



# **Cambodia's National Forest Programme**



## **Framework Document** *4<sup>th</sup> Draft*



**May 28<sup>th</sup>, 2009**



## Preface

The Cambodia National Forest Programme (NFP) spells out the forest policy of Cambodia for 2010-2030. The NFP designates a range of approaches to the process of planning, programming and implementing forest related activities based on a common set of guiding principles.

The National Forest Programme is the way Royal Government of Cambodia (RGC) intends to use institutional and legal means to achieve forest development objectives. It is a shared vision of how to manage and provide benefits from forest resources. It involves government organisations, communities, companies, non-government organisations, international donors and individuals in forestry, and how they interact in a national development context.

The purpose is to establish a workable social and policy framework for the sustainable management of all forests. The National Forest Programme (NFP) comprises strategies, as well as mechanisms for their implementation, monitoring and evaluation. This NFP aims at setting directions and milestones for the development of the forests of Cambodia and their management to help society gain maximum, long-term sustainable benefits, in term of livelihoods and in terms of environmental services for the overall socio-economic development.

The commitment of the Royal Government of Cambodia to the NFP Process is formulated in the Statement on National Forest Sector Policy, of 2002. The statement marked the onset of a National Forest Programme Formulation Process. It has resulted in the Forestry Law of 2002, an independent forest sector review (IFSR 2004), the establishment of the Technical Working Group on Forestry and Environment in 2004, and finally the formulation of an Action Plan for Forestry and Environment for the period 2007-2010. A NFP Secretariat was established in late 2007 as a platform for continued stakeholder dialogue and participation in the NFP Process.

Many institutions and persons have made valuable contributions to the present NFP. It is our hope that the Cambodian NFP and the continued NFP Process will contribute to sustainable forests management focusing on forest resource conservation, good governance, socio-economic development and poverty reduction.



### **Structure of this Document.**

The documents of National Forest Programme of Cambodia have a tiered structure.

The present document is the overall strategic framework, setting programmatic priorities based on brief descriptions. This, together with the documents for each implementation programme, will be revised through a consultative process, every 5 years.

The attached Background Document will be factually updated every year by the Technical Working Group for Forestry and Environment.

6 documents provide details on the 6 implementation programmes, which are integral parts of the NFP: 1) National forest Demarcation, classification and registration; 2) Forest resource management and conservation; 3) Forest law enforcement and governance, 4) Community forestry; 5) Capacity and research development; 6) Sustainable forest financing.

One further document will be produced on how to ensure transparency through monitoring of and reporting about the NFP process its strategic goals, the developments in Cambodian forest and the progress of the implementation programmes.

The Framework Document is brief and policy oriented. For essential, factual information the **Background Document** provides key data and analysis for the NFP.



## Acknowledgements

Many Cambodian organisations, institutions and individuals have contributed to the preparation of the Cambodia National Forest Programme (NFP). Foremost H.E. Ty Sokhun, The Delegation of Royal Government of Cambodia and The Head of Forestry Administration and the Chairman of the NFP Task Force Mr. Chea Sam Ang, Deputy Head of the Forestry Administration.

A number of international donors, including DANIDA, DFID, NZ Aid, FAO, ADF World Bank, JICA, GTZ and have since the 1990s, in various ways supported forest policy development in Cambodia. Similar a range of development projects, NGOs and partner institution have contributed with relevant analytical studies and inputs.

The Independent “Forest Sector Review, IFSR (IFSR 2004)” and the Synthesis of Forestry Reviews, “A Decade in Forest Management and Planning in Cambodia (FA 2007)” have been of particular value in data collection and compilation (suggest to change to of particular value to identify the main issues the NFP should respond to).

The tasks of generating and analysing data and preparing and editing the National Forest Programme have involved a range of highly committed people. It is impossible to thank all the people who have contributed to the development of the NFP. Here we would like to list the key persons involved:

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## ACRONYMS

ADB	Asian Development Bank
ARD	Associates for Rural Development
ASEAN	Association of South East Asian Nations
CBD	Convention on Biological Diversity
CBD	Convention on Biodiversity
CC	Commune Councils
CCCO	Cambodia Climate change Office (of MoE)
CCD	Convention to Combat Desertification
CCF	Community Conservation Forestry
CDCF	Cambodia Development Cooperation Forum
CDM	Clean Development Mechanism (of the Kyoto Protocol)
CDP	Commune Development Plan
CDRI	Cambodia Development Resource Institute
CF	Community Forest
CF	Community Forestry
CFA	Community Forest Area
CFMC	Community Forestry Management Committee
CFMP	Community Forest Management Plan
CFO	Community Forestry Office
CFP	Community Forest Programme
CIF	Commune Invest Fund
CITES	Convention on International Trade in Endangered Species of Wild Fauna and Flora
CLUP	Commune Land Use Planing
CMDG	Cambodia Millennium Development Goals
COCHCR	Cambodia Office of the High Commissioner for Human Rights
CPF	Community-based Production Forestry
CSD	Commission on Sustainable Development
CTIA	Cambodia Trade and Industry Association
CTS	Cash Tracking System
CTSP	Cambodia Tree Seed Project
Danida	Danish International Development Assistance
DFW	Department of Forest and Wildlife

DNA	Designated National Authority (for the Clean Development Mechanism)
EIA	Environmental Impact Assessment
EU	European Union
FA	Forestry Administration
FA	Forestry Administration (Ministry of Agriculture, Forest and Fisheries)
FAO	Food and Agriculture Organisation of the United Nations
FLD	Centre for Forest, Landscape and Planning Denmark, University of Copenhagen
FLEGP	Forest Law Enforcement and Governance programme
FLEGT	Forest Law Enforcement, Governance and Trade
FMU	Forest Management unit(s)
FRM	Forest Resources Management
FSC	The Forest Stewardship Council
FWRDI	The Forestry-Wildlife Research Development Institute
GAP	Governance Action Plan
GDCC	Government-Donor Coordination Committee
GDP	Gross Domestic Product
GFA	A German Consulting Company
GIS	Geographical Information System
GPS	Global Positioning System
GTZ	Deutsche Gesellschaft für Technische Zusammenarbeit
Ha	hectare
HAS	Harmonisation and Alignment Strategies
ICEM	International Centre for Environmental Management
IFF	Intergovernmental Forum on Forests
IFSR	Independent Forest Sector Review
INGO	international Non Government Organization
IPCC	Inter-Governmental Panel on Climate Change
IPF	Intergovernmental Panel on Forests
ITTA	International Tropical Timber Agreement
ITTO	International Tropical Timber Organisation
JICA	Japan International Co-operation Agency
JMI	Joint Monitoring Indicator
LIS	Legal Insurance System
MAFF	Ministry of Agriculture, Forestry and Fisheries
MAR	Monitoring, Assessment and Reporting



MARPOL	International Convention for the Prevention of Pollution by Dumping of Wastes and other Matter
MDG	Millennium development goal
MEF	Ministry of Economy and Finance
MIME	Ministry of Mines and Energy
MIME	Ministry of Industry, Mines and Energy
MLMUPC	Ministry of Land Management Urban Planning and Construction
MoE	Ministry of Environment
MRC	Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin
MRV	Monitor, Report and Verify
NACOMFOP	National Committee to Manage and Execute Forest Management Policy
NBSAP	National Biodiversity Strategy and Plan
NCAS	National Carbon Accounting System
NCFP	National Community Forestry Programme
NCFPR	National Committee on Forest Policy Reform
NFDCRP	
NFMP	National Forest Management Plan
NFP	National Forest Programme
NFPG	National Forest Policy and Guidelines
NGO	Non Governmental Organisation
NPRS	National Poverty Reduction Strategy
NRM	Natural Resource Management
NSDP	National Strategic Development Plan
NTFP	Non Timber Forest Product(s)
OECD-DAC	OECD Development Assistance Committee
PA	Protected Area(s)
PDR	Peoples Democratic Republic
PEFC	Programme for the Endorsement of Forest Certification
PF	Partnership Forestry
PFE	Permanent Forest Estate
PIP	Public Investment Programme
PLUP	Participatory Land Use Planning
R-PIN	Readiness Plan Idea Note, on REDD
RAMSAR	Convention on Wetlands of International Importance
RECOFTC	Regional Community Forestry Training Centre
REDD	Reduced Emission from Deforestation and forest Degradation

ReFOP	Regional Forestry Programme (ASEAN)
RGC	Royal Government of Cambodia
RSP	Rectangular Strategy Plan (I & II)
SEDPII	The Second Socio-Economic Development Plan
SFM	Sustainable Forest Management
SGS	SGS Societe Generale de Surveillance
ToT	Training of Trainers
TWG F&E	Technical Working Group on Forestry and Environment
UNDP	United Nations Development Programme
UNFCCC	United Nation Framework Convention on Climate Change
UNFF	United Nations Forum of Forests
USAID	United States Agency for International Development
VPA	Volunteer Partnership Agreement
WB	World Bank
WCS	Wildlife Conservation Society
WTO	World Trade Organisation

## **A. The Context.**

Cambodia's National Forest Programme is developed under observation of the principles for national forest programmes as set out by the UN Forum on Forests, as well as by national plans for poverty reduction and for socio-economic development.

It will guide the development of the Cambodian forest sector for the coming two decades, being upgraded and revised along the way. The main principles however, will remain:

- National Ownership
- Consistency within and integration beyond the forest sector
- Partnerships and participation.

Approximately 35% of Cambodia's population lives below the poverty line (in 2004). In a nation where c. 85% of the population lives in rural areas, with 63% earning their living by subsistence or low-productivity agriculture, more land is needed to accommodate young families each year. The forests provide important food and livelihoods opportunities for nearly all rural people, especially in times of hardship.

At the time of concluding the first version of this programme, in 2009, two global developments are clearly influencing the way forests are viewed and the way humans are managing them.

A worldwide economic crisis unfolds, with unknown duration but with a depth and damaging force not seen for decades. It stresses the need for employment and indeed for food, not least for the most disadvantaged parts of the populations. Forestry may contribute to solutions.

A climate crisis is unfolding, faster and more viciously than previously expected. The realisations of what humans need to do about it are beginning to materialise and calls for action are strong. Here, forests and their functions in the cycling of carbon are increasingly taking a central place. At the same time, the climate changes will influence all ecosystems of Cambodia, including the forested ones. This will have profound ecological, economic and social effects <sup>1</sup>.

Cambodian society is rapidly changing and the need for long-term viable development is increasingly recognised. Natural resources in Cambodia have however, for decades been mainly seen as a means to quickly get food or income through simple exploitation.

Modern Cambodia has struggled and is still struggling with obtaining good governance and regulations and practices therefore as well as building of human capacities. This theme has become central in the Royal Government of Cambodia's Rectangular Strategy (II) and is an key principle in its Political Platform (2008).

Areas of good governance that especially affect forests are:

- transparency in governance and management
- public participation
- inter-institutional coordination
- adherence to the law and law enforcement

In later years the RGC recognises and an increasing part of the population appreciates that simple exploitation of natural resources often leave economic burdens on society, cancel out some future socio-economic development and destroy the vital services that ecosystems provide to many sectors of society and the economy. The international community also frowns upon rash destruction of natural resources. This, in

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<sup>1</sup>See Background Document, chapter 3

turn, may make more difficult the access to higher-value markets for processed and high-quality natural resources.

Cambodia still possesses very rich natural resources not least in its forests. The RGC has decided to maintain a 60% forest cover and seeks to defend this goal against many forms of forest destruction, such as encroachment, land grabbing and illegal logging.

If managed and exploited in sustainable ways this forest resource can form the basis for a modern forest industry and industries derived from wood and non-timber forest products. This in turn will create much employment. Concurrently traditional ways of exploring the forest can be continued. The forest can serve these functions while still maintaining or even expanding their important ecosystems functions, their biodiversity and ecological variation.

Traditional timber and non-timber markets are available. Novel forms of income for the forest are emerging. These include payments for the environmental services the forests provide, conservation funding and the emerging, albeit not yet fully formed mechanisms for climate related funding.

This, first, version of the NFP will seek to anticipate the implications of the global events and of national conditions for Cambodian forests and provide concrete proposals on how to strategically improve forest governance and management, including ways of sharing benefits equitably. The aim is to increase the contribution of forestry to overall, sustainable socio-economic development, poverty reduction and environmental improvements.



## **B. Achievements and challenges in Forest Management**

The Forest Law was the starting point for re-instating coherent forest governance<sup>2</sup> in Cambodia, after Khmer Rouge.

Since its enactment, several important achievements in development of Cambodia forestry may be noted:

1. Valuable forest concession and economic land concession management experiences have been obtained and are available for current and future policy development.
2. The FA has been created as the singular manager of the Permanent Forest Estate.
3. Community forestry pilots have been conducted and a national programme on CF initiated. A pilot on commercial community forestry in high-value forests is being carried out.
4. A number of detailed regulations have been issued: on private plantations on state forest land, on social land concessions, on community forestry and many others.
5. An independent forest sector review (IFSR) in 2004 provided extensive insights into the forestry sector. Several other reviews, studies and reports provide further, albeit not always concurrent, insights.
6. Extensive and determined conservation efforts of forest ecosystems, wildlife and critical gene pools are taking place.
7. Forestry management has adopted the livelihoods concept and seeks to promote it.
8. The goal of Sustainable Forest Management has been clearly stated in official RGC policy.



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<sup>2</sup>See Background Document, chapter 2 on Forest Governance, Section 2.3 on Forest Law

## **B.1 Main Challenges in Forest Management.**

Implementing sustainable forest management is however an undertaking that consists of several, interwoven layers<sup>3</sup>

In the institutional context many challenges offer themselves:

- Good forest governance is challenged, especially by land grabbing or illegal logging, against which the forest management agencies (FA and MoE) are often powerless. Similarly, economic land concessions sometimes diminish the forest cover. The RGC has stopped Economic Land Concessions issuance powers by provincial governors and cancelled a number of ELC's that did not meet the requirements.
- There is insufficient inter-institutional planning for and management of the forest and the forest land. Far-reaching decisions regarding use of forest land are sometimes influenced strongly by actors outside the sector, such as urban development and infrastructure construction.
- Capacity in preparation and management of projects or investments is insufficient.
- For climate change related activities, ability and experience in preparing projects, supervising them and negotiating contracts is virtually absent.
- The extension system for forests and for protected areas is understaffed, does not cover widely and is ill equipped with knowledge about practical and participatory sustainable forest management, markets or legal rights of stakeholders.
- The national capacity for undertaking forest-related research is insufficient for supporting a knowledge-based implementation of SFM<sup>4</sup>.
- The forest estate is not clearly nor fully demarcated and within the PFE classification of the forest types and uses is incomplete.
- The existing forest information base is incomplete and spotty and does not supply sufficient data for e.g. preparation and implementation of management strategies or interactions with international investors, in timber or in carbon-storage.
- Economic considerations that include the ecosystem values of the forest are rarely playing a role in forest management, yet: There exist very few valuations of forest areas, or of values and services provided by the forest.

Cultural, social and environmental values are sometimes set aside by some forest owners.

As a consequence of these shortcomings, the management that actually takes place of forest is sub-optimal and do not bring sufficient income to the state, nor sufficient support for the livelihoods of local people.



## **Land and forest – a specific challenge to Cambodia's forests.**

Informal encroachment on the forested areas, including protected areas, takes place for expansion of towns and cities and in other places where humans get increased access to the forest, and economic land concessions have been introduced (sub-decree in 2005), which makes possible the use of forest land for agriculture.

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<sup>3</sup>See Background Document, chapters 2.3 on Legislation and 2.4 on recommendations from Reviews. See also Implementation Programme 2, Sections 3.3 to 3.6

<sup>4</sup>See Implementation Programme 5, section 5.6

Economic land concessions have been granted over forested areas and former forest concessions. The resulting forest clearing has negative impacts on the forestry sector and local livelihoods and threatens to undermine realisation of the goal of 60% forest cover.

The way Economic Land Concessions are issued are often formally in line with the sub-decree, created for this specific purpose. It calls for environmental and social impact analysis as well as public consultations, and respect for a number of regulation on land use and user rights. The process is however, difficult and is not always sufficiently consultative, inclusive of other sectors and concerns, or considering the overall economic, social, cultural and environmental consequences.

Among the negative impacts on local livelihoods are the disappearance of forested land and loss of local access to non-timber forest products, loss of access to areas of cultural and spiritual significance to the people, physical displacement of persons and houses as well as environmental destruction. ELC's (and some other concessions, such as for mining) have in particular affected indigenous communities negatively. This undermines their livelihoods and their ability to register their ownership of traditional lands.

