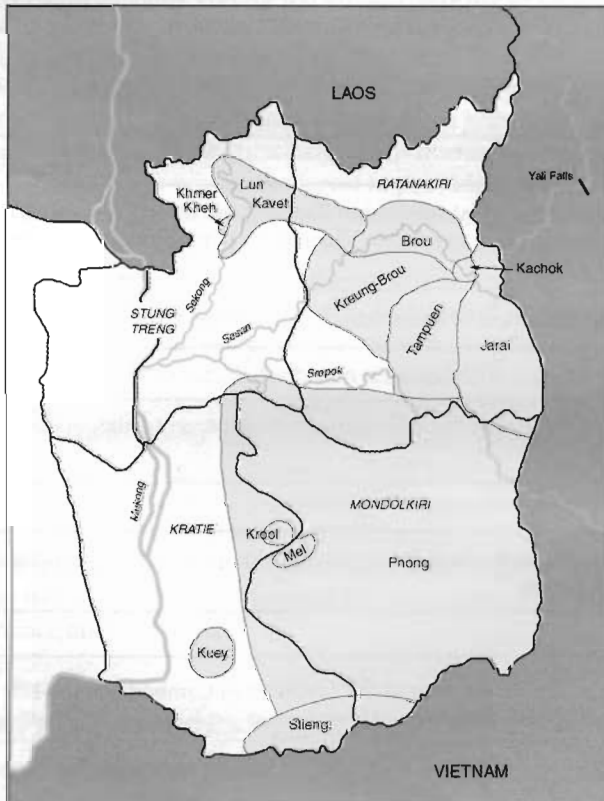


Photo: Christian Erni

Photo: Sara Colm



Photo: Christian Erni



Ratanakiri province, which borders Laos and Vietnam in the northeastern corner of Cambodia, is renowned for the rich diversity of its biological features and its indigenous cultures. However, the ancestral lands and traditional livelihoods of Ratanakiri's eight indigenous ethnic groups are threatened by logging, land speculation, and unsustainable agricultural and hydropower development.

As one ethnic Kreung villager put it, "Our village boundaries extend only to our *chamkars* (swidden plots) —that's one hour's walk—but we support our living in an area much further than that, in the forest beyond our village boundaries. These forests are like our market place—they are where we find wildlife, malva nuts, rattan and so on. If companies take those forests, we'll be dead."

Spirit forests, sacred groves, and spirit mountains are the most powerful and spiritually significant places in the highlanders' landscape. In an interchange with a lowland Cambodian logging company representative, a Kreung villager explained, "Destroying our spirit forests is like someone entered your Buddhist pagoda and destroyed the Buddha statues."

For the highlanders, the physical impacts of development on ancestral lands are intertwined with spiritual repercussions. Logging can upset the spirits of the sky, creating droughts and barren fields. Hydropower dams can anger the spirits of the water and trees. When water is released from a dam's reservoir, a Tampuen villager explained, it is as if angry spirits have been unleashed on the people downstream, causing some to fall ill or drown in the torrents of water.

Until the late 1990s, Ratanakiri's indigenous groups lived relatively autonomously because of the province's physical isolation from Cambodia's capital, Phnom Penh. Much of the country's attention was focused on the northwestern provinces bordering Thailand, the site of ongoing civil war with the Khmer Rouge. U.N.-brokered peace accords in 1991 led to national elections in 1993 and 1998. With the defection of thousands of Khmer Rouge fighters in 1999 and cessation of military activity, Cambodia is shifting its focus to economic development, including exploitation of its natural resources.

Ratanakiri, with its rich red volcanic soil, pristine rivers, abundant hardwood forests and relatively low population, has become the new frontier for commercial exploitation. The needs, customs, religious beliefs, and traditional livelihoods of the province's 60,000 indigenous inhabitants are at stake in this business boom, which could force them off their ancestral lands.

## A Cultural Mosaic

Known as the “Naga’s Tail” (the mythological giant snake), Ratanakiri province is formed by a broad upland plain punctuated by a volcanic plateau, with a minor mountain range forming the country’s northeastern boundaries with Laos and Vietnam. This upland region is drained by three major rivers: the Se San, Srepok and Sekong. Ratanakiri’s cultural diversity is illustrated in the range of linguistic types found there. (see Table below) The province covers an area of 1.16 million hectares and has a population of 94,000 people, of which 75 percent belong to eight indigenous groups, in addition to the more recently arrived lowland Cambodians (or Khmers), Vietnamese, Laotians and Chinese.

Most of Ratanakiri’s indigenous groups - the Tampuen, Kachok, Kreung, Brou, Lun, Kavet, and Pnong - belong to the same linguistic family, Mon-Khmer. The language of the Jarai, one of the largest highland groups in Indochina, belongs to the Chamic branch of Austronesian, the language family that includes Malay.

## A Turbulent History

Northeastern Cambodia has long been a strategic region, with its waterways serving as key links for trade and transport of armies. From the 13th until the 19th century Cham, Khmer, Lao, and Thai all competed for control of the area. In the 18th century slave merchants raided indig-

Ethno-linguistic Group	Population in Ratanakiri	Comments
<b>I. AUSTRASIATIC:</b> Western Bahnaric branch of Mon-Khmer Brou sub-group		
Brou	5,500	Traditionally lived in Northeast of Ratanakiri – now live primarily along the Se San River because of government relocation programmes in the 1960s and 1980s.
Kreung	14,000	Live in the western part of the Central Plateau, and towards the Se San River in the north.
Kavet	2,000	Live in the forested area north of the Se San River. Different governmental regimes have attempted to relocate them along the Se San River over the last 30 years, although since 1993 many have started to gradually migrate back towards their old settlement areas closer to the Lao border.
Lun	150	Live in Vonsai and Taveng districts.
Central Bahnaric branch of Mon-Khmer		
Tampuen	18,000	Live in central Ratanakiri on the Central Plateau around Banlung and throughout much of Lumphat and Bokeo districts. Previously extended to Vietnamese border but were pushed westward during the past centuries.
Kachok	2,200	Live in Andong Meas and Vonsai districts of Ratanakiri near the Se San River.
Southern Bahnaric branch of Mon-Khmer		
Pnong	Very few	Live in Lumphat district in south Ratanakiri, but Pnong constitute 80 per cent of the population of Mondolkiri province.
<b>II. AUSTRONESIAN: Chamic branch</b>		
Jarai	14,000	Most of the Jarai live in Vietnam. In Cambodia they live in a belt along the Vietnamese border between the Se San and Srepok Rivers.
Others		
Lao	6,500	Live primarily along the main rivers. First settled in the northeast of Cambodia in the 17 <sup>th</sup> century. Intermarriage with indigenous groups is fairly common.
Chinese	200	Vonsai district. Moved from Guangdong province of China via Phnom Penh since the 1940s.
Vietnamese	750	Live in Banlung town.



enous villages for slaves to sell in the markets of the main urban areas of Thailand, Laos and lowland Cambodia.

French traders in the 1850s describe a tributary relationship between the Cambodian royalty based in the lowlands and the Jarai Kings of Fire and Water, who possessed a saber with magical qualities. Tribute to these guardians of the highlands north of the Cambodian Kingdom — which included elephants, brass wire, iron, glassware and silk — was seen as ensuring protection of areas vulnerable to foreign invasion.

In the late 18th and early 19th centuries, as the Thai conquered parts of northern Cambodia and southern Laos, the indigenous populations were taxed heavily in gold by their new rulers and the slave trade thrived more than ever. The hill people responded with several small uprisings, most of which were unsuccessful. As the French colonized the region they established Kontum Mission in 1849, across the border from Ratanakiri in Vietnam, and annexed much of the Se San and Srepok basins. In 1863 Cambodian King Norodom was forced into making Cambodia a protectorate of France, followed in 1884 by it being made into a fully-fledged French colony. In 1887, the Thai established themselves at Takalan on the Se San, which later became Vonsai. Unable to compete in these struggles between the French and the Thai, the Khmer abandoned the Srepok valley.

In 1895 Cambodia lost Attopeu, Siempang and Stung Treng, first to Cochinchina, and then to Laos. Arbitrarily drawn boundaries cut through indigenous homelands, with the border between Cambodia and Annam splitting Jarai territory and the Cambodia-Lao frontier separating Brou and Kavet in Stung Treng from their relatives across the border. For several years, highlanders — particularly the Sedang and the Jarai — resisted French rule and attacked colonial outposts. In 1904 Stung Treng province returned to Cambodia.

In 1953, under Prince Norodom Sihanouk, Cambodia obtained independence from France. In the early 1960s the Sihanouk regime began to force highland villages in Ratanakiri to move from the bamboo forests in the mountains near the Lao border to more “orderly” concentrations along the main highways or the Se San River. The government’s agenda was to rein in the indigenous people and cut off contacts with Lao, Vietnamese and Cambodian insurgents, while at the same time “modernizing” the minorities. Sihanouk’s development programs included the creation of rubber plantations, construction of roads and schools, and settlement in Ratanakiri of lowland Cambodians.

After Sihanouk began to crack down on leftists in Phnom Penh in the early sixties, Pol Pot, Ieng Sary, and other top Khmer Rouge leaders left Phnom Penh and established themselves in the forests of northeastern Cambodia. They recruited members among the highlanders, many of whom were disgruntled with the central government, and gradually built a strong revolutionary base in Ratanakiri.



*A Hero logging truck blazes a new road through a stretch of forest in Ratanakiri.  
Photo: IWGIA Archive*

In the mid-1960s, work began on an 8,000 hectare State rubber plantation near the military post of Labansiek in Ratanakiri. The development of the plantation did not go smoothly, the new colonists colliding with the former occupants of the land, who depended on it for their subsistence. The situation flared up in 1968, when Brou, Tampuen and Kreung villages resisted the plantation’s encroachment. When they were brutally suppressed by government forces — who looted and destroyed their villages — many highlanders fled to the forests, where they joined the Khmer Rouge rebels. Further north, in Vonsai, the Khmer Rouge organized villagers to demonstrate against excessive taxation. In O Yadao district to the east, Jarai were recruited to join “the struggle” as an alternative to taking short-term jobs as plantation laborers.

In February 1968 Sihanouk publicly acknowledged the highlanders’ unhappiness with the government. However, Ratanakiri’s main problem was underpopulation, he asserted; the answer was the development of roads and resettlement of more colonists.

In the late 1960s, the American War in Vietnam began to spill over the borders to Cambodia. Beginning in 1970, US bombing of Ratanakiri forced the highlanders out of their villages and into the forests, where they lived with the rebels. In the early days, many of the indigenous groups were receptive to Khmer Rouge rhetoric, as an alternative

to the policies of the central government. The Khmer Rouge were able to exploit growing resentment of the Central Government, and then step in as a replacement after the 1970 coup d'état by General Lon Nol, whose regime never took hold in the northeastern provinces. In mid-1970, Lon Nol forces withdrew from the northeast and Ratanakiri became a Khmer Rouge "liberated zone" - five years before most of the rest of Cambodia.

In many instances the Khmer Rouge undoubtedly used coercion and fear to enlist indigenous support for their revolution. And their early "marriage of convenience" with the highlanders soon soured after the US bombing ended in 1973, when the Khmer Rouge began to implement radical cooperatization schemes, forced labor and communal eating programs in Ratanakiri. Thousands of highlanders fled to Vietnam and Laos in 1974 and 1975. Many of those who remained behind were executed for not following the party program, or died from starvation, disease and harsh working conditions.

In 1979, Vietnamese troops forced the Khmer Rouge to the Thai border and established a Socialist government in Phnom Penh under Heng Samrin, which waged war with the Khmer Rouge throughout the 1980s. Security problems, poor roads and lack of a regular air service left Ratanakiri cut off from lowland Cambodia during this time. After United Nations-brokered peace accords in 1991 and national elections in 1993 — plus the launching of regular flights from Phnom Penh — Ratanakiri began to open up to tourism, business, and the work of Non-Governmental Organizations (NGOs).

## Fruits of the Forest

Most of the highlanders subsist on swidden agriculture, supplemented by hunting, fishing and gathering of forest products. In the dry season villagers clear swidden plots (*chamkars*), drying and burning the timber and underbrush. Swidden plots are planted at the beginning of the rainy season and the same plot may be used for a period ranging from one to five years, depending on the quality of the soil. The plots are then left fallow to allow them to recover their fertility before being cultivated again. Villagers subsequently rotate their plots to other fields that have regained their fertility or to areas that have never been cut at all.

The highlanders grow a variety of crops in their swidden plots, including upland rice, cassava, taro, sugarcane, maize, sweet potatoes, yams, beans, peppers, sesame, tobacco, pineapples, gourds and other vegetables. Fruit trees are grown in the villages and *chamkars*, bearing bananas, jack fruit, cashews, papaya and mangos. Areas cleared for swidden agriculture are usually not old-growth forest but secondary forest or forest fallows that are eight to twenty years old. In addition to swidden agriculture, some of the highland groups cultivate wet rice in permanent inundated paddy fields.

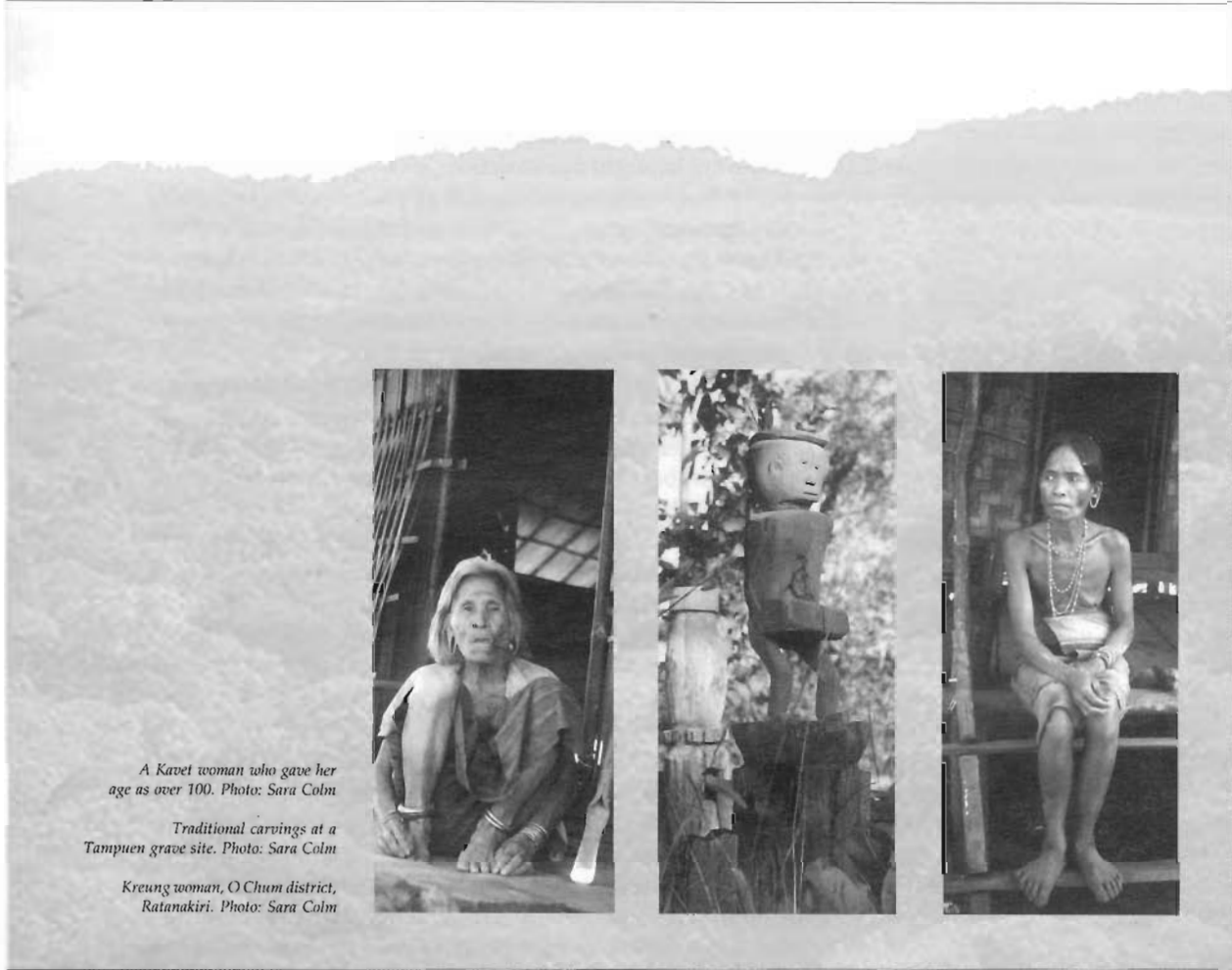
Secondary and old-growth forests near village agricultural lands are also integral to the highlanders' local economy, providing hunting grounds and many of the forest products that villagers depend on for their livelihood, such as vines, resin, honey, nuts, bamboo, and rattan.

