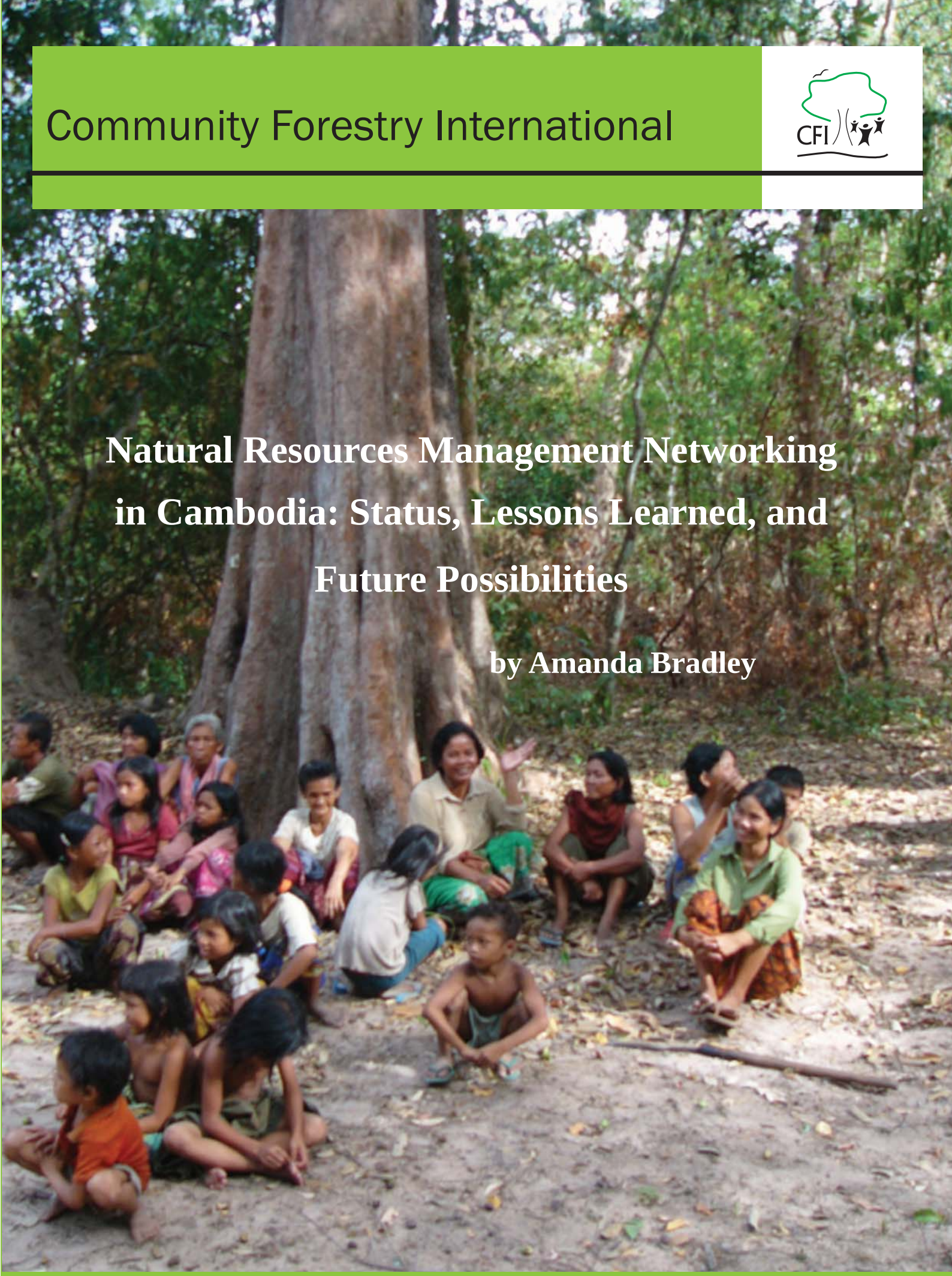
Community Forestry International



Natural Resources Management Networking in Cambodia: Status, Lessons Learned, and Future Possibilities

by Amanda Bradley

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-Amanda Bradley

TABLE OF CONTENTS

INTRODUCTION 7
OVERVIEW OF EXISTING NRM NETWORKS 10
The Forestry Network 10
The Environmental Forum 10
Provincial CF & Natural Resource Management (NRM) Networks 11
Indigenous People's Networks 13
Fisheries Networks 15
Community Forestry/Community Protected Area (CF/CPA) Network 16
Cambodia Community-Based Ecotourism Network (CCBEN)..... 18
Association of Buddhists for the Environmen t (ABE)..... 19
Se San Protection Network (SPN) 20
Farmer and Nature Net (FNN)..... 21
AIMS AND OBJECTIVES OF NRM NETWORKS 23
HOW NRM NETWORKS FUNCTION 26
Management and Communication 27
Membership 29
Meetings..... 30
Budgeting and Funding..... 31
Planning 32
Linkages to National, Regional and Internat ional Forum..... 32
GENDER AND CULTURE IN NRM NETWORKS 35
Gender Issues..... 35
Cultural Issues 36
EFFECTIVENESS AND CHALLENGES OF NRM NETWORKS 40
Strengths of Networks 40
Challenges of Networks..... 42
LESSONS LEARNED AND RECOMMENDATIONS..... 46
FUTURE VISIONS..... 49
CONCLUSION 51
REFERENCES 52
ANNEXES..... 53

LIST OF BOXES

Box 1	Proposed Objectives for a National Indigenous People's Forum
Box 2	Demands of Stung Treng Community Representatives of the Se San Protection Network
Box 3	Problem Solving in Pursat
Box 4	Excerpt from Statutes of ABE
Box 5	How to Work with Monks
Box 6	Excerpt from NGO Forum Evaluation

LIST OF ACRONYMS

ABE	Association of Buddhists for the Environment
ADB	Asian Development Bank
AFA	Asian Farmers Association for Sustainable Rural Development
AFDI	Agriculeurs Français et Developpement International
CCBEN	Cambodia Community-based Ecotourism Network
CF	Community Forestry
CFAC	Community Forestry Alliance for Cambodia
CPA	Community Protected Area
FA	Forestry Administration
FACT	Fisheries Action Coalition Team
FNN	Farmer and Nature Net
HA	Highlanders Association
LWF	Lutheran World Federation
MOE	Ministry of Environment
IP	Indigenous People
NRM	Natural Resource Management
NREM	Natural Resource and Environment Management
NTFP	Non-timber Forest Product
OGB	Oxfam Great Britain
PLG	Partnership for Local Governance
RNRMN	Ratanakiri Natural Resource Management Network
RNSP	Ratanakiri Network Support Project
SADP	Southeast Asia Development Program
SPN	Se San Protection Network
WTO	World Trade Organization

INTRODUCTION

Environment and natural resources management (NRM) are very broad topics, and when considered on a national scale, they become tremendously complex. In general, they encompass forest management, fisheries, watersheds, wetlands, biodiversity conservation, protected areas, pollution and waste control, sustainable livelihoods – and a host of other components and cross cutting issues. In Cambodia, with its rich natural resource base and primarily rural population dependant on these resources, all of these issues are both relevant and vitally important.

There is also a wide range and diversity of stakeholders with interests in the environment. These include local communities, NGOs, government, and private sector groups. There are many factors which influence how these actors relate to each other and deal with environmental and natural resource management issues, including the legal framework, government structure, judicial system, business or donor interests, community empowerment, press freedom, education and awareness of the public, and the strength of civil society, among others. These factors all relate to the system of governance in the country.

In Cambodia, there has been increasing pressure on natural resources in recent years, with intensifying conflicts over land (land grabbing, encroachment, plantations), fisheries (illegal fishing, commercial fishing lots versus subsistence scale), as well as cross-sectoral conflicts, for example flooded forests (agriculture versus fisheries), and water use (upstream versus downstream; agriculture versus fisheries). Increasing competition for natural resources and escalating conflict is providing an impetus for the formation of networks.

A network may be broadly defined as a group of people, organizations, or institutions which come together to share information and develop cooperation on one or many sets of issues in order to make progress towards a mutual goal(s). There are many different kinds of networks including NGO networks, grassroots networks, multiple stakeholder networks, or national level or provincial level networks. Some networks may continue to operate for years, while others develop informally to address a specific issue or share

knowledge for a common cause. In some cases, when the issue is solved or addressed, networks may dissolve and cease operating fairly rapidly. Networks may function in a variety of ways, but generally speaking, they aim to either bridge the gaps between different sectors and interest groups or else to build consensus and capacity within one particular group, so that it can advocate for its own agenda.

NRM networks, in particular, seek to improve the way natural resources are managed, building on the synergies associated with cooperation. NRM Networks may take a holistic approach addressing issues across various resource sectors, or they may focus on a specific resource (i.e. forests) or interest groups (i.e. indigenous people). Many grassroots networks seek to empower local communities either directly via capacity building, or by giving them a voice in dialogue with government or through advocacy campaigns.

In Cambodia, civil society has been given a relatively large degree of freedom to form associations or networks, both formal and informal. These networks have been functioning for a number of years with varied success. Many individuals and groups involved with networks have been gaining skills and knowledge through practical experience. This study aims to gather ideas from some of these individuals, as well as the author's own experience participating in and interacting with several of these networks.[1] The report introduces most of the existing NRM networks in Cambodia and analyzes some of the general issues related to networking in Cambodia.

The overall objectives of this report are to:

- Introduce some of the existing NRM networks in Cambodia
- Describe some of the existing general practices for network management and operation
- Explore some of the cultural and gender issues related to networks
- Identify the challenges and successes of existing NRM networks and suggest some recommendations for the future

[1] Since 1998, the author has been loosely involved in the Environmental Forum, the Forestry Network, and more recently the Association of Buddhists for the Environment (ABE). In addition, she advises the Cambodia Community-based Ecotourism Network and assists the Ratanakiri Natural Resources Management Network (RNRMN).

This report is not a comprehensive analysis on the subject of NRM networks in Cambodia, although it does attempt to briefly cover most of the existing NRM networks.[2] In some cases, individuals who were interviewed shared candid viewpoints which were sometimes critical, and could be considered sensitive. These opinions are related openly with a view to initiating dialogue and improving networks in the future. It is hoped that the reader will also interpret these opinions similarly.

[2] The NGO Forum is supporting a Pesticides Network as well as a Land Rights Network. Neither of these are covered in the report.

OVERVIEW OF EXISTING NRM NETWORKS

This section provides an overview and introduction to a number of the existing NRM networks in Cambodia. While most networks are covered, this section is not a comprehensive inventory of all NRM networks in existence at this time.

The Forestry Network

The Forestry Network is a national-level network whose members are primarily local NGOs and community representatives. With the backing of the NGO Forum on Cambodia, an NGO umbrella group, this network formed in 2000 to assist communities living in forest concession areas to build capacity for advocacy and increase understanding of natural resource rights. There are 17 local NGO members. This network hosts quarterly meetings, and draws together up to 100 people from various provinces. Meetings are used for airing grievances as well as for capacity-building.

During the 2-3 day meetings, participants are given an opportunity to share experience from the field. Facilitators provide background on relevant laws, such as the Forestry Law (2002), Land Law (2001), and Community Forestry Sub-Decree (2003), and inform participants about their rights and responsibilities with regards to forest management. In addition, the Network organizers seek community feedback on new laws or policies as part of the public consultation process. For instance, the network compiled comprehensive feedback from communities on forest concession management plans.

Furthermore, organizers may take issues raised in these meetings and deal with through other channels, such as negotiations with authorities or by providing information to the media or to donors, as was done in statements to the annual Consultative Group and Donor Technical Working Group meetings. The Forestry Network meetings were originally held at The NGO Forum, but in 2005 Oxfam Great Britain (OGB) became the primary organizer.

The Environmental Forum

The Environmental Forum is open to all relevant NGOs and government partners for sharing experiences on environmental issues. Monthly meetings held in Phnom Penh and

organized by the NGO Forum are primarily attended by local NGOs. At the time of writing, there were 35 NGOs registered as members of the Environmental Forum. Meetings are held every third Friday of the month, with approximately 15 participants attending each meeting. The Environmental Forum has been active in organizing an annual World Environment Day (5 June) event in Phnom Penh. This event brings together a number of NGOs, university students and members of the media to raise general public awareness on environmental issues.

In order to solve key advocacy issues raised by members, the Environmental Forum has established a "Core Team" comprised of a subset of 14 NGO members. One of the primary activities is conducting field research into environmental problems. To date, the Core Team has worked on a variety of issues including pollution from factories in Phnom Penh, plantation issues in several provinces, and research into the affects of gold mining in Kompong Thom and Mondulkiri provinces. The concerted efforts of the Core Team have had some success in drawing attention to some serious environmental problems.

Provincial CF & Natural Resource Management (NRM) Networks

There are a number of provincial NRM and community forestry (CF) networks, mostly initiated and supported by Concern Worldwide, the NGO Forum, Seila, the Southeast Asia Development Program (SADP), and OGB, which includes at least seven provincial networks. These networks focus on sharing experiences and solving problems related to natural resources. Some function regularly, while others meet on an ad hoc basis. These networks involve a wide range of stakeholders, including many community representatives and government line departments.

It is interesting to consider these more localized networks in light of the efforts towards decentralization and delegation of increasing responsibilities to commune councils. While the legal framework still limits the authority of commune councils in managing natural resources, they play a growing role in commune planning and may have their own informal networks to solve conflicts over natural resources. Many commune councilors are key stakeholders in district and provincial networks dealing with natural resources. It remains to be seen if decentralization will increase the incentives and effectives of provincial and more local networks. A few of the more established provincial networks are highlighted below.

Pursat Natural Resource Management and Environment Network

Established in 2002, the Pursat Natural Resource Management and Environment Network was formerly a community forestry network; since Seila decided to contribute support in early 2004, the network has restructured to cover a broader scope of NRM and environment issues. The main objective is to share experiences, lessons learned, and general information on community forestry and other NRM issues. In addition, the network seeks to find strategies to address problems related to NRM conflicts. There are about 70 – 80 members attending the meetings, including government departments, local authorities, NGOs, and community members.

The management of this network originally rotated between a number of different NGOs and stakeholders in the province. This arrangement did not function well, so running of the network was turned over to the Forestry Administration (FA) office in the province.

Kompong Chhnang Community Forestry Network

The Kompong Chhnang Community Forestry Network was established in 2002 by Concern Worldwide with the aim to share experiences on problems related to community forestry (CF) implementation. About 50 people usually attend the quarterly meetings. There are many stakeholders involved including FA, Department of Environment, Seila, and NGOs. In addition to the quarterly meetings, commune-level sub-networks organize meetings approximately every two months. While the FA is officially taking the lead in running this network, it depends on support from partner NGOs such as Concern and the Lutheran World Federation (LWF). The network has been somewhat successful at solving problems related to CF and building awareness on the Forestry Law. In addition, FA staff that previously did not have an opportunity to go to villages now understand community perspectives better and have established relationships with villagers. Nonetheless, there was some concern that controversial issues such as the Pheapimex Land Concession might derail the network's activities.[3]

In addition to the networks in Pursat and Kompong Chhnang provinces, Seila is supporting and facilitating several NRM networks in other provinces and municipalities including Pursat (already mentioned), Kratie (established 2003), Sihanoukville (2004), Koh Kong, Siem Reap and Kep (2005). These networks have established partnerships

[3] In 1998, the Pheapimex Company was granted a land concession of approximately 300,000 hectares in Pursat and Kg. Chhnang to plant eucalyptus for paper processing. The concession deal is a contentious issue for local communities.

with NGOs, and they hold their meetings on a quarterly basis. The meetings are attended by approximately 50 – 80 individuals, mostly civil society participants. Attendance is good because of a link with the Provincial Rural Development Committee Executive Committee, giving the networks official status and a formal mechanism for dealing with issues that are raised.

The aim of these networks is to coordinate activities and to inform and obtain advice from authorities on emerging NRM issues. The NRM networks have the advantage of being able to address environmental issues in a holistic way, since they cover several sectors including forestry, fisheries, and agriculture. For example, an NRM network may be able to recognize and deal with the downstream affects of logging on fisheries. Based on the success and lessons learned so far, Seila intends for these NRM networks to exist in all provinces by 2010.

Indigenous People's Networks

Though there is a population of over 112,434 indigenous people in Cambodia[4], it is relatively recently that their concerns have reached the national agenda. There are over 17 ethnic minority groups[5] throughout the country, some living in isolated communities while most are in the Northeast provinces of Ratanakiri and Mondulkiri. Indigenous people speak as many languages as there are ethnicities and their cultures and traditions are diverse. Most depend heavily on natural resources for their livelihoods, while their traditional swidden systems have ensured sustainable use of forests for centuries. Networking activities with indigenous people in Cambodia have focused on recognition of indigenous people's rights to manage resources as they have done traditionally for centuries.

[4] In the North-East, the indigenous people living in Ratanakiri, Mondulkiri, Stung Treng, and Kratie represent about 66%, 71.1%, 6.6%, and 8.3%, respectively, of the total population within these provinces. Using 1998 census data, this represents 112,434 people or 0.95% of the total population of Cambodia. Indigenous people in other provinces represent about 0.04% of Cambodia's population.

[5] Indigenous people are of many different language groups and live in many provinces: Kratie (Stieng, Kroal, Mel, Phnong, Kuoy, Thmaun), Mondolkiri (Phnong, Stieng, Kroal, Roong, Rhade), Ratanakiri (Tampuon, Jorai, Kreng, Brao, Lun, Kravet,Kachok), Stung Treng (Kuoy, Phnong, Kravet, Kreng, Khmer Khe,Lun, Brao), Preah Vihear (Kuoy), Kampong Thom (Kuoy), Koh Kong (Poar), Pursat (Poar), Kampong Speu (Suoy) and Sihanoukville (Saoch).