Social land concessions may be, and have been, issued to communities, managing the forestland.



## C. The Cambodian National Forest Programme

### The Vision for Cambodian Forests and Forestry

The NFP signals a new era for the strategic orientation of the sector. A vision for forests and forestry is provided in the Statement of the Royal Government of Cambodia on National Forest Sector Policy and the Forestry Law.

The vision is a long-term goal, setting the direction for planning and implementation. It describes aspirations for the future, without specifying the means that will be used to achieve those desired ends.



#### **Vision**

*“The Royal Government of Cambodia considers the ecologically, socially and economically viable conservation and management of forest resources as a major pillar of public welfare directly contributing to environmental protection, poverty reduction and socio-economic development”*



Now forestry development in Cambodia has reached a state where a national Forest Programme is possible<sup>5</sup> :

Already the forest law calls for the development of a National Forest Programme. This was reiterated by the IFSR and a review by ITTO in 2004. Further the National Strategic Development Plan (2006-2010) stated that a NFP should be developed. This has been backed up by the donor community, in joint statement with the government at the Cambodia Development Cooperation Forum (CDCF), June 2006 and in the action plan of the Technical Working Group on Forestry and Environment.

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<sup>5</sup>See Background Document, chapter 4 for further on the NFP Principles and calls for its initiation.

#### CAMBODIA'S STATEMENT ON ITS NATIONAL FOREST PROGRAMME

The Royal Government of Cambodia is announcing its devotion to embark on an intensive process of developing and implementing a National Forest Programme with the aim of bringing good governance and partnerships as core elements into future sustainable forest management in Cambodia.

The Royal Government of Cambodia is fully committed to achieve the Cambodia Millennium Development Goals, which are the corner stones for our development. The Cambodia Millennium Development Goals will direct the National Forest Programme through the goals of eradication of poverty, ensuring environmental sustainability and maintaining a forest cover of 60%.

The National Forest Programme will provide a transparent participatory process for planning, implementation and evaluation of all forestry activities, and direct the overall course and approach of the wider forest sector in line with national priorities, and in harmonisation with other sectors of the national economy.

The "Statement of the Royal Government on National Forest Sector Policy", 2002, and the "National Strategic Development Plan 2004-10" expresses the Royal Government of Cambodia's commitment to the development of a National Forest Programme. The vision from the "Statement of the Royal Government on National Forest Sector Policy" will form the basis for the National Forest Programme development:

*"The Royal Government of Cambodia considers the ecologically, socially and economically viable conservation and management of forest resources as a major pillar of public welfare directly contributing to environmental protection, poverty reduction and socio-economic development".*

The National Forest Programme will closely follow the principles of:

- **Sustainable forest development** observing social, economic, cultural and environmental aspects.
- **Country leadership**, commitment, responsibility and ownership, including alignment with national policies and donor harmonisation.
- **Participation** through multi-stakeholder consultations, technical working groups, technical assistance and partners.
- **Holistic and cross-sectoral approaches** using landscape planning through collaboration among ministries, local governments and civil society.
- **Iterative and technical consultative processes** developed to fit the Cambodia context.
- **Monitoring** of its implementation for improved performance and for public information.
- **Awareness raising** throughout local governments, civil society and the general population.

Under these principles the National Forest Programme will consist of the following main elements:

<ul style="list-style-type: none"> <li>- <b>National Forest Programme Statement</b></li> <li>- <b>Institutional and Legislative Development</b></li> <li>- <b>Main National Forest Framework Programme</b></li> <li>- <b>Implementation programmes and sub-programmes</b> (strategic operational schemes and special attention areas)</li> <li>- <b>Participation and Conflict-Resolution Schemes</b></li> <li>- <b>Monitoring and Reporting System.</b></li> </ul>	<p><i>Signed</i></p> <p><i>Prime Minister Sam Dech Akak Moha Sena Padei Hun Sen</i></p>
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The National Forest Programme (NFP) aims to provide a coherent framework for improved planning, implementation, monitoring and reporting of forest based activities at national and sub-national levels.

The process is guided by the principles of good governance, stakeholder participation and inter-sectoral co-operation at all stages.

This NFP acts as a reference for the sector stating objectives, challenges, priorities, and approaches. It provides stakeholders with a common understanding of the direction of forest sector development and aligns it with national development priorities.

### **C.1 Organisation of the Process of Formulating, Implementing and Revising the NFP<sup>6</sup>**

The principles of National Ownership, Consistency within and integration beyond the forest sector and Partnerships and participation are central to the preparation, the functioning and the revisions of the NFP, as time make the latter needed.

The national ownership is expressed partly in the strict adherence of this NFP to national legislation, policies and policy statements, as well as in the extensive incorporation of recommendations from previous Forest Sector Reviews.

Further, the Royal Government of Cambodia has taken the lead in preparing the NFP by calling for representatives of various sectors to co-ordinate their views and lead the process through establishment of a task force and it has undertaken an unprecedented process of public consultations. These have included organizations of forest-dependent communities and national NGOs.

The implementation of the NFP will follow this precedent through transparent reporting on its progress and development as well as its challenges. This is a main purpose and obligation of the monitoring system. As part of the monitoring public hearings on NFP progress will be held at regular intervals.

Every 5 years the NFP will be updated. The process will be initiated by publishing of a progress report, followed by public consultations to include local communities and endorsement of the updates, by the RGC.

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<sup>6</sup>See Background Document, Chapter 4.1 for further information on process.



The NFP will ensure its supporting documentation, and its progress reports, will be available on the Internet, in Khmer and in English, as will data and analysis from the monitoring.



## D. Sustainable Forest Management

The Royal Government of Cambodia is committed towards sustainable forest management and has initiated and supported initial developments of such practices. The terminology of Sustainable Forest Management has however, been used with limited details of what it encompasses.

*SFM definition, by FAO is: “the stewardship and use of forests and forest lands in a way, and at a rate, that maintains their biodiversity, productivity, regeneration capacity, vitality and their potential to fulfil, now and in the future, relevant ecological, economic and social functions, at local, national, and global levels, and that does not cause damage to other ecosystems”.*



This NFP acknowledges this definition and understands Sustainable Forest Management at all spatial and management levels as an integrated set of principles for planning, management, use and regulation of forests:

*Institutional:* Good governance of forests, decision making in management is integrated among all stakeholders and managers of the forests have effective organisational capacity. Legal rights of all stakeholders to forest land, uses of and access to forests and their products are respected and regulated.

*Economic:* All values of the forest goods and the services forests provide to society are recognised and maintained or increased and the health and quality of the forest itself is maintained or increased. Benefits from them are equitably distributed

*Social and cultural:* All social and cultural values of the forest, by different ethnic and social groups and diverse stakeholders are recognised, and these values of the forests are maintained.

*Environmental:* Ecosystems and environmental services provided by the forest are maintained and recognised, biological diversity of the forests and ecosystems within them is maintained .

*Landscape approach:* The forests landscapes, and those landscapes the forests connect to and interact with, are managed in a comprehensive, coherent way (not according to individual line agencies or interests) based on the landscape functions, and under observance of the institutional and environmental principles.

### D.1 Timber and non-timber forest products

Sustainable forest management needs consider both timber and non-timber forest products. The latter being plants or fungi, or even animals, with medicinal value, with other utility of commercial properties (such as the famous resin trees of Cambodia), animals for hunting, ornamental flowers for aficionados, or others.

Currently the NTFPs of Cambodia are mainly used by local people, either directly or they are being collected and sold in mainly unprocessed forms to city markets. Some NTFPs are very central in the livelihoods strategies of people living in or near the forest. If not carefully considered, this economic and social value is lost when the forest is converted, a concession is awarded or people otherwise lose access to the forest. With the possible loss of NTFPs, and of knowledge about their uses, potentially lucrative industries based on modern uses of NTFPs will have less optimal conditions.



## E. Strategic Directions and Steps of the NFP.

Taking the overall strategic directions for development from the NSDP(II) the rectangular strategy and the CMDGs, the strategic directions for the forests in Cambodia are:

In strict adherence to the principles and practices of Sustainable Forest Management to:

- increase the contribution from forests to the overall socio-economic development.
- become one of South East Asia's leading producer of sustainable high-value timber and associated high-value non-timber forest products<sup>7</sup>.
- become a leading supplier to the emerging carbon sequestration markets.

The increased contribution to the overall economy will come through:

- Strategic development towards exploitation of higher-value markets for wood and wood-based products as well as NTFP's, obtainable through SFM, certification and equitable social distribution of benefits.
- Increased income from legal, domestic industries and crafts that base themselves on wood products, non-timber forest products and other forest products.
- Economic recognition of ecosystems services of the forests, in relation to water supply, infrastructure protection, and climate change adaptation<sup>8</sup>. Secure recognition of the value of services forests provide and direct income, through international carbon-financing and other, national payments for environmental services<sup>9</sup>.

Through the regulations of this economic activity and through maintenance and enforcement of local peoples' access to the forest and use of its products and services, the benefits will be shared equitably.

Following this path, Cambodia will grow in standing in the region and indeed the world, and open up markets that can help sustain the economy and social development of the country and its people for generations to come.

On the other hand, if the largely unregulated, illegal or only nominally legal activities in the forests are allowed to continue and not curbed Cambodia will lose some international recognition and with that some possibilities in the high value markets increasingly found for wood (especially certified wood), processed NTFPs and carbon sequestration.

This is the key strategic direction: An orchestrated and determined pursuit of sustainable forest management, leading to socio-economic progress and thriving forests will increasingly and with certainty replace inefficient management open for abuse and associated deterioration of the forest.

In order to realise the potential benefits of the sustainable approach, several steps will be taken:

### *Institutional and governance*

The RGC will ensure proper planning and information about the plans and legal framework for concessions of all types (economic land concessions, forest concessions, mining concessions, social land concessions) to the public and conduct of public consultations to include local communities, and safeguards. This includes

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<sup>7</sup>NFP Implementation Programme 3.

<sup>8</sup>This is initiated in NFP Implementation Programme 1, sub-programme 2.

<sup>9</sup>This is initiated in NFP Implementation Programme 1, sub-programme 2.

- Stop for sale and registration of land and grant of ELCs or other concessions on land occupied by indigenous peoples or other communities.
- Stop for sale and registration of land and grant of ELCs or other concessions on forested land and in protected areas.
- Protection of traditional users rights within all types of concessions.
- As part of the forest demarcation, provide assistance to indigenous and other forest-dwelling communities to demarcate their traditional lands and provide preliminary recognition of this land, pending registration<sup>10</sup>.
- Clear, physical demarcation of and tight supervision of existing and future concessions by the relevant government agencies and reporting on concession implementation as part of the NFP monitoring and reporting system.
- Development of conflict resolution mechanisms for demarcation of forestland<sup>11</sup>, in co-ordination with similar developments in general land management.

RGC will provide formal and actual powers to forest management (FA and MoE) to stop grabbing of forest land and illegal logging, even high-profile cases, and ensure the logging moratorium is enforced<sup>12</sup>.

SFM guidelines will be developed for all forest types and concessions. They will be included in relevant sub-decrees<sup>13</sup>.

The supply of the domestic market with high-quality hardwood will be ensured exclusively from legal avenues, such as community forestry or future plantations and reduced impact logging.

Unknown, but presumable large, quantities of hardwood find customers in neighbouring countries, despite the general logging moratorium. The RGC will work with the governments of Vietnam, Thailand and Laos PDR as well as with ASEAN, to ensure that the neighbours respect and help enforce the moratorium on logging in Cambodia. The development partners will assist in this respect, through their representations in the neighbour countries.

Cambodia will develop and implement from existing mechanisms and identified gaps an overall framework on Forest Law Enforcement and Governance<sup>14</sup>

The RGC will further general inter-agency and inter-ministerial collaboration and planning of natural resources, and develop tools for landscape-based planning and management of natural resources. This will include inter-provincial, inter-district as well as inter-agency tools and procedures.

The Forest and Environmental authorities responsible for forests will proactively interact with agencies responsible for infrastructure (roads, water, industry, harbours and mines), industry, energy, urban development and economic concessions, to work out new and refine existing consultation procedures, joint planning instruments and decision procedures, which actively involve the general public. These will materialise in guidelines and regulations on use of forest land or land adjacent to forests for any non-forest purposes and for the use of forest products for industry or energy production.

The Forest and Environmental authorities responsible for forests require being included in all planning about water use and distribution, for agriculture, industry and household use.

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<sup>10</sup>See implementation programme 1.

<sup>11</sup>See implementation programme 1, sub-programme 1.

<sup>12</sup>See Implementation programme 3, Section 3.3 and 3.11.1

<sup>13</sup>Implementation Programme 2, sub-programme 2.

<sup>14</sup>Implementation Programme 3..

The Royal Government of Cambodia intends to develop and implement an overall capacity building implementation programme for sustainable forest management, as a major contribution to overall capacity building in Natural Resources Management. The program will focus on the systems feeding the regulatory and enforcing institutions, as well as on these institutions themselves<sup>15</sup>.

The Royal Government of Cambodia will build institutional capacity to deal with diverse aspects of the climate crisis as it affects the forestry sector.

The allocation and demarcation of forest land will to be undertaken and titles issued. The process of titling indigenous forest land will be accelerated<sup>16</sup>. The MAFF will clarify internally distinctions between agricultural and forest land.

There is a need to review the current PA-system and amend it according to how biodiversity can best be conserved together with prudent and sustainable economic development. The RGC will conduct a systematic review of Cambodia's remaining natural forests to define national conservation priorities within PFE and ensure that conservation of forests with a special biodiversity value is prioritised when allocating new protection forests<sup>17</sup>.

Guidelines for the four kinds of community forestry will be prepared to guide the devolvement of forest management to lowest appropriate level. The registration of CFs waiting for prakas will be sped up<sup>18</sup>.

The RGC will consider the future development of forest-related extension based on experiences gathered under this NFP. Potentially, community-forestry may develop (partly) self-financed and self-managed extension mechanisms, and concessionaires may undertake other forms of extension.

### *Economic*

Economic considerations and valuations are to be included in the inter-institutional procedures described above. The short term value of timber or of agricultural crops on forest land, of flooding forests for hydropower or of felling forest for infrastructure will be balanced against the environmental economic values of possible losses of (clean) water, erosion control, biodiversity, non-timber forest products and against potential income from carbon sequestration or conservation. Included should also be economic assessments of the consequences of lack of international respect that follow arbitrary destruction of natural resources. Associated with the latter is the economic value of lost opportunities in international markets, such as the markets for carbon or certified wood.

Cambodia will implement payment for environmental services provided by the forests in terms of water supply, protection of coasts and infrastructure, erosion control etc. Mechanisms will be developed for this tool to be functioning at national and provincial levels. They will serve also as precursors for handling of international carbon funds<sup>19</sup>.

Management of forests will include equitable sharing of the benefits derived from the forests, to ensure both livelihoods of forest-dependent people (most of Cambodia's rural population), livelihoods of people in the logging industry and derived industries.

Concurrently the state and society of Cambodia will be ensured sufficient income from forestry activities, in terms of royalties, taxes and levies at levels, which do not suffocate the enterprises. The state, on the other hand, need to invest resources in some of the regulatory work needed, in enforcement and other areas.

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<sup>15</sup>NFP implementation programme 5

<sup>16</sup>NFP Implementation Programme 1

<sup>17</sup>NFP Implementation Programme 2, sub-programme 3.

<sup>18</sup>NFP Implementation Programme 4

<sup>19</sup>See Chapter 3 in Background Document

The above principles are to be integral parts of any economic use of the forests, be it concessions, other logging arrangements, regulations of access and use, operations of a possible state forest enterprise, exploitation of non-timber forest products etc.

The Royal Government of Cambodia intends to develop and implement a financing plan for implementation of all aspects of this NFP<sup>20</sup>. The plan will include all possible sources of revenues or grants, as well as guidelines for the flow of finances from forest management to the people and Cambodia and the government.

#### *Social, cultural and environmental considerations*

Inclusive consultations will take place in the planning phase for forest management or for any type of concessions or infrastructure development on forestland. Local people will have avenues (and redress mechanisms) to raise their views and represent their social and cultural interests. Local authorities will have co-decision power over projects, within the law.

Forest management and other activities on forest land will be subject to thorough environmental and social impact assessments, to take place prior to any operational decisions. These assessments will include public consultations.