Most highlanders have a clear sense of the physical extent of village land used for cultivation, usually defined by streams, mountains, or other geographical features. Village sites do not move as much as is commonly thought, and the highlanders of Cambodia cannot be considered as "nomadic." When villages do move, it tends to be within the village's ancestral cultivation area — often within a matter of only a few kilometers — and for specific reasons such as political upheaval, government relocation, bad omens, excessive illness, or other hardships at the current site.

Cultivation land is distributed according to decisions by village elders and spiritual beliefs, but the result is often that the land is distributed equitably. For example, a study by the East West Center found that different villages in Poey Commune in O Chum district all had roughly the same number of people per square kilometer, regardless of village population size.

Specific boundaries between villages are not required unless the cultivation areas from one village meet another. Borders are thus set up communally and only if they are deemed necessary to address real needs. Many of the highland groups believe that if they farm on the other side of a different village's *chamkar*, the spirits will be unhappy and they will meet misfortune or death. When *chamkar* from one village meets *chamkar* from another, elders from the two villages may meet to decide on the boundaries. Inter-village negotiations over borders are not always necessary when village cultivation lands meet, however, because the physical location of *chamkars* and taboos against farming in another village's cultivation area define the cultivation limits.

Variations do take place within the different highland communities with regard to traditional resource allocation and village movement, and exceptions occur, even within the same commune. The Kreung village of Kralah has remained in the same location for most of the last 100 years, while neighboring Kres village has moved 10 times in the last 40 years. Groups such as the Kavet in Vonsai district, whose village and agricultural sites have been disrupted numerous times by warfare and government relocation schemes, do not strictly adhere to traditional cultivation boundaries. On the other hand, some of the Kreung have very clear internal policies banning the sale of village swidden lands. In Kralah village, for example, violators are to be fined the price of the land sale with the proceeds going into a communal village fund, or banished outright from the village. The only condition under which one can sell land is if there is agreement from the village elders and the village committee — one person alone cannot make the decision to sell a piece of the community's land.



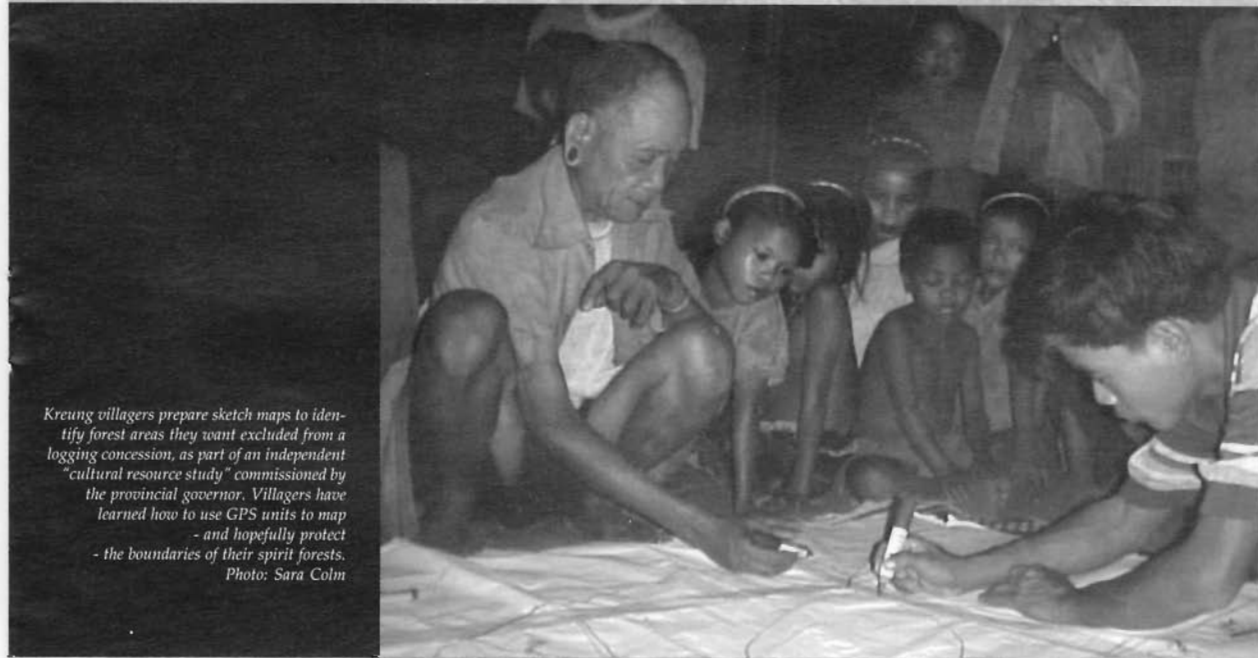
*A Kavet woman who gave her age as over 100. Photo: Sara Colm*



*Traditional carvings at a Tampuen grave site. Photo: Sara Colm*



*Kreung woman, O Chum district, Ratanakiri. Photo: Sara Colm*



*Kreung villagers prepare sketch maps to identify forest areas they want excluded from a logging concession, as part of an independent "cultural resource study" commissioned by the provincial governor. Villagers have learned how to use GPS units to map - and hopefully protect - the boundaries of their spirit forests. Photo: Sara Colm*

Kralah's no land-sales policy was reinforced by the unrest over land rights in the 1960s, as Kralah chief Ya Kuoch explained, "From the time of our ancestors we never sold our land. In the past, a French company wanted to plant rubber here. They had us serve them and work in their rubber plantation. Our land was sold to the company. We worked for them but we stayed poor — there was no development for us. So we decided not to sell to companies — where would our grandchildren farm in the future?"

## Highland Religion

Most of the highlanders in Ratanakiri have followed holistic spiritual systems for generations, with minor variations among the different ethnic groups. The landscape surrounding the highlanders and their villages - including spirit mountains, graveyards, swidden plots, or areas where forest products are collected - is imbued with spiritual values. This involves beliefs in ancestor spirits, guardian spirits that watch over villages, as well as spirits that reside in rocks, trees, streams, wind, agricultural fields, mountains, and other natural phenomena.

"There are old spirits, young spirits, big spirits and little spirits," explained a Kreung elder. "They are everywhere; for example, the place where we plant fruit trees. But the mountain is like the village for the *arak* [spirit] - it's the place where they meet. In other places they are not so big or so fierce, such as in the village, and can't affect us so much."

These spirits are believed to hold immense powers and, if properly treated, can ward off disease, poor crop harvests, or other calamities. When the spirits are not treated properly, however, the consequences to villages as well as to individual villagers can be severe.

According to the highlander belief systems, swidden agriculture is also affected by spirits. Each step of the agricultural cycle is therefore accompanied by ceremonies and offerings to the spirits - often conducted in the swidden plots themselves - in order to ensure a good harvest and protect villagers from harm. Even deciding on the site to plant a swidden plot involves invoking the spirits. "First we clear a small patch of forest as a trial to ask whether the *yang* (spirit) gives the land to us," explained a Jarai villager. "If no animal cries or we have a good dream, we then cut a little bit more. We do this for three days, and if there's still no problem after the third day, we cut the whole *chamkar*."

When illness or misfortune strikes a community, *mey arak*, or healers who can communicate with the spirits, are consulted to intervene. They determine what the cause of the problem is, often through a dream, and then organize the appropriate response, usually in the form of a ceremony or ritual to appease the spirits.

Spiritual ceremonies are usually held in the village or the *chamkar*, but they can also be held in the forest or on the

banks of a lake or stream that is thought to be spiritually potent. According to the requirements of the spirits, a chicken, piglet, cow, or buffalo is sacrificed. The *mey arak* or village leader will then "*sein arak*", or invoke the spirits, over a rice wine jar. After the formal part of the ceremony, villagers may remain together for many hours afterwards, feasting, singing and playing gongs while more jars of wine are brought out to drink.

Illness is often attributed to a person's spirit being lost or captured, either by an *arak* or by a spirit of the dead. There are many ceremonies to ensure health and to overcome illness. Patients may be brought to a spirit medium, who will use various techniques to determine the cause of illness and possible remedies.

Many of the highland groups follow taboos for certain plants and animals; for example, in several Kreung villages water taro is not eaten, pythons are not hunted, and wild bamboo is not cut, used, or eaten. The origin of the wild bamboo taboo comes from the time of the villagers' founding ancestor, who many generations ago is said to have found refuge from enemies in a wild bamboo grove during wartime.

## Spirit Forests

For many of the highland groups, spirit forests, sacred groves and spirit mountains play a central part in highland religious beliefs and are treated with profound respect. Each spirit forest or spirit mountain has its own history and associated legends, which have been passed down by the village elders from generation to generation.

Spirit forests are often identified through a dream, particularly by a spirit medium or *mey arak*. Sometimes a spirit forest makes itself known as a result of a powerful spiritual encounter in that particular forest. And sometimes a spirit forest is identified after a member of the community falls ill or dies after going to the spirit forest. Illness or bad dreams are often attributed to spirits who have become angered by disruption of the natural environment, for example, after logging or collection of forest products in a spirit forest.

Spirit forests are characterized by the highlanders as deep forests with old growth vegetation, large vines, and extraordinary physical features such as large boulders, deep naturally-formed wells, ponds, waterfalls, salt licks that draw wildlife and even, in one case in O Chum District, stone columns thought to have been placed on the mountain top hundreds of years ago by the gods.

"Forest people" are thought to reside in some spirit forests, accounting for the voices, laughter, gong-playing or other evidence of magical or unexplained human activity that villagers encounter in spirit forests. They are generally seen as fairly benign creatures, although they may chase humans who come into their territory, screaming or laughing at them.

Certain spirit forests are too potent for humans to enter. Before entering a spirit forest to hunt or collect forest products, villagers often organize ceremonies and make offerings to the spirits in order to obtain their permission. People believe that if they are able to successfully hunt wildlife, it is only because the spirits have "given" that animal to them. However, spirit forests are primarily sacred sites, not resource collection areas. "Spirit forests are not important for our use, but for us to respect," said a Kreung villager. "Those who do collect forest products in spirit forests should ask permission first."

If outsiders want to enter a spirit forest, they should ask the village first. "They can come and take a look but they can't hunt animals," villagers said of Yol spirit mountain. "We can't allow outsiders to cut the trees or hunt there." Villagers recount an incident in 1998 when a child and several adults in two villages died after loggers cut trees with a chainsaw on Yol Mountain. The people prayed to the *arak* and dreamed the deaths were caused by angry spirits.

### Threats to Land Security

Approximately one third of Ratanakiri province has been designated as royally-decreed protected areas, including Virachey National Park and Lumphat Wildlife Sanctuary. Local NGOs and Ministry of Environment staff are attempting to actively involve highlanders living in and around the protected areas in park management and to date, have had no plans to evict them. As conventional economic development in Ratanakiri proceeds, however, dwindling access to land and natural resources is affecting the ability of indigenous populations to maintain secure livelihoods.

Much of the province's land area - including the buffer zone of Virachey National Park — has been approved for logging concessions. In 1995, the government approved a 30-year concession for 1.4 million hectares to Macro-Panin, an Indonesian company. Other companies have been granted rights to export tens of thousands of cubic meters of felled timber to Vietnam in exchange for public infrastructure improvements in Ratanakiri, most of which have never materialized.

Logging operations - both legal and illegal - escalated during the lead-up to national elections in 1998, when income from logging by the military and police was used to finance the election campaign of the incumbent Cambodian People's Party. During this period, over 200,000m<sup>3</sup> of logs were illegally exported from Ratanakiri to Vietnam, according to investigations by Global Witness, an independent monitoring organization.

"No one dared to protest," said a Jarai villager describing logging near the Vietnamese border. "They had soldiers, people from the province, a big delegation. The company said they had approval from the district and province. There was no consultation with the people. The dog doesn't dare to bite the elephant — who can dare protest?" Kreung villagers in O Chum said, "The government says we are the ones destroying the forest but actually it's them. The big people are cutting the forest and making us poor. They should follow their own laws."

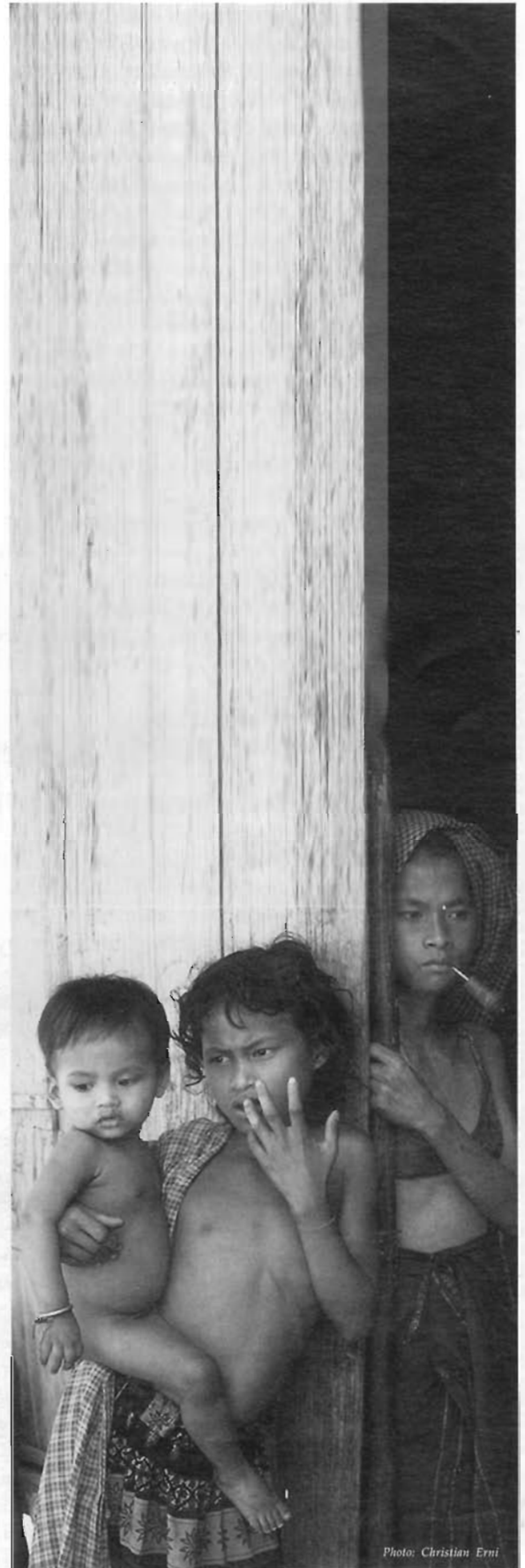


Photo: Christian Erni

In January 1998 the government authorized a 25-year timber concession to the Hero Taiwan Company Ltd. to log 60,150 hectares of forest in Ratanakiri, in an area inhabited by almost 10,000 people, primarily ethnic Kreung. The company's management plan stated that sites important to culture or tradition, or areas that communities wished to protect, would be excluded from logging. However, as of writing, logging has continued to take place in spirit forests respected by the indigenous peoples.

In March 1999, conflicts arose between the Hero Company and Kreung people living in the concession area when logging commenced without prior consultation with local communities. In May 1999, Hero Company representatives and government officials, accompanied by armed policemen, pressured village leaders to thumbprint an agreement allowing the company to log their forests. One week after this forced signing, logging began.

Because of the controversy surrounding the concession, Ratanakiri's provincial governor authorized an independent cultural resource study to identify and map areas of religious and cultural significance to the highlanders living within the concession zone, as well as areas they depend on for their livelihoods. A mixed research team, which included NGO workers, government employees and highlanders, trained local villagers in the use of Global Positioning System (GPS) units so that they could map - and thereby hopefully protect - the boundaries of some of their spirit forests.

In April 1998 the Pheapimex Fuchan Cambodia Co., Ltd. was granted a concession for 350,000 hectares in Ratanakiri and Stung Treng provinces, within the former Macro-Panin concession, which was cancelled in 1997. The Pheapimex concession includes most of a proposed buffer zone for Virachey National Park, inhabited by more than 10,000 indigenous people.

In addition to logging concessions, the province has been flooded by land speculators and applicants for commercial agricultural concessions to grow oil palm, coffee, cassava and cashew nut. The Ratanakiri Land Titles Office has received applications for more than a dozen concession projects in the province, ranging from 100 to 20,000 hectares.