In 2004 efforts began in order to form a network bringing together indigenous people's groups from around the country in order to seek recognition for their rights and culture. This network is called the Indigenous People's Forum (IP Forum). These efforts were timed with the drafting of the Sub-Decree on Indigenous Land Rights, a defining legal document under the 2001 Land Law. Organizers hope that the mandate of this network will extend beyond the passage of this Sub-Decree to continue nationwide efforts to link indigenous communities and strengthen their cultures and communities. At the time of writing, the IP Forum was organizing a celebration of the UN Indigenous People's Day to raise awareness on indigenous people's issues. (See Box 1)

BOX 1: PROPOSED OBJECTIVES FOR NATIONAL INDIGENOUS PEOPLES FORUM (6 – 8 AUGUST, 2005)

- Indigenous peoples in Cambodia share their ideas with regard to the state of their lives at the moment with regard to culture, social structures, environment and natural resources, health, education, and economics.
- Indigenous people share their ideas with regard to what they would like to see for the future.
- Indigenous people share their ideas for what they are doing or would like to do to achieve their visions.
- Indigenous people share their ideas for what outside support and changes they need or would like in order to support their visions.
- Indigenous people prepare their inputs to the UN International Indigenous Peoples Day ceremony and the final consultation of the National Indigenous Peoples Development Policy.
- Video record the outputs in a way that indigenous people can use them in the future.

Besides this national effort, Ratanakiri province has two effective grassroots network called the Ratanakiri Natural Resource Management Network (RNRMN) and the Highlanders Association (HA) for supporting the strengthening of indigenous communities. The RNRMN was originally formed in 2000 with support from several NGOs (NTFP, CIDSE, ICC) as well as Seila[6] to provide input to national NRM laws and policies that were being drafted. The network now covers 22 of the 50 communes in the province and includes many indigenous groups, including Krueng, Jarai, Brau, and Tampuan. A primary focus is in establishing land tenure security to address increasing land pressure from illegal land grabbing, external business interests and private investors involved in land speculation. Indigenous communities face a variety of problems

[6] Seila is a government project aimed to support decentralization. Donors include UNDP, DANIDA, DFID, etc.

including language (90% do not speak Khmer), low education, intimidation, and the lure of modern commodities such as motorbikes and televisions, which combined contribute to the loss of communal lands and weakening of the community.

The Highlanders Association is still in its development; it started with a cultural and community development focus, but has been moving toward a natural resource management focus. Both networks focus on building the capacity of indigenous facilitators to work directly with local communities to educate them about their natural resource rights and to strengthen their pride in indigenous traditions and culture. These grassroots networks have been effective in stemming the tide of land alienation, but continued land pressures and a weak administrative and judicial system necessitate continued efforts to further strengthen communities and civil society.

The HA takes a non-violent grassroots approach to solving land conflict amid threats of violence and intimidation, while at the same time trying to gain support for resolution among major actors including international donors and the United Nations (UN). There are monthly meetings held in different places among the communities. The networks are aided by several NGOs, including the CFAC-supported Ratanakiri Network Support Project (RNSP), Action Aid, Non-Timber Forest Products (NTFP) and the NGO Forum.

Fisheries Networks

The fisheries sector has one of the most comprehensive and active networks, managed by the Fisheries Action Coalition Team (FACT), a coalition of approximately 25 NGOs. FACT supports several projects aimed to build strong grassroots organizations to promote sustainable management of fisheries resources. The target beneficiaries are the Cambodian[7] rural poor who depend on fisheries for their livelihoods. FACT was established by a group of nine NGOs in 2000, originally as a project of The NGO Forum.

[7] At present only Khmer fishers are members of the Cambodian Coalition of Fishers. Ethnic issues around Tonle Sap Lake are emotive and volatile, with little integration between the two communities. Reinforcing this segregation, the recently passed Sub-decree on Community Fisheries Management stipulates Khmer citizenship as a pre-requisite to membership of a community fishery. Many Khmer fishers blame richer Vietnamese fishers for conducting most of the illegal fishing activities on the lake. Whereas richer Vietnamese fishers tend to be mobile, moving where the fishing is good, poorer Vietnamese fishers tend to remain in one settlement but generally speak limited Khmer, thereby precluding their inclusion in a Khmer fishers network due to language limitations. Furthermore, initial members of the network were Khmer, and at the early stages of the networks development there has been little incentive for the Khmer fishers to actively seek Vietnamese fishers to include in the network. Another ethnic minority on the Lake who do speak Khmer, the Chams, are however represented.

In January 2004, it became an independent organization following the government's reform in the fisheries sector whereby 56% of existing commercial fishing lots were released for community management. These nine NGO partners form a "Core Team," and there is also a Board which guides the overall program strategy. The primary geographical focus areas of FACT are around the Tonle Sap Lake and southern coastal areas, although there are some partner projects in the Upper and Lower Mekong.

FACT's efforts are divided between building up the coalition of NGOs working on fisheries issues, and supporting the development of a grassroots fishers network called the 'Cambodian Coalition of Fishers' that in May 2005 was registered as a CBO with the Ministry of Interior. FACT has organized several larger meetings, for example the "Community Fisheries Forum" held in Phnom Penh in July 2005, that brings together a wide range of stakeholders including government officials to discuss fisheries issues. FACT also organizes regular meetings at the commune, district, and provincial level to provide a forum where different stakeholders can discuss local issues and resolve conflicts.

FACT provides further support to the fisheries network through its Tonle Sap Community Database, which compiles and provides relevant information on fisheries issues using an action research approach with communities around the lake. FACT also supports Tonle Sap Watch, a project aimed at monitoring and reporting on major development activities around Tonle Sap Lake.

Community Forestry/Community Protected Area (CF/CPA) Network

The Community Forestry/Community Protected Areas Network (CF/CPA Network) is a national network which has rotating provincial meetings bringing together large groups of people from communities, NGOs, and government to share experiences on community forestry and community protected areas.

CF Network meeting in Siem Reap

This network, originally called the Community Forestry Network, was initiated in 1996 by the Community Forestry Unit of the Department of Forestry and Wildlife and the

Department of Nature Conservation and Protection of the Ministry of Environment, with financial support from the Cambodia Environmental Management Project (CEMP). In 1997, the network became temporarily non-operational the network became temporarily defunct. In 1998 Concern Worldwide expressed an interest in restarting the network and provided technical and financial support to reactivate it. In 2003, the network's name was changed to the CF/CPA Network in order to include communities managing forests in protected areas.

At the time of writing, the CF/CPA Network was in a state of transition. Instead of one joint network for community forestry and community protected areas, some members decided it would be better to form two separate networks: a CF Network and a CPA Network because of different laws and jurisdictions of the Ministry of Environment and the Forest Administration[8]. While the Forestry Law (2002) and Community Forestry Sub-Decree (2003) have been enacted, providing a clear legal framework for CF implementation, the Protected Areas Law and Community Protected Areas *Prakas* to legally recognize similar developments in the MOE protected areas system are currently in draft form.

Furthermore, the original network goal of awareness-raising on community management of forests had been largely achieved through a series of large national network meetings. In order to solve problems related to implementation in the next phase, different rules and regulations must be followed according to the relevant ministerial legal framework[9]. In fact, this transition of the network is an interesting case that illustrates how networks can adapt to changing external situations and needs, as well as how they may be influenced by differences between various government ministries."

[8] The Ministry of Environment has jurisdiction over forests in the protected areas system, while the Forest Administration has jurisdiction over the Permanent Forest Estate which, generally speaking, is forest outside the protected areas system.

[9] The 2002 Forestry Law and 2003 Community Forestry Sub-Decree govern community forestry in the Permanent Forest Reserve, while the Protected Areas Law and Community Protected Areas *prakas* (both in draft form) establish guidelines for communities wishing to manage forests in MOE Protected Areas.

Cambodia Community-Based Ecotourism Network (CCBEN)

Established in September 2002, the Cambodia Community-Based Ecotourism Network (CCBEN) includes approximately 20 NGOs, various government projects, academic institutions, and private sector agencies which meet on a quarterly basis. The major aim is to share experience, build capacity, and promote community-based ecotourism with a view to nature conservation and livelihood improvement. This network arose from the need to share experiences from the Yeak Laom project in Ratanakiri, which at the time was the first community-based tourism (CBT) project in the country.

The CCBEN's mission is to "manage tourism in a way that leads to equity, empowerment and poverty reduction for Cambodian people, while protecting and conserving natural, cultural and social resources." The CCBEN is a relatively well-functioning and organized network despite the fact that it has no paid staff. It operates due to the commitment of time and resources from a number of its member organizations and their staff.

CCBEN presents at Mekong Tourism Forum

There are several notable accomplishments including regular quarterly meetings, establishment of a management committee, official statutes and legal registration as well as numerous expert presentations, discussion groups, reports, and training courses. In June 2004, the network organized a training course entitled Appreciative Inquiry Techniques for Community-Based Tourism Implementation in cooperation with an ecotourism NGO from Sikkim, India called ECOSS. CCBEN has its own website, a CCBEN brochure, and a set of posters to raise awareness on CBT sites around the country. While government ministries have not yet officially joined the CCBEN, officials occasionally attend meetings. This network is unique in that it includes academic institutions and private sector travel agencies as members.

One of the major challenges of this network is to set up a permanent office and staff so that the range and frequency of partner support activities can increase. As the tourism

industry expands, and land and resource pressures intensify, the CCBEN could play a critical role in advocacy and conflict resolution on behalf of local communities, particularly if government stakeholders are committed to the aims of the network.

Association of Buddhists for the Environment (ABE)

The Association of Buddhists for the Environment (ABE) is a newly formed network of monks interested in environmental issues with representatives from all 22 provinces. The network aims to support grassroots initiatives by monks as well as to facilitate a national level voice for the Sangha[10] in dialogues on environment.

This network was initiated by the Alliance for Religions and Conservation (ARC), a UK-based NGO with support for several NGOs and religious groups in the region. During a study tour and regional conference for Buddhism and the Environment organized by ARC and the local NGO Mlup Baitong in May 2004, monks from many different provinces expressed support for the idea to form a network so that they could keep in touch with each other and continue to exchange information after the conference ended. As a result, the ABE was officially formed. Following the conference, a series of meetings were held to draft statutes, apply for official status, and elect representatives.

The ABE has a vision of establishing a network of model pagodas throughout the country. These pagodas would be centers for outreach and education for the surrounding community following their historical role, and they would promote sustainability and environmental protection, such as through community forestry. The ABE also promotes the importance of a Buddhist opinion and voice in the environment sector.

ABE has a spiritual foundation in the connection between Buddhist teachings and nature, but the network has faced challenges in defining what the appropriate role of monks should be in the day-to-day tasks of operating a network. Purists believe that monks should fully devote themselves to study and prayer, while more modern views encourage monks to take an active role in community development and education.

[10] The Sangha is a term which denotes the communities of Buddhist monks and nuns; on the ideal (ariya) level, it denotes those followers of the Buddha, lay or ordained, who have attained at least stream-entry.

The ABE brings together two different strains of Buddhism, Mahanikaya and Dhammayutthkanikaya, both of which are headed by a different Patriarch with different political affiliations. Most of the Board members and provincial representatives are from the Mahanikaya sect; however, the patron of the network, the Supreme Patriarch Venerable Bou Kry, leads the Dhammayutthkanikaya sect. The ABE is strictly non-political, but it could be difficult for monks to resist the temptation to align themselves with other groups that seek support for their own interests. According to an advisor, there could be a certain naiveté in dealing with different pressures, particularly for monks in the provinces. The ABE also faces a challenge in expanding its funding base. Currently, it is largely dependent on ARC for financial support.

Se San Protection Network (SPN)

The Se San Protection Network (SPN) is a community-based network that was formed to articulate community concerns related to hydropower development on the Se San River. The goal of the network is to restore social, economic, and environmental rights of indigenous communities along the river. The Se San River flows from Vietnam into Northeast Cambodia, where it converges with the Sre Pok and Sekong rivers before becoming a tributary of the Mekong. In 1993, construction on the Yali Hydropower dam located on the upstream section of the Se San in Vietnam began. In 2000, following commissioning of two of the four turbines, large-scale environmental and social impacts were caused downstream by the modification of river flows and changes in water quality.

As a result of these impacts and the plans for a least six additional hydropower dams in the future in the region, the Se San Working Group was formed in early 2000 consisting of several local and international NGOs. The group subsequently evolved to become the Se San Protection Network in December 2001. A Secretariat was established in Ratanakiri province and a Steering Committee was formed to provide strategic advice. The Oxfam America East Asia Regional Office played an important role in supporting the network, particularly in its early stages. Besides technical and financial support, Oxfam America helped to build coalitions at the national, regional, and international levels. There is also an Advisory Board made up of representatives from regional and international groups including Towards Ecological Recovery and Regional Alliance (TERRA); Probe International (Canada), Rockefeller Brothers Foundation, Australia

Mekong Resource Center, Global Association for People and Environment (GAPE), and International Rivers Network (IRN).

The SPN has been effective in monitoring and collecting evidence of the downstream impacts of the Se San 3 dam, presenting reports, negotiating with various stakeholders such as the Royal Government of Cambodia, Mekong River Commission and ADB, and building a community network across the region. These community networks now cover two provinces, 6 districts, 25 communes, and approximately 55,000 people from 10 ethnic minority groups. They are recognized and supported by the Provincial and District governments. There have also been several Public Forums on the problems caused by the Se San dam. As a result of these and other activities, the ADB withdrew its assistance for the Se San 3 hydropower project in October 2000, forcing the Vietnamese Government to seek alternative financing. The SPN has continued to exert pressure on government to restore the natural flow of the river, and it plans to expand its target area to cover all three rivers in the Northwest (Se San, Srepok, and Sekong).

BOX 2: DEMANDS OF STUNG TRENG COMMUNITY REPRESENTATIVES OF THE SE SAN PROTECTION NETWORK

1. We request that the government along with organizations help stop the construction of hydropower dams on the Se San River, particularly Se San 3 and Se San 4.
2. We request that the natural flow of the river be restored.
3. We request that the dam builders and stakeholders who have funded the construction of the dam compensate villagers for all lost and destroyed property and equipment.
4. We request that the government of Cambodia negotiate with the government of Vietnam to find a solution.
5. We request that the MRC and stakeholders come to the provinces to study the impacts in consultation with the people along the Se San River.

Farmer and Nature Net (FNN)

Farmers associations started to form in Cambodia in 2002. There are currently more than 280 associations spanning 10 provinces which are linked at the national level in a federation called the Farmer and Nature Net (FNN). FNN has been supported by a local NGO called CEDAC (Centre d'Etude et de Developement Agricole Cambodgien), which has also helped to facilitate local farmers associations in each of the ten provinces. The main goal of this network is to mobilize rural people and build their solidarity to develop

ecologically sustainable agriculture and improved natural resources management. This federation is relatively new, but many of the structures for governance, communication, and future expansion are already in place. There has been progress towards raising awareness on the dangers of pesticides and introducing more ecological sound agricultural practices.

Local farmers' associations meet regularly, many of their own accord, and CEDAC supports an annual General Assembly meeting, as well as several Special Assemblies to deal with operational issues such as policies, work plans and budgets. An elected FNN Committee also meets every month to follow up on activities. These meetings are held at the local level in different provinces, often in farmers' houses. FNN aims to increase the number of Farmers' associations to 5000 by the year 2010.

Farmers designed their own logo for the Farmer and Nature Net (FNN)

FNN has ambitious goals to lead a "social movement" of Cambodian farmers and to give them a voice in national and international policy issues such as the WTO. The network currently struggles to meet these goals because members are all farmers, most of whom struggle to survive and produce enough food for their families. They have limited time and energy to devote to the network. Nevertheless, organizers hope that in the future when farmers have achieved more food security, their ability to contribute to policy issues will increase. Currently, there is little participation or involvement from government agencies or other NGOs in the agricultural sector; however their increased involvement is a future goal of FNN.

AIMS AND OBJECTIVES OF NRM NETWORKS

There are several reasons why networks have formed and continue to function: information sharing, capacity building, coordination of activities, and advocacy and problem solving. A discussion of each of these follows below.

Information Sharing

Many networks cite information sharing as a key objective. This objective seems to be one of the easiest to achieve since it necessitates members merely turning up for meetings and participating or exchanging information through a website or e-mail group. On the other hand, most groups, such as the NGO Environmental Forum, feel that information sharing is not a sufficient objective and that action needs to be taken on some issues that arise. Information sharing can be seen as the first step in identifying and solving problems, even though the problem may be solved outside of the network meetings.