Forest management and other activities on forest land will be subject to proper legal review prior to commencement. This review will include obligations of Cambodia to all relevant international conventions and agreements.

It will be ensured that all the above regulations do not entail additional and unbearable costs to local communities. If this were to become the case the regulations themselves, intended to promote sustainable forest management, would become perverse tools to remove people from their land or access.



## **E.1 Enabling policies**

Key RGC strategies and plans provide support and direction to implementation of the NFP:

*The Rectangular Strategy for Growth, Employment, Equity and Efficiency, phase II* and its implementation framework, which points out several challenges such as the climate change and the global economic crisis, the anarchy in illegal land possession, illegal claims of state land and protected areas as privately owned and unlawful logging, the low quality of education and shortages of technicians. It also stresses a focus on strengthening land management, and accord priority to areas inhabited by indigenous communities in order to reduce land conflict and speed up the preparation and issuance of land use maps.

Specifically in relation to the forestry reform, three pillars are highlighted for ensuring sustainable forestry management.

- Sustainable forest management and the use of forests to improve the livelihoods of people living in rural areas and contribute to economic growth
- Protected Areas System to protect biodiversity and endangered species.
- Establishment of Community Forestry Program.

*The National Strategic Development Plan 2006-2010.*

Like the Rectangular Strategy the NDSP mentions three pillars regarding forestry:

- Sustainable forest management policy.

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<sup>20</sup>NFP Implementation Programme 6

- Protected Areas System to protect biodiversity and endangered species.
- Establishment of Community Forestry Program.

In particular the NSDP states that the RGC is committed to implement a National Forest Programme with the following priorities:

- Focus on forest reform embracing
  1. Strengthening Forestry Management and Conservation.
  2. Promoting Forestry Contribution to Socio-Economic Development.
  3. Promoting Forestry Contribution to Poverty Reduction.
  4. Promoting man-made plantations to substitute for national forest demands.
  5. Creating public awareness to replant and use community plantations for firewood and charcoal needs.

#### *Governance Action Plan (GAP)*

The single overriding priority in the GAP is full recognition of the principle:

“Good Governance is about effective and transparent partnerships among stakeholders”

The GAP states that the Government will pursue its activities with greater explicitness, transparency and in a more systematic way.

The GAP focuses on three key elements: 1) capacities of line agencies to perform coordination and management functions, 2) secure ministerial commitments from ministries and development partners to support identified capacity development needs, 3) implement institutional development programmes.

Of importance to the NFP are other items

- “accessibility by the poor are paramount to ensure sustainable livelihoods and alleviate poverty”.
- Focus on increased (legal) access to natural resource for the poor.
- Joint responsibilities for jointly identified institutional needs.
- Need for an overall framework for the sectors.
- Promotion of partnership and transparency among stakeholders.
- Focus on law enforcement and policy implementation.
- Focus on eradication of corruption.



## ***E.2 Enabling conditions<sup>21</sup>***

Some main developments in the general society will influence how fast and how well and at what pace Sustainable Forest Management will be achieved and NFP implemented:

### *Civil service reform*

Including salary reform, as has been pioneered in the education sector.

### *Land administration*

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<sup>21</sup>See Background Document Chapter 4.2 for analysis.

General progress in the land administration will contribute towards clarification of ownership of forest land, demarcation and registration. This will expectedly mainly happen on the borders between forest and other land. Land grabbing in forested areas will be stopped, to maintain local peoples' land and indeed to maintain a healthy forest cover. The further development of redress- and conflict resolution mechanisms under general land management will help these developments within forest land management.

*Developments in energy supply.*

Wood or charcoal provides the major part of fuel used by Cambodian households and industries such as brick-factories and some garment factories. Improvements in energy supply, through electrification, use of biogas in rural areas and other will contribute towards easing the stress on forests. The NFP supports such developments.

*Developments in education.*

Improved general education, and education in NRM in particular, will contribute towards implementation of SFM, by officials, business people and villagers.

*Sustainable financial systems and investment programmes.*

Long-term finance, with goals of supporting sustainable development, will be most enabling for implementation of SFM, especially some of the novel approaches<sup>22</sup>.

*Improved environment for small and medium scale enterprises*

Forest enterprises, along with other small and medium scale enterprises will benefit from any improvements in their conditions (regulations, financing, market access, etc.)

*Access to, and transparency of, information on forest resources*

Open access to information on forest resources and their management will instil confidence in anybody wishing to invest in the sector and thus enable productive investments. The monitoring system, to be developed as part of the NFP, will aim at meeting this condition.

*Decentralisation and deconcentration.*

The present NFP aims to support the Royal Government of Cambodia in its efforts towards administrative decentralisation and deconcentration. Decentralisation in the forest sector is not an end in itself, but is a tool to accomplish the broader mission and visions for sustainable forest management and equitable distribution of benefits. Decentralisation will also, by its nature, involve a process towards more local taxation powers and influence on decision making. Caution in planning, and application of the landscape planning approach, must ensure that decentralisation is not leading to fragmented and dysfunctional forest landscapes. Consequently, a successful decentralisation process must strike a balance between local democracy, forest ownership and competent and responsible management.

The implementation of the NFP and its programmes will be influenced by all of these processes, but will not be upheld, in case progress is wanting.



## **F. Future Management Options**

Future management will seek to optimise, in a concerted way, the socio-economic benefits to be derived from forestry with the environmental services provided by forests, under the heading of Sustainable Forest Management.

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<sup>22</sup>See Implementation Programme 6

Socio-economic benefits will come as:

a) Livelihoods improvements, through

- employment, in tending the forest, in plantations and in forest-based industries (timber, wood processing, NTFP processing)<sup>23</sup>
- direct collection of food, medicine and utility items from forests.
- local income from material and carbon markets

b) Increased, direct state income, from taxation, royalties and contracts in a more active forest sector. These incomes may be from:

- Taxes on commercial activities
- Taxes on labour
- Royalties, from companies or community forestry
- Direct contracts, e.g. related to carbon storage or conservation concessions.

c) Increased, indirect state income, or reduced expenditures, through;

- Deliberate use of and accounting for the environmental services of healthy forests.
- Deliberate use of indigenous NTFPs in the health sector.

In the socio-economic development, these economic sources will contribute towards overall progress, through equitable sharing and redistribution within government budgets.

Management options will vary between forest types<sup>24</sup>, and depend on issues such as accessibility, competing uses for forest land, presence of forest-based communities and others, which will be integrated in the application of a landscape-based planning.<sup>25</sup>

In applying a comprehensive (landscape) approach to forest management and planning, the preferred functions of the forest in a particular landscape for will be considered. From this, preferred management options (such as forest mainly for environmental services, mainly for production or mainly for biodiversity conservation) will be identified. In this planning, future developments (such as flooding, droughts, temperature increases) due to climate change will be included. A key element in the planning will be the revised forest classification system to be developed under this NFP<sup>26</sup>.

The below table provides an overview over possible options:<sup>27</sup>

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<sup>23</sup>NFP Implementation Programme 2, sub-programmes 6 and 7.

<sup>24</sup>Implementation Programme 2, sub-programme 2

<sup>25</sup>NFP Implementation Programme 6, Section 6.10 provides estimates of future extent of various uses and forest types.

<sup>26</sup>Implementation Programme 1, section 1.13.1

<sup>27</sup>Which NFP Implementation Programme 2, sub-programme 3 will specify further. See also Implementation Programme 2, sections 2.13.2 and 2.14.2



	<b><i>Ownership and rights</i></b>	<b><i>Future management rights</i></b>	<b><i>Use, by definition and by opportunity</i></b>	<b><i>Optional uses and incomes</i></b>	<b><i>Comments</i></b>
<b><i>Protected areas</i></b>	State Some access and use rights for local communities	No change	Biodiversity conservation	Ecotourism Payment for Environmental Services. Conservation concessions.	Some protected areas may be swapped with areas of FA-forest. Could be advantageous to protection as well as production
<b><i>Protection forest</i></b>	State Access and use rights for local communities	Some commercial CF	Biodiversity conservation Forest Gene conservation Watershed protection. Infrastructure Protection. NTFPs.	Reduced impact logging. NTFP collection. Ecotourism. Payment for Environmental Services. Conservation concessions. Carbon sequestration (REDD).	Reduced impact logging in mature forests should be possible even under REDD, as long as standing biomass is not reduced.
<b><i>Production forest – not clear cut</i></b>	State Access and use rights for local communities	Commercial CF SFM logging by reputable and responsible concessionaires	Potential SFM logging. Watershed protection. Infrastructure Protection. NTFPs.	Carbon sequestration (REDD). Payment for Environmental Services.	Plantation and SFM-logging are most feasible near road access, and human labour.
<b><i>Production forest – presently degraded (e.g. former concessions)</i></b>	State Access and use rights for local communities	CF. Social Land Concession e.g. for tree crops.	SFM logging. NTFPs.	Forest plantations or natural regeneration, for timber, NTFPs or carbon sequestration (CDM and possibly REDD)	Degraded forest should be reforested to avoid loss of soil and of environmental services.
<b><i>Private forest</i></b>	State w. user rights for private or private ownership	Private smallholders, under social land concessions	Not specified. Could be specified in social concessions on forest land that any use needs to be forest-related.	Plantations, for timber or for carbon – and for NTFPs Tree Crops, including agroforestry	Private forest does not currently exist.
<b><i>Conversion forest</i></b>	State	Some conversion forest could become smallholder private forest?	None. Could be specified in social concessions on forest land, that use needs to be forest-related.	Plantations, for timber or for carbon – and for NTFPs Tree Crops (such as rubber, mango, cashew, coffee..), agroforestry	Degraded forest should be reforested to avoid loss of soil and of environmental services.

Some of the options may be applied simultaneously. Conservation concessions and REDD are one example, where the conservation concession may be more immediately operational and will help ensure enabling conditions for REDD.

Annual coupes are a form of very brief concessions. They entail large risks for abuse (non-adherence to contract) and demand clear and prior demarcation of forest lots as well as substantial government management capacity on the ground (for the stands or areas allocated for coupes).

In areas of conversion land, where commercial forest may serve to strengthen social development and forest environmental services, application of smallholder tree crops (such as rubber, cashew, mango or other) will be preferred for its social advantages and superior productivity.

All suspended forest concessions will be reviewed and proper management planned and implemented, with the aim of re-foresting degraded and de-forested areas.

All management options will be planned and implemented in a gender-sensitive way.

As a key to future management of high value forests, and adaptation to climate change, the forest gene conservation programme will be implemented<sup>28</sup> to ensure availability of seeds and planting materials of cultivars/provenances of valuable species for plantations and enrichment planting, which are compatible with changing climatic conditions.

The value of NTFP's is however, also central to the future management. Combined, the economic value of NTFP's is very considerable, especially if effects on public health and on future earnings are considered. The future earnings lie in continued use and in increased processing and marketing of higher-value products, also to export markets<sup>29</sup>.

Thus, in considering the practical application of SFM principles in planning or management must

- consider impact on NTFP's and the possible further impact of loss or augmentation of NTFP's on livelihoods and economy.
- discern between impacts to local people and to the wider economy (health, potential loss of jobs and export income). Potential losses to local people need to be balanced against potential gains to society as a whole, still under considerations of rights of the local people.

Preferably forest management models should be applied, also in cases of plantations that increase the value of the timber and the NTFP's both for local people and for derived industries.



## ***F.2 Some first steps in forest management.***

The process towards SFM is long and filled with difficult steps. Some positive development, are however, possibly close.

The promising results from community management of high value forest may be evaluated carefully and expanded. Likewise the experiences from community forestry on degraded forest land should be used to implement a national community forestry programme, as one among other options for forest management.<sup>30</sup>

Investments in timber production and forest management may be sought from international recognised operators who strictly adhere to principles of Sustainable Forest Management. This will not only bring revenue and support livelihoods, but may also be organised in ways that support institutional and personal capacity building. Further it will provide examples from which lessons can be learnt for other operations and indeed for the regulatory work.

As first steps towards potential, later carbon-market funding for Cambodia's forests, conservation concessions could be established in protected areas and protected forests, while payments for environmental services could be introduced for these and other types of forest.

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<sup>28</sup> NFP Implementation Programme 2, sub-programme 4.

<sup>29</sup> See NFP Implementation Programme 2, section 2.6.

<sup>30</sup> NFP Implementation programme 4, the National Community Forestry Programme.

### ***F.3 Monitoring and transparency***

The Royal Government of Cambodia is well aware that increasingly the international community and international investors require transparency and accurate information. This is evident in the increased international demand for certification of wood and of other forest products, certification of origins of diverse products and in institutional or private funding for carbon-offset or carbon mitigation undertakings under CDM or REDD. The monitoring systems for SFM must be able to document Cambodia's adherence to such requirements and principles, in order to support economic development.

An effective M&E system as integral part of the NFP, and the NFP cannot be considered operational without its operation.

The monitoring will include all aspects of forest development, such as forest production, biodiversity, carbon stocks, land use, logging, concessions, trade, law enforcement, conflicts<sup>31</sup> and their resolution, social and environmental indicators and benefit sharing etc. Indicators and instruments for gathering of information about their status will be developed in consultation with all forest stakeholders, including communities.

All monitoring information will be available to the RGC, to potential investors and to the public<sup>32</sup>.

Monitoring, reporting and verification for markets for certified<sup>33</sup> products and for carbon include, by definition, access to and collection of original data by independent institutions or agencies and their ability to report without interference. The RGC welcomes the development of such agents and the monitoring system of NFP will be available to support them.



## **G. NFP Implementation Programmes.**

The 6 implementation programmes will provide strategies and implementation avenues for the priorities set out in these strategic directions.

They will each have shorter term (5 years) action plans, as vehicles for making the NFP into reality. These action plans link to, and are future extensions of the current Action Plan (2007-2010) of the TWGF-E, while incorporating parts of this plan, which were not realised.

The implementation programmes are:

1. National Forest Demarcation, Classification and Registration.
  1. Sub-programme 1.1 – Forest Demarcation and Registration
  2. Sub-programme 1.2 – National Forest Classification
2. National Forest Resource Management and Conservation Programme.
  1. Sub-programme 2.1 - National Forest Management Plan (NFMP)
  2. Sub-programme 2.2 – Strengthening Monitoring, Assessment and Reporting (MAR) on Sustainable Forest Management (SFM).
  3. Sub-programme 2.3 – Development of management systems for production forests outside community forests (CF)
  4. Sub-programme 2.4 – Development of biodiversity management systems for protected forests

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<sup>31</sup>NFP Implementation Programme 3, sub-programme 2.

<sup>32</sup>See NFP Implementation Programme 5, section 5.8.2

<sup>33</sup>See NFP Implementation Programme 3, section 3.11.4

5. Sub-programme 2.5 - Conservation of genetic resources from forests and establishment of seed sources for planting programmes
  6. Sub-programme 2.6 – Development of multi-purpose tree plantations
  7. Sub-programme 2.7 – Local forest product processing and market promotion
  8. Sub-programme 2.8 – Timber processing and wood technology development
3. Forest law enforcement and governance programme (FLEGP)
1. Sub-programme 3.1 – Legal and Administrative Reform
  2. Sub-programme 3.2 – Law Enforcement and Forest Crime Monitoring and Reporting
  3. Sub-programme 3.3 – Rapid Response on Forest Crime Information
4. National community forestry programme.
1. Sub-programme 4.1 – Community Forestry Identification and Formalisation
  2. Sub-programme 4.2 – Community, Institutional and Livelihoods Development
  3. Sub-programme 4.3 – Community Forestry Development Support
5. Capacity and Research Development Programme.
1. Sub-programme 5.1 – Institutional and Human Resource Development
  2. Sub-programme 5.2 – Extension and Public Awareness
  3. Sub-programme 5.3 – Research Capacity Building Development
  4. Sub-programme 5.4 – Forest Certification
6. National Sustainable Forest Financing Programme
1. Sub-programme 6.1 – Government financing sub-programme
  2. Sub-programme 6.2 – Private sector sub-programme
  3. Sub-programme 6.3 – Financing via donors and NGOs sub-programme
  4. Sub-programme 6.4 – Innovative financing sources sub-programme

These implementation programmes have time frames of 20 years. They will be further detailed in 5-year action plans and 1-year implementation plans. As part of the monitoring framework of the NFP, key indicators of the programmes will be elevated to milestones and agreed upon between RGC and its development partners. All implementation programmes and sub-programmes will be planned and implemented in a gender-sensitive way.