Increasing numbers of lowland Cambodians are migrating to the province, and they are often obtaining titles to parcels of land, particularly near market towns. Land is being cleared and industrial crops planted on some of these sites, while other sites remain unplanted as speculators wait for an opportunity to resell the land at a higher price. In one particularly egregious violation in 1997, a high-ranking military general fraudulently obtained title to 1200 ha of land occupied by three villages in Bokeo district. Tampuen and Jarai villagers - most of them illiterate in Khmer - were threatened with loss of their land unless they thumb printed a document, which turned out to be the sales agreement. Afterwards, each family received two bags of salt. When the villagers later learned of

the fraud, they were adamant that they had no intention to sell their land. With the help of legal aid and human rights organizations, they plan to defend their land rights when the case goes to court in early 2001. In areas close to the provincial capital of Banlung, highlanders are becoming more accustomed to a cash economy and showing a growing openness towards selling village land — a rare occurrence in the past because they relied completely on their *chamkars* to make their living.

Another factor affecting indigenous lands are the proposed hydropower projects on the Se San and Srepok rivers and their tributaries, which will displace highlanders who have already been relocated by the government from their ancestral lands near the Lao border to new villages along the riverbanks. Six dam sites have been identified in Ratanakiri alone, with one — the 260 MW Se San 3 — projected to flood an area extending from Vonsai town all the way to the Vietnam border. Although not fully operating, the 720 MW Yali Falls dam, constructed on the Se San River in Vietnam, has already had devastating ecological and social impacts on indigenous communities living downstream in Ratanakiri. Sporadic and unannounced releases of large amounts of water have caused more than 30 deaths from drowning, as well as destruction of agricultural fields, fisheries, fishing equipment, and boats, deterioration of water quality and ensuing human and animal health problems, and the death of livestock and domestic animals.

Some provincial authorities attribute Ratanakiri's developmental and environmental problems to the highlanders themselves, asserting that the swidden system is responsible for destroying the forests. "If we are always thinking about the impact on the ethnic minorities, we will never get any investment," said Sao Phim, the former deputy governor of Ratanakiri. "If we preserve the traditional swidden economy, in 100 years there will still be no progress forward."

Some officials suggest that highlanders could attain a better standard of living if they switched from swidden agriculture to paddy rice cultivation or found employment with industrial plantations. But both of these options need to be examined carefully. And even if the indigenous people agreed to participate in such developments on their land, the question is whether there is sufficient land for all of Ratanakiri's indigenous people to cultivate paddy rice, or enough jobs on the proposed industrial plantations. In 1996, a proposed oil palm plantation offered only 450 jobs to more than 4,000 highlanders living within the plantation's boundaries. This would have left most of the people living around the plantation with no *chamkars* and no jobs, had the plantation not collapsed because of financial problems.

As for paddy rice cultivation, even if the province's available paddy land was evenly distributed throughout the province, there would still not be enough land to

support all the highlanders living in Ratanakiri. Ongoing land speculation further complicates the problem, as groups of business people form associations to buy up hundreds of hectares of paddy land for agribusiness. This removes potential paddy land from use by highlanders. Aside from the fact that many highlanders traditionally have a strong resistance to farming paddy, the conversion of their agricultural system to wet rice agriculture is simply technically not feasible.

## Protecting Ancestral Lands

Customary resource management of spirit forests, forest collection areas and fisheries has enabled Ratanakiri's indigenous people to sustain their culture and livelihood for generations. However, unsustainable commercial development is increasingly threatening the highlanders' ability to meet their food needs, while disrupting spiritual practices as well.

One of the solutions to the land crisis is for highlanders to obtain legal titles to their agricultural lands, to which — through occupation and use — they have already established occupancy rights. However, most of the indigenous people lack knowledge of land laws and cannot afford the standard fees for obtaining land titles. Literacy problems and the remoteness of ethnic minority communities from the provincial capital, coupled with the complexities of existing laws and procedures, effectively bar many highlanders from obtaining land titles.

In addition, many highlanders say they worry that if individual titles are parceled out for islands of cultivation land, surrounding forests will be open for speculators, concessions and timber companies, leaving no collection forests, no biodiversity, and no seeds for planting.

One answer would be for the government to grant long-term user rights for villages to manage and protect their collection and spirit forests, while allocating to villages communal titles for their agricultural land. The Ministries of Environment and Agriculture are currently drafting a Community Forestry subdecree authorizing village associations to access and utilize forest areas for specified time periods by making contractual arrangements with the government. Cambodia's 1992 land law is currently being revised to include provisions for indigenous communities to obtain title to their land. Local NGOs and government departments in Ratanakiri are working to educate the highlanders about their land rights. These are steps in the right direction.

Amendments to the land law include provisions for indigenous minorities not only to obtain private titles to their land but communal title to village agricultural land — including fallow *chamkars*. In this way, the highlanders can continue to practice shifting cultivation within traditional village boundaries rather than being designated one single plot of land per family.

Provision of communal titles may be more compatible with the highlanders' approach to customary resource allocation. "It's better to have one title for the whole village," said a Tampuen villager. "If individual plots are titled, one family might get hilly land, another would get rice field, and a third would get good red soil, which would eventually be depleted. It makes more sense to obtain titles for village lands as a whole and then decide communally who is going to farm where and when."

Both King Sihanouk and Prime Minister Hun Sen have expressed strong support for the new land law to provide communal land ownership rights for indigenous minorities. Pressure should now be brought to bear on the government to eliminate non-sustainable logging and protect the ancestral lands and forests of the highlanders from further commercial encroachment.

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# ENVIRONMENTAL PROBLEMS AND GENDER ISSUES:

EXPERIENCES  
OF INDIGENOUS  
COMMUNITIES  
IN RATANAKIRI  
PROVINCE,  
CAMBODIA

Photo: Christian Erni



By Conny van den Berg



*About two years ago a foreign company started logging our forests. The loggers did a lot of damage. Water sources were destroyed and polluted when they were making roads into the forest. Falling trees landed on bamboo bushes we need for building houses, and ruined other bushes and plants we used to gather fruits, vegetables and medicines from. Apart from this, wildlife has left the area because the animals got scared away by the noise of the chainsaws. We do not like this logging in our forests but we cannot make the company go away. They have offered to pay for all the damage done. The village men were doing the negotiations. We ended up with wood for our village hall and a school building, but that was it. We, the village women, do not feel it is enough for all the loss this logging has caused us<sup>1</sup>.*

The above statement shows just some of the complicated issues that arise due to environmental destruction on indigenous lands: loss of means of subsistence and water pollution, but also a disturbance in the relation between men and women. The women who told me their story were from a village of the Kreung people, in O'Chum district, Ratanakiri province in Cambodia, but they could have been from any other developing country. In many developing countries forests are cut, dams are built and roads are constructed in the name of progress and economic development. These developments have their effect on the natural resources of such countries. Many indigenous people are dependent upon forests and other natural resources, which are crucial for their survival. Marginalization of indigenous people often goes hand in hand with alterations in their natural environment. People who could always rely on the forest to provide them with vegetables, fruits, wildlife, housing materials etc, suddenly find themselves with nothing once the lands they have always lived off are found to be of economic interest to their governments and (foreign) investors. But what does all this mean for the individual men and women of indigenous communities? Are men and women affected differently by environmental problems? What does it mean for the relationship between men and women? Will the gender division of labour change or stay the same? These are some of the questions I would like to explore in this article and I will use the situation in Ratanakiri province in Cambodia and its indigenous people to address them. Before going into these issues, I will briefly describe the main features of the province and its people.

### **The Province and Its People**

Ratanakiri has a number of features that distinguish this province from the lowlands of Cambodia. Dense forests

cover the region's hills and mountains. Add rivers, streams, crater lakes and numerous waterfalls to this and a beautiful landscape arises. The forest and mountains are home to many different indigenous ethnic groups who are usually referred to as hill tribes or indigenous highland people (see article by Sara Colm in the same issue). Although they are a minority compared to Cambodia's total population, in Ratanakiri they make up approximately 70 % of the provincial population. This figure is rapidly declining due to in-migration of lowland Khmer from other provinces. All indigenous highland people have much in common, such as practising swidden cultivation. In addition to their agricultural system, they have a similar belief system based on animism. Their belief system, traditions and agricultural system are closely intertwined. Natural resource management is embedded and integrated into indigenous culture and religion. And the natural environment, which is believed to be inhabited by spirits, is regarded with respect and care<sup>2</sup>. (On indigenous religion and conservation, see also Sara Colm's article).

### **Women's and Men's Roles**

To understand the implications of natural resources degradation for indigenous men and women in Ratanakiri, it is important to address the traditional division of labour between the sexes and the different roles men and women play in decision-making in indigenous communities.

Although women and men are both involved in agriculture and other productive work, they each have their own distinct tasks. Men are generally involved in doing work that is regarded to be heavy, such as felling trees, burning the fields and hunting. Women do the so-called light work, such as gathering vegetables and fruits, selling these products at the market, and looking after pigs and chickens. As in most societies, indigenous highland women and girls are responsible for reproductive activities. Men are only occasionally engaged in tasks such as childcare, fetching water, collecting firewood or cooking, when their wives are ill or not around. However, certain reproductive tasks<sup>3</sup>, like weaving baskets or repairing houses, are mainly performed by men. For women, the combination of productive and reproductive work leads to a heavy workload with hardly any leisure time<sup>4</sup>.

Furthermore, there are differences in decision-making power between men and women. Women generally have as big a say as men in financial and agricultural matters, albeit not to the same extent in every village. Such decisions are made within the household. Beyond household level, women participate very little in decision-making. Village political life is more or less dominated by men. Women are seldom part of the group of village elders who

serve as an advisory board in case of disputes. Women usually do take part in village meetings. Through a democratic process, in which, theoretically, everybody can express their concerns, the village comes to a decision. However, people with more prestige, wealth, education or knowledge will usually have more confidence and, as a result, have more to say than others. The majority of these "others" generally consist of women, since they tend to have less education, are shy and have lower self-esteem<sup>5</sup>. The heavy workload of women is one of the major factors that prevents them from participating in education and village decision-making<sup>6</sup>. They cannot devote as much time to education and meetings as men because they are too busy running the household, after they have come back from their fields.

## Gender Issues and Environmental Problems

The balance between the livelihood system of indigenous highlanders and natural resources is a precarious one. It is only sustainable when certain criteria are met. Population must be low in areas where swidden cultivation is performed<sup>7</sup>. In the last ten years, this balance has been disturbed by logging operations, industrial plantations and migration of people from lowland Cambodia and Vietnam. In addition, hydropower dams have been causing problems. For each of the above mentioned issues, I would like to describe the specific problems it causes for indigenous women and men in Ratanakiri.

### Logging

Logging, both legal and illegal, is a big problem in substantial parts of the province. Large scale concessions have been given out to two companies, although only one of them is actively logging. The concession area of one of the companies covers much of the O'Chum, Taveng and Veunsai districts. The main problems that logging causes for villagers in this area have already been touched upon in the introduction to this article. Here, traditional water sources, where women go to fetch drinking water, have been destroyed in the course of road construction. For women, this means having to walk further to other water sources. Fetching water is already very time and energy consuming. Women usually fetch water three times a day, and carry around 20 litres of water stored in gourds in back strap baskets. It is not only water fetching that takes more time and energy. In addition, women have to spend more time finding forest fruits and wild vegetables as a result of the falling logs destroying the undergrowth. For men, hunting and gathering forest fruits has also become more problematic. Animals lose their habitat and get scared

away by noise from trucks and chainsaws. Age-old fruit trees, although not cut for timber purposes, are damaged<sup>8</sup>. In those cases where logging has some benefits for indigenous communities, these are not equally distributed among men and women. In one instance, the logging company asked villagers to show them the locations of good quality timber, for US\$ 1.50 to US\$ 3.00 a day. But those selected by the communities to do this job are, without exception, men. It is not that women would not like some extra money, but they do not know the forest as well as men. Although the villagers did not report any difficulties with these men assisting in logging, it nevertheless leaves women with a comparative disadvantage as none of them directly benefit.<sup>9</sup>

Beside the impact on the workload and natural resource collection and the distribution of benefits, logging has its effects on gender relations in some communities. This is illustrated by the following example. In some of the villages the company has acknowledged the loss and damage done to the village forests and they have offered compensation. Dealing with the outside world and general village politics are the domain of men. Also, in meetings about compensation with the logging company, village men, mostly elders, village and commune chiefs, are the ones representing the village. The men were satisfied with the outcome of this meeting but the women had wanted more compensation. However, as the women were not represented in the meeting with the company, they did not have an opportunity to voice their demands and opinions. This incident caused some division between the village men and women. Although it might seem here as if men could have asked for anything they wanted, in fact it must be noted that they, too, are in a very weak bargaining position. If they had refused what the firm had offered, the village would probably have ended up with no compensation at all because the indigenous communities do not have the means to put pressure on the company. Nevertheless, gender divisions among community members weaken their attempts to control logging. Equal decision-making power for men and women could contribute to unifying villagers and working towards solutions to the problems caused by logging.

### Plantations and Migration

Since the 1950s, the Cambodian government has encouraged lowland Cambodians to settle in the north-eastern provinces of the country. Little regard was given to the fact that these provinces were already inhabited by indigenous peoples, for whom the land and forests were the basis of their livelihood. Voluntary migration<sup>10</sup> came to a virtual halt during the Khmer Rouge period, to be continued at a particularly rapid pace in the last ten years<sup>11</sup>.



Elderly Kreung woman looking after her grandchild in Poey Commune, Ratanakiri Province. Photo: Christian Erni



Kreung woman weaving with traditional backstrap loom. Poey Commune, Ratanakiri Province. Photo: Christian Erni

Land scarcity in other lowland provinces is one of the main reasons for migration, and the apparent availability of land in Ratanakiri is one of the attractions of this province. Moreover, communications have improved dramatically, making it easier for people to move from one part of the country to another. Migrants tend to settle in and around the provincial capital of Ban Lung and the district town of Bokeo.

With immigrants coming to Ratanakiri, plantations were established. The first plantations came about during the French colonial era, with rubber being the main crop produced up until the Khmer Rouge period. As with immigration, developments were slow until the early 1990s, due to the 30 years of war. After the elections of 1993 and the country's opening of its boundaries to the world market, the number of commercial plantations in Ratanakiri increased enormously. The main crops planted at the moment are cashew nuts, coffee, rubber, and various fruit trees. Land along the main roads between the border with Vietnam and Stung Treng province is particularly sought after by plantation owners.

#### *Problems with the Commoditization of Land*

Ratanakiri's indigenous highland peoples have a customary land tenure system, which is based on actual village needs. A village as a whole has user rights to an area and, traditionally, individual land ownership does not exist. If newcomers want to clear a plot of land for cultivation, they must settle in the village. Within the community, land is then divided between all families according to their need. Village boundaries are usually marked by rivers, roads, streams, hills and mountains and are only specified when two villages use land very near to each other. Village elders of the villages concerned will meet to discuss and set the village boundaries when necessary. As indigenous communities only recognize use right, not ownership rights of an individual to land, it cannot be sold.<sup>12</sup>

Migration and the demand for land for cash cropping has led to land becoming a commodity with monetary value. Around Ban Lung, Bokeo and along the road to Konmum, land has become a scarce and much disputed asset. The government and outsiders have been selling or even taking land from local villages. This has led to increasing insecurity over the access to, and control over, customary land among indigenous communities. Due to this feeling of insecurity, villagers themselves start to sell parts of their land. They feel that if they do not sell the land themselves, somebody else will come and take it. Although, traditionally, land cannot be sold, instances of selling land to companies, to the government or to migrants coming from lowland Cambodia are becoming

more prevalent. This often happens without consulting the elders of the village. This is forcing a gradual shift in the customary land tenure system.

Due to these changes, indigenous highland communities now have to deal with the sale of village land. The role of women in selling land remains unclear. In two villages where land is being sold, it appeared that the decision to sell the land was made by the whole family. However, the men made the final decision. One man said that he would not have sold family land if his wife had not agreed to it. It seems that decision-making is quite equitable with regard to this issue. However, it should be taken into account that a favourite saying of village women is to '*taam pedaa'i*', which means that they will 'follow their husband' in what he wants or decides.<sup>13</sup>

### *Agricultural Problems*

Land grabbing and land sale is also leading to increasing agricultural problems for many villages along the main roads and around district centres. Their agricultural system of swidden farming requires 6-8 ha. per family<sup>14</sup> for maintaining a sufficient fallow cycle for their fields. A smaller area means that the fallow period becomes shorter, which again negatively affects soil fertility. The major problems faced by villagers in these areas are directly related to land pressure: the increasing difficulty in finding good quality land for their swidden fields, declining rice yields and an increase in weed pests.