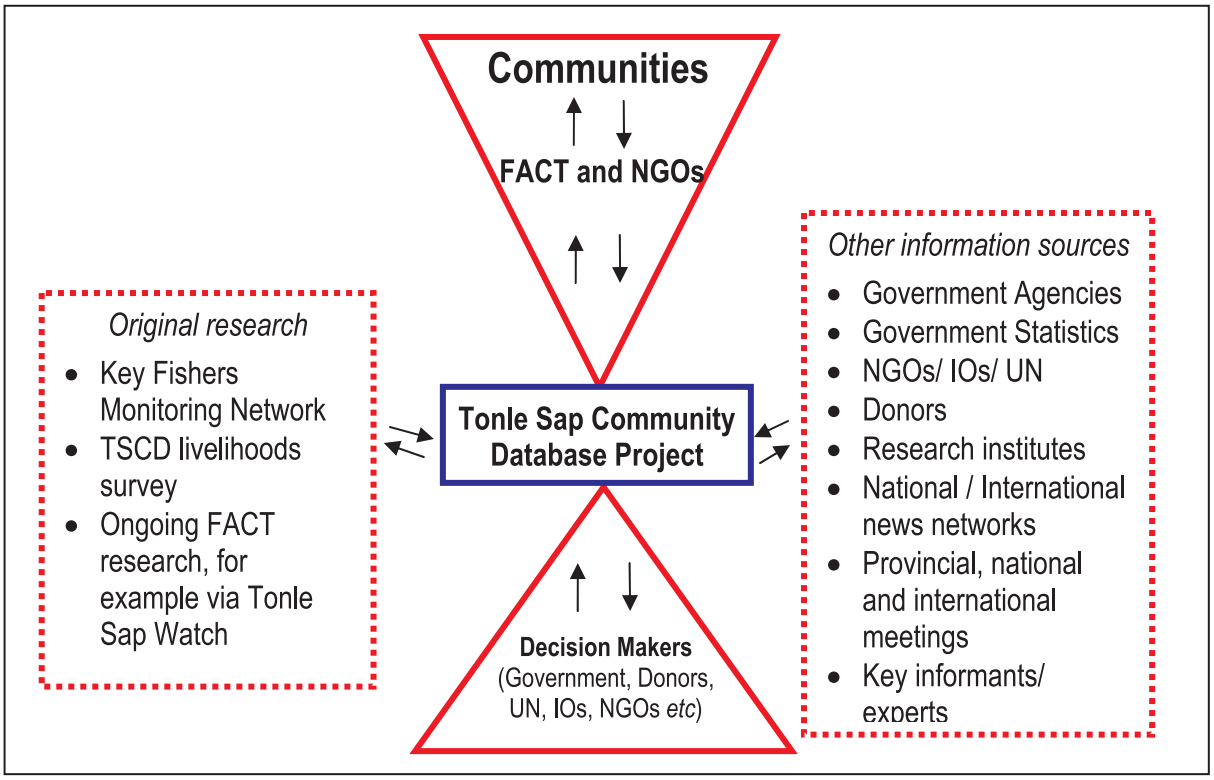
In Cambodia, adult literacy is quite low (67%)[11] and the effectiveness of communication through written materials is limited. Network meetings, which provide a forum for oral communication, are thus particularly important. Information sharing may also be possible through newsletters, e-mail exchanges, and reports. The CCBEN has an effective e-mail exchange which alerts its members to a variety of opportunities and news related to community-based tourism. Networks not only share information among their members; they also serve to centralize information and experience which then can be presented in a unified way for awareness raising or advocacy.

Capacity-Building

Capacity-building is an important objective of many networks. Skills and knowledge acquired through participation in networks include presentation skills, knowledge of laws and legal rights, advocacy, minute-taking and report-writing, to more specific issues like facilitation of community-based tourism, community forestry, and education techniques. For villagers and local NGO members with limited access to education, these skills can be particularly valuable. Network members may also learn new skills through Training

[11] Education for All National Plan, 2003-2015, Royal Government of Cambodia.

FIGURE 1: SCHEMATIC OF INFORMATION EXCHANGE FACILITATED BY TONLE SAP DATABASE PROJECT



* *The above diagram describes how the TSCD will facilitate flows of information between stakeholders. Information will be collected from a community level via FACT, CCF and partner NGOs, then channeled to the database. This information will then be disseminated to decision making groups via email circulars, newsletter, and the website based database. Vice versa, information collected from decision making groups will be passed back down, via FACT networks, to communities. Original research together with other information sources will also constitute information resources to the database.*

of Trainer (TOT) methodology. Afterwards, participants should be capable to train others on the same material. Organizing trainings through networks may be a very efficient way to spread skills and knowledge. For instance, the Forestry Network effectively trained its members on Rights and Responsibilities of Communities in the Forestry Law. Following the network meetings and trainings, member NGOs conducted follow-up training in their target areas.

Some networks have also conducted study tours to expose their members to similar experiences in other areas. The Forestry Network, for example, has organized study tours to both Nepal and Laos for its members. The CCBEN has organized study tours to several CBT sites in Cambodia, including Yeak Laom in Ratanakiri, Te Tuk Puah Hot Springs in Kg. Speu, and Prek Toal on the Tonle Sap Lake. FACT conducts environmental rights and advocacy training.

Coordination of Activities

The process of sharing information and planning through networks helps to better coordinate activities and avoid overlap. Coordination of activities is one of the major benefits of multiple networks. In Kratie, for example, the CF network was able to divide CF target areas to avoid overlapping activities. The network was an appropriate mechanism to bring several NGOs together to work out an acceptable solution. With the increase of donor support and NGOs throughout the country over the past few years, the role of coordination has become more important.

Advocacy and Problem-solving

From the NGO and community perspective, problem-solving is one of the main reasons for setting up and running networks. By joining together to confront problems, communities and NGOs feel their claims or voice is stronger. There are some impressive examples of how networks have worked to solve problems using peaceful and creative solutions. The Forestry Network, for example, has enabled communities to voice their problems with forest concessionaires and to control illegal cutting in forest areas on which they depend. With support from network meetings and trainings, communities have increased their ability to effectively express their ideas and demand solutions for injustices.

In Kratie, for example, villagers were able to stop illegal logging activities by reporting the problem to the network. Banning of the cutting of resin trees may also be attributed to the activities of various networks and key activists.[12] The SPN has effectively forced the development of a policy of water governance between Cambodia and the surrounding countries as a result of its lobbying and networking activities. FACT was able to influence the Sub-decree on Community Fisheries Management, although not to the extent sought.

BOX 3: PROBLEM SOLVING IN PURSAT

Mr. Nuth Onn of Concern Worldwide Pursat claims that if one group tries to solve an issue by themselves without letting other institutions know, they may be blamed later on. He also says that success in solving problems is dependent on the commitment of communities. He gave an example of how one problem with a community forestry area was solved in Pursat.

"In Bongkong Khmom, there were soldiers from Kravanh who cleared the forest and settled in the community forestry area of the village. First, what we did was inform the relevant institutions and local authorities about the issues. At the same time the network also discussed with the community to find a strategy to solve the problem. We were behind the community and assisted them with ideas. A provincial meeting was held and attended by relevant institutions and all concerned participants. During the meeting the FA said that a community forest had already been established and explained by showing some evidence. The provincial authorities understood the issue. Finally, the meeting came to a solution that those soldiers had to find other places outside the CF to settle."

[12] Resin trees provide a sustainable source of income for many forest-dependent communities in Cambodia, particularly in the Northeast. In 2001, Prime Minister Hun Sen banned the cutting of resin trees in order to protect this source of livelihood for local people.

HOW NRM NETWORKS FUNCTION

A few of the networks mentioned in this report have official government recognition, through registration with the Ministry of Interior as an "association".[13] Some, such as the ABE and FACT have governing statutes, a Board or Management Committee, and official status with the Ministry of Interior. As registration can be a lengthy and costly process, other networks such as the CF/CPA network and the provincial networks operate on a more informal basis. Some networks claimed that since their members are registered, there is no need to register with the Ministry of Interior. Others felt that since government representatives attended the meetings, there was sufficient official recognition.

In the case of the Se San Protection Network, it avoided the issue of registration since it was originally a project of a registered local NGO, NTFP. When police in Ratanakiri enquired about official registration, the network claimed it was under the umbrella of NTFP. Since there is no NGO Law in Cambodia yet, it is unclear whether there is a requirement for networks to be officially registered. However, the process of registering, while time consuming, is a way of building consensus around network objectives and creating greater legitimacy. With a strong hierarchical system, particularly in government, the registration of a network can be influential in securing participation of government representatives.

Official registration seems to be more important for national-level networks, although provincial or local networks may benefit as well, particularly if they are involved in sensitive or controversial issues (such as land issues) where lack of legal registration can be used to threaten networks with closure. In early 2005, for example, the Highlanders Association in Ratanakiri was threatened with closure following protests related to land.

[13] The Ministry of Interior accepts applications for networks to register as associations or "semakum." The application is very similar to the one for NGO registration. Both call for submission of organizational statutes, official address, and CVs of the governing Board or Management Committee. The process generally takes about 1 – 3 months, and there is an administrative fee for which a receipt may be obtained.

BOX 4: EXCERPT FROM STATUTES OF ABE

Purpose: ABE is established to promote and foster a cleaner and healthier environment and to preserve its natural resources, specifically its forests, its wildlife and its aquatic resources.

Objectives: ABE shall have the following objectives:

a. To actively represent the Buddhist Sangha and Buddhist lay people in promoting and influencing the policies and programs of RGC and other appropriate organizations and agencies that foster a cleaner and healthier environment
b. To actively represent the Buddhist Sangha and Buddhist lay people in promoting and influencing the policies and programs of RGC and other appropriate organizations and agencies that preserve Cambodia's forests wildlife and aquatic resources.
c. To help protect the rights of monks and lay people trying to protect or improve their environment and protect Cambodia's forests, wildlife and aquatic resources.
d. To help improve the livelihood of the Buddhist Sangha and lay people through the equitable and sustainable use of natural resources.
e. To facilitate and support the Sangha and lay people in their management of the environment and their protection of natural resources.
f. To promote environmental education for all Cambodians in order that they have the capacity to manage and sustain the environment.
g. To establish an information gathering/dissemination network and an administrative centre for the furthering of the objectives of ABE.
h. To support, coordinate or initiate community based programs with outputs that result in a healthier and cleaner environment, the preservation of forests, wildlife and aquatic resources, and the equitable and sustainable use of these natural resources.
i. To disseminate information through print or other media to improve the awareness and understanding of the community on the purpose and objectives of ABE and of its views on environmental policies, issues and programs.
j. To establish a library as part of the ABE Administrative Centre.

Management and Communication

Most NRM networks are initiated and run by NGOs. There are some networks, such as the CF Network in Pursat, whose management was turned over to the Forestry Administration Cantonment office, though the NGO Concern continues to provide backstopping and financial support. In general, management of networks is stronger when there are staff whose time is allocated to network management. If networks depend on members to volunteer their time and resources for management, they are rarely functioning regularly.

Monks vote on ABE statutes

While there are certain individuals who are "leading" and supporting the networks more than others, in general, decision-making is participatory. In other words, the leaders of the networks are working more as facilitators and providing opportunities for members to make joint decisions about network

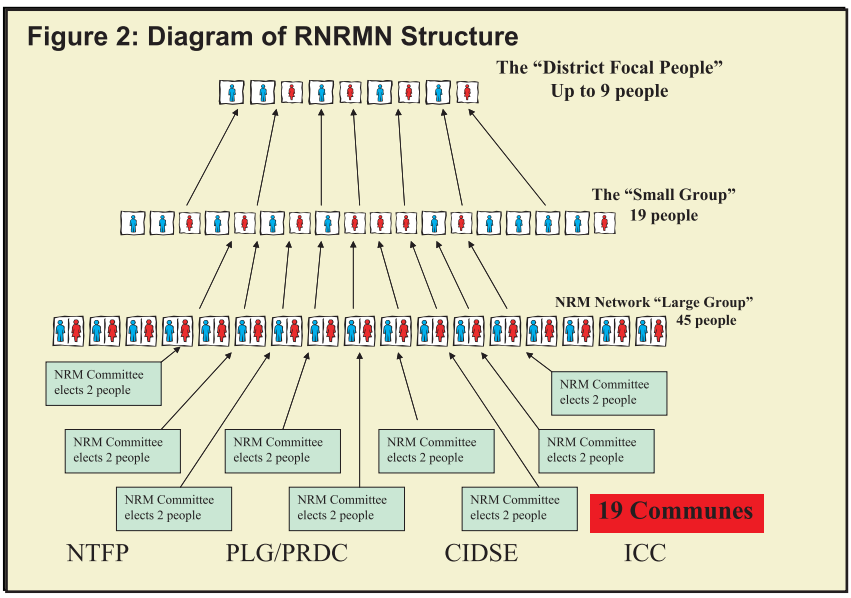
plans and activities. Several networks use the approach of establishing a "core team" or management committee to concentrate on network tasks and operations. The Environmental Forum, FACT and ABE have all established core teams, while the CCBEN has a management committee made up of 5 elected NGOs.

The time it takes to build management capacity may sometimes be underestimated. Instead of one-off inputs, a longer-term approach to institutional strengthening may be called for. For instance, the ABE organized a training course on Board management for its members. The course was very well-received, but participants did not have the capacity to take the next steps in following up. FACT also recognizes that it takes a long time to build capacity. It has been working with the Cambodian Coalition of Fishers for over a year to build its capacity as a community-based organization. The organization is intended to become independent from FACT in 2006.

Organizational structures may be a key aspect of effective network management. In general, the more decentralized the structure, with opportunity for wide participation in decision making, the more inclusive and democratic the network will be. A flat structure makes it more likely for a network to continue to meet the needs of its members because there is continuous feedback from a good portion of representatives. The regular election of committees or officers is another way to ensure that the network is representative of its members. The RNRMN in Ratanakiri has a well-functioning structure with 3 focal people in each village and 5 focal people in each commune and district (See Figure 2).

Many networks still seem to have some degree of involvement of foreign advisors, and there are few networks run entirely by Cambodians themselves. Foreign advisors may have valuable inputs for network management, discussions, and funding. In the case of FACT and the Se San Protection Network, foreign advisors play important roles in accessing, analyzing, and synthesizing information from donor projects, while at the same time building network linkages with other international organizations and embassies. It is important that foreign advisors do not dominate discussions or agendas of networks in order to support and encourage local ownership.

Figure 2: Diagram of RNRMN Structure



Communication

There are several modes of communication used by networks. Most networks rely on informal communication for organizing meetings. More and more communities have telephone service, so this is a common way to spread information about meetings and other issues. Some networks have websites (CCBEN, ABE, FACT)[14] which allow them to reach the general public, but these websites are not always updated regularly with current information. An exception is FACT which releases all its main reports regularly on its website. All networks studied conducted their meetings in Khmer (except local meetings of HA and RNRMN in Ratanakiri which are conducted in the local indigenous language); however, some correspondence is in English.

Some networks have used the media effectively to inform the public on issues related to their networks. The CF/CPA Network has produced a series of newsletters which are distributed throughout the country during national meetings. FNN and FACT also produce and distribute newsletters on agriculture and fisheries issues respectively ("Fisher's Voice" and "Tonle Sap Watch" newsletter). FACT has researched and published, amongst other documents, a series of booklets called "My Tonle Sap" with personal accounts from fishers living on the lake as a means to build understanding and awareness of fisheries issues. Other groups, such as the IP Forum, have worked closely with local newspapers to make sure that events and issues related to indigenous people are covered by journalists.

Membership

Most networks have NGOs, community representatives, and government stakeholders as members. The CCBEN also has academic institutions and private sector members, and the ABE has primarily monks as members. When organizations or institutions are members of a network, they may delegate different people to represent them at the network meetings. Some networks have requested official representatives with decision-making ability to increase effectiveness in taking action.

In general, networks have a very open approach to membership, and anyone with interest is welcome to join. Only the Environmental Forum charges a membership fee, but this fee is based on a sliding scale relating to an organization's annual budget. The CCBEN is considering a $100/year membership fee for private sector groups. Otherwise, other networks are free of charge for members.

[14] The CCBEN website is located at www.geocities.com\cambodiacben. The ABE has a website with other regional networks at www.sanghanetwork.org. The FACT website is located at www.fact.org.kh.

In the case of some well-funded networks, rather than requesting financial support from their members, on the contrary, the network supports the participants' costs for attending, including transport, lodging, and food. While not currently feasible in many cases, the financial contribution of members may be a way to encourage buy-in of the members, as well as to work towards future sustainability of the network. This idea is discussed more in the next section.

It may be interesting to consider a heightened role for young people to participate in networks. While the rhetoric of natural resource conservation advocates sustainability for the benefit of future generations, it seems that there are limited efforts to support inclusion of young people in networks. In most cases, young people while lacking work experience, have a great deal of enthusiasm and energy and are often willing to work with little or no support. Building their capacity and experience through participation in networks is one way to ensure sustainability of networks and what they are working towards.

Meetings

Networks tend to meet on a quarterly basis, though some networks meet once a month, or else the sub-groups or committees meet more frequently. Several networks such as FNN and FACT organize large annual assemblies or forums for a larger group of their members, typically on an annual basis. Some provincial networks only meet when there is a problem to solve or when time and budgets are available. In general, it seems that setting meeting dates in advance, such as in an annual work-plan, make it more likely that networks will meet regularly.

FNN General Assembly held in Siem Reap in 2004.

Since the purposes and needs of networks and their members differ, there may not be any standard for how or when meetings should be conducted. In general, most of the individuals interviewed felt that it was important to have a good foundation at the grassroots level and that more informal meetings were useful in understanding community perspectives.

It is also recommended to nurture a wider variety of individuals to participate in network meetings, rather than depend on a select group of more educated members. A member of the SPN claimed that NGOs and networks rely too much on a small subset of local people with higher capacity to attend meetings. In some cases, these people are invited to attend so many meetings that they have less time to make a living and thus become poorer.

Budgeting and Funding

All networks depend directly or indirectly on NGO or donor funding. There is also a great range in the cost for arranging meetings. Some networks such, as the Forestry Network and the CF/CPA network, spend thousands of dollars per meeting primarily to cover transportation and accommodation costs of participants from the provinces. For instance, the Forestry Network spends approximately $8,000 per quarterly meeting. The CF/CPA Network had an annual budget of roughly $12,000 for four quarterly meetings, and the FNN spent approximately $10,000 for its general assembly. In contrast, the ABE spent approximately $400 for a 2-day national-level meeting involving 28 monks.

In the case of ABE, there is cost efficiency since monks are obliged to stay in pagodas and eat only two meals per day. They may rotate the location of meetings so that different monks play the role of host. Most of the expense is for travel costs from the provinces. The ABE has developed a list of public transport costs from each province in order to provide support based on the actual cost. The cost of national-level CCBEN meetings is even less that that of ABE. This network relies on members to cover their own costs for participation, so there is no network budget for meetings. The rotating host organization covers the cost for a snack. This system works well, except it is rare for members with offices in other provinces to be able to attend, and participants are limited to salaried staff and some students. Generally speaking, the more locally-based a meeting, the less expensive it will be since travel costs are minimized.