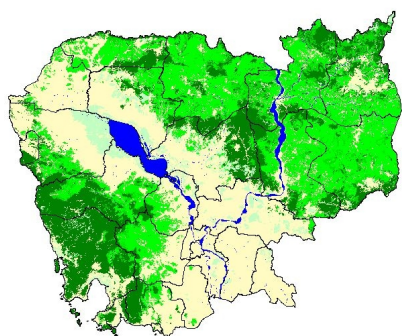


## **CAMBODIA NATIONAL FOREST PROGRAMME**

### **BACKGROUND TO FRAMEWORK DOCUMENT**

## Chapter 1 – The Forests of Cambodia. Facts and Figures

Cambodia covers an area of 181.035 square kilometres. A large alluvial central plain through which the Mekong River courses from north to southeast dominates it. In the centre lies the Tonle Sap Lake. The complex hydrological system provides one of the most productive fresh water fisheries in the world. Cambodia's forests are rich in biodiversity and forms part of the Indo-Burmese hotspot. Most people in Cambodia are dependent on the forest in ways ranging from meeting household requirements to earning an income from enterprises associated with the forest.



Forest cover of Cambodia, 2006

The forests of Cambodia are dominated by Moist Lowland Evergreen Forest, Semi -evergreen Forest and Deciduous Forest. A unique flooded forest is found along the shores of the Tonle Sap Lake. Mangroves are found along the marine, Southern, coast of Cambodia.

### Forest Cover of Cambodia, 2006

Evergreen Forest	3,668,902 ha
Semi- Evergreen Forest	1,362,638 ha
Deciduous Forest	4,692,098 ha
Other Forest	971,341 ha
Bamboo	35,802 ha
Wood shrub dry	37,028 ha
Wood shrub evergreen	96,390 ha
Non forest	7,296,475 ha

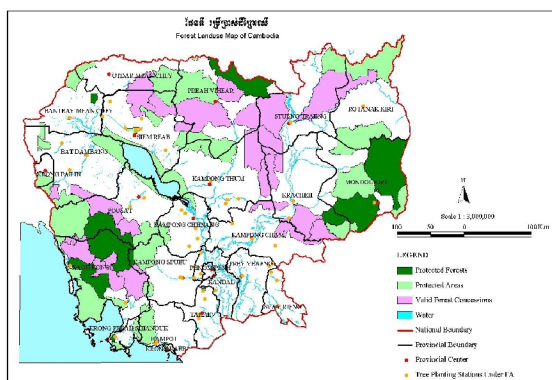
<b>Total</b>	<b>18,160,674 ha</b>
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There is currently no available information about the forest quality or the standing wood mass in the different types of forest, or how it may be distributed over the country.

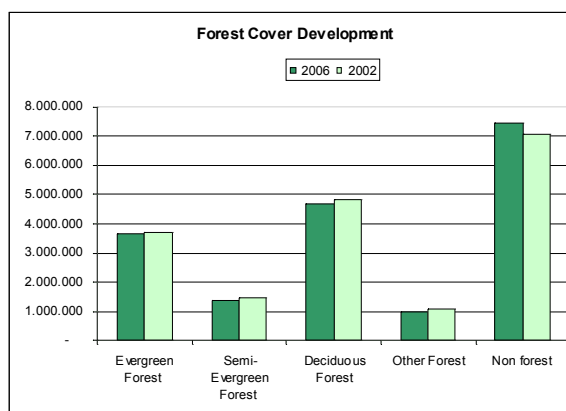
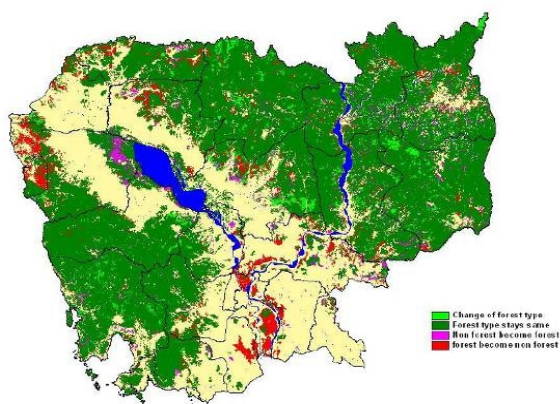
Ownership of the forest is divided into state forests and private forest. State forest is denoted the permanent forest reserve and is classified into: Production Forest (3.46 mill. ha.), Protection Forest (4.62

mill. ha.) and Conversion Forests (2.65 mill. Ha), the latter meaning forest land to be changed to other land uses.

Private forests are insignificant but private forest owners have full user rights, including harvesting and selling of trees and conversion to other land uses. The map below shows the forest land use map of Cambodia (2006), showing Protected Forest (dark green) Protected Areas (light green) and Forest Concessions (purple).



In the period from 2002-2006 there has been an annual deforestation rate of 0.5% or 373,510 ha. and an not-estimated extent of forest degradation. The Figure and the Map below show changes in the forest cover in Cambodia from 2002 to 2006.



The contribution from forestry to GDP reads officially from 6.4% to 10%. This under-estimates the total economic contribution of forests including Non Timber Forest Products, fuelwood and other subsistence based products and environmental services of which there currently exist no national quantitative data.

## 1.1 A Brief Recent History of Cambodian Forests

Traditionally forests in Cambodia have provided food, construction materials and medicines for local populations and for purposes of the state. Flooded forests and mangroves provided breeding grounds for fish and other aquatic creatures, and mangroves also protected the coasts and the land behind them.

Cambodia has higher forest coverage than any other country in South East Asia. Currently, forests cover close to 60% of the territory.

However, the extent and quality of Cambodia's forest has declined in recent decades. Considerable areas have been degraded due to logging, forest fires, land-grabbing, encroachment and intensified shifting cultivation.

Until the 1970s, the forests were classified into specific classes for production, conservation, wildlife, research. However, it was a system that vanished with the political turmoil during the time of the Khmer Rouge. In the 1990s, a logging concession system was introduced. Over four years (1994-1997) the Royal Government of Cambodia (RGC) granted 36 forest concessions covering 7 million hectares or close to 70% of the forests. Destructive, albeit legal logging combined with illegal logging, over-capacity of the processing facilities and weak enforcement and monitoring, jeopardised attempts towards sustainable management as over-harvesting took place within and outside concessions. Moreover, the flow of revenue from the logging to the government treasury was minimal. During the peak logging period, in the late 1990s, formal forest product exports contributed only 4% of GDP.

To reverse the trend of forest degradation and economic fraught, a logging moratorium was introduced as per 1st of January 2002. An institutional reform was initiated with a forest policy statement and a new forest law in 2002. The lifting of the logging suspension depended on the preparation and approval of strategic forest concession management plans; environmental and social impact assessments and re-negotiation of the concession agreements. At present, all logging concessions, now reduced to 3.5 million ha, remain at halt. There is currently a lack of actual planning and management in large areas of the forest reserve and for some protected areas.

Some mangroves have been decimated by urban or resort development or expansion of aquaculture, while the flooded forest around Tonle Sap lake and smaller, annually flooded tree-covered areas on the flood plains have been severely damaged by agricultural expansion and wood cutting for human consumption.

Even then large tracts of many kinds of forests, valuable to local people and to Cambodian society and indeed to the Global environment, still remain and vast areas of failed concessions or otherwise degraded forest are available for rehabilitation. This represents a huge opportunity to the people of Cambodia and to the Royal Government.

RGC has decided, as one of its targets for Cambodia's Millennium Development Goals (Goal 7; environment), to return in 2015 to the year 2000 forest cover of 60%.<sup>34</sup>

## **1.2 Forests and livelihoods**

Increasing population pressure, high rates of internal migration and rural poverty form a key backdrop to the debate in the forest sector. These will lead to increasing pressures on the forest – both for forest products and for forest land – for the foreseeable future.

The rural poor depend heavily on natural resources. Cambodia has a large area of forest and this potentially could play a direct role in improving the livelihoods of the nearly 4 million rural people who live within 5km of the forest. In addition, the market plays an important role in transferring forest products to those living further away, including urban dwellers. A rough estimate based on limited data sources, suggests that forest resources account for on average 10-20% of household consumption and income sources for roughly one third of the population. Many of these households will be poor, as in many cases high incidence of poverty coincide with forested areas.

### *Forest-livelihood relationships*

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<sup>34</sup>In 2006 a survey (FA 2006a) found forest cover to be over 59%, with a definition of forest being ; 10% or more canopy coverage, minimum lot size of 0,5 ha and tree height a minimum of 5 meters.



The livelihoods of both the poor and the rich and powerful are linked to forest resources. Two broad distinctions emerge in terms of the primary interest of stakeholders:

- Those whose primary interest focuses on forest resources
- Those whose primary interest focuses on forest land

Within the category of forest resources, it is helpful to distinguish between groups who use the forest primarily for consumption purposes (collection of domestic fuel wood, medicinal herbs and forest foods), those who generate small levels of income from the forest (through the collection of bush meat, non timber forest products (e.g. resin, rattan, charcoal production and small scale logging activities) and commercial larger scale operators (logging concessionaries or holders of other concessions or coupe rights ). Associated with the latter (and with illegal logging) is a substantial force of wage earners.

There are similar differences in the types of groups who have an interest in forest land. These range from swidden cultivators or indigenous groups practicing other land use, migrant households on newly cleared land and households who encroach on forest land in their locality to large scale commercial operations who have been granted economic concessions. (Adopted from Turton, 2004)

## Chapter 2 - Forest Governance

Standing forests in Cambodia are managed by various agencies: The Forest Administration, of the Ministry of Agriculture Forestry and Fisheries, manages the Permanent Forest Estate, while the mangroves and flooded forests are managed by the Fisheries Administration under the same ministry. The Ministry of Environment manages protected areas.

As forests stand on land that may be used for other purposes, other agents are key in forest management. They include Ministry of Land Management Urban Planning and Construction, Ministry of Water Resources and Meteorology and Ministry of Mines and Energy. The flows of finances to and from forests and their managing institutions are regulated by the Ministry of Economy and Finance.

The overall governance of the permanent forest estate takes place under the Forestry Law, while the Protected Area Law governs Protected Areas of the forests. The Environmental Protection and Natural Resources Law is an overarching law, and the Land Law regulates land allocation, ownership and management. Provincial administrations have important roles in planning and in implementation of this legislation. The General Department of Rubber Plantations, under the Ministry of Agriculture Forestry and Fisheries, manages rubber plantations inside (and sometimes counted as part of) the permanent forest estate.

Forest governance and management is further directed by a number of major national policy frameworks that to a large extent define the objectives for forestry:

- Cambodian Millennium Development Goals
- National Strategic Development Plan 2006-2010, and later
- National Poverty Reduction Strategy
- Rectangular Strategy for Growth, Employment Equity and Efficiency, Part II (RGC 2008).
- Decentralisation and de-concentration laws and the
- Governance Action Plan (GAP).

The policy and legislative framework for the forestry sector is, to a large extent, in place. However, much of the framework has yet to be translated into operational guidelines for practice, and human and institutional capacities need to be strengthened. The areas where forests interact with other sectors, such as construction, mines, urban development, agriculture and water supply etc. are poorly regulated, despite the fact that these cross-sectoral issues have large impact on overall governance effectiveness. A number of decrees have substantial effects on forest governance.<sup>35</sup>



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<sup>35</sup>See Background Document, Chapter 2.3

## **2.1 International obligations**

In addition to the national policy frameworks, the forest management is obliged to comply with international conventions and protocols ratified by RGC, such as:

- UN Forum on Forests – through the adoption of NFP principles
- UN Framework Convention for Climate Change (UNFCCC) and the Kyoto Protocol – in relation to forests and carbon.
- Convention on Biodiversity (CBD) –elaborated within the National Biodiversity Strategy and Action Plan (2002)
- UN Convention to Combat of Decertification - UNCCD
- Convention on International Trade in Endangered Species of Wild Fauna and Flora – CITES
- The Convention on Wetlands of International Importance – RAMSAR Convention
- Convention Concerning the Protection of the World Cultural and Natural Heritage
- International Convention for the Prevention of Pollution by Dumping of Wastes and other Matter - MARPOL
- International Covenant on Economic, Social and Cultural Rights.
- International Covenant on Civil and Political Rights.
- International Convention on the Elimination of All Forms of Racial Discrimination.
- United Nations Declaration on the Rights of Indigenous Peoples

Cambodia is further committed towards agreements within regional and international groupings, such as:

- Agreement on the Cooperation for the Sustainable Development of the Mekong River Basin.
- ASEAN and the Strategic Plan of Action prepared by Senior Officials on Forestry; and Regional Biodiversity Action Plan.
- International Tropical Timber Organisation (ITTO)
- Prime Ministerial agreements on curbing illegal activities in cross-border trade in timber and endangered wildlife species, which have been signed with Lao PDR, Thailand, and Vietnam.

## **2.2 The policy framework**

Cambodia's overall national development goal is to strengthen peace, stability and social order, entrenching democracy, promoting human rights and ensure equitable development (RGC, 2004a; RGC, 2008).

Commitment to poverty reduction is the overarching priority, articulated in the Second Socio-Economic Development Plan SEDP II (RGC, 2001a) and in the National Poverty Reduction Strategy (RGC, 2003a), which have more recently been combined into the National Strategic Development Plan (NSDP) 2006-2010 (RGC, 2006a) and complemented by the Rectangular Strategy for Growth, Employment, Equity and Efficiency, Part I and Part II (RGC, 2004a; RGC 2008). These have been accompanied by an incremental evolution of a decentralisation policy, which features both political decentralisation and de-concentration.

## 2.3 Legislation and administration

The Constitution of Cambodia provides the legislative foundation for two main areas of legislation (Hobley, 2004b), through which the forest sector operates:

- legislation that affects the nature and extent of the resource and its management regimes – Land Law (2001) including a legal provision for collective titling of indigenous lands, Forestry Law (2002), Law on Environmental Protection and Natural Resource Management (1996), Royal Decree on Creation and Designation of Protected Areas (1993), the Protected Areas Law (2005), and;
- legislation that affects the broader direction of the sector and the players within it

### The Forestry Law

The current Forestry Law of 2002 is the major legal instrument for the forestry sector, defining forest land classifications, management systems, enforcement, fiscal, and other mechanisms for regulation of the sector. The objective of this law is to “ensure the sustainable management of the forests for their social, economic and environmental benefits, including conservation of biological diversity and cultural heritage”.

The Forestry Law clarifies which governmental agencies have authority over forest resources within the country. The Forestry Administration (FA) is granted regulatory authority over the Permanent Forest Reserve, except those areas of forest lands that have been recognised as Protected Areas under the jurisdiction of the Ministry of Environment (MoE) and flooded forest areas that are under the jurisdiction of the Fisheries Administration.

The Forestry Law guides the implementation of a resource-based approach and establishes a de-concentrated single-line organisation. The Forest Law provides for public participation in the decision-making processes, classification of forests into categories for production, protection and conversion purposes and acknowledges traditional user rights of local communities.

The Law outlines general rules and regulations related to administration and management of the Permanent Forest Estate within Cambodia, with management jurisdiction granted to the Forestry Administration, except for those areas that fall within protected areas under the Ministry of Environment.

The Forestry Law outlines the basic structures, functions and responsibilities of the FA, and sets out the basic rules and regulations related to concession management, community forestry, traditional user rights, wildlife management and forest crimes. It ensures customary user rights of forest products and by-products for local communities.

The Forestry Law establishes the forms of forest lands and property regimes shown below in a table and a figure that details the Permanent Forest Estate. The law does not define the criteria that can be applied to assign forest areas to particular categories or how forests are declassified.