The trend of shorter rotation periods and thus increasing amounts of weeds leads to an increasing workload for women, as they are primarily responsible for weeding. In one of the target villages of the study, weeds were not a problem twenty years ago. At that time, they only had to weed twice a year but now three times is necessary. Villagers related the increase in weeds to a decrease in mature trees. The absence of such trees leads to less ash after burning and a resulting decline in soil fertility. Shorter rotation periods for men mean that they have to cut trees and prepare soils more often. Instead of once every 3 or 4 years, in some villages they now have to do this every 1 or 2 years. Upland agriculture is very labour intensive, but environmental degradation increases the pressure on labour even further<sup>15</sup>.

As labour is such an important input, the problems in agriculture are felt most in families that lack male family members. Most widows and divorced or separated women live with relatives, such as their children or parents. These women do not cultivate upland rice on their own. If widows can rely on the labour of their male relatives, they are in a similar situation to standard households, but a minority of the widows do not have access to male labour. These women have a hard time trying to make a living. The size of the swidden field of these widows is usually about

half that of other families: 0.5 ha. as opposed to the usual 1 to 1.5 ha. In addition, they rely on fields that are just abandoned by other people. These swidden fields were abandoned because of decreasing soil fertility, the increase of weeds and declining yield. The widows choose to use these lands because they lack the access to male labour for cutting trees. However, growing rice and vegetables on these fields will obviously not lead to good harvests. Since these widows already cultivate fields that do not have very fertile soils, an overall decline in soil fertility due to increased pressure on land will further aggravate their problems.<sup>1</sup>

### *Dam Construction*

Hydropower dams have also caused problems for the indigenous peoples of Ratanakiri. For the provision of electricity supply to Ban Lung, a reservoir was built that displaced two villages from their traditional lands, including valuable paddy fields. The location of this dam is near the district town of O'Chum and near Ban Lung town. Population is already high in this area on account of immigration, and is increasing more rapidly than anywhere else in the province<sup>17</sup>. The problems related to land pressure, as already described in the previous paragraph, are thus hard felt in this area.

Another important dam that impacts on the lives of highland people in Ratanakiri is the Yali Falls dam on the Sesan river in Vietnam. The dam is built on the border with Ratanakiri and is causing irregular water supply in the districts along the river. Floods are not only occurring in the rainy season but also in the dry season, destroying harvests and making it more difficult and dangerous to go out fishing. In a study by the Fisheries Department of Ratanakiri, it was reported that indigenous women felt more affected by the construction of the dam than men. This is mostly due to the loss of independence and self-reliance. Women used to catch fish, pan for gold, gather vegetables and other products such as bird and reptile eggs from the river banks. They also used to cross the river by themselves. The irregular water surges makes it more difficult for women to carry out these activities and this makes them feel more dependent on men than before<sup>18</sup>.

In addition, due to the regulation of the water, fish ecosystems are disturbed. This has caused a decrease in the overall fish population in the Sesan<sup>19</sup>. As a consequence, highland communities settled along this river in Ratanakiri have already reported dietary and income problems. Most of these villages are dependent on fish as their main source of protein and to some it is an important source of income, as they sell it at local markets. The decreasing fish population means an increase in work-

load for both men and women because they will have to spend more time catching the amounts they need.

Another important impact is the decrease in water quality. As the reservoir was not properly cleared from its vegetation prior to flooding (due to the high costs), rotting processes are causing algae to contaminate the water. This not only reduces the fish population further, but also leads to direct health hazards for humans. In the villages along the river, there are already reports that illness and deaths have increased since the building of the dam<sup>20</sup>. As it is women's responsibility to look after sick family members, the decrease in water quality is not only detrimental to their own health but an extra burden for them too. Furthermore, because women fetch most of the water, they have to look for water sources further away from the village if they can no longer use the river.

## Coping Strategies

Dealing with a rapidly changing environment due to logging, immigration, the establishment of plantations and dam construction requires changes in, and adjustments to, the traditional livelihood systems of indigenous highland peoples. For many highlanders, cash income generating activities are one of the most important ways of responding to a changing environment. For instance, when a family lacks rice because of decreasing yields due to land pressure, money will enable them to buy rice on the market. While this strategy may solve some of the short term problems they face, it also causes greater pressure on already and increasingly scarce resources. Furthermore, in addition to income generation, several different ways are being explored through which to attain food security because of decreasing yields in swidden fields<sup>21</sup>. Paddy rice cultivation and cash cropping are examples of such strategies.

## Marketing of Natural Resources

Whereas previously, forest products were only used to supplement the diet, for construction and in occasional bartering for products from the lowlands, some of the indigenous villagers have now turned to using the forest as a means of income. Not only wildlife, resin, fish, and certain kinds of fruit but also trees are in high demand and valuable. The changing view on forest products is demonstrated by the following statement of a Tampuan man in Malik village, 'Before, we used to run away when we saw a cobra, now we try to catch as many as we can because they are worth a lot of money<sup>22</sup>'. Another example of unsustainable management of resources due to the fact that they are now being viewed only as a source of cash are certain kinds of

fruit trees. Malvanut trees in particular are now simply cut for harvesting purposes. People want to collect as many fruits as they can, so instead of climbing trees and picking them, the whole tree is cut<sup>23</sup>. Depletion of resources because of the changing circumstances is further aggravated through such coping mechanisms.<sup>24</sup> As yields of swidden fields drop, the forest becomes an increasingly important source of supplementary food. Tubers, forest fruits and vegetables are essential in periods of rice shortage. With plantations and logging becoming more prevalent, and the exploitation of forest products being intensified for commercial reasons, this strategy to attain food security may, for some communities, soon no longer be a solution.

## Cash Cropping

The adaptation of their agricultural system not only leads to a change in crops grown, but also to changes in the traditional division of tasks and responsibilities between men and women. Men are slightly more involved in cash crop production than traditional subsistence farming. While men and women plant and harvest cash crops together, the weeding is mainly the task of women. And while, with traditional crops, women have an important role in the selection of seeds, it is the men who do this for cash crops. In addition, men tend to choose what kind of cash crops they will grow. Farmers explained this by saying that men had more knowledge about cash crops because they attended more training on this subject than women. In addition, they have more contact with middlemen. These middlemen provide villagers with information about what kind of products the market is interested in and which products are the most profitable. This, however, does not mean that women are not involved in the selection process at all, since men do discuss their views with their wives<sup>25</sup>. Although it is mainly the men who sell the cash crops, the benefits are for the good of the whole family. In addition, women are still involved in deciding on the price of the products. Before selling the products, husband and wife discuss how many kilos they would like to sell and at what price.

Although financially, cash crop production does not seem to have an adverse impact on gender relations, the gap in knowledge between men and women regarding cash crop cultivation leads to a decrease in decision-making power for women in agricultural production. This has implications for female-headed households as they not only lack access to male labour but, in the case of cash cropping, they lack access to knowledge on this type of cultivation as well.

## *Paddy Rice Cultivation*

Paddy rice cultivation is a common method used by indigenous communities to adjust to their changing natural and social environment. There are many reasons for families to engage in paddy cultivation. The yields per hectare of paddy rice are said to be higher than that of swidden fields, although this is contested. More important is that permanent use of the same field is possible. Therefore, in response to decreasing yields from swiddens, some families started to create paddy fields. Another reason for growing paddy is because it can be sold at higher prices than upland rice. Just like in upland rice cultivation, men and women have different responsibilities in paddy rice production. Men construct and maintain dikes and canals and, although women are well capable of ploughing paddy fields, it is generally seen as being a man's task. Women are more involved in the planting and harvesting of rice.

Paddy cultivation brings some significant changes to indigenous highland society. Paddy land is not regarded as communal property like swidden fields, but rather as individual property. Bourdier<sup>26</sup> argued that families would want to keep the paddy land in their own hands because of the invested labour and capital. He takes the argument even further by saying that fathers would want to pass on the land to their sons. Matrilineality and matrilocality is, for quite a few tribes, one of the more important characteristics. Inheritance rights are organized through the family of the mother. From being a matrilineal and matrilocal society, indigenous communities that are highly involved in paddy rice cultivation might become patrilineal and patrilocal. But so far, no evidence of such a change has yet been found. In villages where paddy cultivation is becoming increasingly important, access to and control over this land for men and women has not changed from when they were still involved in swidden cultivation. The traditional rights over land in case of death or divorce still remain as they were before. Both in Brou societies, which are patrilineally organized, as well as in Jarai society, which is matrilineal, women get full control over the families' paddy rice field if the husband decides to leave his wife or dies. In Jarai villages this is even the case when the wife decides to divorce. A Jarai woman would always get the paddy rice field because she has to look after the children. Involvement in paddy rice cultivation will therefore not necessarily give women less access and control over land.<sup>27</sup>

Furthermore, villagers reported that the creation of paddy fields has an adverse effect on the natural water system of the village land. Wetlands dry out and are also turned into paddy fields. Streams contain less water than before because the water gets directed towards the paddy

fields. However, up until now this has still not led to water shortages.

Despite the reported negative impact of paddy cultivation, both women and men regard paddy rice cultivation as being easier than highland rice cultivation, if they have all the necessary equipment, such as ploughs, harrows and buffaloes<sup>28</sup>. It is less time and energy consuming because cutting trees and weeding is no longer necessary, thus reducing both women's and men's workload. A disadvantage to this system of cultivating rice is that vegetables and fruits cannot be grown on the same plots, as is the case in swidden fields. Some villages have separate home gardens, but others are solely dependent on the forest to supply them with the necessary vegetables and fruits. Such villages will face dietary problems if the forest products continue to be depleted at the current rate.

## **Conclusion**

The impact of environmental problems on indigenous communities as they prevail in Ratanakiri today are felt by both men and women. In general, men and women face an increase in their workload. They need to spend more time on their agricultural activities, and on the gathering of forest products and other natural resources in order to achieve the same results. However, women already face a higher workload than men because of the combination of activities in and outside of the household. Women cannot afford to spend more time on their tasks, as their workload already puts them in a more difficult position compared to men. The time needed for education of girls and women, and the time women spend on village decision-making will decrease even further because of the environmental problems.

The group of people in Highland villages that are most vulnerable to changes resulting from the depletion of natural resources are widow families without access to sufficient male labour. While other families can choose to diversify their agricultural production system by cultivating paddy rice or growing cash crops in order to compensate for lower yields and less fertile soil, widows cannot easily do so. Both for starting paddy cultivation and for cash cropping they need the input of male labour and knowledge. Widow families are therefore even more dependent on forest products for their survival than others.

Environmental problems as addressed in this article are not easily solved. Some organisations in the province have started activities such as awareness raising on land rights issues, community forestry, soil and water conservation techniques and agro-forestry. Giving women the

opportunity to be actively involved in the planning and implementation of such projects is essential, due to the different problems they face with regard to the impact of environmental degradation. Their needs and opinions will have to be incorporated into project development in order to prevent further adverse impact on their lives caused by the rapidly changing conditions in this province.

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## Notes

- <sup>1</sup> Berg 1999
- <sup>2</sup> Emerson 1997, p. 10-11
- <sup>3</sup> In this article, reproductive activities are defined as all activities that are needed to maintain and reproduce the labour force, such as bearing and caring for children, repairing and maintaining houses, cleaning, cooking, gathering firewood, fetching water etc. Productive activities are defined as all activities that will eventually generate an income either in cash or in kind, such as agricultural activities, marketing produce, wage labour etc.
- <sup>4</sup> Berg 1998b, p. 13-15
- <sup>5</sup> This was observed during meetings held with project staff and villagers. It could be that when villagers are conducting a meeting on their own, without outsiders, women are a lot more outspoken. However, it is known that in some villages women cannot even attend village meetings. At the same time, the older people get, the more status and power they acquire, this is true for women as well as men.
- <sup>6</sup> Berg 1998b
- <sup>7</sup> Harris 1987, p. 254-255
- <sup>8</sup> Berg 2000, p.22-23
- <sup>9</sup> Ibid., p.22-23
- <sup>10</sup> Some lowland Cambodians were forced to settle and work in Ratanakiri under the Pol Pot regime. The total number of Cambodians coming to Ratanakiri under his rule is unknown.
- <sup>11</sup> McAndrew 2000, p. 4
- <sup>12</sup> Berg 2000, p. 10
- <sup>13</sup> Berg 2000, p. 34-35
- <sup>14</sup> Colm 1996, p.10
- <sup>15</sup> Berg 2000, p.25-26
- <sup>16</sup> Ibid., p. 28-30
- <sup>17</sup> McAndrew 2000, p. 4-5
- <sup>18</sup> Department of Fisheries 2000, p. 32-35
- <sup>19</sup> Terra 2000
- <sup>20</sup> Department of Fisheries 2000, Berg 2000
- <sup>21</sup> Adapting to the adverse effects of the Yali Falls dam has resulted in ethnic Lao families turning to swidden cultivation in the Highlands as opposed to paddy rice cultivation (Department of Fisheries 2000, p.31).
- <sup>22</sup> John 2000b
- <sup>23</sup> Emerson 1997, Liévoux 1999, Berg 2000
- <sup>24</sup> Berg 2000
- <sup>25</sup> John 2000.
- <sup>26</sup> Bourdier 1995
- <sup>27</sup> Berg 1998b, p. 11 & 21.
- <sup>28</sup> Ibid. 1998b, p. 12; Kelkar et al. 1997, p. 43-45

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# WAITING FOR TREES TO GROW:

## THE DAO AND RESOURCE CONFLICTS IN BA VI NATIONAL PARK

By Tran Thi Lanh





View from Ba Vi mountain. Photos: Christian Erni

"I want to grow local species," Hai says about the forest land that has been contracted to him. "I don't want to grow what the Park says," he continues, looking right at the village leader, Mr Bay. Hai and Bay are villagers from Yen Son, which lies within the buffer zone of Ba Vi National Park. Bay looks at Hai, but doesn't say anything. He knows Hai is just being stubborn. And both men know they have no choice but to follow the land use plan developed by the National Park. After years of waiting, Yen Son has been contracted about 300 ha of buffer zone land, and the villagers will grow mostly tea and fruit trees. Under normal circumstances, farmers like Hai and Bay might be quite happy to manage a plot of forest land. But Ba Vi is not a normal place, and the villagers are not happy people.

### Land Use Conflicts

The causes for natural resource management crises in Vietnam are varied. They include population growth; government resettlement programs; internal migration to the highlands; deforestation by loggers; industrial cropping of coffee and other cash crops; and the construction of dams, tourist sites and other infrastructure projects.

In particular, relations between minority communities and outsiders are the source of many problems. In cases where government offices are involved, there are two possible sources of conflict: either the policies are not well thought-out to begin with, or the people implementing policy have an attitude problem. In Vietnam, both of these situations have occurred.

Ba Vi is a good example. Ba Vi is a small highland area only 75 km from the capital city, Hanoi. The creation of a national park was the catalyst for a number of conflicts in the nearby Daovillages – Yen Son and Hop Nhat. Government policy is not entirely adequate to solve the conflicts, but more importantly, government offices have ignored problems or followed their own interests, with little regard for the poor.

For example, Yen Son village lost 19.5 ha of land in 1988, when Ba Vi district gave it to the director of the Aô Vua tourist company, Nguyen Manh Thanh. To this day the company has not paid any taxes for the land. The district gave no compensation to the villagers. Then, last year, the

Ba Vi National Park gave the same company 107 ha of land that had earlier been contracted to the villagers. The land is for tourist facilities, and will generate significant revenues for the company, none of which will be returned to the villagers.

## The Dao People of Ba Vi

The Dao (pronounced 'Zao') are one of Vietnam's most numerous ethnic minority groups. They number over 700,000 across the northern part of the country, having moved south from their ancestral homeland in China to parts of Vietnam, Lao and Thailand (where they are called 'Mien').

The Dao have a complex culture, which they record in large books written in Chinese script. They have their own language and many unique cultural traits. As a rule, Dao people have a very close relationship with the forest. In particular, the women have extensive knowledge of medicinal plants that come from the forest.

Dao people have lived on Ba Vi mountain since the early twentieth century. They originally lived in caves and along streams in the highest reaches of the three peaks at Ba Vi. In 1959, the government resettled the Dao to the base of the mountain, below 100m above sea level. The resettlement process took three years, and involved about 130 people. In 1963, the Dao received 18 hectares of wet-rice paddy land in two villages: eight ha in Yen Son village and 10 ha in Hop Nhat. The two villages are seven km apart.