For network meetings held at the provincial level, the cost was generally about $200 per meeting, with most of the budget covering transportation, food, and per diems. The SPN's district-level meetings cost about $10 - $12 per meeting. The farmers' association meetings of FNN may have no costs because the meetings are held in the village. It may be useful to consider a cost-benefit analysis of local versus national meetings. While these meetings serve different purposes, if funds are limited it could be more useful to spread provincial, district, or community-level networks to other areas.

The question of how per diems and financial support for meetings could affect the motivation for attending was raised by several people. One interviewee said that sometimes participants may come for two meetings in the same week and collect support from both, while attending just parts of each meeting. She said it has been difficult to assess whether the financial support provided to participants reflected the actual expenditures for meeting attendance. In many cases, participants might stay with their friends or relatives and eat very inexpensive food, thereby saving an amount in per diems equivalent to more than a typical month's salary.

As a result of such financial gain, the motivation for attending network meetings may become askew. Participants may become more passive or agreeable in an attempt to preserve their future invitations to

meetings. On the other hand, if financial support is not provided, then many members might not be able or willing to attend. Mr. Kim Sangha of the SPN claimed that the extreme levels of poverty among villagers in the Northwest sometimes made the per diem support a matter of survival. It seems important to find a suitable balance for financial support so as not to jeopardize the energy and commitment of members, yet still ensure participation.

Planning

Participatory planning for networks allows the members of a network to identify their objectives, activities, resources, and timeframe in an organized manner with consensus from all of the members. If a clear plan exists in which the members feel a sense of ownership, implementation of the activities will generally be easier. The degree of planning may also relate to the mandate of the network. If the network is purely for information exchange during quarterly meetings, then planning is relatively simple. Networks with a broader mandate may need budgets, time frames and clear commitments from members to organize activities such as training courses, newsletters, and advocacy activities, etc. It is also important that network plans remain flexible to make it possible to address emerging issues. Considering that there are a variety of members with different interests and a changing external situation, flexibility is an important element of network plans.

Based on the interviews, in general, national level networks have prepared annual plans whereas provincial or grassroots level networks generally have not. The reason for this may be that the capacity and perceived need for planning outside of Phnom Penh is limited.

Linkages to National, Regional and International Forums

Some networks have effectively linked their activities at higher levels by linking with other networks and relevant stakeholders in the country and in the region. The NGO Forum on Cambodia is playing a crucial role to bring salient environmental issues to the forefront of national policy debates. While its capacity to handle the plethora of issues is limited, it is playing a key role by presenting reports to the annual Consultative Group meetings of donors and Government, documenting and publishing reports, drafting letters with its members and sending them to key policy makers, and negotiating behind the scenes.

There has been some discussion about the need to establish a parallel structure which would also work to solve NRM issues, but which would take a “softer” approach by actively involving government stakeholders and more international NGOs. A proposal for such an NRM Forum is presented in the Annex. In view of the escalating conflicts over natural resources, it seems that more efforts and strategies to coordinate and solve problems would be useful; however, the formation of such a forum depends on commitment from a range of stakeholders.

In addition to networking within the NRM sector both nationally and regionally, there may be a need for NRM networks to link with other sector networks. For instance, grassroots indigenous people's networks have been developing links with human rights networks to ensure protection for community activists. FACT is eager to join forces with the FNN to deal with issues related to Cambodia's entrance to the WTO. There are also opportunities for learning among networks. At an NRM Forum discussion in May 2005, members of the NRM sector were able to hear about lessons learned from the Medicam network in the health sector.

In terms of links to regional and international forums, FACT has partnerships with SEAfish Justice Foundation, Empower Network, Resolving Fisheries Conflict Network (World Fish Center), and Mekong Fisheries Network. These links are essential to deal with fisheries issues that frequently cross international boundaries; they are also a means of capacity building, information sharing, joint research[15], and "keeping Cambodia in the regional picture." Similarly, the Se San Protection Network has used linkages to international groups such as the International Rivers Network strategically to lobby government and donors. As a result of the combined efforts of different partners, the SPN has forced the issues to the forefront of bilateral relations with Vietnam.

In August, 2005, the SPN was invited to participate in the National Assembly to present information on the situation along the Se San. The CCBEN communicates informally with other community-based practitioners in the region and includes individuals on its mailing list. The ABE organized a regional conference in May 2004 to exchange experience and encourage environmental activism among monks and nuns, and similar networks in Laos and Thailand are linked in the Sangha network website.

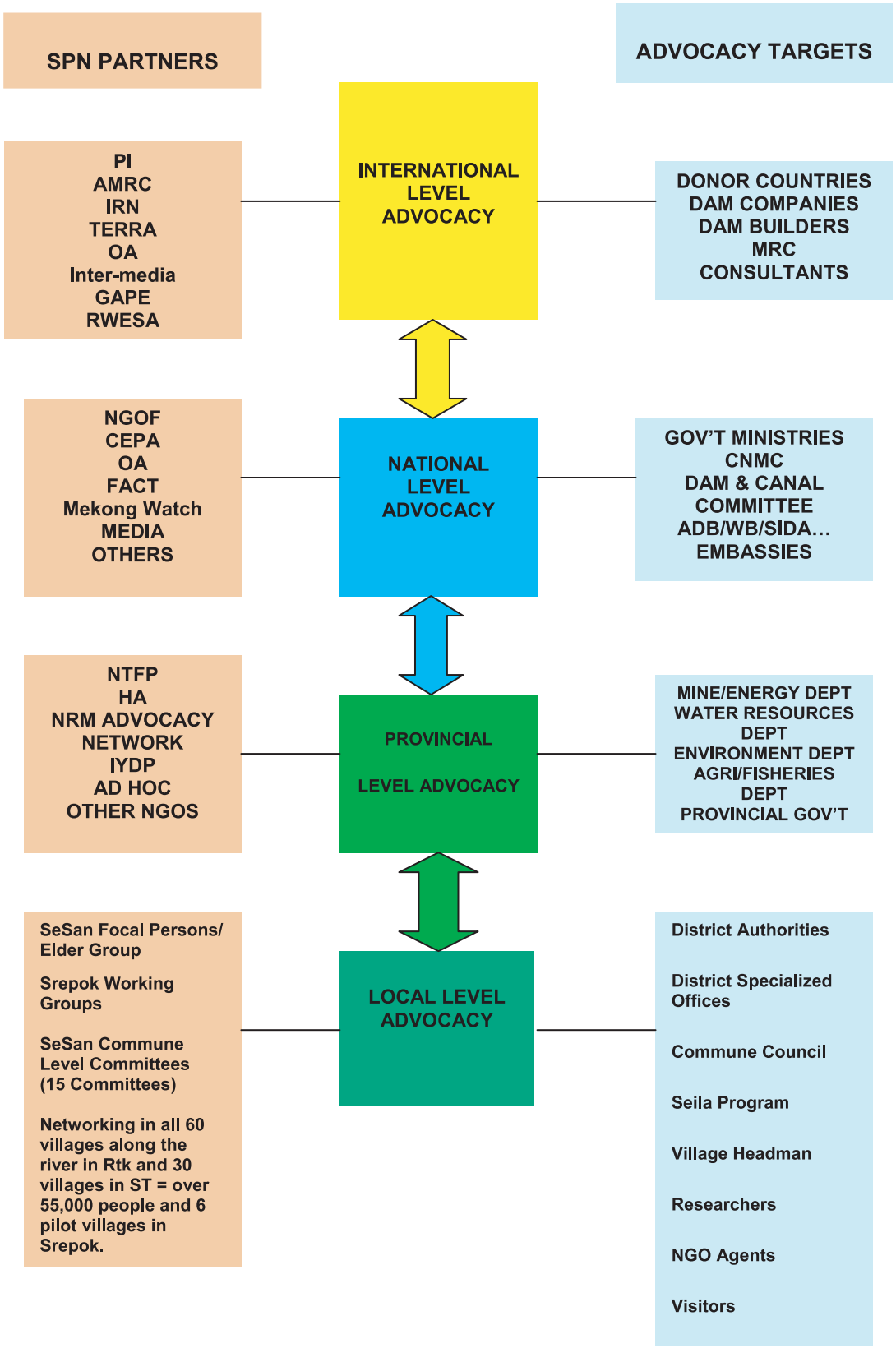
The FNN has developed links with a French farmers group called AFDI, as well as Asian Farmers Association (AFA), both which support capacity-building and exchange visits. In the case of AFDI, a group of Cambodian farmers visited France to learn about ecological agriculture and farmers' cooperatives, while French farmers also visited Cambodia. RNRMN links with the Asia Indigenous Peoples Pact and the International Working Group for Indigenous Affairs and has been successful in using these links to conduct exchange visits and to bring in community trainers from other indigenous peoples networks.

The exchange of information at a regional level can be beneficial for networks in several ways. Learning can be shared so that networks can improve their capacity and work. Lessons learned in one region may be applicable for implementation elsewhere. Regional cooperation can also increase the status and legitimacy of networks. It can be particularly important in advocacy activities which

[15] FACT and Resolving Fisheries Conflict Network jointly researched and produced a case study on fisheries in Kg. Chhnang.

require drawing wide attention to an issue in order to have impact on decision-making or related policies and laws.

FIGURE 3: SESAN PROTECTION NETWORK - ADVOCACY STRUCTURE



GENDER AND CULTURE IN NRM NETWORKS

The following section takes a look at some of the issues related to gender and culture which affect networks. In general it seemed to be difficult for many of the interviewees to analyze particularly the cultural issues which influence how networks operate and function. It may be that Cambodians who have limited exposure to other cultures, find it difficult to critically analyze their own culture. Nevertheless, there were a number of interesting ideas arising from the discussions on gender and culture. These insights may provide a deeper understanding of why things function the way they do within and among networks.

Gender Issues

Many networks have made an effort to achieve gender balance, with the exception of ABE.[16] Some networks specifically invite women or female representatives to ensure gender balance, although women sometimes find it more difficult to attend meetings because of family responsibilities or personal security issues. There are assumptions about the appropriate roles for men and women in networks. Some interviewees found that women are much better at negotiating with authorities since they have a 'softer' style. There are also assumptions that men should lead networks. None of the networks interviewed had women in the top leadership roles, although in many cases women played an important role in organizing and supporting meetings.

In the case of provincial networks, there was more concern about a lack of gender balance in meetings. In Pursat, only 30% of the NRM network members were women, while only about 20% were women in the Kg. Chhnang CF network. Oddly, one NRM network organizer noted that representatives of the Department of Women's Affairs were sometimes men. In the case of the Se San Protection Network, organizers felt the participation of women in meetings was one determinant of how successful a meeting was. If a significant number of women attend and share their ideas, the meeting is considered to be a better one.

The Forestry Network specifies in invitations that "at least 2 ladies" should attend. In an external evaluation of the project gender integration was noted as a recommendation. "Local women play a significant role in the forestry project. Far from a silent force, they are identified as some of the most active forest activists. At the same time, the project design does not explicitly account for nor measure an outcome that is focused on women. The project should create an outcome that gender is integrated into activities and positions on forestry issues." It seems that external evaluations may be an impetus in getting networks to include more women and measuring their progress with regards to gender.

[16] ABE is an association of monks only. During formation, there was discussion as to whether Buddhist nuns should also be invited as members; however, most monks felt that it would be easier to concentrate efforts with monks only. The disparity between monks and nuns in the Buddhist religion is also an indication of traditional gender stereotyping, which is in turn reflected in the network.

In the case of FNN, about 24% of the committee members were women, primarily because of the influence of the organizing NGO, CEDAC. Furthermore, it was often difficult to document whether the members and participants were men or women because people registered as households.

In the northeast, the situation is more difficult as many of the people in indigenous communities do not speak Khmer and find it difficult to be involved in networking activities if they are conducted in Khmer. This is particularly an issue for women because women traditionally have much less access to education. The Highlanders Association has fewer problems because it has a greater ability to operate in local language and focuses on issues of cultural survival. The RNRMN has more difficulties in promoting women's involvement because of its focus on rights and legal education by the network (requiring higher literacy)

It was suggested that gender should be incorporated into the statutes or by-laws of networks and that gender should be "mainstreamed". Gender mainstreaming was viewed as a "condition of donor funding". While the concept of gender was clear to all interviewees, it was unclear if the commitment to gender was based on donor influence or a genuine belief in its necessity. The capacity for understanding gender and how it can be mainstreamed to networks is a question which needs further analysis.

Cultural Issues

It is important to consider Khmer culture and how it can affect networks and their functioning. As mentioned, this question was relatively difficult for many of the interviewees to answer; however, some thoughts which were shared are outlined. Many of these are based on general assumptions or stereotypes.

First, in general many Khmer hesitate to ask others for help. Therefore, there should be mechanisms in place in network operation to make asking for help easy. For instance, network agendas should give ample opportunity for raising issues of concern, and facilitators should make sure that everyone has a chance to speak.

In addition, questioning is not common in Asian culture. Questioning may be perceived as a way of accusing or looking down on someone. So there is a need for a mechanism for expressing concerns. Face-to-face discussions are very important. It was also suggested that network members should maintain a "soft" way of speaking and advocating. In other words, conflict and "losing face" should be avoided during meetings.

Because of the generally top-down or hierarchical system in Khmer society and its organizations, it is important for representatives to receive support and a clear mandate from their own institutions. For instance, in inviting a local official to attend a meeting, it is first necessary to make a request to this person's superior. In Cambodia, social relations function according to an embedded patron-client system, whereby weaker or poorer individuals seek to build relations with a more powerful or wealthy "patron" who can provide security and opportunities in return for support and agreement with his/her decisions. This system makes it very difficult to ensure genuine participation.

Since status is quite important in Khmer society, it is also important to consider the status of the network. Garnering support from higher officials or donors may increase the respect for the network and make it easier to get support from various stakeholders. At the same time, it is important to be aware of rivalries between different ministries, particularly at the national level. Egos are generally fragile, and can be easily damaged.

The FNN found that it was much easier to organize Farmers Associations in communities with a tradition of "*prawvadey*." This is a Khmer custom of cooperation for agricultural activities. Families will join together and help each other to plow, plant, or harvest their crops on a rotation basis. Because this basis of cooperation already exists, it has been much easier to mobilize communities in these areas.

As a further example, the unique "rules" for interacting with monks are elaborated in Box 5. Finally, it is important to respect seasonal schedules, traditional ceremonies, and individual indigenous cultures and traditions. Meetings should not conflict with important events, and appropriate respect should be paid to people such as village elders. In many indigenous cultures, it is common to place restrictions on entering a village for festivals, in the case of sickness, or other events. This is referred to as "*saen phum*."
Villagers will place a symbol of leaves and branches at the entrance of a village to alert outsiders to the special restrictions. During the agricultural seasons, villagers may travel up to 10km to work on *chamkar*, and network organizers may need to travel longer distances to meet villagers. The work of organizing meetings is clearly more challenging in such situations; however, it is important for network organizers to respect these traditional patterns and restrictions.

BOX 5: HOW TO WORK WITH MONKS

In the case of the ABE, there are a number of important cultural issues related to Buddhism which must be considered. For instance:

- Meetings with monks should open with chanting
- Laypeople should lower their eyes and avoid constant eye contact with monks
- Laypeople should avoid touching monks and maintain neutral space
- Money is a delicate subject, so it should not be spoken about directly and any payment should be made by envelope.
- Laypeople should never interrupt or speak over monks
- Dress of laypeople working with monks should be conservative
- Laypeople and monks must eat separately and monks must be served lunch before 12 noon. Monks can not participate in dinner meetings.
- If traveling by car, monks should sit in front and separate from women
- During the period of "*Chol Vesa*," monks may not make overnight visits away from their pagodas.

Indigenous communities have been said to be far more egalitarian and less formal that Khmer communities, though there are many similarities that are found with traditional rural communities (and an ethnicity called Khmer Dowm seems to be older Khmer rural culture).

In the Indigenous People's Forum held in Kompong Speu, 9-12 September, 2004 the results of discussions on the Identity of Indigenous People, Indigenous people were said to be able to be identified by the following common characteristics:

- We have indigenous blood (our parents and grandparents were indigenous)
- We live communally
- We use land and forests communally
- We respect spirits (*neak ta*) and have ceremonies for the village *neak ta* every year
- We call (pray) for help and have ceremonies to compensate when spirits help
- We have ceremonies to call up "*arak*s" (a kind of spirit called up to find out why someone is sick)
- We practice rotational agriculture
- We hold sacrifices when we farm
- We have village leaders (*chah srok*)
- We have burial forests
- We have our own indigenous languages

From this it can be seen that there is perhaps an inherent networking within indigenous culture and an inherent identity that may be an essential part of networking.

However, people working with networks in Ratanakiri, and some in the networks themselves, have reported that indigenous culture has not been static in recent times. People have been influenced by

government, school, military and other hierarchical structures and, because this has given them access to education and Khmer speaking skills these people are often chosen and put forward into networks. Traditional community decision-making in and between villages, however, is based around a traditional leader called a "*Mae Kantieng*," who is a leader within a group of elders, many of whom do not speak Khmer. There is a concern that modern networking to address modern problems is further weakening traditional community management structures. Networking structures need to be sensitive to this issue.

To address all these issues, the RNRMN and HA have been establishing networks which include elders. The RNRMN has also been trying to operate its network with younger community representatives being selected through the traditional elders system, the elders being able to remove the younger people if they do not work for community benefit. In all these activities it is seen as essential that the network mirror as closely as possible the culture and language of the people, something that has made it essential that outside support structures (or projects) have indigenous people as mobilizers and trainers.

EFFECTIVENESS AND CHALLENGES OF NRM NETWORKS

Networks across the country have experienced challenges as well as successes, and failures. This section looks at some of the strengths and weaknesses in the existing networks.