#### **Forest lands and property status (the Forestry Law)**

<b>Forest Lands</b>	<b>Property status</b>
<b>Permanent Forest Estate</b>	<b>Includes State Public, State Private and Private Property</b>
• <b>Private forest</b>	<b>Private title</b>
• <b>Permanent Forest Reserve</b>	<b>Forest Administration (State Public Property)</b>
◦ <b>Protection forest</b>	<b>Permanent but provision to reclassify</b>

◦ Production forest	Under contract (concessions, communities) could also be reclassified into conversion forest
◦ Conversion forest	Temporary title conversion to another land use as State Private Property
• Protected Areas	Ministry of Environment (State Public Property)

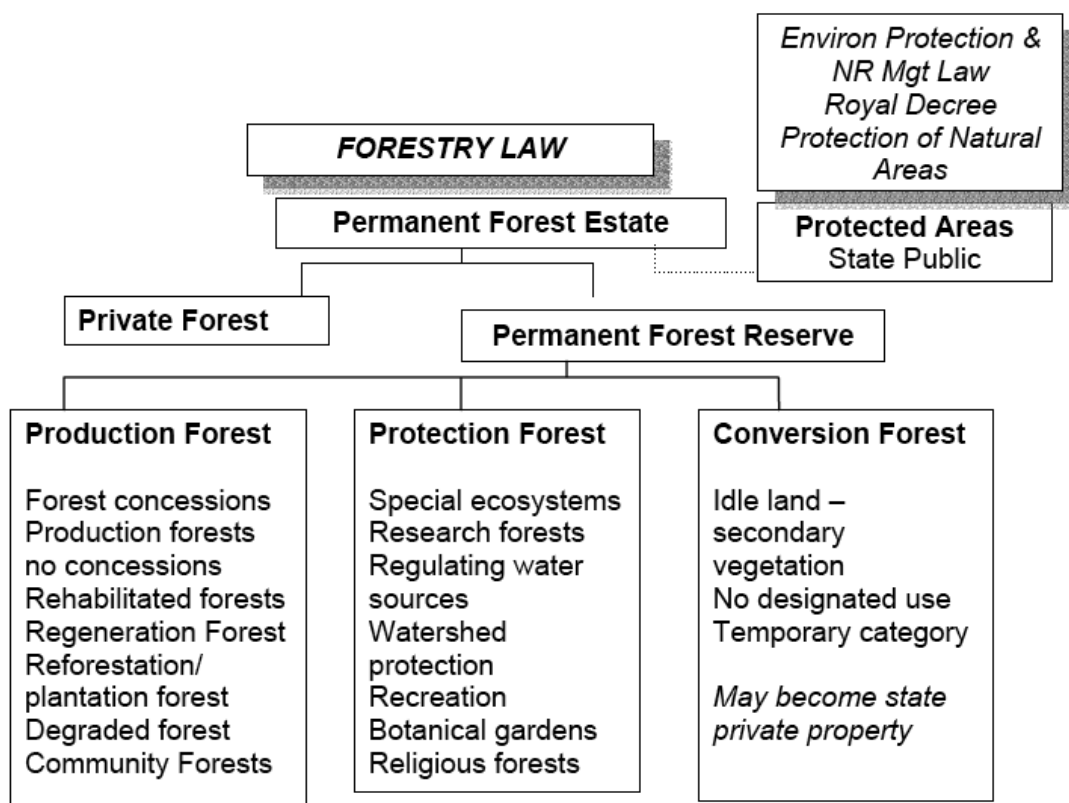


Figure from Hobley 2004

The boundaries of Cambodia's forest estate have never been clearly demarcated or registered. Information about Permanent Forest Reserve boundaries, and forest composition, is central for sustainable forest management. Demarcation of the country's forest estate is seen as an important tool to slow the rate of forest loss. A Sub-Decree (No. 53) on Procedures for Establishment, Classification and Registration of the Permanent Forest Reserve, was issued in 2005<sup>36</sup>. A transparent, consultative demarcation process is however crucial to minimise conflicts between indigenous peoples, communities, private land holders and the government.

Hence, an important task of the NFP is to develop criteria, procedures and technical means to identify and demarcate forested lands to be declared as part of the Permanent Forest Reserve. The process must include

<sup>36</sup> The Sub Decree on Forest Estate Demarcation is one of several legal mechanisms for official land-classification in rural areas of Cambodia.

acknowledgement and respect for collective land rights of indigenous peoples. For those lands included in the Permanent Forest Reserve, transparent rules on local people's access and user rights should be formulated.

In relation to public participation the law states that "the law shall be implemented to ensure full public participation in all government decisions that have the potential for significant impact on concerned individuals, livelihoods of local communities and forest resources of the Kingdom of Cambodia. Consistent with the Cambodian code of forest management and the Environmental Protection and Natural Resources Law, an Environmental and Social Impact Assessment ("ESIA") shall be prepared for any major forest ecosystem related activity or decision that may cause significant adverse social and environmental impact. A copy of the EISA shall be made available for public comment" (RGC, 2002b).

In December 2003, the Community Forestry Sub-Decree (RGC, 2003) was approved, which indicated a shift from informal CF projects to the emergence of CF as a national strategy that is formally recognised and embraced by the RGC.

A sub-decree on 'Granting user rights to cultivate tree plantations within state forest lands' was issued in March 2008. It sets out rules for granting rights to plant trees within the PFE. It does not require SFM guidelines to be followed on the planted areas.

A further sub-decree regulates 'Timber and non-timber forest products allowed for export and import' (2006)

### **The Protected Area Law**

The development of Cambodia's Protected Area Law was initiated in 2001. During a 2005 plenary meeting of the Council of Ministers, 10 articles of the draft Protected Area Law were amended and the law approved in 2008.

A Royal Decree of 1 November 1993, identifies 23 protected areas in Cambodia and classify them into four categories according to the basic management objectives. These comprise 3,1 mill ha (FA, 2006). Moreover, some protected areas are of special regional and/or international significance like the **UNESCO Men and Biosphere Reserve** comprising The Tonle Sap Multiple-Use Area. Cambodia is also a signatory to the Ramsar Convention and **Ramsar Sites** are other protected areas including The Boeung Chmar portion of Tonle Sap Multiple-Use Area, the Koh Kapik wetland and associated islets in the Peam Krasop Wildlife Sanctuary and the middle stretches of the Mekong River Area between Stoeng Treng and the border with Laos. **UNESCO World Heritage Sites** includes the Angkor Wat and the Preah Vihear temples considered as of outstanding universal and cultural values.

### **The Land Law**

The Land Law (2001) sets out a comprehensive system of land classification and land ownership rights. It includes important provisions on social and economic land concessions, indigenous land rights, land registration, and land dispute resolution. The land law also authorises the enactment of a series of important Sub-Decrees and other legislation. The significant elements of this law for the forestry sector are three-fold:

- definition of state public property
- definition of state private property
- definition of indigenous property under the collective ownership category

The law distinguishes between state land in the public domain, such as forests and protected areas, and state land in the private domain, which is used to provide land for economic and social development. Indigenous property is a communal title, which is vested in an incorporated community with bylaws, so the land registration certificate is to be considered equal to the right of a private person. The lands in the communal title that are part of the PFE may either be converted to private state land or remain public land meaning an encumbrance is on the communal title that the govt can take back the land in the communal title which is state public land.

The Sub-Decree on State Land Management provides the framework for state land identification, mapping, registration and classification and notes where additional administrative guidelines are required.

### **Land Policy**

The Statement of the Royal Government on Land Policy is provided below. It is aimed towards the national development goals and highlights the need for “coordination of land use planning with natural resource management of forests ... in a harmonised legal framework”.

#### **Statement of the Royal Government of Cambodia on Land Policy**

The Royal Government of Cambodia is endeavouring to implement a co-ordinated set of laws, programs of work, and institutional arrangements regarding land which are directed toward enabling the achievement of national goals of economic development, poverty reduction and good governance, as described in the Socio-economic Development Plan, Interim Poverty Reduction Strategy, and Governance Action Plan.

#### **The objectives of these initiatives regarding land are :**

- To strengthen land tenure security and land markets, and prevent or resolve land disputes;
- To manage land and natural resources in an equitable, sustainable and efficient manner;
- To promote land distribution with equity.

To reach these objectives, government will endeavour to accomplish the following tasks

#### **In the area of land administration :**

- Enactment of the Land Law, complementary laws, regulations and other related legislation;
- Operation of the Council for Land Policy to promote and monitor the implementation of land policy in consistency with the direction of the Supreme Council of State Reform;
- Creation of a state land inventory and state land classification system;
- Implementation and operation of a nation-wide land registration system using both sporadic and systematic registration procedures, including all property, both public and private;
- Resolution of land disputes through the local Administrative Commission, Provincial/Municipal Land Dispute Settlement Commissions and the court organs.

#### **In the area of land management :**

- Development of land use plans for priority areas including tourism and investment zones, key urban areas and major road corridors;
- Co-ordination of land use planning with natural resource management of forests, fisheries, coasts,

waterways, and mineral deposits in a harmonised legal framework;

- Decentralisation of land management and planning authority to local and provincial authorities, after the establishment of national land use guidelines and supervisory structures;
- Development of procedures for urban land management and re-settlement.

In the area of land distribution :

- Execution of a broadly consultative process and pilot projects to create a land distribution strategy for needy groups;
- Prevention of illegal land acquisition and land concentration.

### ***Land Concessions***

The Land Law authorises the grant of land concessions for either social or economic purposes. Land concessions must be based on a specific legal document, issued by the competent authority (in the case of Forest, either the MAFF or the MoE) prior to the occupation of the land, and must be registered with the Ministry of Land Management, Urban Planning and Construction.

There are three main types of land concessions in Cambodia as listed below, but all types are limited to an area of 10,000 hectares, and a maximum duration of 99 years.

- social land concessions – under which beneficiaries can build residential constructions and/or cultivate State lands for their subsistence
- economic land concessions – under which beneficiaries can clear land for industrial or agricultural businesses.
- use, development or exploitation concessions – includes fishing, mining concessions, port concessions, airport concessions, industrial development concessions.

The sub-decree for Social Land Concessions (19. March 2003) regulates allocation of state private land to poor communities and household.

The Council for the Development of Cambodia (CDC) is responsible for authorising investment projects to be implemented under concession contracts. In general, these apply to infrastructure projects, but are extended to “other sectors for which a specific law allows for the granting of concessions” (Law on Concessions, Article 5).

### ***Economic Land Concessions***

According to the Land Law, economic land concessions can only be granted over state private land. These concessions cannot establish ownership rights over land. However, apart from the right to own land, concessionaires are vested with all other rights associated with ownership during the term of the contract.

Economic land concessions granted prior to the passage of the Land Law are to be reduced to comply with the area limit, although an exemption may be granted if the reduction will compromise exploitation in progress. Article 59 further prohibits the grant of concessions in several locations, jointly exceeding the



10,000 hectare size limit, in favor of the same person(s) or different legal entities controlled by the same person(s).

The criteria for an ECL are (sub-decree on ECL, Article 4):

An Economic Land Concession may be granted only on a land that meets all of the following five criteria:

The land has been registered and classified as state private land in accordance with the Sub decree on State Land Management and the Sub decree on Procedures for Establishing Cadastral Maps and Land Register or the Sub decree on Sporadic Registration;

1. Land use plan for the land has been adopted by the Provincial-Municipal State Land Management Committee and the land use is consistent with the plan;
  2. Environmental and social impact assessments have been completed with respect to the land use and development plan for economic land concession projects;
  3. Land that has solutions for resettlement issues, in accordance with the existing legal framework and procedures. The Contracting Authority shall ensure that there will not be involuntary resettlement by lawful land holders and that access to private land shall be respected; and
  4. Land for which there have been public consultations, with regard to economic land concession projects or proposals, with territorial authorities and residents of the locality.
5. Evaluating Economic Land Concession proposals shall be based on the following criteria:
- Increase in agricultural and industrial-agricultural production by using modern technology;
  - Creation of increasing employment;
  - Promotion of living standards of the people;
  - Perpetual environmental protection and natural resources management;
  - Avoidance or minimising of adverse social impacts;
  - Any linkages and mutual support between social land concessions and economic land concessions; and
  - Processing of raw agricultural materials, to be specified in the concession contract.

Article 62 states that economic land concessions must be exploited within 12 months of being granted, or will be considered cancelled. Concessions granted prior to the Land Law must be exploited within 12 months of the law's entry into force, or shall be cancelled. Concessions may also be cancelled if not exploited for a period exceeding 12 months during the term of the contract, without proper justification. Any failure to fulfil the conditions of a concession shall be grounds for its withdrawal, and concessionaires are not entitled to seek compensation for any damage resulting from the withdrawal of a concession.

Article 18 of the Land Law states that land concessions that fail to comply with the above provisions are null and void, and cannot be made legal in any form. Article 55 provides that concessions may be revoked by the Government for non-compliance with legal requirements, and the concessionaire may appeal this decision. Further, a court may cancel the concession if a concessionaire does not comply with clauses specified in the contract.

### **Decentralisation and De-concentration**

Decentralisation and de-concentration are key concepts within the Governance Action Plan and also lie at the heart of the National Strategic Development Plan. The Organic Law provides the framework for decentralisation and de-concentration. Activities fall within the responsibilities of the National Committee for Management of the Decentralisation and De-concentration Reform (NCDD), established under the Ministry of Interior. In 2008 an Organic law was passed, specifying roles and responsibilities of provincial and district government.

### **The Environmental Protection and Natural Resources Law (1996)**

This law sets up the basic provision for environmental protection and preservation of natural resources within Cambodia, including important provisions on the requirement for environmental impact assessment. The law calls for development of a National Environmental Plan. The law focuses on MOE's responsibilities over pollution control issues.

### **The National Biodiversity Strategy and Action Plan (2002)**

This plan aims to ensure that the benefits of sustainable biological resource use contribute to poverty reduction and the improved quality of life for all Cambodians. Goals for the forestry sector are to “ensure the sustainable protection, use and management of all wild plant, tree species and woodlands”; and “improve the efficiency and sustainability of extraction, processing and use of forest products” (RGC, 2002c, p.40).

## ***2.4 Recommendations of previous forest sector reviews in Cambodia***

Several analytical studies, strategy formulation and action planning exercises have been conducted during recent years. This chapter summarises the findings and recommendations of previous forest sector reviews and analyses.

### **Forest sector related reviews and studies in Cambodia 1996-2007**

The Independent Forest Sector Review (IFSR 2004) provided in-depth analyses of the current forestry context, presented in a main report (Part I) supported by specific studies (Part II).

Towards the end of 2004, an ITTO Mission prepared a diagnostic study of the achievements in relation to the ITTO Year 2000 Objective of Sustainable Forest Management. The diagnostic study focused specifically on the Strategic Forest Management Plans prepared by Concession Companies operating in Cambodia. It identified major constraints and made a series of recommendations, which also took the IFSR suggested actions into account.

The Strategic Forest Management Plans were covered by separate reviews commissioned by the World Bank and performed by the GFA Consulting Group in 2004 and 2005, and published in two volumes (August 2004 and August 2005, respectively). The GFA studies made specific recommendations to the six concessions under review, as well as a number of more general recommendations for achieving sustainable forest management.

Early in 2005, the independent World Bank Inspection Panel undertook an assessment of the impacts of the World Bank supported Forest Concession Management and Control Pilot Project, which was implemented to improve the forest concession management plans. The Inspection Panel provided a comprehensive and critical report published in March 2006.

These major reviews (IFSR, ITTO, GFA, World Bank Inspection Panel) and other reviews and studies was synthesised in the publication “A decade in Forest Management and Planning, Cambodia” (Burgess et al. 2007), which provides an overview of the findings and recommendations of the many forest sector studies. Key findings and recommendations largely fall into five themes:.