There are now 1,700 people living in these two villages, still farming the same 18 ha of land. In Yen Son, there are 164 households. Obviously, the villagers do not have enough land to support themselves. The main result is that villagers have cut trees to sell for money, and they have sold their labour as well. Also, women now sell their traditional medicines – formerly a sacred aspect of Dao culture. With living standards still low, social problems like alcohol abuse and gambling have started to appear.

Aware of these problems, in 1990 a government program offered the two villages 700 ha of eucalyptus and 300 ha of acacia to plant, paying farmers 320,000 dong per ha (about US\$50). The trees were planted between 100 and 250 metres above sea level, and the original goal was to harvest the trees after seven years.

However, ten years have passed and only now are the trees being cut. No other crops can grow under the toxic eucalyptus, including medicinal plants. The villagers knew there would be problems with the tree, but the government program PAM (Programme d'Alimentation Mondiale, funded by the United Nations) chose eucalyptus because it grows quickly and can be used for paper.

In 1991, the Ba Vi National Park was created, and many problems have surfaced as a result of the attitude of the park management board and how they have implemented policies. The Park has overseen substantial investment in

roads, offices, guesthouses and other tourism services. But only recently did the villagers receive permission to cut the eucalyptus, which is now part of the National Park's 'particular use' forest which can be used for only a limited number of purposes, and only with the Park's consent.

There is no clear policy for the Dao community to use park land, despite the contracts they signed to grow and harvest eucalyptus. Furthermore, none of the 43,000 people living in the seven communes surrounding Ba Vi have rights to use the Park's 'particular use' land.

The farmers grew angry when they were first stopped from cutting the eucalyptus, especially as they could not grow any other crops under the toxic trees. Farmers like Hai want to choose their own tree crops on land up to the 250m level. The Park initially did not answer requests for permission to cut the trees or gain access to more buffer land. Villagers say the Park management board was worried the Dao would sell the land if given land use rights certificates, so they have limited allocation to contracts (*khoan*), which do not provide the 'five rights' that a land use certificate would provide (the rights to sell, rent, transfer, inherit and mortgage land).

Until contracts are issued and the Dao farmers of Yen Son can begin to grow tree crops, their situation will continue to worsen. The Dao have responded to the ban on access to the forest by entering the Park at night to hunt animals, cut trees and pick herbs for medicine. They know they can go to prison if they are caught. This makes the Dao feel like thieves and criminals for doing what they have always done traditionally: their very culture has become 'against the law.'

No government offices have responded to the problems in Ba Vi. The Dao have received no help from the district government, as the district does not have authority over the Park. The welfare of the Dao community is also the responsibility of the Council for Ethnic Minorities and Mountainous Areas (CEMMA), but there has been no help from the district or province branches of this government body.

The Park management board, the district government and CEMMA are all organisations that make the state look like it is responding to society's need for development. But in practice these needs are not being met. Too many organisations for one small group of people means no one organisation feels the need to act. Too much bureaucracy stops any clear policy from emerging.

## TEW and the Dao Community

Yen Son village was the first area of TEW field work – as the village was the site of director Tran Thi Lanh's dissertation research. TEW's goal has been to strengthen the Dao community so they can live permanently in the National Park's buffer zone, and participate fully in the management of the Park, whether as tourist guides or as a living



Dao women during a training workshop organized by TEW. Photo: TEW



example for researchers and tourists who wanted to learn about traditional culture and protecting natural resources.

To reach this goal, TEW set up a series of pilot models with the Dao farmers from Yen Son village. Starting in 1992, TEW helped form a herbal medicine study group with 11 elderly women healers from the village.

These women went on three study tours to learn more about herbal medicine and put their already vast experience in perspective. After these study tours, the 11 women returned to Ba Vi and took part in a training-of-trainers course facilitated by two well-known herbal medicine doctors. The women went to the forest along with the doctors to identify all the trees and plants they used for medicinal purposes. The 11 women said they needed the National Park to allow them to enter the forest to collect medicinal ingredients.

Another pilot project that grew out of Lanh's original research and a 1992 PRA was a garden model based around seven farmers who were resettled by the district CEMMA office when their original homes at Ao Vua (in Ba Vi National Park) were turned into a tourist zone.

The farmers were not happy with being resettled, and many wanted to return to the area where they formerly lived. TEW began working with one key farmer, Duong Tien Nhan, who showed an ability to learn quickly. This farmer was brought to visit several different minority communities where the people lived in forested areas and had a good knowledge of sustainable shifting agriculture on sloping land.

Mr Nhan was also involved in several training courses on his land that were facilitated by the TEW director in 1992. After two years, his garden and household economic system was a model for the other farmers in the village, and TEW began bringing study tours from other areas to visit his house – including a delegation from Lao in 1999.

After work with this garden pilot model was well underway, TEW again carried out a PRA, in 1996, to check on community problems. The farmers told TEW their main concern was gaining land use rights for hill land up to 250 m above sea level – part of the National Park's 'particular use' zone.

TEW has tried since then to help the community obtain formal land rights. This is the most important step in strengthening the farmers so they can play an active role in the Park. However, this effort has largely failed, because it is clear that the Park management does not want a strong community role to hinder their plans.

The Park has continued to stall on the issue of land use rights, and only now have some villagers received their contracts. These contracts leave land use decisions firmly in the hands of the National Park, which wants to grow cash crop varieties that some of the villagers do not wish to grow.

## The Dao and Government Policy

The problems in Ba Vi follow many common patterns that can be seen in resource conflicts involving small communities and the state, or other large and powerful institutions. In the face of new rules, farmers usually follow their traditional habits and customs. If these customs contradict the law, the law is often ignored. This means that farmers will often break the law to maintain their values – which are an integral part of their culture. If outsiders pressure farmers to change their culture, outright conflict may result.

This has not occurred very often in Vietnam, but as pressure on natural resources increases, the state must be prepared to settle conflicts between the law and indigenous cultures. State laws must respect that traditional community laws are very old and stable, and so must be respected.

The situation in Ba Vi is a good example of how difficult it is for central governments to solve grassroots-level conflicts. Even the provincial and district governments have been unable to act constructively. In general it appears the Park management board has not fit the Dao into their development plans.

To make up for the lost land the Dao now travel to other areas to collect medicinal herbs, which they process and sell to outsiders. Herbal medicine knowledge passed from mother to daughter is one of the most distinctive and important aspects of Dao culture, but it is now being damaged by the push to market the herbs.

Traditionally, only women picked medicinal herbs, but now men are involved in the trade as well. The community receives a good deal of income from selling herbs – so much so that some Dao have taken advantage of outsiders and sold inferior or fake medicines for money. They do not care about the prestige that may be lost from this practice, or the fact that a formerly sacred aspect of their culture is being sold off for money. History indicates that if the Dao continue to lose their culture, social problems will only increase.

## Land Allocation in Vietnam

An important question in evaluating the situation in Ba Vi is whether the community and TEW had any option other than agreeing to support the contracting of land. Now that contracting is a reality, it will be very difficult – perhaps impossible – to obtain land use certificates for the villagers. The contracts are for 50 years, and the Park and the Ministry of Agriculture and Rural Development (MARD) can quite easily respond to criticism by closing the issue until 2050.

However, a close look at the legal documents and regulations indicates that there might be a case to press for full land use rights. This would have taken a very strong

effort at advocacy, as laws clearly indicate that special use forest land (except buffer zones) should not be used for production.

The main documents guiding forest land use are the 1993 Land Law, Decree 02/CP of 1994 on forest land allocation, Decree 01/CP of 1995 on forest land contracting, and guidelines issued by the Ministry of Agriculture and Rural Development on implementing decrees 02/CP and 01/CP.

The main principle behind current government policy is that all land should have an owner/manager who has the right to benefit from the land and the responsibility to protect and use it according to government laws. This comes after a long period of failed efforts to use and manage land collectively.

The 1994 Decree 02/CP on forest land allocation states that all organisations, families and individuals are all eligible for forest land allocation. Other points that are relevant include:

1. Land use after allocation depends on the type of forest. Specifically, reserved forests should be allocated only

to protect the environment; special use forests (like national parks) can be allocated to protect the environment, develop ecological models or for scientific experiments; and production forest can be allocated for economic benefit (Article 2, Decree 02).

2. Allocation by the management boards of national parks and nature reserves is aimed at managing and protecting these areas. For areas where inhabitants cannot be resettled elsewhere, the management board should contract out forest areas to families for protection. In areas where land is being rehabilitated, management boards can allocate contracts for families to grow and protect forest. On land where there are annual crops growing, the management board has the right to allocate land to families for agricultural production, as long as they follow existing legal regulations (Article 8, Decree 02).

Forest contracting follows a different set of rules, as set out in Decree 01/CP of 1995. Agricultural land, protected forest, special use forest and water surfaces can all be contracted out to organisations or individuals.

*Dao women of Ba Vi. Photo: TLW*



The contract should contain specific details about financial aspects, the rights and responsibilities of both parties, and a commitment to respect the terms of the contract. The contractor has the right to determine the area of land contracted and the crops that will be grown on the land. The contractor can check to determine if the terms of the contract are being followed, and if violations occur the contractee can be punished or, presumably, the contract can be cancelled.

The contractee, if they follow the land use plan developed by the contractor, has the right to benefit from their labour. They reap the harvest from trees or other crops grown on the land (presumably with some small portion set aside for the owner/manager of the land, although this is not discussed in the decree).

The impact of allocation versus contracting for farming families is obvious. With allocation, the farmer can sell, rent, transfer, inherit and mortgage the land (to receive loans, for example). These rights do not exist with a contract.

With contracts, villagers must follow a specific plan developed by the contractor. They have no right to change this plan and the contract can be cancelled if they do not follow all the agreed elements. If they move to another area, they lose the contract. Similarly, if a farmer contracted land dies or can no longer work the land, the contract does not necessarily pass to next of kin (although in Ba Vi the contracts have the names of both husband and wife, a stipulation of TEW).

The laws as described in Decree 02 of 1994 on forest land allocation and Decree 01 of 1995 on forest contracting clearly indicate that the Ba Vi National Park followed the necessary rules and had no legal obligation to allocate the land. However, the land in question, from 100m to 250m above sea level, is in the Park's 'particular use zone', not in the 'strictly protected' area. The particular use zone is a 'rehabilitation' area where Park plans called for the planting of commercial crops like pine, tea, cinnamon, lychee and longan. Guidelines issued by the Ministry of Agriculture and Rural Development on forest allocation seem to indicate that this type of land can be allocated, not only contracted. The guidelines state that:

In rehabilitation and administrative service areas, it is not necessary to move people out. The director of the special use forest can check land use following plans with the district administration, for all types of agricultural land, rural residential land, and land with changing use lying in natural areas that are recorded in investment projects. This is in order for the district administration to allocate the land to families (including family members of national parks and nature reserves) living in the area. (emphasis added)

Although somewhat vague, this seems to indicate that if land in 'particular use zones' has a previous use that is not based on natural forest, then the land can be allocated

for that purpose. In Yen Son and Hop Nhat, the villagers had legal contracts with PAM to grow and harvest eucalyptus. This makes the land 'production land' i.e. *land with changing use lying in natural areas that are recorded in investment projects*. The Park has tried to argue that the eucalyptus is 'forest' land, and therefore cannot be cut. But the eucalyptus plantation is clearly not a forest of any sort. The farmers have tried to lobby their case with the Ministry of Agriculture and Rural Development in Hanoi, but so far no one has stepped forward to challenge the Park's position. TEW is still exploring our options for work with the community, but outside NGOs can only play a small role in land allocation issues in Vietnam.

## Roles and Responsibilities

The three main parties in the land contracting process were TEW, the villagers and the Ba Vi National Park. The district administration and the Ha Tay Forestry Department also played small roles. TEW only provided the initial funds for the Park to carry out contracting, as well as support for the villagers. This support consisted of limited training in land allocation through one meeting led by TEW staff, some small funds for equipment and travel, and advice and support in contacting government authorities and Park officials. After the Ministry of Agriculture and Rural Development (MARD) took over the program in 1999, TEW was taken off the management board and had no formal role.

As a result, TEW has not been able to help solve the many conflicts over forest land that have emerged in Ba Vi. For example, many problems stem from the mapping process. The map drawn for this round of forest contracting was very similar to the map originally drawn for the contracting of the eucalyptus. However, there are now more households in Yen Son, making it necessary to break up some of the larger plots so new families could receive land.

The new map was drawn by the village TEW coordinator, a representative of the Ba Vi National Park, and the director of the cooperative responsible for the eucalyptus plantation. They did not discuss the map with villagers prior to releasing it at a meeting in 1998.

The TEW coordinator, Leu Van Trong, says that about 30 percent of families were unhappy with the new divisions, because they did not want smaller plots and because much of the land had valuable bamboo growing on it – which they obviously did not want to lose. Some villagers rejected the map and said they would refuse to sign a contract. Eventually, an agreement was reached whereby new families would have to pay for the bamboo or eucalyptus on their land. Many families have now come to accept that they have no basis to argue, although some have still not agreed with the map – especially if the new families have no money to pay for the bamboo or eucalyptus.

In all, these conflicts are unfortunate because they have distracted villagers from more serious issues, like the land allocated to Ao Vua tourist company. The National Park has used the Dao people and their status as an ethnic minority group to get money from the government which has not been put back to the community.

The Park's attitude to the villagers has always been top-down and there has been no effort to bring participatory methods into any of the work done by Park staff. For example, the Park tried to divide up the land by lottery, rather than draw an organised map. Perhaps this idea was put forward to avoid conflicts, but it seems more likely that the Park just thought it would be an easier way to accomplish the mapping task. Of course, the villagers rejected the idea because they already had contracts for specific plots, and they were afraid of losing the valuable eucalyptus and bamboo on their plots.

Most villagers did not play any role in the land contracting process. There were four main meetings involving the villagers. The first was organised by TEW to introduce the land allocation process. Then, the Dao villagers and TEW met with the deputy chairman of Ba Vi district, Nguyen Ngoc Quang, the deputy director of the National Park, Kieu Quang Ngoc, and the director of the Forestry Department of Ha Tay province, Dang Dinh Phuc.

The third meeting was between the villagers, TEW and Mr Phuc. Finally, a group of seven villagers came to Hanoi to meet TEW and following their process to explain their situation to several government offices, including the Ministry of Agriculture and Rural Development.

Many villagers participated in the meetings that were held in Yen Son, but because they were not involved in the actual mapping process, there were many problems and disagreements. Now, villagers have a very passive attitude, and they think they cannot change the Park's attitude. They say they will have to follow the Park plan, even if they do not agree with it.

Mr Nhan, who worked with TEW on the garden pilot model, sums up the attitude many villagers have towards the contracting process. Asked about the different steps involved, he dismissed it by saying: "I don't know clearly — cadres do this stuff." Women in particular have little knowledge of what is happening to the forest land, and most have no idea that their names will appear on the contracts.

In retrospect there is very little that TEW could have done about the conflicts that emerged during the process. In the case of forest land allocation, the government has issued guidelines on how to make the process as participatory as possible. If the program involved full land allocation, TEW could have invoked these guidelines to increase the role of villagers. As it stands, forest contracting is left to the owner/manager of the land, and they have no responsibility to make the process participatory.

At this late date, it is up to the village and commune people's committee to solve the disputes, and it is not likely that TEW can help with this matter.

### Solution Still Needed

A series of mistakes threatens to destroy the Dao community in Ba Vi. First, eucalyptus was planted instead of indigenous species; second, the National Park and the Land Department have done nothing for the Dao; and third, CEMMA has not stepped in to help.

The National Park was the main organisation responsible for contracting land, and their behaviour throughout the entire process has been top-down and insensitive to the needs of the villagers. There have been many problems with the Park administration, and TEW's ability to help the villagers has been limited largely because of the Park's role. The solution must involve handing over the rights to natural resource management to the Dao villagers themselves. This will make their culture 'legal' again, and the community will have the opportunity to thrive.