Strengths of Networks

One of the most important strengths of networks is their ability to build relationships and trust among stakeholders by increasing mutual understanding. This function may include relationships between participants and members as well as with a broader array of stakeholders who are targets for advocacy by the network. One interviewee claimed that rumors were prevented because the meetings provided an arena to air any concerns or "stories" for verification or response. According to the FACT Advisor,

> *For FACT, for the fisher network (CCF) we have found that fishers have found it very valuable to share experience both from around Tonle Sap/ coastal, and between inland and coastal, to find that many of the challenges they face are common, and therefore they could work together to solve them.*

In addition, networks provide a means to find creative non-violent solutions to problems and conflicts. For example, monks working with the ABE are particularly good at discussing and resolving conflicts over natural resources. They can get access to authorities easily, they can effectively lead communities and represent them, and they can confront perpetrators with a certain sense of invulnerability because of their religious status. For example, the President of the ABE, Venerable Bun Saluth, has approached soldiers in the community forest and asked them to stop logging activities for the sake of protecting the forest.

Nhem Sovanna, NREM Advisor at Seila, finds the provincial NRM networks effective in improving governance. He says, "People have started to question the government departments about their efforts to implement the laws. This is increasing government accountability. Sometimes government officials know the law, but they refuse to acknowledge it." In Kratie, FA officials have been asked to explain about the role of communities in managing forests according to the law. Discussions such as this can put dialogue on the right footing, diminish accusations, and build trust. On the other hand, if not properly facilitated, such discussions can be threatening to government who interpret them as accusations. Some networks arrange pre-network meetings with community stakeholders to give them a chance to formulate their ideas for discussions and presentations at the network meetings. Networks have also demonstrated their ability to assist different government agencies and stakeholders to better coordinate their activities, as previously mentioned.

Box 6: Excerpt from NGO Forum Evaluation
"The Project has been successful in equipping the NGOs working in the area to build the confidence of local people to speak out on their own behalves. This is accomplished through regular networking meetings organized by local NGOs and periodically attended by NGO Forum staff. Government commitment is difficult to gauge and has many external factors acting upon it. This will continue to be a strain on the Project."

In addition, some networks have been able to achieve community empowerment. The RNRMN and the farmers associations of the FNN are good examples of how networks with very strong grassroots approaches can build local interest groups, improve livelihoods, and effectively strengthen communities. In many areas, farmers associations now meet independently to exchange information on farming techniques, operate rice banks or savings groups, or deal with other agricultural challenges. In Ratanakiri, the RNRMN activities have helped to slow the rate of land loss by informing local people about their rights to natural resources. This empowerment approach is particularly important from the standpoint of long-term sustainability. Many of these groups at the village, commune, or district level will continue to meet regardless of higher-level network meetings.

Many networks have been able to influence national law and policy. For instance, the Forestry Network has effectively influenced Government policy related to forestry concessions by combining grassroots activism with skillful diplomacy, quality research and documentation. The impacts of forest and land concessions on local communities are visible to both the Cambodian government and the international community, and these perspectives are taken into account in policymaking and implementation.

Several networks have been able to support dialogue on natural resources management at the regional or international level. Since environmental issues are not limited by national boundaries, networks can be important mechanisms for building international support for solving environmental problems. The success of the Se San Protection Network in convincing the ADB to withdraw its support for a hydroelectric dam in Vietnam is a good example.

Most networks have been fortunate to secure enough financial support to keep their activities running. In general, donors have recognized the benefits of networking. There is a shift in some donors' thinking from supporting NGOs to develop networks, to supporting local associations themselves directly. At present it is not clear how this can be done easily, but the dominance or buffering effect of NGOs is recognized.

Networks are useful for solving natural resource issues from a holistic point of view. For example, in Pursat, when flooded forest was cut, it affected fisheries. Issues that cross commune boundaries can also be solved.

Challenges of Networks

Along with the strengths of networks, there are also a number of weaknesses and challenges. One of the biggest challenges of networks is in their institutional frameworks and structures. Time constraints are cited as a major hindrance for effective management. In particular, most provincial networks don't have permanent staff dedicated to running the network. Distance/ remoteness is a problem in maintaining networks. For example, coastal fishing communities can often only be reached by boat, making it time consuming in travel and expensive to hold meetings – often the communities also do not have telephone coverage, meaning that meetings must be arranged in advance and cannot be easily changed.

Another challenge that many networks face is their inability to solve some problems, particularly problems of a large scale involving powerful individuals. These types of problems were often felt to be beyond the scope or ability of solution. For instance, the CCBEN has been challenged to solve land conflicts which affect community-based tourism sites, but has failed to address these problems. In Kompong Speu, LWF and FFI, both CCBEN members, were facilitating a community-based ecotourism site at the Te Tuk Puh Hot Springs in Oral district, Kg. Speu province, with the local indigenous Suiy community. However, a concession was granted by the Government to the New Cosmos Company to develop a resort on the site. LWF appealed to the CCBEN to help to address this issue, but the members were unable to develop a coherent or effective strategy.

For many networks, particularly those based in the provinces, there is a struggle to make sure that critical issues related to policy and legislation can reach the national level. In most cases, there is no clear mechanism for bringing these issues to a national level, although as mentioned the NGO Forum is fulfilling this role to a certain extent. Nevertheless, the FNN, which has a broad base of support from over 280 Farmers associations, claims to have no clear mechanism to bring salient issues to the national level. As yet, there is no formal relationship with the Ministry of Agriculture Forestry and Fisheries (MAFF) or donor working groups.

Following a Forum on Decentralization and Natural Resources Management in February 2005, several NGOs and government stakeholders have been considering the formation of an NRM Forum which could assist networks to better coordinate their activities and bring important issues to a higher level, such as the Donor Technical Working Groups. A workshop was held in May to discuss this NRM Forum concept and attendance was good. It remains to be seen whether this NRM Forum can be formed and operate effectively. (See Annex 3– concept paper)

Other challenges cited were legitimacy and intimidation of community members, particularly for grassroots networks, particularly those focusing on advocacy. According to Chea Vuthy with the Ratanakiri Network Support Project (RNSP), "Communities have little exposure to issues of law and civil society. In addition, the Government is sometimes suspicious of the network because it thinks the network is opposed to the Government. In fact, the network is only trying to strengthen communities." Without clear legislation on the functioning of NGOs, associations, and networks in Cambodia, this "grey" area in the law may be used to threaten any network that is critical of government. Networks which don't involve government as members and confront government on advocacy issues are particularly at risk of intimidation. The decision of whether or not to include government stakeholders as members is influenced to some extent by issues of legitimacy. Depending on the mandate of a network, it may or may not be useful to involve government.

Involving government may make it easier to solve problems in some cases, but dominant or top-down personalities may hamper free discussions. If the network is perceived as an advocacy organization, government officials may refuse to participate, particularly at the national level. Sometimes the need to pay per diems may make it too expensive to invite government representatives. Interestingly, the CCBEN has reached a compromise on this issue by distinguishing between "core members" who are civil society groups with a right to vote and "associate members" from government and the private sector.

Several people noted a challenge to run networks because of generally limited education and knowledge among members. This was particularly true in the case of indigenous communities, who also face language barriers in addition to low education levels. Basic network tasks such as planning, documentation, and facilitation are significantly easier for those with formal schooling. While most networks kept minutes from their meetings, some felt challenged by basic record-keeping. The FNN faces a challenge in documenting its activities along with its successes and failures. It seems that the coordination of meetings and activities leaves little time for reflection and useful documentation.

It is also difficult for networks to make decisions if only low-ranking staff attend meetings, particularly if they are not empowered by their organizations to make decisions. In general it seems to be a challenge to get good participation with equal contributions from various members. According to a member of the Forestry Network, "Some people are active, while some are free riders. For example, I myself tried to develop a proposal and then other members copied from me. Some people do not accept others' ideas for improvement."

Another challenge faced by networks may be differences in focus between government institutions. For example, the CF/CPA network faced problems when Forestry Administration (FA) and Ministry of Environment (MOE) officials presented different agendas. According to one member,

> *Sometimes there is domination by a single person or institution. One group may be more active than others. Some think that the network is not theirs so it is hard to involve them. Problems raised by communities are rarely solved; the network delays and is not responsive. So, sometimes what is planned doesn't happen. This always happens in government institutions that represent the network members. Some government staff do not listen to communities problems and do not encourage communities to develop community forestry.*

An advisor to FACT also noted some difficulty in resolving issues on the Tonle Sap related to the jurisdiction of Provincial Office of Fisheries and the Provincial Department of Environment staff, as mandates for the agencies are in cases unclear.[17]Generally speaking it seems that problems between government institutions are more acute at the national level; while most provincial networks demonstrate good cooperation between different line departments.

Financial sustainability is difficult to achieve. None of the networks interviewed had a clear plan for financial sustainability; most depend heavily on donor funding. There was little hope that networks would continue if funding was lost. "I don't think they'd do it," said Tara Lewis, when asked if the ABE could function without ARC support. On the other hand, this is a very new network and it can be argued that it needs time to develop. Other networks such as the CCBEN function organically without any direct funding since members share responsibilities and commit time to the activities. While this is an unusual case, this network's outputs are also limited by a lack of permanent staff.

Sometimes lack of funds inhibits progress towards network goals. In the case of the Forestry Network, members were asked to put together budgets for district level network activities, but later on it was discovered that no funds were available to cover the budget and the initiative was put on hold. In the case of the Pursat NRM Network, one member claimed that he wanted to widen the membership of the network to include other NGOs in order to broaden the funding base. A more realistic interim goal may be a more equal sharing of financial responsibility among supporting partners of networks.

In Ratanakiri, the indigenous community networks (RNRMN and HA) are also operating with donor support. Graeme Brown, CFI Coordinator for Ratanakiri, related some ideas of local indigenous communities related to donor support:

[17] The Tonle Sap Lake and its floodplains between national routes 5 and 6 were designated as a protected area by Royal decree in 1993 and a UNESCO Biosphere reserve in 1997. Whilst the Ministry of Environment is responsible for the management of protected areas, the Department of Fisheries is charged with management of fisheries resources, therefore causing confusion in the mandate when considering conservation and management of Tonle Sap Lake's fisheries.

Members have often discussed what they will do if they do not have donor support. They have said that they need to be able to continue since the problems and issues that they deal with will not go away when donor support stops. They say that they will need to address sensitive issues such as land rights and that they will need to have independence. In order to do this, they will try to progressively build the contribution from communities themselves. They are aware of other grassroots networks throughout the world that rely on donations of surplus food (one family, one kilo of rice); they see that communities could be establishing things like community cashew nut plantations and using the income from them to support their representatives participation in networking activities. They say that they will work with their commune councils so that networking activities can become part of commune council plans and fund allocations. They say it will take a long time but they are aware of the issue. They say what makes it most difficult is the donor-dependency habit established by NGO's and government. They say that it is difficult for network-owned activities to compete with NGO and government-owned activities when NGO's and government have more money and often use it to buy participation, thereby creating an expectation that people receive things rather than do things by themselves.

LESSONS LEARNED AND RECOMMENDATIONS

Based on the discussions with various individuals and experience in working with several networks, there are some general recommendations. These recommendations may not be relevant to all networks, and should be interpreted on a case-by-case basis.

Informal Meeting Style

Formal meeting styles can inhibit communication. Formal meetings with hierarchical seating arrangements, many speeches, and strict scheduling make it difficult for participation by a wide group of stakeholders. At the Pursat NRM Network, one member said that in the beginning, FA officials and other authorities were seated on a platform in front of other participants. This style intimidated local community members from speaking.

Recommendation: Arrange network meetings in an informal style, so that all participants are seated at the same level. Avoid formal speeches, and speak in local language. If possible, make the meetings fun and organize exercises for building trust among various stakeholders.

Financial Sustainability

Networks are highly dependent on NGO/donor funds, which ties into the issue of sustainability. It also brings into question the continued effectiveness of networks. Do they continue to function because donors pay for them or because they are meeting the genuine needs of participants? Limiting per diems and instituting membership fees may be a way to increase buy-in.

Recommendation: Put a plan in place for future financial sustainability of the network. Seek a wider base of funding support and consider membership fees where feasible. Limit per diems for participants to actual costs, and try to standardize support with other NGOs or donors who support participants.

Legal Recognition

Legal recognition of the network increases legitimacy and status. Registering with the Ministry of Interior is the appropriate channel for registration. This process requires completing some paperwork and paying an administrative fee. A receipt should be provided.

Recommendation: Networks should legally register with the Ministry of Interior.

Clear Vision, Mission, Management Structures and System

Networks function more smoothly and with greater consensus if there is a clear mission and vision, management structure, defined responsibilities for members, and annual workplan. Relevant

institutions should be clearly identified. Capacity-building to support this process is necessary, not only for provincial or more local networks, but also for many national networks.

Recommendation: If not already in place, develop mission, vision, management structures and systems for the network, including management committee, by-laws or statutes, and a list of members. Take the time to develop an annual work plan with participation from members and beneficiaries.

Participatory Management and Decision-making

Networks will meet the needs of their members most effectively if there is a participatory management and decision-making structure.

Recommendation: Establish participatory management and decision-making by developing the annual work plan together with members and allowing all members an opportunity to participate and share ideas. Do not allow any one group or person to dominate and try to gather a broad group of representatives.

Documentation and Evaluations

Many networks don't document well their activities and success, and even fewer conduct reviews or evaluations of their activities.

Recommendation: Conduct an annual evaluation to reflect on their strengths, weaknesses, opportunities, and threats so that future activities are improved. The network should regularly review whether or not it is meeting the needs of its members.

Coordination and Information Sharing

Many networks function relatively well internally, but they lack coordination with other networks and mechanisms for taking lessons learned and critical issues to a higher level.

Recommendation: Establish a national NRM Forum to help coordinate the work of many different networks and draw attention to salient issues. When possible, establish a website to share information more widely.

Openness and Inclusiveness

One of the most encouraging aspects of networks is their inclusive nature. In most cases, almost anyone is welcome to join a network meeting (although they may sometimes be invited to observe only). By encouraging the openness of networks it ensures that the network broadly reflects community interests. Including more youth in networks promotes a longer-term strategy of capacity-building and sustainability. Women also have an important role to play in networks, and gender balance is an important objective, not just in terms of being present at meetings, but creating an environment which welcomes and appreciates their input.

Recommendation: Maintain the openness of networks. Nurture young people to join and participate actively and support gender balance.

Alignment of Support Organizations

Most networks are operating with the support of an NGO or donor. This support comes with dangers. If a participatory decision-making style is desired in a network and the supporting organization does not have the same style that it wants to support in the network, there is little chance that the network they are supporting will develop a participatory style. If people in the support organization are interested most in their short-term personal benefit, the communal nature of benefits from the network is also not likely to survive.

Recommendation: *Support organizations have an obligation to adopt and reflect the norms and values that they aim to promote. .*

FUTURE VISIONS

The following statements give a sense of the broad visions and hope that many individuals have for networks in the future. Forming a vision of what networks can achieve is the first step to setting a path towards more sustainable and equitable resource management. It is encouraging to see that many individuals involved in networks continue to be motivated and hopeful about the future. The potential to achieve such visions will depend on how networks continue to develop and strengthen in the coming years.

We want one of our partners or institutions to be able to run the network by themselves. We want it to have strong capacity to implement (it's activities) without support from Concern. In the long term relevant institutions have a role in leading the network. (The network will) reduce conflicts related to NRM particularly forest resources in the province. And we want communities to have strong commitments and show their ownership of their natural resources.

– Nuth Onn, CF Project Officer, Concern, Pursat

In 5 years, the CF target area of the network will have more participation and be recognized by law and be supported by government. Communities in the target area will not be abused.

– Ms. Ouch Kimnary on behalf of the Forestry Network

In 2010 we aim to have 5000 Farmers Associations participating in Farmer Nature Net.

-That Sok, CEDAC, FNN

We want to create model pagodas that can conduct outreach to the community, establish community forestry, and increase local knowledge, by strengthening the link to Buddhism. We want the Buddhist community to have a voice in the environment sector.

– Ms. Tara Lewis, Advisor, ABE

Manage tourism in a way that leads to equity, empowerment and poverty reduction for Cambodian people, while protecting and conserving natural, cultural and social resources.

– CCBEN Vision Statement

We aim to have NRM networks in all provinces by 2010.

- Nhem Sovanna, Seila

Indigenous people will be able to coordinate and solve problems by themselves. They will be able to preserve their traditions and culture. There will be harmony and good relationships with other groups. There will be provincial, national, and international networks.

– Chea Vuthy, Ratanakiri Network Support Project

FACT wants to see a society where people can gain access to fishery resources to have enough food for their day to day living; where local fishing communities' voices are heard and taken into account in decision-making and policies formulation; where fisheries resources are used and managed in a sustainable way for the benefits of the present and future generations; where local people have equal access to fishery resources and are supported to attain their social, political and economic rights and enhance their quality of life; where fishery resources are not just for economic benefit but also for social cultural and environmental values of the local people.

-FACT Brochure

We have some small hope that we can restore the natural flow of the rivers in Ratanakiri. We need international attention for the human rights and environmental justice issues to make sure that the laws are enforced.

-Kim Sangha, Se San Protection Network

CONCLUSION

This report has briefly reviewed most of the natural resource management networks in Cambodia, identified their overall aims and effectiveness, analyzed their strengths and weaknesses, proposed some recommendations, and related some of the visions for the future.

It is clear that a lot of experience has been gained through networking experience in Cambodia in the past few years. It is important that this experience continues to be shared, and that the lessons learned are used to further improve network operation and management. The effectiveness of networks depends on maintaining their relevance in a changing external situation.

In some cases, there may be a tendency to undervalue networks. Their value in strengthening cooperation and solving natural resource issues may not be fully recognized because individuals and NGOs are focusing on their own work plans and responsibilities. The power to make real impact on the management of natural resources depends on cooperation from all stakeholders. This study aims to bring more attention to the important role of networks, and to encourage better participation and support for their valuable work.