### **Forest Sector challenges based on review of earlier studies**

1. Forest land classification and allocation including rationalisation, reclassification, demarcation and delineation of all forest areas, and reaching up into broader land use issues
2. Good forest governance, reform of Forest Administration, decentralisation, institutional development, transparency, participation, dialogue and balance of interest
3. Poverty reduction and socio-economic development
4. Financial and human resource mobilisation necessary to implement the recommendations
5. Future management options
  - a. Centralised Forest Management
  - b. De-centralised Forest Management
  - c. Community Forestry
  - d. Forest and biodiversity conservation
  - e. Plantations

### **Forest Land Classification and Allocation**

Land tenure issues have repeatedly been identified as major constraints for development. The legislation pertaining to land classification and allocation comprise the Land Law (2001), the Forestry Law (2002) and the Draft Protected Area Law. These laws overlap to some extent. Uncertainties regarding territorial jurisdiction needs to be rectified. The findings and conclusions on Forest Land Classification and Allocation are detailed below:

#### **Findings and recommendations concerning forest land classification and allocation:**

<b>Findings</b>	<b>References</b>
A lack of procedures for land and forest use decisions has resulted in over allocation of land use rights leading to conflicts	WB 1996 WB 1998, IFSR 2004, USAID 2004, COHCHR 2004
Powerful people, entrepreneurs, and agricultural settlers have strong incentives and few constraints to grabbing or encroaching on forest lands; whilst forest communities typically lack the political power, knowledge and resources to contest illegal take-overs	USAID 2004, IFSR 2004
Outside the legally recognised areas there is a large proportion of forest land that has no clear legal claim or formal management, but forms the dominant forest management regime	IFSR 2004, CDRI 2006b
The structure of a legal framework for forest land allocation is in place, but the means, capacity and will to implement it remain weak	USAID 2004
Forest loss and degradation is resulting in the erosion of genetic resources of valuable and potentially economic indigenous tree species, thereby limiting options for utilisation and development	CTSP 2003

The area currently under protection is too large to manage given the availability of human resources and funds, they include large areas of degraded forest, yet excludes important, diverse, forest areas	IFSR 2004, ITTO 2005, ICEM 2003
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Recommendations	References
Finalise the national legal and spatial planning framework, mechanisms and procedures for allocating forest resource and land use/tenure rights, enabling land use planning and allocation to be achieved in an open, participatory and transparent basis for sustainable forest management, poverty alleviation and economic development	USAID 2004, WB 1998, WB 2006
High priority should be given to the mitigation of the considerable risk of land grabbing	WB 2004
Better management and use of open access resource is closely related to improved security of land ownership and rights	CDRI 2006a
Rationalise, (re)classify, demarcate and delineate forest lands and areas under protection	WB 1998, ADB 2000, IFSR 2004, COHCHR 2004, ITTO 2005, CDRI 2002, CDRI 2006a, Baltzer 2001
The collective titling process should be completed to allocate prior claims in advance of further land allocations	IFSR 2004, CDRI 2006b
Forest conversion should be considered only after all other claims are in place, and all other options considered	IFSR 2004
The future of Prey Long, as one of South-East Asia's last undisturbed lowland evergreen forests, should be considered and openly decided at national or even international level; it has been under consideration as a World Heritage Site by MoE	GFA 2005, IFSR 2004
Implementation of the Forest Gene Conservation Strategy	CTSP 2003
Legalise the existing or established CF sites and expand CF to more sites Dissemination of laws related to CF Institutionalise the Participatory Land Use Plan	FA 2006

(Burgess et al., 2007)

### **Reviews of Forest Governance**

Improved governance is a central issue in all reviews. Improved governance includes institutional and administrative reforms, decentralisation, increased participation, new partnerships, accountability, transparency, and improved monitoring. The need for institutional reform has been recognised by several reviews and is addressed by the Governance Action Plan (RGC, 2001b). A first step was taken with the formation of the Forest Administration in 2003 (Christensen, 2007) as a consequence of the Forest Law and as a rational response to some of the major problems of the sector. However, many systemic challenges remain. The need for establishing public consultation mechanisms has been particularly emphasised (Hobley, 2004a). Improved forest governance was highlighted again by the World Bank Inspection Panel

(2006) and the World Bank (2006b), along with the importance of a shared vision among RGC and other partners, and early and sustained involvement of local communities.

By sub-decree 188 (November 2008) the FA was promoted to be equal to General Directorate Level.

Depending on where analysis begins, forestry can be considered as a sector on its own, or part of a broader sector. In a sense this is part of the problem of forestry and natural resources, in that they do not form a single and coherent sector like, for example, health or education, and so are not easily amenable to sector level strategic planning, or coherent and coordinated action by donors, NGOs and public sector organisations. There are diverse interest groups, often with conflicting interests over the same resource, but with no forum within which to build agreement (Hobley 2004a).

The findings and conclusions on Forest Governance are detailed below

Findings and recommendations concerning forest governance :

Findings	References
<p>The forestry sector:</p> <ul style="list-style-type: none"> <li>lacks direction, vision and an arena for discussion of poverty, human rights and biodiversity</li> <li>does not have one agency fully responsible and vested with the authority required to administer agreements effectively</li> <li>lacks a long term development plan and formal inter-agency collaboration</li> <li>has a severely limited knowledge of forest resources that constrains forest management planning</li> <li>lack of knowledge regarding the formally recognised CF concept and development process</li> <li>lack of technical support to CF stakeholders for implementing formally recognised CF</li> <li>lack of nation-wide coordination between CF stakeholders</li> </ul>	<p>IFSR 2004, Baltzer 2001</p> <p>ADB 2000 WB 1996, ITTO 2005 WB 1998, ADB 2000, CDRI 2006a FA 2006</p>
DFW (Current FA) is faced with unclear forestry law, lack of clear lines of authority, too many staff with inadequate training, excessive influence of various interest groups, lack of transparency, low salaries	WB 1998, ITTO 2005
<p>The forest concession management:</p> <ul style="list-style-type: none"> <li>is alarmingly at odds with the goal of sustainability</li> <li>even the new plans fall far short of what is needed especially in relation to community consultation and biodiversity conservation</li> <li>has had relatively small direct contribution to the economy, and poverty reduction</li> </ul>	<p>ADB 2000 GFA 2004</p> <p>WB 1998, ITTO 2005, WCS 2004</p>
Cambodia is committed to decentralisation and the transfer of political, fiscal and administrative powers to local authorities at commune level	ICEM 2003
The principle of subsidiarity, found within treaties such as the Rio Declaration and its conventions, calls for delegation of resource management to the lowest appropriate or relevant level that will not cause negative effects at higher scales.	van Acker 2005
The involvement of DFW staff to prepare concession maps, carry out inventories and prepare forest management plans and receiving direct payments from the concessionaires for these	ADB 2000

services, is a clear case of a conflict of interest	
Lack of early consultation greatly reduced management capacity to be informed of critical community concerns	WB Inspection Panel 2006

Recommendations	References
A single over-riding policy and policy process is needed for the forestry sector	IFSR 2004
FA and MoE mandates need clarification	WB 1998, ITTO 2005
Institutions responsible for NRM need to be made more accountable and transparent at all levels of governance	WB 2004, CDRI 2006a, USAID 2004
The current position excluding commune/sangkat councils from forest management must be re-assessed; and the transfer of powers and functions for enhanced decentralised forest management secured	van Acker 2005
Communities themselves must be closely involved in the development of the systems under which their forests will be managed, requiring the development of partnerships with other stakeholders, and their importance recognised in decentralisation of government	ITTO 2005, CDRI 2006b, van Acker 2005
Roles and responsibilities of government and its partners should be identified in developing, testing, and extending new approaches involving local benefit sharing	WB 2004
A major shift in focus is needed to address the needs of multiple value forests, and associated governance mechanisms	IFSR 2004
Instil respect for the rule of law regarding forest and land allocation, tenure, use.	USAID 2004
Overly prescriptive and complicated policy and legal measures should be avoided, as complex regulation will not eliminate corruption	ITTO 2005
Regulatory and planning/management functions must be separated	ADB 2000, IFSR 2004, GFA 2005
There is a need for log monitoring and enforcement, forest crime monitoring, and community-level conflict monitoring and reporting	WB 1998, USAID 2004
Principles and guidelines of ratified international conventions and treaties should be considered, including appropriate levels of responsibility, especially the further development of the National Forest Programme	ITTO 2005, ASEAN 2004, van Acker 2005
Develop a broadly based constituency embracing donors, Government and NGOs to advance forest sector reform	The Inspection Panel 2006
Minor administrative decisions should be delegated to lower levels of FA. Sharing of information is essential to improve knowledge.	Christensen 2007
Building the capacity of CFMCs, Commune Councils and FA Staff Strengthen the M&E Support the local communities in the implementation of CF activities Integrating the CF into the Commune/District development plan Develop CF Support Team in each Cantonment Strengthen and support the establishment of CF networks in the country	FA 2006

(Burgess et al., 2007)

### **Reviews about Poverty Reduction and Socio-Economic Development**

Raised as a cause of major concern throughout the reviews, forest management should ensure optimal forestry contributions to national development objectives. This will require security of rights and access to use and manage common property resources and partnerships with local communities to improve rural livelihoods from forests. Recommendations include the need for high level recognition of the importance of non-timber forest products to rural livelihoods and the national economy (IFSR 2004); and the need for capacity development to allow communities to effectively demand their rights (USAID 2004). The findings and conclusions on Poverty Reduction and Socio-Economic Development are detailed below:

<b>Findings</b>	<b>Reference</b>
Little has been achieved in the forestry sector in terms of realising the key role of forest resources in meeting the livelihood and subsistence needs of the nation's rural people; and relatively small direct contribution to the economy rather, the interests of forest-dependent communities have been severely damaged by external interests; resulting in dispossession and impoverishment of local populations, considerable conflict, and violations of human rights	WB 1998, ADB 2000, WCS 2004, ITTO 2005  ITTO 2005, ADB 2000, WB 1998, WB 1996
Access to forested areas is important for the poor, yet most high value forests are to be managed for commercial or conservation purposes, and studies find a decline in public access to, and productivity of, common property resources	CDRI 2002, WCS 2004, WB 2006
Numerous studies show a long tradition of community management of forests and a great deal of receptivity to initiatives to strengthen community forestry; - although the present sub-decree is too restrictive and complex; - however, community forestry efforts to date have focused on degraded areas with limited incentives for self-sustaining, and large central government control	IFSR 2004, ITTO 2005;  ITTO 2005; CDRI 2006a
Weak formal institutions do not yet provide a sound basis for the equitable or sustainable management of natural resources or pro-poor service delivery	WB 2006
Focus on concessions marginalises other important aspects, including the key objective of using the potential of forests to reduce poverty	WB Inspection Panel 2006

<b>Recommendations</b>	<b>References</b>
Improving the lives and livelihoods of the rural poor should be a top government priority; including equitable access to common property resources as a critical source of income security	WB 2006
Commercial forest management options should be considered and optimised to ensure contributions to poverty alleviation and socio-economic development	ITTO 2005, IFSR 2000, ADB 2000, WB 1998, WB 1996, GFA 2005, WB 2004
Resource management approaches need to prioritize direct access of local communities to benefits from such approaches, especially in high value forest management, and including protected areas	WB 2004, WCS 2004, CDRI 2006b, IFSR 2004
Social forestry could be a way to increase the welfare of people living in the surrounding forest areas, through the enhancement of people-business partnerships, as part of the solution to improving sustainable forest management in ASEAN	ASEAN 2004
Develop and deliver support services to rural communities, including community forestry and agro-forestry	WB 1996
RGC should recognise the importance of NTFP's to rural livelihoods and food security	IFSR 2004
Develop capacity of forest communities to effectively demand their rights	USAID 2004
Introduction of forest based livelihood activities in CF sites	FA 200

(Burgess et al., 2007)

### **Reviews on Financial and Human Resource Mobilisation**

Capacity development of government staff, communes, NGOs, civil society, communities, and the private sector is needed in order to facilitate effective transfer of responsibilities for natural resource management to local levels. Financial and technical assistance will be needed for the development of investment programmes and capacity building programmes are emphasised in several studies. .

### **Reviews on Future Management Options**

Recommendations in the previous four sections pertain to the respective themes, which are of an overall or general development policy type. In addition to recommendations on more broad forest policy, many reviews and studies has produced recommendations concerning forest management options. These can be grouped under four major forest management themes.

- Centralised forest management
- De-centralised (community) forest management
- Plantations for improved livelihoods and production
- Forest and biodiversity conservation

The recommendations for each of these areas are presented in Box 6. In addition, forest management for climate change mitigation is an emerging area with potentials for Cambodia.

Recommendations on management options from past reviews and studies	
<b>Centralised forest management</b>	<b>References</b>
<i>Forest Concessions</i> There are strong differences in opinion amongst government, donors and civil society regarding the future of this model:	
• total cessation	IFSR 2004
• revising the system and adopting changed approaches	WB 1996, WB 1998, WB 2004, GFA 2005, ADB 2000a
• allow a limited number of industrial scale concessions linked to efficient processing capacities and providing high local added value	ITTO 2005
<i>Annual Bidding Coupe system</i>	
• Cautious experimentation with a competitive bidding system for annual coupes outside concessions should be approved.	ITTO 2005
• Annual bidding coupe not recommended	GFA 2005
• Development of alternatives to the centralised, large scale concession approach.	WB 2004
<b>De-centralised (community) forest management</b>	<b>References</b>
Decentralised and community based commercial forest management systems:	
• different models for different conditions, and pilot attempts with commune councils	IFSR 2004, ITTO 2005, van Acker 2005
• careful testing in selected areas, where strong commune councils have knowledge and experience of participation in forest resource management	CDRI 2006b, Cambodia Tree Seed Project 2004b
Push for the legalization of Community Forestry sites	FA 2006a
Support the Participatory Land Use Planning	FA 2006a
Build the capacity of CFMCs, Commune Councils and FA Staff	FA 2006a
Strengthen the CF networks in the country	FA 2006a
Promote the livelihood activities in CF sites	FA 2006a



Recommendations on management options from past reviews and studies	
Partnership forestry proposed in areas with a potential for commercial forestry. Likely to require different models for different conditions. Specific examples include:	ITTO 2005, CDRI 2006a, IFSR 2004, GFA 2005, ASEAN 2004, ITTO 2005, WCS 2004, CDRI 2006a, ITTO 2005
• Community based forest concession management	WB 1998
• Commercial community forestry	WCS 2004
• People-business partnerships	ASEAN 2004
• Municipal estates and private forest patrimonial reserves	van Acker 2005
Community based forest concession management. Integration into decentralisation framework, and identification of low-cost management models	WB 1998, WCS 2004
Support for existing community forestry programmes and general recognition of the need to broaden this approach to improve forest contributions to rural livelihoods	WB 1998, ADB 2000b, IFSR 2004, CTSP 2005
<b>Plantations</b>	References
Promotion of plantations in areas that are degraded or of little biodiversity value should be promoted through private investment and public participation. Use of indigenous species wherever appropriate.	ITTO 2005 CTSP 2003
Plantation forestry should be an important part of the long term strategy for forest development, in view of significant opportunities such as fuelwood plantations, local timber needs and high quality hardwoods	ITTO 2005
Small scale private plantations should be investigated for production of commercial timber or NTFPs	CDRI 2006b
<b>Forest and Biodiversity Conservation</b>	References
Promote protected areas through the development of a regional biodiversity action plan	ASEAN 2004
Conservation strategies to strike the right balance between allowing for economic development while protecting biodiversity	Baltzer 2001
Community involvement in protected area and forest management should be promoted. Strong participatory approaches are essential, through the integration of conservation and local development efforts	ICEM 2003 CTSP 2003

(Burgess et al., 2007)

### **Summary of policy guidance for forest sector development**

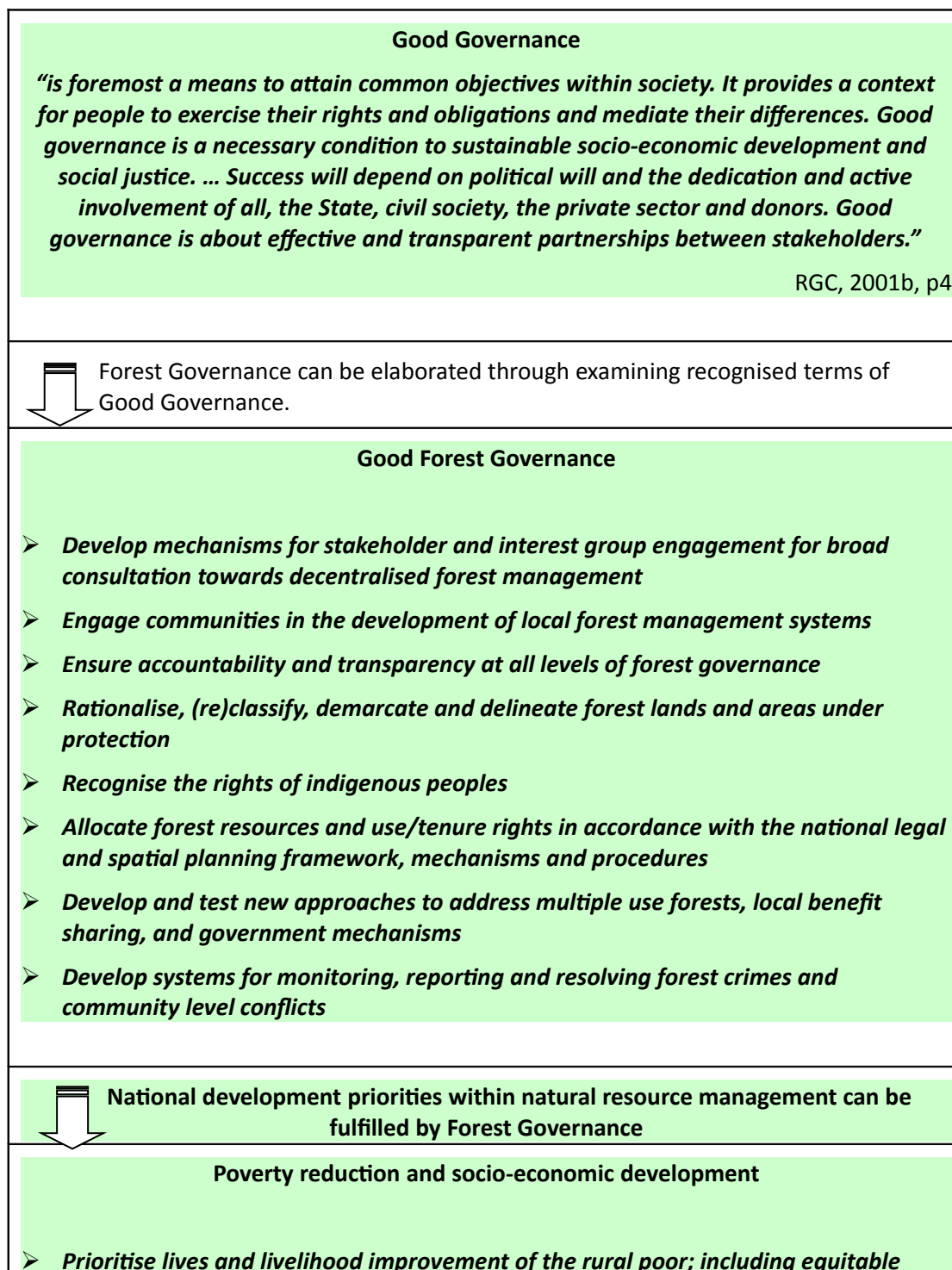
The Statement on National Forest Sector Policy (2002) offers policy guidance to address most of the issues raised in the various forest sector reviews and studies. Policy orientation is elaborated in the Action Plan 2007-2010 for Forestry and Environment (TWG F&E 2006) and also reflected in the National Forest Programme principles (FAO 2006). Main recommendations of the three documents are found below:

Summary of policy guidance for forest sector development from past reviews and studies in Cambodia			
Guidance Theme	Forest Sector Policy Statement (2002)	Action Plan 2007-2010 for Forestry and Environment	NFP Principles
<b>Forest Land Classification and Allocation</b>	<ul style="list-style-type: none"> <li>• Reclassify major part of remaining natural forests to ecosystem protection and biodiversity conservation</li> </ul>	<ul style="list-style-type: none"> <li>• Reclassify and dedicate the major part of natural forests to ecosystem protection and biological conservation.</li> </ul>	<ul style="list-style-type: none"> <li>• Sustainability of forest development</li> </ul>
<b>Forest Governance</b>	<ul style="list-style-type: none"> <li>• Establish a forest administration in which necessary steps of devolution of decision-making power can take place</li> <li>• Encourage, implement and co-ordinate multi-stakeholder processes that enable the harmonisation of different interests of various groups at all levels</li> <li>• Promote transparency</li> <li>• Implementation of a long term National Forest Programme</li> </ul>	<ul style="list-style-type: none"> <li>• Develop a NFP with internal coherence and linked with national policies</li> </ul>	<ul style="list-style-type: none"> <li>• National sovereignty and country leadership</li> <li>• Holistic and inter-sectoral approach</li> <li>• Long-term, iterative process</li> <li>• Policy and institutional reforms</li> <li>• National policy commitment</li> <li>• International commitment</li> </ul>
<b>Poverty Reduction and Socio-Economic Development</b>	<ul style="list-style-type: none"> <li>• Recognise legally and protect the traditional rights of local communities to use forest resources</li> <li>• Optimise local communities' benefits from use and management of forest resources</li> <li>• Promote the socio-economic value of forest ecosystems protection and biodiversity conservation</li> </ul>	<ul style="list-style-type: none"> <li>• Optimise local communities' benefits from use and management of forest resources</li> </ul>	<ul style="list-style-type: none"> <li>• Partnership</li> <li>• Participation</li> <li>• Recognition of indigenous peoples user rights.</li> </ul>
<b>Financial and Human Resource Mobilisation</b>	<ul style="list-style-type: none"> <li>• Capacity building, institutional strengthening, research, education, training, public awareness, extension</li> <li>• Encourage private investment</li> </ul>	<ul style="list-style-type: none"> <li>• Strengthen enforcement of forest law</li> <li>• Capacity building, institutional strengthening at all levels</li> <li>• Optimise use, processing and marketing systems for forest products</li> </ul>	<ul style="list-style-type: none"> <li>• Capacity building</li> <li>• Raising awareness</li> <li>• Investments.</li> </ul>
<b>Future Management Options</b>	<ul style="list-style-type: none"> <li>• Promote conservation and protection strategies with a maximum participation of local communities</li> <li>• Implement the Code of Practice</li> <li>• Promote plantations to substitute timber from natural forests. Include high quality timber established on deforested land.</li> <li>•</li> </ul>	<ul style="list-style-type: none"> <li>• Implement the Codes of Practice</li> <li>• Implement the forest gene conservation programme</li> <li>• Forest and land crime monitoring</li> <li>• Implement national community forestry programme</li> <li>• Assess and test 'partnership forestry'</li> <li>• Promote small scale family business</li> <li>• Promote tree planting for socio-economic and environmental services</li> </ul>	<ul style="list-style-type: none"> <li>• Consistency with national policy framework and global initiatives.</li> <li>• Innovative financing e.g. carbon, ecotourism, conservation concession projects.</li> </ul>

(Burgess et al., 2007)

## 2.5 Good governance recommendation as Applied in NFP

The wealth of recommendations coming from reviews will be applied in NFP implementation:



*access to common property resources as a critical source of income security*

- *Optimise commercial forest management contributions to poverty alleviation and socio-economic development*
- *Ensure access and user rights of indigenous and local communities to benefits from forest resources, especially in high value forest, and including protected areas*
- *Enhance people-business partnerships within sustainable forest management*
- *Develop and deliver support services to rural communities, including community forestry and agro-forestry*
- *Recognise the importance of NTFPs to rural livelihoods and food security*
- *Develop capacity of forest communities to effectively demand their rights*

## Chapter 3 - Forests and Climate Change

A climate crisis is unfolding across the entire globe. Human activity releases green house gasses, such as carbon dioxide (CO<sub>2</sub>), methane (CH<sub>4</sub>) and nitrous oxide (N<sub>2</sub>O), that trap the heat from the sun and increase temperatures. The rate at which this happens exceed even the most pessimistic predictions.

Forest loss and forest degradation contribute around 20% of all the CO<sub>2</sub> released, as the carbon stored in the wood and the forest soil is released by burning or by biological decomposition. Drying and conversions of forest swamps contribute even more per unit area as this process releases large amounts of methane, a much more potent green house gas than carbon dioxide.

'Climate change is the greatest market failure the world has ever seen, and it interacts with other market imperfections' (Stern, 2007)

The international community has responded to the climate crisis first with agreeing on the United Nations Framework Convention on Climate Change (UNFCCC) and its associated Inter-Governmental Panel on Climate Change (IPCC), as well as implementation mechanisms such as the Clean Development Mechanism of the Kyoto Protocol.

Initially forests (and agriculture) were not included into the financing mechanisms created to encourage and implement climate change mitigation, for fear of being 'too cheap' and thus ruining the market mechanism for carbon (CO<sub>2</sub>) being set up as the main tool for abating the crisis.

### **REDD and CDM**

At the Bali meeting ('Conference of the Parties' to the UNFCCC, in December 2007) several developing countries and INGOs suggested mechanisms for funding climate mitigation through reduced deforestation and forest degradation, with the acronym REDD. The basic idea is, that forest store (sequester) large amounts of carbon in the wood biomass, as well as in the soil on which the trees grow. If forest clearing and degradation can be reduced, release of greenhouse gases will be reduced as well. If forest loss can be reverted, CO<sub>2</sub> will actually be removed from the atmosphere.

The details of REDD are still being worked out, and there are more than 20 quite variable proposals (Parker et al., 2008) put forward on how actually to implement such a mechanism.

The CDM already allows for tree plantations as a means of mitigating climate change, but has been somewhat mired by complicated procedures, thus increasing the costs for project proposals and implementation.

While the CDM and REDD basically are attempts at financing *mitigation* of climate-related 'sins' in developed parts of the World by financing projects in developing countries, forest management may also play a key part in *adaptation* to climate change in developing countries; Forest cover generally cools the earth surface, forests provide food in times of hardship (which may come as a consequence of extreme weather, derived from climate change), and forests may protect coasts and other landscapes against the more frequent and increasingly violent storms.

In 2012 the Kyoto protocol expires and will be replaced by another, as of yet unknown, mechanism. Possibly, REDD or something similar may be included into a new mechanism (the Bali Action Plan included a “Road map” for incorporating REDD in the future global climate protection regime) and the procedures for CDM may be sought simplified.

In any instance, some main principles will remain and possibly even more emphasised. The key ones are

- additionality, i.e. ensuring that a climate-mitigation project actually does more for climate mitigation than would otherwise have happened.
- no leakage, meaning that climate mitigation action in one area or at one time is not undercut by climate-destroying action in another area or time (e.g. tree planting in one area, while forest is being cleared in another, or forest clearing in one area, followed by a CDM project planting trees in the same area).
- tight *verification* of proposals and activities and *monitoring* of outcomes, in REDD called MRV (Monitoring, Reporting and Verification). This includes independent verification and monitoring, (which for REDD most likely will involve local communities). ‘Independent’ means that the monitoring will be carried out by an agent, which is not the same as the one benefiting from or managing the activity and one with good monitoring and verification credentials (in CDM and possibly in REDD from an approved list of verifiers).
- for REDD, the principle of equitable sharing of benefits (and monitoring of this principle) appears to become a key to any implementation.

Developing countries may be able to start forest-related climate projects and activities (beyond donor funded pilot-activities) without meeting all of these conditions, but prices obtained for the carbon will be reduced (Angelsen, 2008) and investors may be tempted to look to other countries, in order to avoid any embarrassment.

The 'carbon-markets' intend to move funds from the main carbon-polluters to developing nations, in which the main negative effects of the climate change will occur – at least initially.

The markets for carbon are however, not stable and long-term conditions are unknown. The mechanisms to be developed post-Kyoto and the final design(s) of REDD (or similar) may provide volume to these markets. But prices, as in any market, are bound to fluctuate and carbon markets have a history of high volatility, depending on overall market forces, but even more on political decisions relating to trade in carbon (volumes, mechanisms).

Forests, on the other hand, provide many other environmental services, for which the forest stewards can be rewarded. These schemes and their benefit-sharing mechanisms are not fundamentally different from any future Payment for Environmental Services (PES) for carbon.

One could say that REDD is composed of the building blocks SFM + PES (for carbon).

Likewise CDM (forest related) is composed of plantations, which are SFM managed, plus PES for carbon.

In addition both mechanisms call for some detailed carbon accounting, which in the case of REDD still is being worked out, with a somewhat unknown timeframe.

Sustainable forest management by itself provides direct benefits to local communities as well as to local and national government. And the methods for monitoring SFM are in many ways precursors to any carbon accounting tools that may be developed.

### **Other climate-related forestry**

Forests may also be used for direct fuel, into power plants producing electricity. If they here replace fossil fuels and the forest management follows SFM, this may be considered climate mitigation and attract funding.

A specific new (yet very old) and possibly very attractive option is to produce this fuel in a process of pyrolysis, which as a side effect produces biochar. This is a specific kind of fine-grained charcoal consisting of carbon-molecules that are persistent for hundreds of years (and thus present almost permanent storage of carbon) while at the same time being useful for soil improvement (Winsley, 2007).

### **Cambodia and climate change.**

Cambodia ratified the United Nations Framework Convention on Climate Change (UNFCCC) on 18 December 1995. The Convention entered into force for Cambodia on 17 March 1996, thus making the country eligible under the financial mechanism of the UNFCCC. In 2002 Cambodia provided its Initial Communication to the UNFCCC. MoE was appointed Designated national Authority (DNA) for CDM projects in Cambodia, with Cambodia Climate Change Office (CCCO) as the secretariat.

UNDP prepared a climate change profile for Cambodia in 2008 (McSweeney et al., 2008), which projects that mean annual temperature will increase by 0.7 to 2.7°C by the 2060s, and 1.4 to 4.3 degrees by the 2090s. The projected rate of warming is similar in all seasons and regions of Cambodia. Rainfall in June-July-August and in September-October-November is expected to increase, while rainfall in the dry season (December-January-February) is expected to decrease. The proportion of total rainfall that falls in heavy rainstorms is projected to increase.

Sea levels will increase up to 70 cm by the end of the century, according to a recent report (ADB 2009). Among the predicted consequences are:

From increased temperatures	<ul style="list-style-type: none"> <li>- Increased frequency of forest fires as well as area of burnt forests</li> <li>- Increased pest and disease infestation in forests</li> <li>- Decrease in growth rates (productivity) of many forest species</li> </ul>
From variability in precipitation (including El Niño Southern Oscillation)	<ul style="list-style-type: none"> <li>- Increased forest fire, and pest and disease infestation due to drought</li> <li>- Change in precipitation pattern, affecting survival of seedlings and saplings</li> <li>- Increased soil erosion and degradation of watershed due to intermittent drought and flooding</li> <li>- Increased population of invasive plant species</li> </ul>

From sea level rise	<ul style="list-style-type: none"> <li>- Loss of mangrove forests due to advancing sea levels</li> <li>- Loss of areas around Ton Le Sap, threats to flooded forests.</li> <li>- Increased flooding along major rivers and Ton Le Sap.</li> </ul>
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*(Adapted from ADB, 2009)*

Under Council of Ministers decision 699 the FA was specifically put in charge of national development of REDD. This is included in the NFP through the programme on Forest, Climate Change and Innovative Financing. In addition the FA has received support from the Clinton Climate Initiative to develop a National Forest Carbon Accounting System. The FA has already established a climate change team with seven dedicated staff. The re-structuring of the FA pursuant to prakas of 14 November 2008 is under finalisation and is expected to create a new office responsible for forestry-related climate change (including REDD).

Implementation of REDD is also initiated in neighbouring countries, by which it connects to the issue of illegal logging in Cambodia. The Vietnam R-PIN on REDD recognises that continued illegal import to Vietnam of timber of 'unknown provenance' will constitute 'leakage' and undermine implementation of REDD in Vietnam.



## Chapter 4 - The National Forest Programme

### *Calls for a National Forest Programme*

There have been several calls for a National Forest Programme (NFP) addressing forest sector development, including sustainable forestry, forest governance, coherent forest policy and planning, and equitable use of forests to improve livelihoods and promote a balanced socio-economic development (Box 2).

Calls for a National Forest Programme	
1.	<b>RGC Intention to develop forest governance through a NFP</b> expressed at IPF, IFF, UNFF, and ASEAN forestry meetings during the last 10 years. Cambodia is taking a leading position in ASEAN forestry meetings.
2.	<b>NFP prioritised in National Forest Sector Policy in 2002.</b> The Statement of the Royal Government of Cambodia on National Forest Sector Policy was signed by the Prime Minister in 2002. It states that “a long term National Forest Programme (NFP) will be implemented ...” (RGC, 2002a; RGC, 2006a).
3.	<b>The Independent Forest Sector Review (IFSR, 2004)</b> , provided a first baseline for forest sector development, and recommendations on forest governance, structure and service delivery through an improved forest framework, i.e. a National Forest Programme. This was complemented by the International Tropical Timber Organisation <b>Forest Sector Diagnostic Review</b> in late 2004, which analysed needs for a sustainable forestry approach and suggested that the existing draft Forestry Action Plan should be further developed into a National Forestry Programme and efforts should be made to link all donor support to the implementation of this programme (ITTO, 2004a p.22).
4.	<b>NFP development included in national strategies (2006).</b> The need and desires for a National Forest Programme, including forest planning and policy, addressed in key national strategies, for example, the National Strategic Development Plan 2006-10 (RGC, 2006a).
5.	<b>National policy forum, TWG F&amp;E, calling for a NFP.</b> The NFP is the top-priority of the Technical Working Group for Forestry and Environment in the TWG F&E Action Plan 2006-2010 <sup>37</sup> which is aligned with overall national strategies and provides a broad framework of prioritised actions and investment opportunities within the forestry sector (TWG F&E, 2006).
6.	<b>Cambodia Development Cooperation Forum (CDCF), June 2006 called for an NFP</b> , stating recognition of a clear need to ensure sustainable management and equitable use of forests to improve livelihoods and promote a balanced socio-economic development. It encouraged the Forestry Administration to develop a National Forest Programme to provide new momentum and strategic orientation to the sector which would lead to improved planning and implementation of forestry-related activities (CDCF, 2006, GDCC 2006).
7.	<b>Analytical information generation 2007.</b> Special studies were undertaken to identify information needed for further NFP development: These were: <ul style="list-style-type: none"> <li>• “A Decade in Forest Management and Planning, Cambodia: A Synthesis of Forestry Reviews and Supportive Studies” (Burgess, Sokh &amp; Sloth, 2007).</li> <li>• “Review of International Forest Policy Development and Cambodia’s Role, Involvement and Potential Benefit” (Hang Sun Tra, 2007).</li> </ul>

Overview of the National Forest Programme Process Cambodia	
Typical outputs for each phase of the NFP Facility (FAO)	Major achievements in Cambodia so far
<b>Status</b>	<b>Documentation available</b>
<i>Analysis</i>	

<sup>37</sup> TWG F&E is a RGC-Joint Donor policy forum dealing with natural resource management.