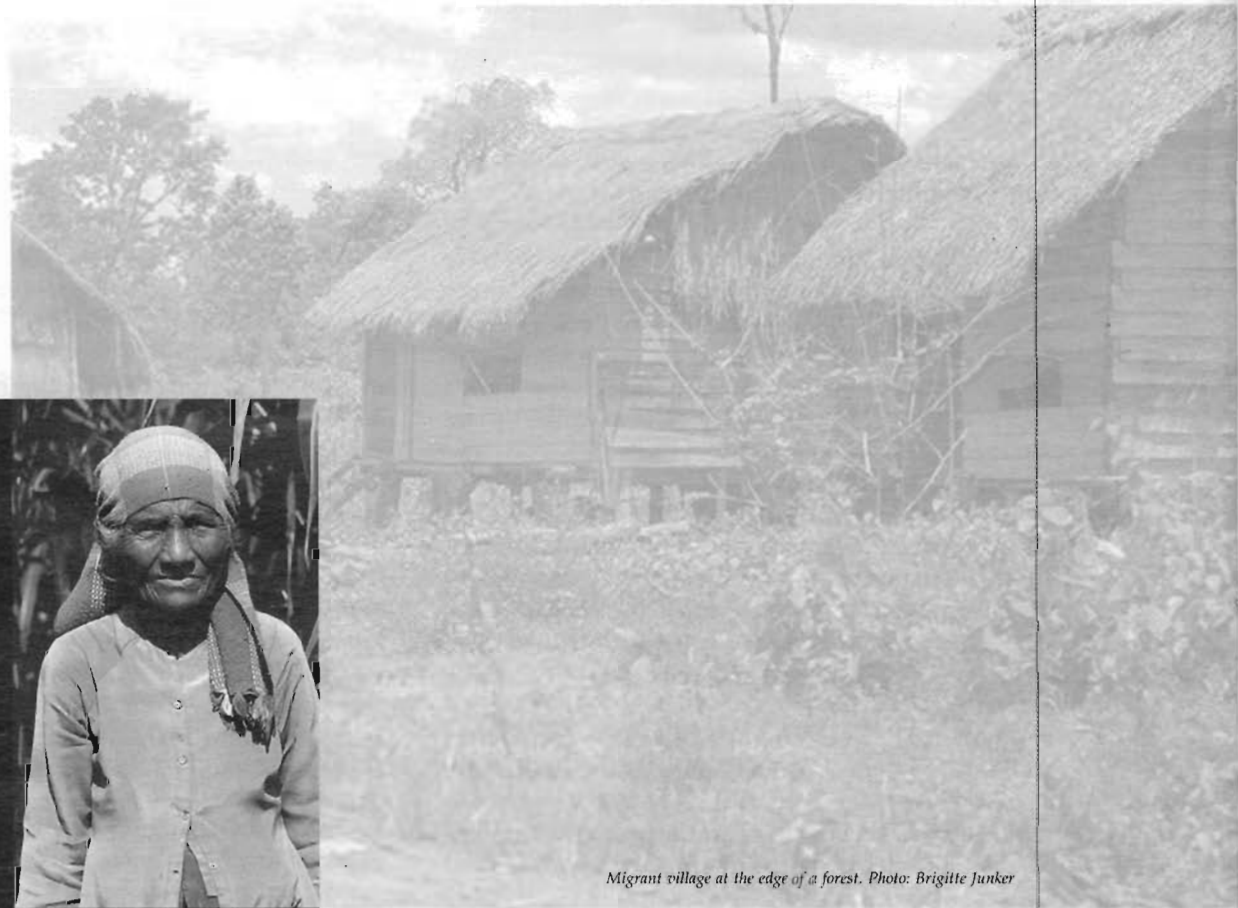
*This article was originally written for the first issue of **Existence** (January 2001), the newsletter of the Centre for Human Ecology Studies of Highlands (CHESH). It was prepared with help from TEW volunteer staff Michael Gray and is based in part on farmer interviews conducted in April 2000.*

*Tran Thi Lanh has carried out PhD dissertation research since 1992 on human ecology among the Dao people living in the buffer zone of Ba Vi National Park. Lanh is the founder and director of both Towards Ethnic Women - TEW, and the Centre for Human Ecology Studies of Highlands - CHESH. TEW has been active since 1994 in the field of community development in highland, ethnic minority areas. CHESH is a new organisation that aims to increase cooperation between highland farmers and NGOs in the Southeast Asian region.*

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# FORESTS, PEOPLE AND POLICIES IN THE CENTRAL HIGHLANDS OF VIETNAM

By Brigitte Junker



*Migrant village at the edge of a forest. Photo: Brigitte Junker*



*Ede woman, Cu Jut District.  
Photo: Brigitte Junker*



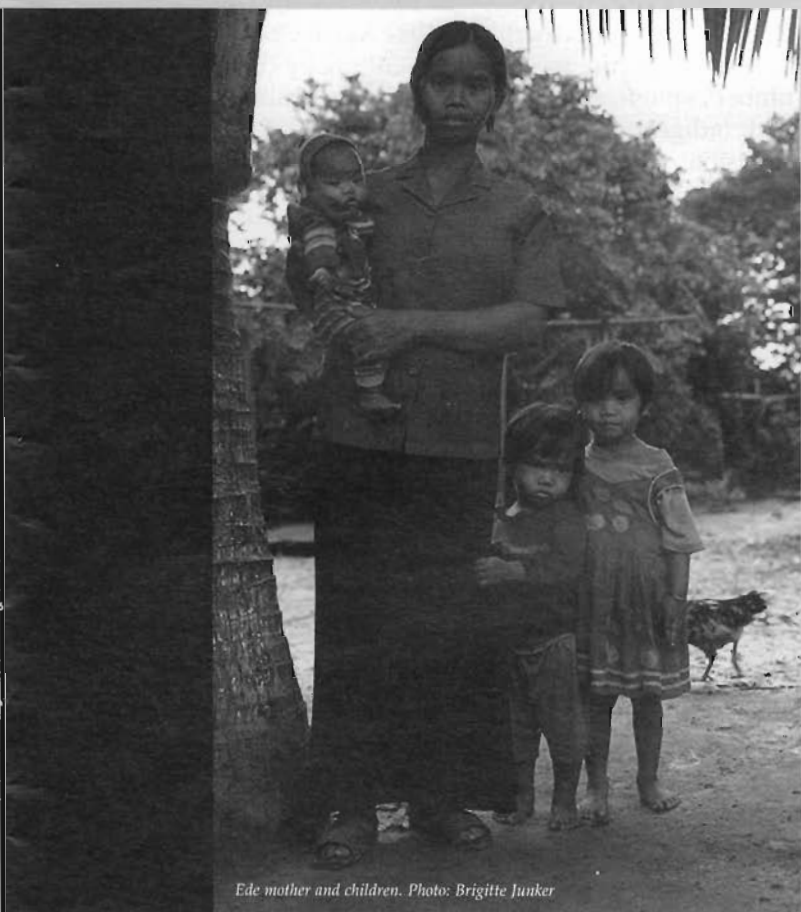


On top of a mountain a few kilometers outside of Buon Ma Thout City, the capital of Daklak Province, lies a new cemetery. There are just a few graves there now and the workers are busy landscaping and preparing the hillside for additional graves. A number of the graves are Buddhist and the names on the tombstones are Kinh (ethnic Vietnamese). The view is fantastic from up here. On a clear day one can see for miles over the plateau, not long ago covered by forest but now replaced by thousands of hectares of coffee fields and rubber plantations. Inscribed in Chinese characters on a Nung<sup>1</sup> tombstone in another cemetery in the north of the province are the words: "I came to plant gold, have yet to obtain the gold, but at least have a piece of land to bury one's body." Here, gold refers to the coffee which, in comparison to the traditional crop in the North, rice, is much more valuable and which many of the migrants who come to Daklak hope to plant. However, before one can reap the profits, there are often many years of hardship to endure. But, at least in comparison to the congested northern highlands, land here is still in relative abundance.

For the indigenous people of Tay Nguyen<sup>2</sup> the mountains are the abodes of the spirits. Today, however, there are many different claims on and interests in Vietnam's uplands. The mountains and the surrounding land have been rapidly taken over and transformed by government policies and programs and by migrants streaming in from around the country. Despite official government control over all forest land, deforestation is proceeding at an alarming rate. Reasons for this are many and varied and there are no simple models or programs that could easily redress this. Until recently, indigenous people were primarily blamed for the deforestation. For many, the forests still provide land for subsistence swidden agriculture but these forests also serve as a very valuable source of timber and non-timber forest products, both for subsistence and market use. Based on fieldwork in Daklak Province in 1999, this article considers the changes brought about by migration and especially by deforestation in Tay Nguyen. It further describes some of the programs and policies that have been drawn up to counter this. Finally, it gives a glimpse at some of the effects this has all had on the indigenous peoples today by looking at Jarai and Ede villages, in three different communes in three different corners of Daklak Province.

### Demographic Changes through Resettlement and Spontaneous Migration

Daklak is the largest and one of the fastest growing provinces, economically as well as in terms of population, in Vietnam. In 1976, Daklak's population was around 360,000. Today it has increased to over 1.6 million people. Although indigenous groups (Ede, Jarai and Mngong) still make up the majority in some, especially more remote



Ede mother and children. Photo: Brigitte Junker

communes, they are now the minority in the overall population of Daklak Province, which is dominated by the Kinh. A breakdown of Daklak's indigenous population by ethnic group is unavailable but 1995 figures show an estimated total of 287,627 Jarai, 237,964 Ede and 85,207 Mnong living in Vietnam (Nguyen Duy Thieu 1997: Annex 1).

The first major wave of migrants to Tay Nguyen were the approximately 58,000 Catholic and Tay-Nung refugees from the North who came south after the division of the country in 1954. Many of them settled in Daklak and today live on and own some of the most profitable coffee plantations in the country. Large-scale migration to the area, however, started only after Reunification in 1975 and was initially almost exclusively organized through government resettlement programs. Spontaneous migration, of Kinh from the coasts and a large number of ethnic minorities from the northern highlands (mostly Tay, Thai, Nung and in recent years Hmong), gradually picked up speed in the 1990s and was soon out of the control of the authorities.

The Ede (also known as Rhade) are one of the largest and most influential indigenous ethnic minority groups in the Central Highlands. In Daklak, the Ede make up the majority of the indigenous population, followed by the Jarai who live primarily in Gialai Province and Ea Hleo, the northernmost district of Daklak. Centered around Buon Ma Thuot City, the Ede came into a great deal of contact with the French and later the Americans and Vietnamese. Many Ede, especially those near and around Buon Ma Thuot, have received a high level of education and there are a number of trained Ede teachers, professors, government officials, etc. In addition, a number of Vietnam's popular singer-songwriters come from villages around Buon Ma Thuot (e.g. Y Moan Enoul and Y Jack).

The Ede language is of Malayo-Polynesian origin and is very similar to Jarai in the north of the province (Ea Hleo District) and in Jarai Province, but different from the Mon-Khmer of the Mnong in the southern part of the province (especially Lak District). After Vietnamese, Ede is the most spoken and important language of the province.

Despite an overall cultural homogeneity, the Ede are composed of several groups (or sub-groups). These are:

- the Kpa in and around the region of Buon Ma Thuot. They are considered the most pure (*Kpa* in Ede also means right and correct.)
- the Adham
- the Ktul, and
- the Dlie Rue

Having been subjected to many disrupting influences, including war, resettlement, immigration and intermarriage, these differences between subgroups have blurred. The geographic limits, in particular, are no longer as easily traced as in the past (de Hauteclocque-Howe 1987 (1985): 18). In addition, it was also later found easier to lump all the groups under one heading - Ede - and so, nowadays, the above subgroups are to a great extent forgotten.<sup>3</sup> The Mnong and the Jarai (the other two indigenous groups in Daklak) went through a similar homogenization process.

### Deforestation and Government Policies

Two-thirds of Vietnam is comprised of sloping hill and mountain land. Until recently, most of this was covered by some of Asia's richest and most biologically diverse forests. Since 1954, the year Vietnam won its independence from France, over half of Vietnam's natural forests have been destroyed. Warfare, the application of massive amounts of chemical herbicides like Agent Orange by the Americans during the war, clear cutting by commercial timber exploiters and intensified upland cultivation by both indigenous and migrant farmers are all partly responsible. Although 19 million hectares, or 28%, of the total land area of Vietnam are still classified as forestland, less than half of this area retains any substantial tree cover. A major portion is barren or degraded and stripped of its valuable species. Not only has the biodiversity and economic value of these forests thus been reduced but its important ecosystem functions - soil and water conservation - have also greatly diminished.

The pressures on Vietnam's land and remaining forests are immense. Seventy-five percent of the national population is dependent on agriculture and forestry as its source of livelihood. However, as the population density increases this is continually made more difficult. Presently, the overall population density in Vietnam is around 230 people per km<sup>2</sup>, while in Daklak Province it is around 58 people per km<sup>2</sup>. In addition, Vietnam's rapidly growing industrial sector is also increasing its demand for forestland and resources. Moreover, economic liberalization has facilitated the export of forest products, satisfying, in part, the ever-increasing regional demand. With such pressures, the government aims to make every square inch of the land as productive as possible and has, therefore, initiated a number of different large-scale national programs with this as one of their goals.

Prior to 1954, although the French colonial government legally claimed most of the upland forests, they had little operational control over these resources other than in a few



*New pepper field ready for planting. Photo: Brigitte Junker*

areas selected for commercial enterprises. The indigenous peoples living in these areas managed the forests through their own customary laws and government structures. After independence, the Communist government began nationalizing forests and since then Vietnam's forest policies have been in an ongoing process of transition. On the one hand, while the State-owned enterprises and the military today struggle to retain their privileges over forest resources, ways have to be found to accommodate migrants and, at the same time, respect the rights of the indigenous ethnic groups. On the other hand, differing views on how the forests should be protected and sustainably used and who should do the protecting also influence these policies. It is much debated as to how much and which land should be cleared for the building of infrastructure (such as the upgrading of Highway 14) and for agriculture. An especially pressing question is that of which types of crops should be planted. Although wet rice is the traditional Kinh crop and coffee has been economically very profitable, these two crops are not always necessarily ideal for the area. Both are labor and water intensive, and coffee in particular requires substantial chemical pesticide and fertilizer inputs.

From 1968 on, the government's priority for the socio-economic development of the highlands lay in sedentarization and resettlement programs and policies for the ethnic minorities indigenous to these areas. The goal of the Fixed Cultivation and Sedentarization Program (Dinh Canh Dinh Cu) was to sedentarize three million people by the year 2000 and thus end "forest destruction due to shifting cultivation in highland areas" (Le Duy Hang in Rambo et al. 1995: 66). But the solution to deforestation was not to be found with this program. In fact, initially, the

program was more a mechanism to bring about cultural change and a way of life more in line with that of the Kinh. Elements of the Highlanders' lifestyle (such as residential mobility, multi-family longhouses, religious beliefs and rituals and social organization) were perceived as "crude" and "backward" and used to justify these programs and policies. Although no longer considered central, the program continues to receive considerable attention today.

However, as the Vietnamese government increasingly recognized the importance and fragility of the upland environment and the danger of deforestation to the hydrological functions of the watersheds and, consequently, to the economic and agricultural development of the coastal plains and lowland deltas, the need to find viable solutions became more urgent. Deforestation was not under control. In fact, it was becoming more complicated and more difficult to find the causes and pinpoint the culprits involved<sup>4</sup>. Allocation of farmland had already been in progress for a number of years, beginning with a general shift in government policy in the early 1980s and picking up momentum with the "Doi Moi" (Renovation) program of economic liberalization. In just a few years, by 1989, Vietnam had turned from being a rice importer to a rice exporter and the authorities wondered if allocation of forestland would have the same positive effect. The government, therefore, began to concentrate more of its efforts on developing forestry into an important sector of the economy, empowering the people to take care of the forests and thereby profit from them, thus contributing to the socio-economic development of the highlands.

In the new plans and policies that have emerged, households are increasingly taking the place of State forest enterprises as the basic management units of forests. However, the focus on individual households is in keeping with Kinh mainstream views but contradicts the traditional social organization of many ethnic minorities, which often focuses not on single-family households, but on larger social groups, i.e. extended families, lineages or clans. The negative experiences of the agricultural collectives of the 1960s and 70s left the impression that community groups had little interest or ability to cooperate in something for the collective good, in this case the managing of a forest. Nevertheless, official rhetoric is also slowly changing its tone amongst various officials. Indigenous people are no longer seen as the main problem of deforestation but rather as a possible part of the solution. Two ambitious nationwide public investment programs are central here. However, before introducing them, a few remarks on the most important State-run agencies involved in the forestry sector are first necessary.



## State Forest Enterprises

The State Forest Enterprises (SFE) were, until recently, the official managers and caretakers of Vietnam's forests and, accordingly, were entitled to exploit the forests as they pleased. In recent years, however, this monopoly has been removed and with it have gone many benefits and privileges. Today, SFEs are expected to survive in a market economy or to sink, which is in fact what is happening to many of the current 400 (Warfvinge 1998, Sikor 2000).