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ANNEXES

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2. NETWORK SUMMARY

Examples of NRM Networks	Date formed, status	Key Objectives	Organization	Membership	Key Strengths and Challenges
Forestry Network	2000	Assists communities living in forest concession areas to build capacity for advocacy and increase understanding of natural resource rights.	Quarterly meetings (2-3 days each) are used for airing grievances as well as for capacity-building.	Local NGOs (17) and community representatives.	Effectiveness in representing communities, solving forestry conflict and achieving improvements in forestry management. Expense and logistical issues for organizing regular national meetings Difficulty to involve government stakeholders
Environmental Forum	199?	Sharing experiences on environmental issues.	Meetings are held every third Friday of the month	Open to all relevant NGOs (35 registered) and government partners	Core team can document and address specific issues Limited participation of international NGOs and government stakeholders
Provincial CF & NRM Networks (Pursat, K. Chhnang)	various	Sharing experience and information on CF and other NRM issues, as well as resolution of problems and awareness-raising on law	Usually quarterly meetings. Many have support from Seila or Concern.	Government stakeholders (from several departments), NGOs, local communities	Good cooperation and participation from many line departments with some problem-solving capacity No clear mechanism to take issues to the national level
Indigenous People's Networks	2002 (RNRMN)	Protect the environment and natural resources of indigenous communities, while strengthening	Grassroots network with community, district, and provincial representatives. Focus on training and	Indigenous communities	Strong bottom-up approach with trust and problem-solving capability developing. Low capacity and education among indigenous communities, as well

		communities and land tenure security	capacity-building with training teams visiting local communities		as language barriers. Land pressure and disintegration of community
Fisheries Action Coalition Team (FACT)	2001	Promote sustainable management of fisheries, improve food security for rural poor, empower local communities to improve access to fisheries resources	NGO Core team of 9 organizations meets regularly for planning	Cambodia Coalition of Fishers including local fishing community representatives	Strong bottom-up approach Transportation and communication among fishing communities is difficult
Community Forestry/Community Protected Areas Network (CF/CPA Network)	1997 (CF Network)	To share information and experience on community management of forests, as well as to solve problems.	Currently splitting, Forestry Administration manages CF Network with support from NGOs. Ministry of Environment has not yet initiated a formal CPA network.	Representatives of local communities, local and international NGOs, government stakeholders	Effective in allowing communities to share their experience among a diverse group. Conflict between FA and MOE
Cambodia Community-based Ecotourism Network (CCBEN)	2002	Build capacity in community-based tourism Share information and raise awareness on CBT Promote CBT sites Advocate for CBT	Quarterly members meetings and monthly management committee member meetings. Website and e:mail are major means of communication	Approximately 20 members including NGOs, CBOs, universities, private sector, and government partners.	Involving government stakeholders. Addressing CBT advocacy issues effectively Establishing permanent staff and office

Association of Buddhists for the Environment (ABE)	2004	Promote and foster a better environment through the Buddhist Sangha	Annual general assembly Membership with a Board meeting every three months	Membership open to monks, nuns, or Buddhist lay people. Monk representatives in each province	A new organization with capacity and fundraising challenges. Definition of monks' roles in organizational management
Se San Protection Network (SPN)	2000	Restore social, economic, and environmental rights of indigenous communities along the Sesan river	Organized district network meetings as well as public forums	Covers communities in 6 districts with a population of over 55,000.	Strong bottom-up approach Strong links to many international organizations for advocacy support. Low likelihood for success in achieving difficult objectives
Farmer and Nature Net (FNN)	2002	Mobilize rural people and build their solidarity to develop ecologically sustainable agriculture and improved NRM	Local meetings of farmers associations. Annual general assembly	More than 280 associations in 10 provinces	Strong bottom-up approach and possibility of sustainability No clear mechanism for bringing issues to the national level. Limited cooperation with government and other NGOs

Proposal Note for the Establishment of a NRM Forum in Cambodia

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Introduction

Following the NRM Stakeholder Workshop held on May 5th 2005, a feed-back meeting was organized between the different members of the provisory NRM Forum Committee (27/05/05). This meeting aimed at outlining the conclusions of the NRM Stakeholder Meeting and, on that base, designing a draft guideline to establish a National NRM Forum.

Even if the debates didn't reach a consensus on the content that such a Forum might have, a series of ideas have been raised concerning the objectives, membership, activities and motoring mechanisms of the future Forum. The objective of this paper is to systematize those ideas and propose draft guidelines to establish a national NRM Forum.

Broadly speaking, two options can be designed. The first option envisions an NRM Forum as an umbrella between sector NRM networks. The Forum is structured by cross-sector meetings where experiences and lessons learnt from each sector networks area exchanged. The second option envisions the creation of a NRM Networking Support Facility that could provide a set of technical, institutional and organizational services for the reinforcement or the creation of sector networks. Two diagrams are also provided to outline the different options.

Option 1: Umbrella Forum between existing Sector Networks

Objectives

- Exchange experiences and lessons learnt from the different sector networks
- Sharing information on the activities and methodological tools from the different networks.
- Bringing up experiences from each network into multidisciplinary discussions and disseminate information on success stories and technical/institutional innovation for community-based natural resources users and committees
- Documenting and disseminating this exchange of experiences.
- Address problems, conflicts, issues which arise in the sector networks

The role of the NRM Forum would be to present in a multi-sector arena the conflicts evoked in the respective networks and possibly identify ways to solve them. But it goes beyond the scope of the NRM Forum to endorse the responsibility of solving the conflicts. This function should remain under the hands of each sector network.

Methodology and Activities

Meeting:

The NRM Forum would consist of regular meetings where participants will actively participate and discuss ideas once or twice a year. Meetings/workshops will be organized in rotating locations to different provinces around the country.

Activities:

Content wise, such a forum should be organized on a thematic basis in order to create an added value and not duplicate what the existing networks are already doing. Thus there is a need to address cross-sector issues, i.e. where different sector interact, have to cooperate, negotiate or solve problems. The discussions would better be organized on a case-studies basis and guided by questions and answers. Here below are given five ideas of possible cross-sector topics that could be tackled by the NRM Forum.

Natural Resources Management and Sub-National Governance:
What power and functions can be attributed to sub-national governance bodies (provincial level, district, CC) for NRM? What does work out, what doesn't work out? What can be done to improve the power and function of these sun-national governance bodies?

Monitoring & Evaluation in NRM:
What mechanisms/procedures could be put in place with community-based members to monitor and assess the impact of CB-NRM activities?

NRM Research:
What have we learned from researches in NRM? What are the further needs for relevant research in NRM? How to implement them and share their results?
Fisheries, Forestry and Agriculture: How to design a meaningful and realistic land use planning where land users interests interact? NRM Regional Discussions based on the situation in specific ecological region like the coastal zone, the Tonle Sap flood plain and/or the plateau.

Documentation:
Documentation of experience could be done by mean of a newsletter that keep the NRM stakeholders informed about on-going NRM activities (meetings, workshops, new guidelines, new projects…) and provide them with recommendations from the different networks.

Organization:
An organizing committee has to be constituted to take responsibility for the design of the NRM Forum activities. One representative from each sector networks could be members of this committee. Nevertheless, no consensus is found yet on who should sit in this organizing committee. Then, a secretariat should be designated for organizational matters: carry out the administrative works, compilations of relevant documents, follow-up.

Membership:
The membership of the NRM Forum is crucial. It was agreed that both government, organizations based (CNGOs and IOs) representatives should sit in the Forum and this in the perspective of bringing representatives of people at all levels with an equal voice

Nevertheless, a consensus is not found yet on who exactly will represent the sector networks into the Forum. Thus three variants are identified:

<u>Variant 1</u>
2-3 designed people represent their respective networks and liaise with other networks (1 organization based representative and one government based representative per network). Thus the total number participants in the National Forum would approximate 20 people.

<u>Variant 2</u>
Larger spectrum of participants from each networks (civil society, government institutions, community members) meet in a larger forum with a number of participants approximating 75 people.

<u>Variant 3</u>
2-3 designed people per network plus additional participants according to the topics tackled. The idea here is to have a more flexible membership where specific resources people can be invited on request according to the topic of the meeting, i.e. Higher Education Institutions representatives can be invited to share researches methodology and findings.

NRM Forum

Structure

Organization

Membership

Community Forestry Network	Community in Protected Area Network
Community Fisheries Network	PLUP Network
Higher Education Institutions	Environmental NGO Forum
Provincial NRM Committees	Others
Governmental Institutions	

Objectives

Activities

Content

Committee → Secretariat

or or or

- 2-3 Representatives per Sector Networks >>Max 20 people
- Larger Spectrum of Representatives per Sector Networks >> Max 75 people
- Flexible number of representatives per Sector Networks according to the topics tackled in the NRM Forum Meeting

- Exchanging experiences and lessons learnt from the different sector networks: Bring up experiences from each network and disseminate information on success stories and technical/institutional innovation for community-based natural resources users/committees.
- Addressing conflicts rose in the sector networks and discuss ways to solve them

- Workshops/Discussions where cross sector topics are privileged
- Rotating meeting locations
- Capitalization: Newsletters

Option 2: NRM Networking Support Facility

Objectives

- Provide a set of technical, institutional or organizational services for the reinforcement or creation of sector networks.
- Exchange experiences and lessons learnt from the different sector networks
- Compile and disseminate information on NRM activities in Cambodia

Methodology and Activities

Services:

The NRM networking support facility will offer a pool of resources persons to provide expertise to existing or future networks

Expertise on technical issues (i.e. making a CFo-CFi management plan, mapping exercise)

Support for the organization of sector networks meetings

Organizing specific trainings on request

Web-Site:

The NRM networking support facility could be best structured as a web-site, for instance called, the "NRM Portal". This website would offer the advantage to be accessible by everybody provided an internet connection. The web site will give access to a Comprehensive DataBase of regularly updated information related to NRM activities in Cambodia

Description of all sector networks

Description of all Projects and Programs

NRM related documents

Legal Literature

Geo-referenced data

Steering and Monitoring:

An organizing committee has to be constituted to take responsibility for the design of the NRM Networking Support Facility activities. No consensus is found yet on who should sit in this organizing committee. Then, a secretariat assisted by a web-master should be designated for organizational matters: carry out the administrative works, building of the database, compilations of relevant documents, follow-up.

Membership:

One representative from each sector network should be designed to be the focal point, which brings up experiences from his own network, participate in the design and the update of the web-site.

NRM Networking Support Facility

Structure

Organization

Membership

Community Forestry Network	Community in Protected Area Network
Community Fisheries Network	PLUP Network
Higher Education Institutions	Environmental NGO Forum
Provincial NRM Committees	Others
Governmental Institutions	

Objectives

Activities

Content

Committee

Secretariat
+ Web-Master

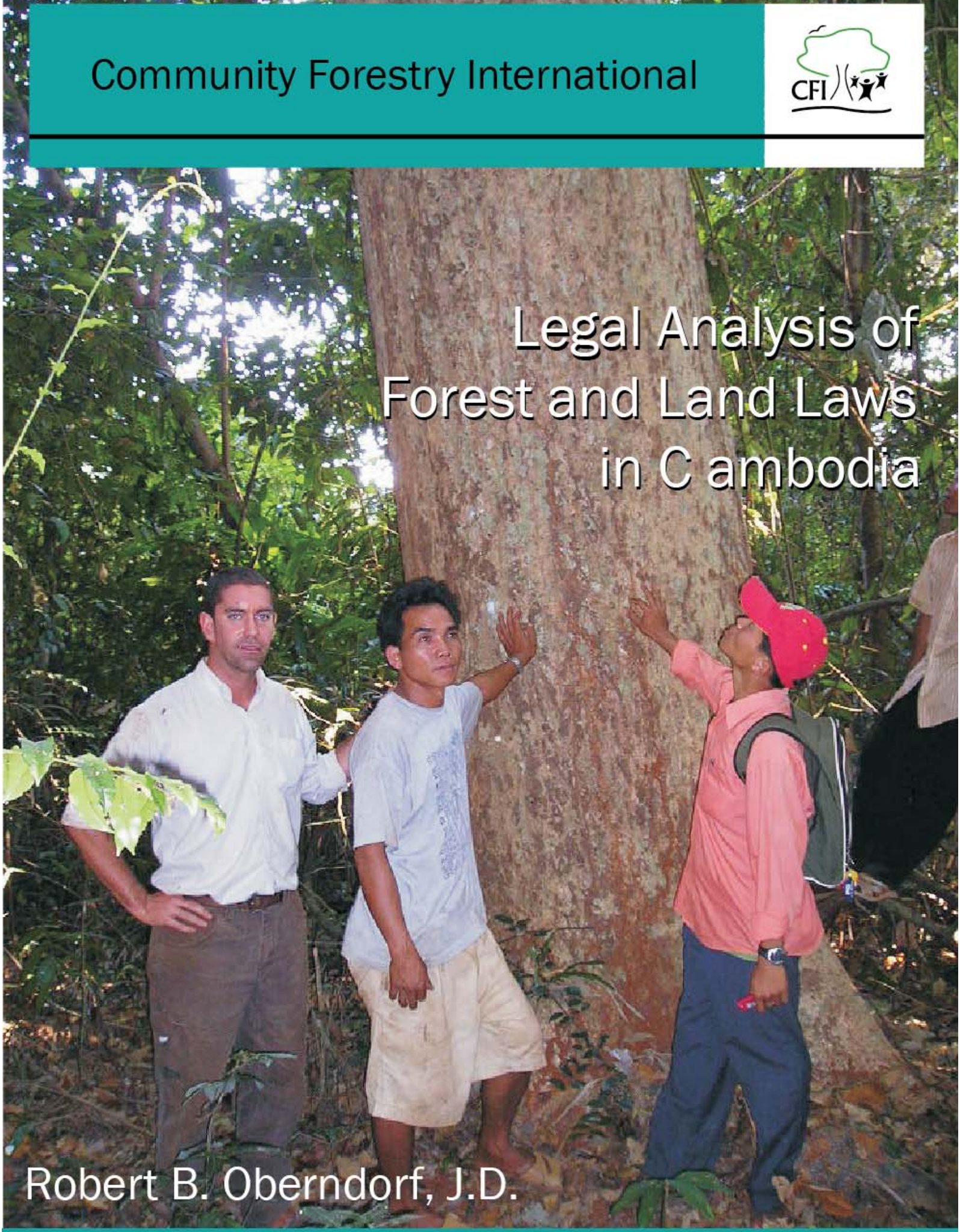
Flexible membership with as least one focal point per sector network

To be further elaborated….

- Providing a set of technical, institutional or organizational services for the reinforcement or creation of NRM sector network.
- Exchanging experiences and lessons learnt from the different sector networks
- Compiling and disseminating information on NRM activities

- Constitute Comprehensive Database on NRM related activities in Cambodia
- Making this information available to anyone by mean of a website or news letters
- Organizing specific meetings or training on request.

Community Forestry International



Legal Analysis of Forest and Land Laws in C ambodia

Robert B. Oberndorf, J.D.

COMMUNITY FORESTRY INTERNATIONAL

Supporting Sustainable Management & Restoration of the World's Forests

Community Forestry International (CFI) assists rural communities to regenerate forests by helping policy makers, development agencies, NGOs, and professional foresters develop the legal instruments, human resource capacities, and negotiation processes and methods to support resident resource managers. Community forest management contributes to livelihood security and poverty alleviation that, in turn, leads to sustainable development. CFI enables community forest management strategies to become an integral part of stabilizing forest management worldwide. CFI strategies are implemented through four interrelated thematic program areas. These include 1) Regional and National Policy Dialogues, 2) Mediation Processes and Methods for Enhancing Tenure Security, 3) Participatory Research and Field Programs, and 4) Communication. The program components are designed to engage national policy makers, professional practitioners, and communities to facilitate learning, reduce conflicts, and ultimately create management agreements that result in more equitable, sustainable forest management.

Dr. Mark Poffenberger, Executive Director
Dr. Kate Smith-Hanssen, Administrative Director

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Front cover: Robert Oberndorf in spirit forest in Ratanakiri.
Back cover: Poey Commune in Rattanakiri.

Legal Analysis of Forest and Land Laws in Cambodia

Robert B. Oberndorf, J.D

2006

FOREWORD TO THE COMMUNITY FORESTRY SERIES-CAMBODIA

A major goal of CFI's mission in Cambodia is to support the involvement of civil society in the management of forests. Rural communities have a special role to play as forest stewards, both due to their logistical proximity to natural forests, but also because of their dependency upon these resources for shelter, water, fuel and food. In many parts of the world, forests are important components of the local economy, whether for subsistence goods, non-timber forest products, employment in commercial lumber production, livelihood generation, or involvement in the tourist industry. In Cambodia, rural communities are concerned over the destruction and mismanagement of local forests and are seeking to address problems of rapidly changing landscapes by establishing community forestry committees, mobilizing forest patrols to guard against illegal logging and land grabbing, framing user rules to control access, and securing management tenure.

In much of Asia and the United States, forests are legally considered public land. While some communities may be interested in managing forest lands, they often have little basis under the law to exert authority over management decision-making. In recent years, a growing number of governments have established policies and programs to allow communities to engage in management "partnerships," typically with national forestry agencies. India, Nepal, Cambodia, and the Philippines have passed laws that extend clear use and management rights to specific villages over state forest land.

In Cambodia, there has been a growing trend towards engaging local communities in forest management, both in planning and field activities over the past decade. In part, this transition is driven by recognition that government agencies lack the staff and financial resources to ensure sustainable use. The shifting management paradigm is also being pushed from below by demands of rural, forest-dependent people. There are factors impeding this transition towards a more decentralized, participatory approach involving a wider range of stakeholders.