<ul style="list-style-type: none"><li>Sector review (assessment of the forest sector and its interrelations with other sectors)</li></ul>	<ul style="list-style-type: none"><li>IFSR 2004 (Sector review) and ITTO diagnostic review</li><li>FA/FLD 2007 (A decade in Forest Management and Planning in Cambodia)</li><li>FA/FLD 2007 ('Review of Int. Forest Policy Development and Cambodia's Role, Involvement and Potential Benefit)</li></ul>
<ul style="list-style-type: none"><li>Stakeholders identified as well as their roles and responsibilities</li></ul>	<ul style="list-style-type: none"><li>TWG-F&amp;E (coordinating forum in function)</li><li>Multi-stakeholder workshops initiated (2007)</li><li>NFP Task Force (ToR and composition 2007)</li></ul>
<i>Policy formulation and planning</i>	
<ul style="list-style-type: none"><li>An adopted national forest statement, detailing the political commitment to sustainable forest development as a contribution to sustainable development</li></ul>	<ul style="list-style-type: none"><li>The National Forest Policy Statement (2002)</li><li>FA/FLD 2007 ('A decade in Forest Management and Planning in Cambodia)</li></ul>
<ul style="list-style-type: none"><li>Established platform for stakeholder dialogue and participation</li></ul>	<ul style="list-style-type: none"><li>TWG-F&amp;E (in function)</li><li>Three Multi-stakeholder workshops initiated (two in 2007 and one in 2008))</li><li>Task Force (ToR and composition 2007 -2008)</li></ul>
<ul style="list-style-type: none"><li>Objectives and strategies for the forest sector, including a financing strategy for sustainable forest management</li></ul>	<ul style="list-style-type: none"><li>The National Forest Policy Statement (2002)</li><li>Findings &amp; recommendations from project and sector reviews and studies (IFSR 2004, FA/FLD 2007)</li><li>6 multi stakeholder working groups formed and assigned to develop specific programmes.</li></ul>
<ul style="list-style-type: none"><li>Plans for action for the implementation of the agreed measures</li></ul>	<ul style="list-style-type: none"><li>Forest Action Plan 2007-2010 for Forestry and Environment (TWG-F&amp;E 2006)</li><li>National Community Forestry Programme (FA 2006a) Overall capacity building programme (JICA-supported)</li></ul>
<ul style="list-style-type: none"><li>Capacity building and information strategy in place</li></ul>	
<i>Implementation</i>	
<ul style="list-style-type: none"><li>Political, legal and institutional reforms, both within and outside the forest sector</li></ul>	<ul style="list-style-type: none"><li>DFW FA (2003)</li></ul>
<ul style="list-style-type: none"><li>Information and knowledge management (IKM) systems</li></ul>	<ul style="list-style-type: none"><li>UNFF and ASEAN principles identified</li></ul>
<ul style="list-style-type: none"><li>National and international partnership arrangements and joint activities</li></ul>	<ul style="list-style-type: none"><li>TWG-F&amp;E coordination and planning</li></ul>
<i>Monitoring and evaluation</i>	
<ul style="list-style-type: none"><li>Monitoring and evaluation reports/documentation</li></ul>	<ul style="list-style-type: none"><li>FAO and ASEAN models identified for monitoring forests and forest law enforcement</li></ul>
<ul style="list-style-type: none"><li>Analysis and reflection for learning and adjustments to the process</li></ul>	<ul style="list-style-type: none"><li>n.a.</li></ul>

## 4.1 Organisation of the Formulation Process for NFP

Effective stakeholder dialogue and participation lies at the heart of sustainable forest management. Organisation of the NFP process therefore requires identification of partners, national coordination mechanisms and the development of a communication strategy.

### Dialogue with technical support partners – setting the scene

In 2006, the Forestry Administration commenced, through the TWG F&E, a facilitative dialogue and analytical studies leading towards a National Forest Programme. A working group on forest policy and National Forest Programme development was established within the FA to support the process.

### **Start-up workshop**

A start-up workshop was held in January 2007 with all managerial staff in the FA and selected external main stakeholders, in order to create awareness of the principles of governance, transparency and participation required for a viable NFP process (FA & FLD, 2007a). The workshop resulted in the following:

- a common understanding of a NFP, and the approaches, principles and processes that its development involves.
- a commitment towards a viable NFP, critical for further development for forest dependent people.
- discussion and assessment on the form and support required for a NFP.
- assessment of existing vision statements for alignment with national strategies, especially the Rectangular Strategy and the National Strategic Development Plan. The vision expressed in the Statement of RGC on National Forest Sector Policy was acknowledged as a base on which to build further development.
- establishment of a Multi-stakeholder Task Force for participation of a wide circle of stakeholders to assist NFP development.
- a decision on further development through a larger national multi-stakeholder workshop

### **Facilitating pluralism and participation – the second workshop**

Subsequently, in March 2007, a national multi-stakeholder workshop was held to further develop the NFP concept (FA & FLD, 2007b). The workshop outcomes were:

- decision on the principles, process and contents.
- a stakeholder analysis.
- agreement on the structural contents.
- identification of main themes and establishment of priorities.
- agreement on the formation, terms of reference and composition of a task force.
- reconfirmation the forest sector vision.

### **Consultation Workshops**

In March 2009, consultative workshops were held between the FA and local communities as well as local and national NGOs concerned with forest management, and living in forest or near forest areas. These took place in Kampong Sohm (Sihanoukville), Pursat, Kratie and Siem Reap. FA introduced the purposes of the NFP and its 6 programmes, and participatory discussions took place around the themes of the programmes. FA collected the points of view presented and facilitated the process of having these flow in the formulation of the main NFP document as well as the programmes. In June 2009 a further workshop was held, consulting with officials from relevant line ministries and administrations for national and provincial levels.

Finally, in August 2009 a national-level workshop with all relevant, national stakeholders was held in Phnom Penh.

Advice and comments from these workshops was incorporated into the draft NFP (Framework document and implementation programmes)

### **Establishment and composition of NFP Task Force.**

According to recommendations from the Start-up Workshop potential partners in the NFP development were identified during the second workshop. The Task Force is cross-sectoral and represents stakeholders from various ministries and departments, private sector, NGOs, international universities and donors. The Task Force supported and contributed to the development of a National Forest Programme.

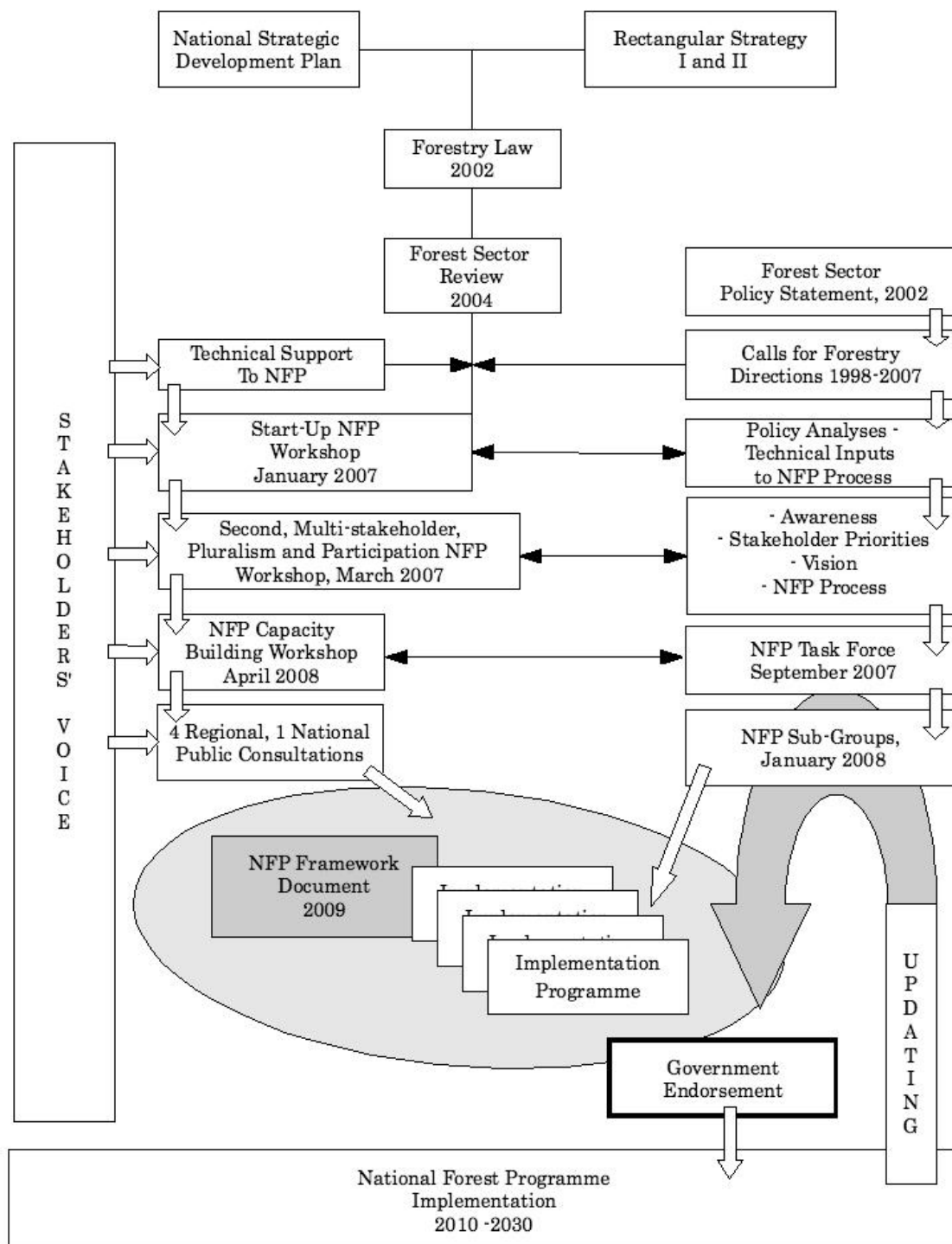
In addition, a core NFP group from FA, FLD, FAO, Danida and World Bank was formed to work more intensively with the NFP formulation. For the members and composition please refer to the acknowledgement.

### ***NFP Programmes and working groups***

The NFP Task Force formed six multi-stakeholder working groups which were to contribute toward the formulation of a programme each. The NFP Task Force suggested the following areas for programming:

- National Forest Demarcation, Classification and Registration
- Forest Resource Management and Conservation
- Forest Law Enforcement and Governance
- National Community Forestry
- Capacity Building, Research and Development
- Sustainable Forest Financing/Innovative Financing mechanisms

The figure below illustrates the process of NFP formulation and (later) revisions.



## 4.2 Planning and NFP implementation

The level of detail required in action plans varies (see table below). Each level must consider its alignment to national development framework and objectives, and harmonisation with other sectoral priorities and plans and to which extend subsidiarity can apply.

Action Planning	
Time Frame	Planning
Longer term (10-20 years)	National Forest Programme supplemented by shorter term action plans, typically for a period in line with national planning cycles (5 years); this is important in ensuring compatibility with other sectors and to better source finance from the national budget
Short term (5 Years)	Forestry and Environment Action Plan 2007-2010, as to be renewed. It includes priority objectives and short-medium term activities; indicators/means of verification, and a schedule; and the identification of the lead institution. Whilst this can be used as an example, and built upon, it is not sufficient to be adopted fully within the national forest programme principles, particularly in its scope for participation, partnership, and inter-sectoral linkages.
Annual	NFP Task Force Action Plan breaks down priority activities into identified tasks to be completed during the year, specifying required outputs and inputs, and progress

## Chapter 5 - Capacity Building

The implementation of NFP will identify needs for capacity development, not only in achieving the planned goals, but in planning, implementing, monitoring and evaluating the national forest programme as a whole. It needs to consider the capacity of different stakeholders to fully participate in the national forest programme, as well as their capacity to undertake their assigned tasks within the implementation plan.

### **Capacity requirements of the national forestry programme**

*Traditional capacity building activities cover training, education, extension, research and development, within forestry administration staff.*

*Whilst these remain extremely relevant, requirements of the NPF extend this reach and aim towards a reduction on long-term institutional dependence on external aid including:*

- *Establishment of conditions that allow forestry sector institutions to be down- and upward accountable and efficient, such as ability to offer attractive salaries and conditions of work.*
- *development of skills and procedures, especially at decentralised levels that enable local stakeholders to manage and supervise the implementation of the national forest programme (for example administration of development funds, competitive bidding processes, economic and natural resource assessment, monitoring and evaluation)*
- *development of information systems necessary to form a base to assess the effectiveness and efficiency of policies*
- *development of conflict resolution mechanisms and capacity*

(FAO, 2004)

Capacity development is also considered as key-stone in developing management and in particular in implanting management system

Technical assistance is likely to be needed, until the NRM educational system is reformed and focussed on reflection and analysis and thus towards sustained learning and capacity.

### **Sustainable forest management**

**In order to develop and especially implement new sustainable forest management systems, capacity development needs to be undertaken for the viable implementation of:**

- *Centralized forest management*
- *Community forestry*
- *Forest and biodiversity conservation*
- *Plantations*
- *Managing forests for carbon sequestration*

## Chapter 6 - Conflict resolution and benefit sharing

The participatory approach allows divergent views and conflicts of interest to be recognised and resolved wherever possible. It helps to ensure that decisions are transparent and consensual in order to rationalise and resolve differences.

### Conflict

***“Stakeholder participation in an NFP is never free of conflict and dispute. However, it helps the various parties to define and voice their interests, and better understand their competitors and opponents”***

FAO, 2006, p.29

Equitable participation requires:

- stakeholder categorisation according to, for example, their level of participation, power and influence
- special attention to those lacking capacity to express their views and defend their interests, for example, indigenous groups
- adequate information adapted different audiences disseminated through appropriate media

The ‘contested nature of the forest domain’ (Inspection Panel, 2006) is highlighted in former forest concession management planning, in which the lack of early consultation greatly reduced management capacity to be informed of critical community concerns’ (World Bank Inspection Panel, 2006).

An example of conflict management is illustrated in the process of establishing a community forest within a concession area in Koh Kong province (Tong S. et al., 2004). It illustrates the need for strong communication between communities, facilitating organisations, technical institutions and local authorities.



## Chapter 7 - Institutional development and collaboration

The forestry sector recognised the need for institutional reform within the new Forest Law (2002). This resulted in the establishment of the Forest Administration, a newly mandated institution, adopting a de-concentrated structure, and a resource based approach.

### **The current challenge**

*is s to link the local levels of FA with local government to allow inclusion of all stakeholders and best use of human, financial and natural resources.*

Institutional structures need to be well defined in order to mitigate overlapping claims. During this process, it may be necessary to adjust mandates, roles and responsibilities of different sectors and stakeholders.

Harmonisation of legislation governing land and forestry removes inconsistencies within laws relating to land, forestry, and protected areas. Successful legislation and regulation is that which can be enforced.

### **Achievement of an inter-sectoral framework**

*requires consideration of the linkages between forestry and other economic sectors, and respective potential impacts, for example, industry (mining rights), energy, economy and finance (economic concessions), national defence (resettlement of soldiers), agriculture (crop expansion).*

*Claims from within different sectors have resulted in contested and overlapping concessions. An example of this is evident in Mondulkiri, where there are overlapping user claims from household level rubber enterprises, a pine plantation concession, and a bauxite mine.*

Where sectoral policies are found to be incompatible with sustainable forest development, appropriate policy reforms are needed. Integration of the national forest programme into the national planning framework aims to ensure and maintain these consistencies.

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