The SFEs that survive are engaged by the government to carry out certain forestry and rural development-related services, such as forestland allocation through Program 327 and the so-called 5 Million Hectare Program<sup>5</sup>. As the de facto forest owners, the SFEs are entitled to contract the land assigned to them to households or organizations for protection, reforestation or other uses on a profit sharing basis. However, this can only be accomplished if the respective SFE gives up its claim to the land. In practice, however, this does not - or only very slowly - seem to be the case. By the end of 1996, approximately 3/4 of the 6 million ha of forestland had been allocated to State organizations and only 1/6 to households (Sikor 2000). In addition, by the end of 1999, only one SFE in Daklak Province had managed to begin allocating forestland (under the new program), and this only in one commune. Of the other SFEs in the province, only one other is close to implementing forestland allocation (in Lak District) (ibid.).

The efficiency of the various SFEs in protecting forests and implementing programs differs greatly. As opposed to the staff from the Ea Hleo SFE, who, with the help of guns, motorbikes and four-wheel drive vehicles, efficiently confiscate illegally cut wood, weapons and tractors, the staff in a remote forest station in Cu Jut look at the deforestation around them with helplessness. They may visit the forest once a week, on foot, never arrest anyone or even

give them a warning, and write only short reports on what they have observed.

The government continues to see a prominent role for the State in all sectors of the economy. SFEs will thus probably continue to play a primary role in the management of forestland in the future. Presently, many are still heavily involved in forest exploitation but, as forestland allocation continues, they will increasingly take over a coordinating and managing role. How they manage to coordinate and collaborate with local households, communities or user groups contracted to carry out the protection and production activities will be central to the socio-economic development of the highlands and of the indigenous communities, in particular.

## Program 327

Launched in 1993, Decree 327 aimed at improving the economic productivity of barren lands<sup>6</sup> throughout the country and protecting them from further degradation. The program provided considerable funds for the planting and protection of forestlands, fruit orchards and industrial crops plantations, but also for infrastructural improvements and land allocation activities. In projects implemented under the program, households were to receive land against land-use certificates or for an annual remuneration of VND 30,000-50,000 per hectare,<sup>7</sup> and were contracted to manage lands, i.e. protect them from encroachment and forest fires. Target households were migrant and ethnic minority farmers who would consequently, it was believed, be encouraged to intensify their agriculture, i.e. abandon shifting cultivation, and sedentarize.

US\$ 68 million was budgeted in the first year and roughly 3 trillion VND (US\$ 230 million) have been invested until now. However, difficulties quickly arose and the program was put on hold. The most obvious and major drawback of the program was the unfeasibly high cost to the government. Many households stopped receiving payments one or two years after they were allocated forestland to protect. Moreover, the economic incentive for protecting the forest was negligible in comparison to the benefits and income a household could receive from using the forest (Bartels 1999). In addition, forestland was not distributed equally. While some of the more privileged and informed households amassed large-scale holdings, others were left out entirely or were forced to provide labor.

## 5 Million Hectares Reforestation Program

In 1998, Program 327 was subsumed into an even more ambitious forestry program, the so-called 5 million ha program. This program aims to establish an additional 5 million hectares of forest over the period 1998-2010 while at the same time protecting the existing forest. If the objectives of this program are fulfilled, Vietnam would reach the same degree of forest cover by the end of the next decade as it had at independence - thus from the present 28% to 43%. In addition, the program also aims to secure an annual supply of raw materials for paper, fuelwood and timber, satisfying domestic needs and leaving a surplus for exports.

Under this program, households are no longer paid to protect forest but are allocated forestland for sustainable management from which they can profit in the long-term. Depending on the quality of forestland allocated, households are eligible to forest products and can thus derive more income than they could from the payments made through Program 327. Households are meant to receive secure land and tree tenure, which is recognized by other people and can be protected from encroachment, thereby decreasing land conflicts. Land is to be distributed equitably within a village or community and between different groups (men/women, rich/poor, Kinh/ethnic minority, etc).

Although this new program sounds promising, one has to view large-scale national programs like 327 and the new 5 million hectares program with caution. After setting many ambitious targets, insufficient attention is often paid to the realities in the field. Are the villagers even interested in participating in the program and do they understand their rights and privileges fully? The fact that the lands to be used for reforestation are, at the same time, lands that households in the mountainous areas are, and have been, dependent upon for agricultural production comes into conflict with the designed national strategy (Sikor 2000). The priority that is given to such large-scale, policy-driven national programs risks absorbing most of the available capacity to prepare and implement them. Then, as is often the case, instead of being given support to find local-level solutions, local-level government officials are confronted with fulfilling and accommodating these programs. As a consequence, there is a tendency for the approach to be top-down, especially in villages where there is little or no understanding of the program or incentive to participate. NGOs and other development projects help districts and SFEs to develop participatory approaches to land use planning and land allocation in an attempt to counteract this problem.

## Cash and Deforestation from Coffee and Pepper

The vast tracts of land and the fertile basaltic soils of southern Tay Nguyen makes the plateau of Daklak Province, in particular, ideal for agricultural production. Coffee, pepper, rubber<sup>8</sup> and the traditional lowland wet rice grow well on land once covered by forest. Migrant Kinh farmers are the most successful, whereas the indigenous Jarai, Ede and Mnong, especially those living in remote areas, lag behind.

The rapid increase of coffee cultivation in the past twenty years has been phenomenal and Vietnam has moved up to the top ranks of robusta coffee exporters<sup>9</sup>. Over 50% of Vietnamese coffee is grown in Daklak Province. The profits from one harvest can provide even a small plantation farmer with enough quick cash to purchase luxury goods (newest motorcycle model, television), or to build a cement house, for which others need years of saving. Coffee, however, is no panacea but rather a very demanding crop, requiring a good deal of intensive labor, fertilizer, pesticide and water inputs. There are a number of successful Ede coffee farmers in and around Buon Ma Thuot City. However, there are even more who have sold their land to migrants or who do not have the resources or know-how that coffee demands. In the villages one encounters many neglected coffee plants. These plants were probably given to the villages by some government program that did not include the necessary guidance or inputs, or the villagers ran out of resources before the plants had reached maturity. In addition, the high value of coffee has also made it susceptible to theft. Thus during the harvest period, the plants needed to be guarded and the berries are often picked before they are fully ripe.

Pepper has grown in popularity in recent years and provides an alternative or supplement to coffee. Although pepper is most often grown in the gardens around each house and not on illegally logged forestland, the forests of Tay Nguyen are suffering from the increase in pepper cultivation. Presently, the most common supporting structure for the pepper plant in Daklak is a tree trunk cut from the forest<sup>10</sup>. Although alternatives to these tree trunks exist, such as brick poles or living trees, tree trunks are still relatively easily come by and cheap (if not free), and thus will continue to be made available and used. As with coffee, many indigenous people do not have the resources or know-how to grow pepper properly.

The Vietnamese government wants indigenous groups to move away from "backward" farming practices and encourages the cultivation of more modern cash crop alternatives. However, both coffee and pepper are connected with deforestation in the province and coffee par-

ticularly puts an additional strain on the water resources. The paddy rice preferred by the Kinh is also not suitable for cultivation in most areas of the province. Finding solutions in this regard has proved rather tricky.

### The Present Situation in Indigenous Communities: A Glimpse at Three Communes

Quality of life for indigenous communities varies from village to village. Past experience with the government, the wars, the French and the Americans, level of education or religious beliefs, etc. can either be of advantage or disadvantage today. For example, even with an increasing number of ethnic Kinh returning to Buddhism or Christianity, religion remains a highly sensitive topic in the highlands. Catholics and animists are tolerated to a certain degree but Protestants have to keep their religious practices virtually hidden. Despite restrictions, Protestantism is attracting an increasing number of followers, especially among the Ede.

In what follows, the impact of recent developments and the government forest policy on the indigenous peoples of Tay Nguyen will be illustrated by a short glimpse at the current situation of Jarai villages in a remote commune of Ea Hleo District, and of Ede villages in the also remote communes of Cu Jut and Ea Kar Districts. In the communes in Cu Jut and Ea Kar, the Ede make up around 5% of the population, while in Ea Sol Commune of Ea Hleo District, the indigenous Jarai and Ede make up 36% and 27% respectively.<sup>11</sup>

Cu Jut's proximity to Buon Ma Thuot and its favorable soil conditions have made it a target area for migrants. Serious land disputes (which often do not end in favor of the local Ede) and deforestation<sup>12</sup> have been some of the consequences of this out-of-control immigration. In 1988, the swampy flatlands in Cu Jut were still covered by thick forests and tigers were regularly seen. Since then, besides some rapidly disappearing and degraded dipterocarp forest, this entire area has been practically denuded of trees and has thus become uninhabitable for wildlife. In addition, the Ede in Cu Jut District have been quite heavily controlled in their movements. In 1960, villagers in the more remote communes were forced to move to strategic hamlets near Highway 14 and were not allowed to return until 1988. The military presence in the area has been, and remains, quite strong. On the one hand, this is due to the district's proximity to the Cambodia border and, on the other, because of FULRO activities and followers in the area.<sup>13</sup> Although FULRO is no longer active or a threat to the State, vestiges of it are still rumoured to remain.



Ede man. Photo: Brigitte Junker

The consensus among Ede villagers in Cu Jut is that they are not interested in participating in the forest allocation programs. Program 327 had already not worked well in the area. In part because deforestation was already so out-of-control, the VND 30-50,000 was not enough of an incentive for villagers. However, in fact one also gets the distinct impression that most would like to have as little to do with the government as possible. Especially among older Ede men and women, one senses an escapist attitude. Some have even physically distanced themselves from their villages by setting up new fields closer to the forest. But even out there, they are often not safe from the forces they are trying to escape from. One man I visited complained that the night before one of his dogs had been stolen and that people kept helping themselves to his crops, even his bananas (not considered very valuable in Vietnam). In the past, fields were located around the village in small groups of three or four. Nowadays, in many areas, such as in Cu Jut, this is no longer the case. A family is no longer surrounded by other Ede from their village but by strangers (Kinh migrants or ethnic minorities from the north). Besides being perceived as a threat, these strangers do things the Ede do not understand. For example, the same Ede man told me that his new Kinh neighbors cut down the trees by the stream that divides their land. Within just a few days, the negative effects of this act on the stream could already be noticed.

The effects of Agent Orange can still be seen in Ea Kar and much of the landscape remains scarred by bomb craters. But fortunately its mountainous topography (up to 1000 meters high) is still mostly covered with forest. During the rainy season, when rivers flood the rickety bridges, remote villages become even more isolated. It is then impossible to reach these villages by car or tractor and



View from the Kinh cemetery over the plateau near Buon Ma Thout City

goods have to be transported by boat. In fact, villagers and the communes' People's Committees agree that their biggest problems are the road conditions. Immigration is not considered out of control and neither is deforestation an obvious problem.

Many of the Ede villagers in Ea Kar have been quite successful at planting paddy rice. Although wet rice is becoming increasingly important and taking most of their time, they continue growing upland rice. However, since they are not permitted (by the SFE) to clear forest for new fields, they have to clear grasslands. In addition, these fields cannot be left fallow for long. But even with the resulting low yields, villagers continue to invest in growing upland rice. This is partly because upland rice is necessary for certain rituals and for producing proper rice wine. In addition, according to the traditional village headman, they also do not want to lose these upland rice varieties.

Ho Chi Minh's portrait is found hanging in many houses in Ea Kar and their pro-government stance is striking in comparison with villagers in Cu Jut or Ea Hleo, who remain more neutral. A number of villagers fought alongside the communists and their villages were declared "heroic villages" after the war. Villagers also claim to be atheist but animist beliefs remain, especially among the older generations, as do a number of traditional rituals and ceremonies.

Program 327 worked well in Ede villages in Ea Kar. However, villagers do not know all the rules and regulations and in particular do not understand the benefits they can receive from the new forest allocation program, without receiving the cash they did under 327. Apparently, the Forest Enterprise did not go to much effort to explain the program, a phenomenon witnessed in other districts as well. It merely

distributed a sheet to be filled in, on which the amount and type of forest each household head wanted allocated had to be stated. However, since only 20-30% of the villagers could read, they simply filled in the form the same as the person before them did. So even in areas where there do not seem to be so many problems and village life seems idyllic, there is still a problem of lack of communication between the commune or district and the village. And whatever communication exists is usually very much top-down.

Although the population composition in remote communes of Ea Hleo (like Ea Sol Commune, in this case) is more favourable to the indigenous Ede and especially Jarai, they are not spared from immigration and deforestation. Deforestation for pepper poles is problematic (as described above) and immigration is mostly a concern in basaltic soil areas. Villages located in sandy and thus less fertile areas experience little or no land encroachment.

One of the most effective traditional methods for protecting the forest in Ea Sol seems to be the local beliefs or legends concerning certain forest areas (*Kleyang*) where spirits (*yang*) reside or where there are rocks or other landmarks that have mysterious attributes. These legends declare a certain area as taboo to enter and to log or hunt within. If they are believed, the taboos (rules) are followed and as a consequence the forest is protected. Although these rules are no longer so strictly followed, many local Jarai still believe in them, as do many Kinh migrants. Ea Hleo is one of the few places where sacred forests still remain and it seems that the deforestation that does occur in certain sacred forest or mountains areas is carried out by outsiders or newly arrived migrants, not yet aware of or respecting the local beliefs.

As of February 2000, forestland was being allocated to

households in only one commune of Daklak Province - in Ea Hleo District, by the Ea Hleo State Forest Enterprise (Sikor 2000). However, what was observed was a lack of communication between those in charge of allocating the land and the villagers having land allocated. Many villagers did not understand the program or the benefits they could receive and had many misgivings about the program, believing it to be another 327 Program. In Ea Hleo, the demand for inclusion in the program was also much greater than the planned plots of forestland to be allocated. Those villagers who were not included were told that they would be considered in the next phase of the program (ibid.). That remains to be seen.

## The Future

"Work and life are harder nowadays," women in one village in Ea Hleo told me. Also, although there are more medicines around, there are also more diseases and many do not feel as strong as they did in the past. The indigenous communities in Tay Nguyen have gone through many dramatic changes in the past and more can be expected in the future. Many are not equipped for, or do not have an interest in, adapting to the new circumstances and are thus marginalized, while others seem to cope and adapt quite well. However, everywhere one looks one also sees resistance to change.

Most indigenous villagers cannot imagine a world without a forest. One village headman told me, "If there is no forest, there will be no more wild animals, no rains and it will get very hot." As it is, villagers have noticed that it has become hotter and the winds have become stronger since forest cover has decreased. It is clear though, that the forest and shifting cultivation remain important for most indigenous people, especially in remote areas. For some it is essential for subsistence, while others have their own reasons for holding on. However, over the years ethnic minorities have lost access to land and forests. In some areas only patches remain for a few spirits.

But not only the indigenous peoples, also many of the migrants streaming into the province from around the country are to a large extent dependent on the forest for their livelihood. And the government has its own interests, on the one hand in both a more productive and commercial use of the forest and, on the other, in the conservation of the upland watershed. However, the allocation of forestland should not be seen primarily as a way to reforest bare land. Regard must also be paid to any additional interests people might have in land and forests. For the protection and regeneration of the remaining for-

ests in Vietnam and for an effective and sustainable management in the future, the agendas of all stakeholders have to be brought together, listened to and accommodated. It is also essential that the government gains the confidence of the people - confidence that efforts invested in the new government policies and programs will be rewarded. These programs and policies must find a balance between protecting the environment and ensuring human welfare. The rights of indigenous peoples, in particular, long unrecognized, must be granted. Forest policies in the past have tended to ignore and discount people's, and especially the ethnic minorities', ability to protect and manage forests. However, in order to save the remaining forests and provide all the peoples in Tay Nguyen with a future to look forward to they must now be given the power and incentive to do so.