During the 1990s in Cambodia, commercial timber concessions covered nearly two-thirds of the country's forest area and logging operations were rapidly degrading the nation's once rich forests. In 2002, the Royal Government of Cambodia suspended 4 million hectares of logging concessions, and passed the Community Forestry Sub-Decree in 2003 paving the way for a new approach to forest management. A recent GTZ/RGC report identified 8 million hectares of land suitable for community forest management, representing much of the nation's land area. However, illegal logging remains widespread and forest land speculation is rampant in many parts of the country. Further, there is economic pressure to convert forests to estate crops.

In 2003, Community Forestry International (CFI) initiated a project called the Community Forestry Alliance in Cambodia project (CFAC). The CFI approach involves building the capacity among Cambodian NGOs and Forest Administration staff to begin implementing CF projects around the country, while supporting the development of operational guidelines for the National CF Program's implementation. CFI also helps to mobilize financial and technical support from the donor community, as well as provide training in financial and organizational management, conflict resolution, gender awareness, and sustainable natural resource management.

CFI also supports the indigenous communities in Ratanakiri where communal land management is under pressure from outside land speculators. The breakdown of communal land management systems, through privatization, is leading to widespread land loss among indigenous households, and ultimately to their impoverishment and social marginalization. The pending collapse of communal tenure is opening the path for landscape-level forest clearing and land conversion to commercial estate crops. CFI seeks to help local communities sustainably manage their natural resources and conserve their cultural traditions by supporting local networks and organizations that provide legal resource rights education and promote cultural solidarity.

This series of publications on community forestry and land-use issues is designed to educate and encourage a greater awareness of the challenges facing forest dependent communities, while suggesting possible strategies to stabilize the nation's forests in ways that respond to the needs of Cambodia's forest people. As part of its greater mission, CFI attempts to disseminate information that can stimulate an on-going forest management dialogue among government, donor organizations, NGOs, the international community, and the Cambodian people. It is our hope that by devolving management to communities and building the capacity of government and NGOs, Cambodia's critical ecosystems will be conserved and utilized in ways that benefit the rural poor.

-Mark Poffenberger, Ph.D.
CFI Executive Director

TABLE OF CONTENTS

Foreword I
Table of Contents iii
Acronyms v
Introduction 2

SECTION I

BASIC LAND CLASSIFICATION IN CAMBODIA FORESTRY AND LAND LAWS **3**

1. Overview of the Land Classification Systems within the Land and Forestry Laws 3
2. Land Law 3
2.1 State Public Property 4
2.2 State Private Property 4
2.3 Private Property 4
3. Forestry Law 5
3.1 Permanent Forest Estate 5
3.2 Private Forest 5
3.3 Permanent Forest Reserve 5
3.4 Production Forest 5
3.5 Protection Forest 6
3.6 Conversion Forest 6

SECTION II

LEGAL ANALYSIS OF THE COMMUNITY FORESTRY SUB-DECREE **8**

1. Introduction 8
2. Overview of the Community Forestry Sub-Decree (CFSD) 8
2.1 Areas Where Community Forests Can Be Created 8
2.2 Procedure for Creating CF Areas and Community Forestry Communities 9
2.3 Other Provisions in the CFSD 10
3. Possibilities and Next Steps for Implementation 10
4. Potential Role of Commune Councils in Implementation 11
5. Comparison to Social Land Concession Sub-Decree 12
6. Conclusion 12

SECTION III

OVERVIEW OF THE POLICY AND LEGAL FRAMEWORK RELATED TO CBNRM **13**

1. Introduction 13
2. Understanding Policy 13
3. Policy Documents 14
3.1 Royal Government of Cambodia's Second Five Year Socio-Economic Development Plan 2001-2005 14
3.2 Royal Government of Cambodia's Strategy of Land Policy Framework (2002) 14
3.3 Royal Government of Cambodia's National Poverty Reduction Strategy (2003) 14
3.4 Royal Government of Cambodia's National Forestry Policy (2002) 15
3.5 Royal Government of Cambodia's National Water Resources Policy (2004) 15
4. Overview of the Legislative System in Cambodia 15
4.1 Law 16
4.2 Royal Decree 17
4.3 Sub-Decree 17
4.4 Prakas 17
4.5 Circulars 18
4.6 Deika 18

5. Legislative Documents 18
5.1 Law on Environmental Protection and Natural Resources Management (1996) 18
5.2 Land Law (2001) 18
5.3 Law on Administration and Management of the Commune (2001) 18
5.4 Forestry Law (2002) 19
5.5 Royal Decree on Protected Areas (1993) 19
5.6 Community Forestry Sub-Decree (2003) 19
5.7 Fisheries Law 19
5.8 Sub-Decree on Community Fisheries 20
6. Legislative Gaps 20
6.1 Protected Areas Legislation 19
6.2 Water Resources Management Law 20
6.3 Community Forestry Guidelines Prakas 20
7. Conclusion 20

SECTION IV

MEMO ON ESIA REQUIREMENTS FOR COMMUNITY FORESTRY **21**

1.Introduction 21
2. Legislative Background 21
2.1 Forestry Law (and Community Forestry Sub-Decree) 21
2.2 Law on Environmental Protection and Natural Resources Management 21
3. Position of CFI Expressed to CFO Staff 22
4. Forestry Administration's Current Position 22

SECTION V

ANALYSIS OF PENALTY PROVISIONS FOUND IN CAMBODIA'S FORESTRY AND LAND LAWS **23**

1. Introduction 23
2. Forestry Law 23
2.1 Violations of Forestry Law Subject to Penalty 23
2.1.1 General Violations Classified as Forestry Offenses 26
2.1.2 Forestry Offenses Committed by Government Officials 26
2.1.3 Forestry Offenses Committed by Forestry Administration Officials 26
2.1.4 Agency Concepts 26
2.2 Statute of Limitations for Enforcement 27
2.3 Administrative & Judicial Appeals of Forestry Administration Enforcement Decisions 27
3. Land Law 27
3.1 Violations of Land Law on State Property Subject to Penalty 27
3.2 Questions Related to Enforcement of Land Law Penalty Provisions 28
4. Example 1: Illegal Logging and Encroachment Activities in Protected Area 28
4.1 Fact Pattern 28
4.2 Violations of Forestry and Land Laws 29
5. Illegal Cutting of Resin Trees 31
5.1 Fact Pattern 31
5.2 Violations of Forestry Law 31

ANNEX A

LIST OF FORESTRY OFFENSES AND PENALTIES FROM CHAPTER 15 OF THE FORESTRY LAW **33**

ANNEX B

COMMUNITY RIGHTS AND RESPONSIBILITIES IN THE FORESTRY LAW **36**

1. Community Rights 36
2. Community Responsibilities (Prohibitions) 37

ACRONYMS

CBNRM	Community-Based Natural Resource Management
CF	Community Forestry
CFA	Community Forestry Agreement
CFAC	Community Forestry Alliance for Cambodia
CFI	Community Forestry International
CFM	Community Forestry Management
CFMC	Community Forestry Management Committee
CFMP	Community Forestry Management Plan
CFO	Community Forestry Officer
CFSD	Community Forestry Sub-Decree
DFW	Department of Forestry and Wildlife
EIA	Environment Impact Assessment
FA	Forestry Administration
FARCF	Forestry Administration Recognized Community Forestry
ICC	International Cooperation Cambodia
LL	Land Law
MAFF	Ministry of Agriculture, Forestry and Fisheries
MOI	Ministry of Interior
MOE	Ministry of Environment
MOWRAM	Ministry of Water Resources and Meteorology
NPRS	National Poverty Reduction Strategy
NREM	Natural Resource and Environmental Management
NTFP	Non-Timber Forest Product
PLG	Partnership for Local Governance
PLUP	Participatory Land Use Planning
PRDC	Provincial Rural Development Committee
RGC	Royal Government of Cambodia
SEDP	Socio-Economic Development Plan

INTRODUCTION

This report provides a brief introduction to recent Cambodian legislation and policies related to land, forests, and the role of communities in their management. The report is comprised of legal and policy analysis papers compiled by Mr. Robert Oberndorf, J.D. between 2003 and 2005 as a consultancy for Community Forestry International. The report is intended to provide guidance to development agency staff, NGOs, students, and professionals who are interested in gaining a basic understanding regarding the emerging legal and policy environment in Cambodia, especially as it affects the relationship of rural communities to land and forest resources.

Section I concisely describes key elements in the Land Law and Forestry Law. The discussion proceeds to identify gaps within the current legislation and raises a number of questions where existing laws are unclear. Section II introduces the Community Forestry Sub-Decree (CFSD) that was approved by the Royal Cambodian Government in 2003. This section outlines procedures for creating community forest areas and identifying community forestry communities. The discussion also covers next steps for implementing the CFSD and how it relates to the role of commune councils. Section III discusses the role of national Cambodian policies related to Community-based Natural Resource Management and how they reflect recent legislation. This section explores how legislation is developed and ratified by the Royal Government of Cambodia, including explaining the hierarchy of laws. Section IV provides a brief analysis of the Environmental and Social Impact Assessments that may be required of communities implementing management plans under CF agreements. Section V is intended as a guide to the enforcement provisions in the Forestry and Land Laws. This section includes an analysis of prohibitions and penalty provisions included in the Forestry Law. Annex A further elaborates on the list of forestry offenses and penalties articulated in the Forest Law. Finally, Annex B reviews the community rights and responsibilities under the Forestry Law.

-Mark Poffenberger
CFI Executive Director

SECTION I

BASIC LAND CLASSIFICATION IN CAMBODIA'S FORESTRY AND LAND LAWS

1. Overview of the Land Classification Systems Within the Land and Forestry Laws

The Land Law classifies the various types of property within the Kingdom of Cambodia and the ownership rights that are available with the different classifications. At the same time, the Forestry Law creates a classification scheme for the forest lands in the Kingdom. There continues to be some confusion as to how these two classification schemes work, and how they interact with one another. This basic overview tries to provide a concise and simple explanation of how property and forest land are classified under the two pieces of legislation, and points out where there may be areas of confusion. The terms used in this overview are the same as those used in the current unofficial English translations of the Land Law and the Forestry Law. Problems with the terminology and definitions will be explored in the weaknesses analysis.

2. Land Law:

The Land Law creates three types of property classification in Cambodia: State Public Property, State Private Property and Private Property[1]. Private Property is further classified based on the ownership rights involved.

2.1 State Public Property

State Public Property（**Articles 15 & 16 LL)** is land held by the State in public trust, which carries a public interest use. State Public Property includes the following:

- Properties of a natural origin, such as the permanent forest reserve, navigable or floatable waterways, lakes, seashores, etc;
- Properties that are developed for general use, such as the harbor in Sihanoukville, railways and railway stations, airports, etc.
- Property made available for public use, such as roadways, public parks, or natural reserves;
- Property that provides a public service, such as public schools and universities, administrative buildings or public hospitals;
- Properties of archeological, cultural or historical significance, such as the temples at Angkor;
- Royal properties, such as the Royal Palace.

It is important to note that State Public Property may not be sold or transferred to other legal entities, though it may be subject to rights of occupancy or use that are strictly temporary in nature, such as a logging concession in the Permanent Forest Reserve. The Land Law does say that State Public Property may be reclassified as State Private Property if the property loses its public interest use. For example, the land and buildings that are occupied by the Department of Forestry and

[1]The various classifications of private property are beyond the scope of this analysis and will not be covered.

Wildlife are State Public Property. If the government moved the location of the FA and this property became vacant, then it would lose its public interest use and could be reclassified as State Private Property. This type of reclassification cannot occur until a law has been passed on transferring of State Public Property to State Private Property.

2.2 State Private Property

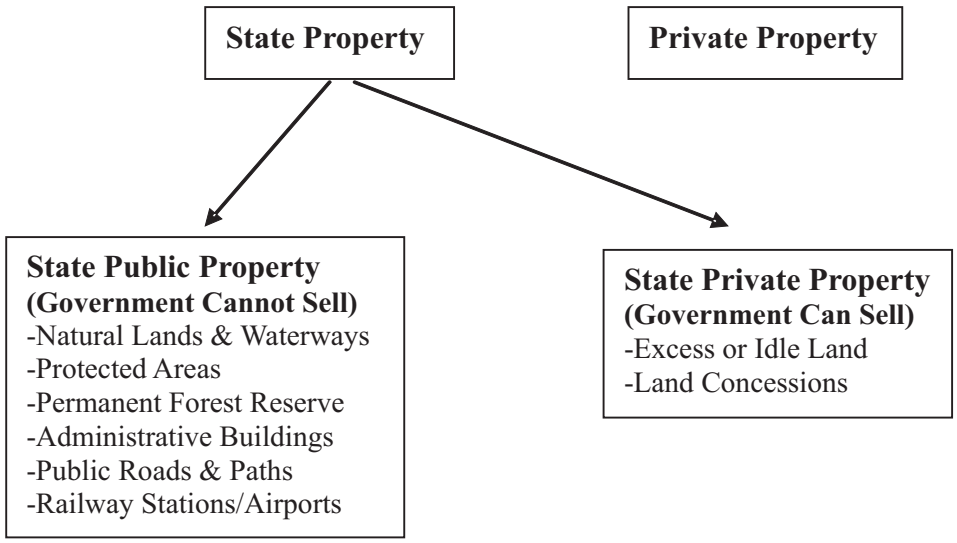
State Private Property (**Article 17 LL)** is land that is owned by the State or public legal entities that does not have a public interest use (owned by the State or public legal entity, but does not fit the definition of State Public Property as outlined above). State Private Property can be described as excess or idle land that is held by the State or a public legal entity. The main difference between State Private Property and State Public Property is that State Private Property may actually be sold or transferred to other legal entities, such as the eventual permanent transfer of properties within the Social Land Concession framework to the target land recipients therein.

Land concessions (**Chapter 5 LL**), whether for a social or an economic purpose, may only occur on State Private Property.

2.3 Private Property

Private property, or property that is under private ownership, is property within the Kingdom of Cambodia that is owned by natural persons or legal entities other than public legal entities. Private property may be used by its owner or owners in any way, as long as the use does not create a nuisance or is otherwise prohibited by law. Private property, in very general terms, may be leased, used as collateral, inherited, or transferred to other individuals or legal entities.

Ownership of private property takes various forms based on the number of people or legal entities that own the property and the rights of use that they have, such as individual ownership, collective ownership, undivided ownership, co-ownership and joint ownership. (**Article 10 & Title IV LL).**



3. Forestry Law

The Forestry Law sets up a classification system for forest land within the Kingdom of Cambodia that is separate from the classification system of the Land Law. Unlike the Land Law, the Forestry Law defines the terms used in the classification system[2].

3.1 Permanent Forest Estate

The Permanent Forest Estate is all forested land within the Kingdom of Cambodia, including forest that occurs on private land and flooded forest. All categories of forest fall within the definition of the Permanent Forest Estate.

The Forestry Law defines the Permanent Forest Estate as follows: "the overall forest complex, natural and planted, in the Kingdom of Cambodia, including State and private, designated as two main categories: the Permanent Forest Reserve and Private Forest, to be maintained to ensure a sustainable permanent forest cover and use." Since MOE protected areas do not fit within the classification scheme for the Permanent Forest Reserve, it is assumed that they fall within the Permanent Forest Estate classification as State Public Land. The definition of Permanent Forest Estate does not make specific mention of these areas, so the classification is somewhat confusing. Granted, some MOE protected areas are not forested, such as national seashores, but those areas that are should be considered as part of the Permanent Forest Estate.

3.2 Private Forest

Private Forests are those forested areas that are located on Private Property as described above. The Forestry Law defines Private Forest as follows: "Forest Plantation or trees, whether planted or naturally grown on private land under registration and legal title with the State pursuant to authorized legislation and procedures." How exactly these private forests will be regulated, and what types of restrictions will be placed on them is unknown at the moment.

3.3 Permanent Forest Reserve

The Permanent Forest Reserve is comprised of forests that are located on State Public Property. There are three sub-categories of forest within the Permanent Forest Reserve: Production Forest, Protection Forest and Conversion Forest. Protected Areas, under the Jurisdiction of MOE, are not included within the Permanent Forest Reserve.

The Forestry Law defines the Permanent Forest Reserve as follows: "State forest on lands excluding land that is privately owned, categorized as production forest, protection forest and conversion forestland for other development purposes."

3.4 Production Forest

The primary purpose of production forest is for the extraction of timber and NTFP resources. The Forestry Law defines Production Forest as follows: "Forest area having the primary function for sustainable production of Timber and Non-Timber Forest Products. Production forest includes forest concession; forest permitted for harvesting, degraded forest, forest to be rehabilitated, reserved area for forest regeneration or forest plantation, reforested areas and forest areas under agreement between the Forestry Administration and the local community."

[2]See the definitions annex and Chapter 4 (Permanent Forest Reserve) in the Forestry Law translation. Just because the terms are defined does not mean they are defined clearly.