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Ede swidden field, Cu Jut District. Photo: Brigitte Junker



Jarai village, Ea Hleo District. Photo: Brigitte Junker

## Notes

- <sup>1</sup> The Nung, ethnic minorities from the northern highlands who have been migrating to Daklak Province in recent years, commonly use the Han script for religious and customary practices. I was told about this grave from a friend who came across it during his fieldwork in the area.
- <sup>2</sup> Tay Nguyen, meaning Western Plateau in Vietnamese, includes the provinces Lam Dong, Daklak, Kontum and Gialai. In English it is more commonly referred to as the Central Highlands.
- <sup>3</sup> Also considered to be Ede subgroups are the Bih and Mdhur, which was not so in the past (ibid.: 22).
- <sup>4</sup> The diversification of and increase in the population complicated the socio-cultural picture of the Central Highlands. In addition, it was increasingly recognized that the indigenous people were only to a minor degree to blame for the deforestation. It is also not easy to blame or put a stop to the army or commercial loggers, from whom the government profits as well.
- <sup>5</sup> This is not without its advantages. As mentioned below, if organized properly these programs present an additional source of income for the SFEs.
- <sup>6</sup> Barren lands include rocky mountains, steep mountain slopes that have been degraded by human interference, such as by shifting cultivation or logging, and hilly regions with high grass, bush or scrub and pastures.
- <sup>7</sup> This fee may vary depending on the so-called management fees different offices manage to skim off. For the SFEs in charge, these programs are a source of additional income, either from direct involvement in implementing the project or by charging a management fee. In 1999, VND 14,000 = US\$ 1.-
- <sup>8</sup> Rubber is a plantation crop and rarely planted privately. However, with the fall in rubber prices in recent years, rubber plantations are being replaced with coffee.
- <sup>9</sup> Vietnam is the world's sixth largest coffee exporter and the second largest in Asia, after Indonesia.
- <sup>10</sup> Since these logs have to survive the pepper plant, they need to be long-lasting and durable and are thus valuable and increasingly rare tree varieties.
- <sup>11</sup> These communes have a population of between 7,000 and 11,000 people, Cu Jut being the most and Ea Hleo the least populated.
- <sup>12</sup> It must be mentioned, however, that the deforestation cannot be blamed solely on the migrants. The military admittedly failed to protect the more than 1000 hectares of forestland they received in 1991.
- <sup>13</sup> The resistance movement known by the French acronym translated as the United Front for the Liberation of the Oppressed Races.

*Brigitte Junker is Swiss but grew up in South Korea. She received her BA in the United States and is currently doing her MA studies in social anthropology at the University of Zurich, Switzerland. Her thesis focuses on social forestry, deforestation issues and ethnic minorities in Vietnam. She lived in the Central Highlands of Vietnam for one year.* □

# WEST PAPUA: BLOODSHED IN WAMENA

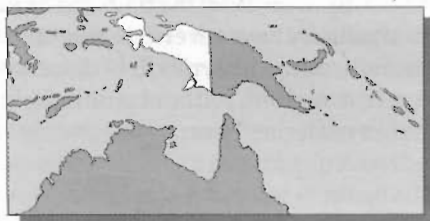
According to official estimates, at least 30 Indonesian settlers and Dani tribespeople perished during three days of unrest after the police hauled down pro-independence flags in the town of Wamena, West Papua, on last October 6. During much of the first year of the presidency of Abdurrahman Wahid, Indonesia's first democratically-elected president, the security forces had turned a blind eye to flag-raising, so that the bloody crack-down in Wamena caught locals and foreign observers alike by surprise. This violent assault on a crucial symbol of West Papuan nationalism has dealt a severe blow to the process of dialogue between Jakarta and the political leadership of the West Papuan people, which started after the fall of Soeharto and gained new strength with the ascension of Abdurrahman Wahid to the presidency. The violence that followed the provocation by the security forces is now serving as a pretext for reversing the tolerant policies embraced by President Wahid and for vilifying the West Papuan movement, together with whom he has started to search for a political solution to the problems of the restive province. As the population in other West Papuan districts refuses to heed the ban on flying their flag, more bloodshed is looming. IWGIA has lent immediate support to efforts to investigate the fateful events in Wamena.

By Danilo and Zainab Geiger



Photo: Danilo Geiger

Photo: Danilo Geiger



Shortly before 7 o'clock on the morning of Friday October 6, anti-riot police units, armed with assault rifles, moved to dismantle a series of posts in that town, manned by neighbourhood patrols (the so-called 'Satgas Papua') that have sprung up all over West Papua over the past two years. The troops had orders to remove the flags sporting the morning star (*bintang kejora* in Indonesian), the emblem symbolizing the hope of deliverance from Indonesian rule many Papuans espouse. The troops succeeded in hauling the flags down and – according to Papuan sources – cutting them into pieces in five places, but when they tried to do the same in a sixth location in the center of town, they were met by hundreds of angry, and by now armed, Papuans who were determined to defend the flag that was flying near the old town market. In the ensuing row, the police started to shoot into the crowd, fatally wounding two men and injuring several others. On account of their vastly superior weaponry – the Papuans were invariably armed with bows and arrows, spears or bush knives – the troops quickly managed to regain control over the center of town.

By midday, neighbourhood sweeps were underway, with police and military combing the town for suspected

supporters of the independence movement. As IWGIA was able to witness first-hand, Papuans encountered on the street were arbitrarily manhandled, beaten with gun butts or kicked in the side while they were searched for pointed weapons. Some of them were rounded up and taken away on trucks, probably for interrogation, or worse. All afternoon and into the evening, gunfire could be heard from areas outside the town, indicating that the army and the police were trying to curb the movement of angered tribesmen into Wamena by attacking outlying villages along the roads leading to the south and the north of the Baliem Valley. These operations must have produced many more casualties on the Dani side, of which not a single one has so far been reported by the authorities.

More publicity was given to the victims of the wrath of the Papuans. All non-Papuans so far confirmed killed were civilians who became targets of revenge acts by the Dani. While the Papuans faced indiscriminate violence on the part of the security forces, the immigrant population as a whole became identified with the oppressors in uniform and were made to pay dearly for that. In the parts of town that lay outside the sweep of the army and police, between October 6, 7 and 8 at least 24 settlers from Java, Sumatra and South Sulawesi were killed by the Dani, hacked to death or burnt alive along with their houses. Between 4 and 5000 migrants fled the valley by plane on an air bridge hastily established by the Indonesian army, before the authorities closed down the airport in order to stop the exodus.

Pending an impartial investigation into the bloodshed, the official death toll from the "tragedy of Wamena", as it came to be dubbed by the Indonesian media, so far stands at – according to the source – 31 to 41 dead, with – according to estimates – every third victim a Papuan killed by the security forces. The Papuan side cites 58 casualties. Around 45 people, the majority Papuans, were severely injured and dozens of houses razed to the ground. At the beginning of November, all schools in the valley remained closed and medical facilities in Wamena, abandoned by doctors and nurses, reportedly lacked even the most basic supplies. According to press reports, the area is flooded with police and troop reinforcements, who are under orders to arrest local "instigators" of the violence and enforce the ban on flag-flying.

News of the turmoil travelled fast and as the police and military gave the Papuan leadership until October 19 to haul down the remaining flags in other districts, violent clashes elsewhere were only to be narrowly avoided. In Tiom in the northern part of the Baliem Valley, members of the Papuan Presidium Council, a decision-making body established during a major gathering of Papuans at the end of May 2000, managed to avert a hostage crisis after

the locals threatened to kill 65 non-Papuan residents should the police dare to enforce the flag ban. In Jayapura and Sentani, where the Papuans steadfastly defied orders to take down the last remaining morning-star banners, the migrant population, afraid of imminent clashes, sought refuge in military and police installations. In the large southern district of Merauke, the population was defiant to such a degree that the authorities had to temporarily halt the purge of "separatist" national symbols.

\*

The political significance of the bloodshed in Wamena cannot be overestimated, since it signifies no less than the end of the dialogue process between the Papuan movement and Jakarta, embarked upon shortly after the overthrow of Suharto in May 1998. Although the two sides were admittedly far from reaching an agreement on the contentious issue of the future status of West Papua within (or outside of) Indonesia, President Wahid broke new ground when, on 1<sup>st</sup> January 2000, he declared that Jakarta was no longer insisting on use of the hated designation 'Irian Jaya' ('Glorious Irian', evoking the Sukarno-time campaign to wrest West Papua from the Dutch) for the province, naming it 'West Papua' (a term outlawed during Suharto's reign) instead. Only after the intervention of the security establishment could he be dissuaded from giving the opening address at the historical 2<sup>nd</sup> Papuan Congress, which took place in mid-year in Jayapura, and he declared his willingness to talk with the separatist organization OPM ('Free Papua Movement'). On the matter of flag-flying, he took a remarkably relaxed stance when he issued an official statement last June allowing West Papuans to hoist their flag, provided it was somewhat smaller in size and hung lower than the Indonesian flag, which had to be hoisted along with it.

The military, however, was never very comfortable with Wahid's conciliatory approach, viewing even such minor concessions as an invitation to the Papuans to secede from the Indonesian state. Around mid-year, troop presence in the province was increased, and the police were ordered to investigate charges of treason and secessionism raised against core organizers of the Papuan Congress. Top government officials within Wahid's shaky coalition publicly came out with statements warning of the danger of disintegration if Papuan "separatists" continued to be "cuddled" by the president. On September 23 last, Vice-President Megawati Sukarnoputri, who is officially in charge of the West Papua problem, issued orders to the national Police Commander to have all separatist flags there removed. A series of ultimatums followed, whose legitimacy was questioned by the Papuan leadership on the grounds that they contradicted the policy

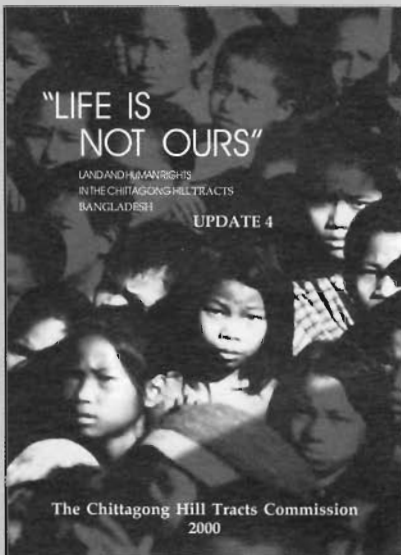
declared by the president earlier in the year. The police and military finally took advantage of the fact that the president was for a long time unavailable for comment because of his frequent trips abroad. The police action in Wamena came at a time when members of the Papuan Presidium Council were desperately trying to convince the authorities to extend the deadline for the removal of the flags in order to avoid violence. It is therefore ironic that police officials now blame the Papuan leadership and their "armed supporters" for the blood spilt in Wamena. The truth is that the security establishment has long waited for an opportunity to subvert the rapprochement between moderate forces in the government, rallied around the president, and the broad-based movement for self-determination in West Papua. An attack on the sensitive symbol of the morning-star flag was the surest way of creating the turmoil that would later justify a return to the iron-fisted policies that were the hallmark of the regime during the Suharto era. By assaulting the flags flying in Wamena, the police and military have reverted to the time-honoured principle of eradicating the symbols of discontent in Indonesia's truculent regions without addressing the basic grievances that underlie them.

\*

Less than a week after the clashes in Wamena, IWGIA committed itself to funding an investigation into the bloodshed, to be conducted by a team of researchers and lawyers with a brief to recover the traces of possible police atrocities during the operations in the Baliem, and to provide legal assistance to Papuan leaders faced with sedition charges. The findings of the mission, it is hoped, will highlight the fact that the police and military were fully prepared to risk the lives of innocent civilians when they struck on October 6. As we go to print, however, it is as yet unclear whether the team has been able to obtain the necessary permits from the authorities.

*Danilo Geiger is an anthropologist lecturing at Zurich University. He works on Indonesian matters for IWGIA and together with his wife was in the Baliem valley on a networking trip when the Wamena clashes happened. He is currently preparing his Ph. D. on ethnic violence in West Kalimantan, Indonesia.*

*Inab Geiger has worked for several years with environmentalist and human rights organizations in East Kalimantan, Indonesia. She occasionally works with IWGIA on Indonesian issues and projects.* □



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**INTERNATIONAL WORK GROUP FOR  
INDIGENOUS AFFAIRS (IWGIA)**

## "LIFE IS NOT OURS"

LAND AND HUMAN RIGHTS IN THE CHITTAGONG HILL TRACTS BANGLADESH - UPDATE 4

**The Chittagong Hill Tracts Commission - 2000**

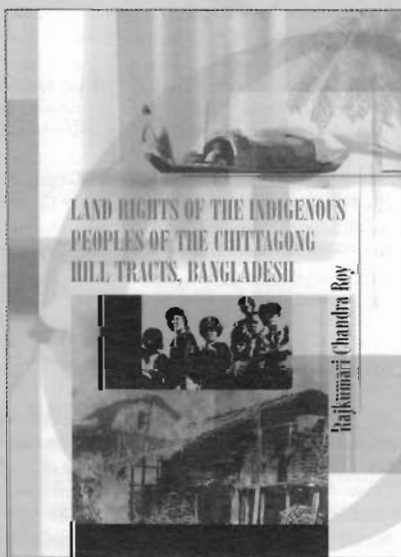
Since the international Chittagong Hill Tracts Commission brought out its third Update to its original report *"Life is not ours" Land and human Rights in the Chittagong Hill Tracts, Bangladesh* in early 1997, a peace agreement has been signed between the Jana Sanghati Samiti (JSS) and the government of Bangladesh. The hope that the Jumma people might live in dignity and peace was renewed.

Today, few of the decisions and measures agreed in the Peace Accord have been implemented. Many refugees who returned from India have not received their old land back or any compensation for the loss of it as promised.

Militarisation of the Chittagong Hill Tracts, human rights violations and communal riots continue. Bengali settlers have reportedly been instigated by the security forces to attack Jumma people several times. The situation of the Chittagong Hill Tracts is far from peaceful. The peace process itself is in serious danger. There are doubts that the Peace Accord will survive following national elections scheduled for 2001.

The main focus of the fourth Update of the original report is the Peace Accord, events following its signing, and the present situation in the Chittagong Hill Tracts. It ends with conclusions and recommendations to the international community, the Jumma people, and national NGOs in Bangladesh.

The Update is based on information from various Jumma and Bengali organisations, the government of Bangladesh, reports in the Bangladesh press and personal communications.



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## LAND RIGHTS OF THE INDIGENOUS PEOPLES OF THE CHITTAGONG HILL TRACTS, BANGLADESH

**By Rajkumari Chandra Roy**

The book describes the struggle of the indigenous peoples of the Chittagong Hill Tracts region in South-eastern Bangladesh to regain control over their ancestral land and resource rights.

From sovereign nations to the limited autonomy of today, the book details the legal basis of the land rights of the indigenous peoples and the different tools employed by successive administrations to exploit their resources and divest them of their ancestral lands and territories.

The book argues that development programmes need to be implemented in a culturally appropriate manner to be truly sustainable, and with the consent and participation of the peoples concerned. Otherwise, they only serve to push an already vulnerable people into greater impoverishment and hardship. The devastation wrought by large-scale dams and forestry policies cloaked as development programmes is succinctly described in this report, as is population transfer (transmigration) and militarization.

The interaction of all these factors in the process of assimilation and integration is the background for this book, analyzed within the perspective of indigenous and national law, and complemented by international legal approaches. The book concludes with an update on the developments since the signing of the Peace Accord between the Government of Bangladesh and the Jana Sanghati Samiti (JSS) on 2 December 1997.

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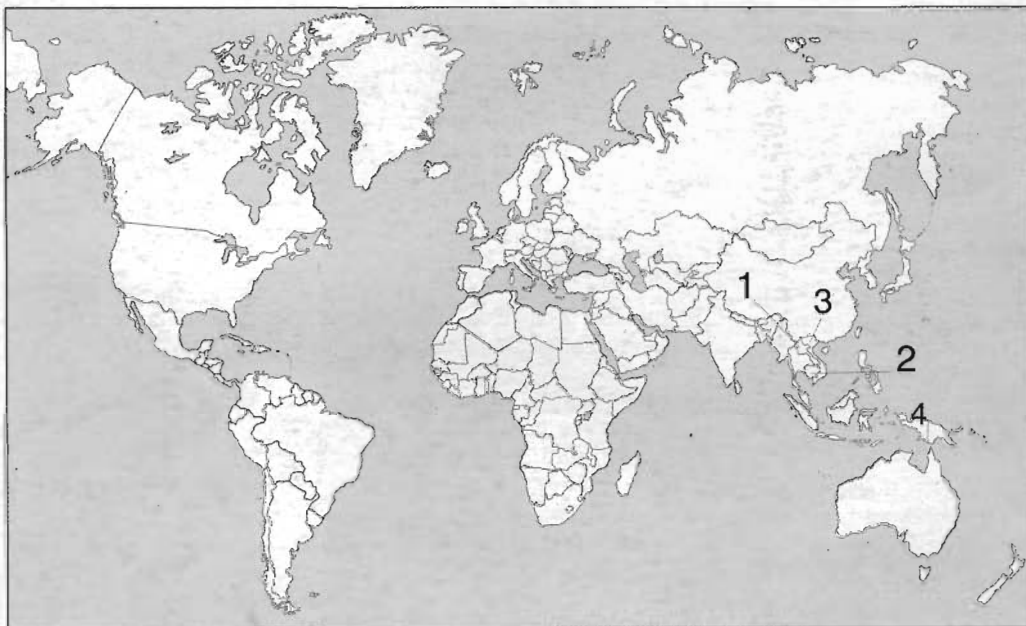
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