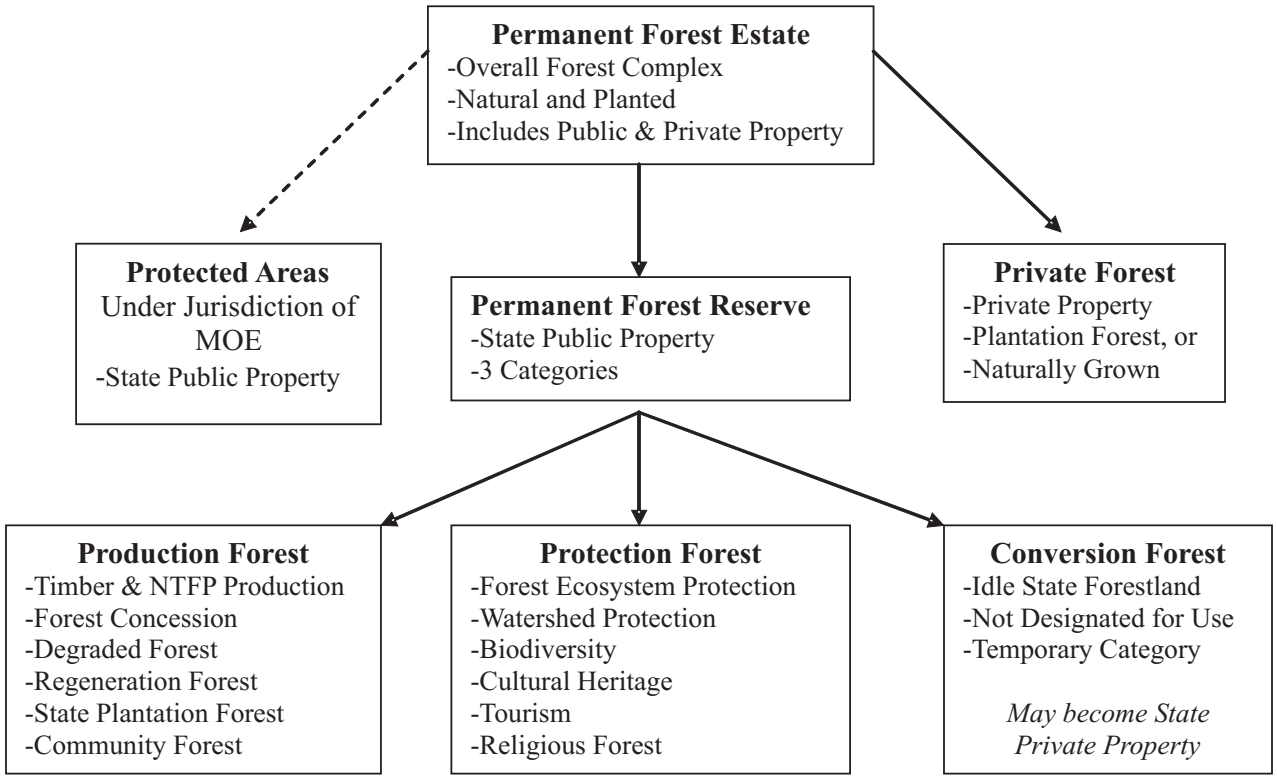
3.5 Protection Forest

The Forestry Law defines Protection Forest as follows: "Forest area having the primary function for protecting the forest ecosystem including the water resources regulation; conservation of biodiversity, land, water, watershed and catchments areas; wildlife habitat, fishes, prevention of floods, erosions, sea water intrusion; soil fertility and valuable for cultural heritage which serve the public interests. Protection Forest under this Law does not include the protected areas under the jurisdiction of Ministry of Environment pursuant to the Environmental Protection and Natural Resources Management Law." Note that the protected areas under the jurisdiction of MOE, mentioned in the above definition, are considered State Public Property under the Land Law.

3.6 Conversion Forest

The Forestry Law defines Conversion Forest as follows: "Idle State forestland, covered mainly by secondary vegetation, not yet designated for any use that shall be classified temporarily as Permanent Forest Reserve**.**"

Though Conversion Forest is part of the Permanent Forest Reserve, and therefore State Public Property under the Land Law, it could be reclassified and removed from the Permanent Forest Reserve. If this is done, it would most likely become State Private Property and be used for land concessions or sold.



4. Weaknesses and Gaps

One of the major weaknesses within the current legislation is a lack of clear definitions within the law. For example, the definition of forest is not precise and is open to interpretation. This will lead to difficulties when it comes time to actually delineate and demarcate areas of the Permanent Forest Reserve. Discussions with the various stakeholders in border areas cannot be guided by any clear standards and definitions. Likewise, the definition of Conversion Forest for other purposes is not clear, and sounds similar to the degraded forest areas within the Production Forest classification. Another area of confusion within the Forestry Law language has to do with the use of the term permanent.

Exactly how permanent is the Permanent Forest Estate and the Permanent Forest Reserve? If the Permanent Forest Estate includes private forests located on private property, does this mean that the owner of the property will have a restriction on title that states the property must always have forest cover? Since Conversion Forest is only temporarily within the Permanent Forest Reserve and will be used, presumably for some other purpose (converted to State Private Land, perhaps even then sold), how can it be within a "permanent" reserve? Of course, this is a semantics issue, but it could cause political problems down the road as reports come out that either the Permanent Forest Estate or the Permanent Forest Reserve is shrinking in size, and therefore is not permanent at all.

There are also problems with the definition of State Private Property. For actual areas of land that might be forestland, how does one tell that it has lost its "public interest use" and therefore can be classified as State Private Property? Similar weaknesses in the definition of State Public Land exist.

SECTION II

LEGAL ANALYSIS OF THE COMMUNITY FORESTRY SUB-DECREE

1. Introduction

The long awaited Community Forestry Sub-Decree (CFSD) was passed by the Royal Government of Cambodia in 2003. The passage of the CFSD represented an important "next step" in the effort by a variety of people who have understood that Community Forestry could play an important role in sustainable land use and natural resources management, thereby leading to long term sustainable poverty reduction within the Kingdom of Cambodia.

The purpose of this memo is to give an overview of the CFSD and its provisions, outline the major changes that have been made since the version that was originally sent to the Council of Ministers in early 2003, and discuss some of the realistic opportunities for implementing this currently enacted version. As part of this analysis, the potential role of Commune Councils will be discussed and the CFSD will be compared to another recently passed land use management tool in Cambodia, the Social Land Concession Sub-Decree.

As already stated, the passage of this CFSD is an important "next step" towards making the concept of Community Forestry in Cambodia a meaningful reality. By no means does the passage of the CFSD mean that the effort is finished; in many ways the real work is just beginning.

2. Overview of the CFSD

The CFSD, with the general provisions on community forestry management found in the Forestry Law, creates a rather straightforward and easy way to understand the structure for implementation. However, many of the details required for full implementation are not included in the CFSD. These details will be enacted through guidelines on community forestry management in the form of Prakas. In many ways, this is a good thing, since Prakas/guidelines are relatively easy to modify based on lessons learned during the implementation or piloting of the Sub-Decree, while the general structures within the relevant provisions of the Forestry Law and CFSD remain in place. Prakas/guidelines are frequently revised and updated in Cambodia. It should be noted that the CFSD clearly states that MAFF will issue Prakas/guidelines on community forestry, format of community forestry regulations, Community Forestry Management Committee by-laws, Community Forestry Agreements and Community Forestry Management Plans using a consultative process.

2.1 Areas Where Community Forest Can Be Created

It is important to understand what areas of land can be managed as community forest under the Forestry Law and the CFSD. The answer to this question is found in the Forestry Law, and explains the limited scope of the CFSD. The Forestry law clearly states in Article 41 that the Ministry of Agriculture, Forestry and Fisheries (MAFF) "has the authority to allocate any part of the Permanent Forest Reserve…in the form of a community forest." The Permanent Forest Reserve is under direct jurisdictional control of MAFF and the Forestry Administration. Ministry of Environment Protected Areas, for example, are not part of the Permanent Forest Reserve.

So, community forestry can occur within the Permanent Forest Reserve, but what areas of the Permanent Forest Reserve? The answer to this question is found in Article 10 of the Forestry Law. Under Article 10, the Permanent Forest Reserve is broken down into three categories; Production Forest, Protection Forest and Conversion Forest. The Production Forest category includes "Community Forests under agreement." So, community forestry, under the legal authorization found in the Forestry Law, can only occur within Production Forest areas of the Permanent Forest Reserve, which are under the direct control and management of MAFF and the Forestry Administration. The Forestry Law does not give authorization for the CFSD to cover any additional areas, which is why provisions related to community forestry on lands under the control and management of other Ministries and departments, such as MOE Protected areas, were removed from earlier drafts of the CFSD.

2.2. Procedure for Creating Community Forest Areas and Community Forestry Communities

Though the CFSD states very clearly in Article 3 that the Forestry Administration has the right to give official recognition of the demarcation of each community forest boundary, there are two approaches to how this can take place. The first is a bottom up approach, where local residents, living in or near the Permanent Forest Reserve, initiate the process in creating a community forestry community (cf community) and request an area of the Permanent Forest Reserve as community forest. The second is a top down approach, where the Forestry Administration will identify areas suitable for community forestry management, designate and demarcate areas of the Permanent Forest Reserve, and then work with the communities in the area to create cf communities and manage the resources accordingly. As will be mentioned later in this paper, this simultaneous top down and bottom up approach is similar to that found in the Social Land Concession Sub-Decree.

The area to be designated as a community forest, whether the process is initiated by the local community or the national level, is based on what is essentially a situational needs analysis (referred to as a requirement and problem faced analysis in Article 7 of the CFSD) by the Forestry Administration. This analysis is to be done with the involvement of local authorities or Commune Councils.

It is important to note that the Forestry Administration makes the assessment for the designation of an area as community forest, but it is the duty of MAFF, through the Minister, to issue a Prakas "recognizing and terminating areas requested for establishing community forestry by the Forestry Administration." This authority for designation of an area as community forest comes from specific language in the Forestry Law and is reiterated in Article 23 of the CFSD.

Once initial approval for an area has been made to allow for the designation of an area as community forest and the establishment of a cf community, then the cf community needs to create a Community Forestry Management Committee (CFMC), which is created through secret balloting during a free and fair election by at least 2/3 of the members of a cf community during a public meeting. [See Article 17 of the CFSD]

Once the CFMC is established, it is then responsible for drafting by-laws for its operation, a Community Forest Agreement (CFA) that the Forestry Administration and the cf community will enter into, and community forestry regulations that will be used to control the use of the community forest by the cf community and secondary users.

The CFA will be a standard document that, once drafted, will be publicly noticed for 30 days at the offices of the Commune Councils, district governor and provincial governor. If no conflicts arise with the proposed agreement, then the Forestry Administration Cantonment for the area in question can approve the agreement. It should be noted that the approval of the agreement is at the Cantonment level, not the national level, of the Forestry Administration.

As stated in the Forestry Law, the CFA is in effect for a period no longer than 15 years, but if the community forest is being managed in a sustainable manner in compliance with the CFA and Community Forest Management Plan (CFMP), then that agreement can be renewed for an additional 15 years. CFA renewal can be denied if, based on monitoring and evaluation reports that were created with the participation of the CFMC, it is shown that the community forest is not being managed in compliance with the CFA, CFMP and other rules and regulations. In addition, the CFA can be terminated prior to the expiration date if there is written agreement between all parties to the agreement, the CFMC and at least 2/3 of the cf community members agree to terminate, there is serious non-compliance or violation of the conditions in the CFA or other provisions that leads to the non-sustainable use of the community forest, or the RGC decides that there is a higher public use for the area in question (compensation should be paid to the cf community if this occurs). The actual procedures for preparation of the CFA will be created through Prakas/guidelines issued by the Minister of MAFF.

Once the CFA is entered into, it is the responsibility of the CFMC to draft a CFMP. The CFMP, once drafted, is sent for approval through the Forestry Administration Cantonment to the national level of the Forestry Administration. The preparation procedures for CFMPs, like those for the CFAs, will be created through Prakas/guidelines issued by the Minister of MAFF.

2.3 Other Provisions in the CFSD

In addition to the procedural provisions in the CFSD, there are also provisions which outline the basic roles duties and responsibilities of the cf communities [Articles 10 and 11], the CFMC [Article 21], MAFF [Article 23] and the Forestry Administration [Article 24]. These are pretty straightforward and link with roles and duties found in the Forestry Law and the recently enacted Prakas on the organization and functioning of the Forestry Administration.

Roles and duties of local authorities and Commune Council's are not spelled out in a specific article, but it is clear from the text of the CFSD that they will only play a facilitation role in the creation of community forests and cf communities.

There is also a provision on financial resources for community forestry [Article 31], which can come from the national forest development budget, charitable organizations, and/or national and international organizations.

With regards to royalties and premiums, the CFSD reiterates the provisions that already exist and control in the Forestry Law. The CFSD does state that the royalties and premiums that are required under the Forestry Law "should be set after consultation with the cf community in order to support community development, equitable benefit sharing and poverty alleviation." [Article 13]

Another important provision that should be noted is that related to a five year moratorium on the harvesting of forest products (five years from the approval date of a CFMP). It should be understood that this provision applies only to forest products, otherwise commonly referred to as timber products, not NTFPs.

3. Possibilities and Next Steps for Implementation

Now that a CFSD has been passed, what could and should be done next? The first step should be to look at the opportunities that are presented within the CFSD. Areas within the production forest areas which are suitable for community forestry should be identified, communities in these areas should be informed of the fact that they now have an opportunity to manage and benefit from the resources in their immediate area, and assistance should be given to enter into agreements and create acceptable management plans. In addition, local authorities such as Commune Councils,

district governors and provincial governors should be made aware of the CFSD so they can assist in implementation, since these entities have a real interest in the creation of sustainable livelihoods in their areas. While those efforts are ongoing, it is necessary for the Forestry Administration to enact and implement all the necessary Prakas/guidelines. Once in place and implementation is occurring, effective monitoring and evaluation should be ongoing so that lessons learned can be used to modify or redraft the Prakas/guidelines in order to make them more effective.

As already stated, the passage of the CFSD is just the "next step" in a long series of steps that must take place before community forestry becomes a meaningful and important land use/ natural resources management and poverty alleviation tool. It should also be recognized that this new tool is just one of many that have come into existence in Cambodia in recent years, and it will take time to discern exactly how community forestry and the CFSD will fit into the larger picture.

4. Potential Role of Commune Councils in Implementation

Communes specifically have no authority over forest areas under the jurisdiction of the Forest Administration (Commune Administration Law, Article 45). Though it appears that this article contradicts a commune's duty to protect and conserve the environment, it merely means that the commune administration has no decision-making authority over issues related to the Permanent Forest Reserve, such as granting forest concessions or entering into Community Forestry Agreements. However, Commune Councils can still take an active interest in issues surrounding forest areas, such as helping to facilitate the creation of community forests, or identifying opportunities or needs for the establishment of community forestry through the Commune development planning process. The CFSD already recognizes this fact in stating that Commune Councils should facilitate the process of Community Forestry. It is important that when thinking about the role of the Commune Council, it should be viewed not just within the realm of the CFSD, but within the provisions of the Forestry Law as a whole.

Chapter 9 of the Forestry Law, in conjunction with Article 2, outlines customary user rights, such as the gathering of non-timber forest products (NTFPs), within the permanent forest reserve; these rights are protected under the law. It also outlines the authority for community forestry activities and the principals for planting trees by individuals. Commune councils should assist the Forest Administration and local communities in identifying areas that are important for customary user rights, have potential for community forestry, are suitable for religious or spirit forest protection status, or appropriate for tree plantations. Commune councils could also assist in the preparation of community forestry agreements and management plans through its facilitation role.

The Forestry Law states that any person who plants trees on his/her private land or on State forest land where they have granted user rights, has the right to maintain, develop, use, sell, or distribute the products. The planting of trees within the Permanent Forest Reserve may be done directly by the Forestry Administration, through CFAs and CFMPs by cf communities, or by participation of people through a right granted to use State forest. Rules on granting rights to use State forest land to plant trees shall be prescribed by Sub-Decree, though this has yet to be done. Tree plantations could be an important socio-economic development tool identified by commune councils during land use/natural resource management planning activities. As already stated, this type of activity can occur within community forest areas which have been heavily degraded but are still classified as production forest.

Unfortunately the capacity level of most Commune Councils is quite low at the moment, so it is questionable as to how much of a role they can really play in the near term with regards to community forestry type activities. The first step will be to inform them of the CFSD and what it means.

5. Comparison to Social Land Concession Sub-Decree

As already stated in Section 4 above, the CFSD is just one land use/natural resources management tool that will be implemented in Cambodia. Another that has been recently passed is the Social Land Concession Sub-Decree. It is interesting to compare these two Sub-Decrees in terms of their similarities and differences.

One similarity that has already been mentioned is that both address the initiation process from a bottom up (where the local community can initiate the process) and top down (where the process is initiated from the national level) approach. Another similarity is the respect for hierarchy in the system, where the approval process must follow clear lines of authority through the proper channels. This respect for hierarchy is a reflection of the overall governance system in Cambodia and Cambodian culture itself.

There are notable differences between the two Sub-Decrees. Though the two processes are clearly within the authority of the line ministry with jurisdictional authority (MAFF for the CFSD and MLMUPC for the Social Land Concession Sub-Decree), the Social Land Concession Sub-Decree has mechanisms and structures that create far more horizontal integration and interaction with other relevant Ministries. At the National level, the Social Land Concession Sub-Decree creates a National Social Land Concession Committee with representative members from number of ministries (national defense; land management, urban planning and construction; economy and finance; rural development; agriculture, forestry and fisheries; planning; women and veterans affairs; environment; water and meteorology; social affairs, labor, vocational training and youth rehabilitation). The CFSD does not have any such horizontal integration. This, however, is reflective of the Forestry Law itself, along with the rather insular nature of MAFF and the Forestry Administration in general.

Another difference between the Sub-Decrees is that the Social Land Concession Sub-Decree has more detail in the bottom up procedures mentioned above, including clear timelines within the approval process. It should be noted that the top down approach within the Social Land Concession Sub-Decree is quite vague. As with the CFSD, the Social Land Concession Sub-Decree calls for the enactment of Prakas/guidelines that clarify procedures and duties.

6. Conclusion

The passage of the CFSD has been viewed as a positive step in the right direction for community forestry in Cambodia. Though it is not perfect, it is something to work with, and there are real opportunities presented with its passage. It is easy to focus on flaws and disappointed expectations, but what is more difficult (and far more important at this stage) is to focus on the opportunities for proper implementation and development of this land use/natural resources management tool.

Note: This report was adopted from a previously written report by the author for the GTZ-CGFP in 2003.

SECTION III

OVERVIEW OF THE POLICY AND LEGAL FRAMEWORK RELATED TO CBNRM

1. Introduction

The primary purpose of this section is to provide the reader with an overview of currently existing policy and legislative documents (Laws, Sub-Decrees and Prakas) that can be linked to CBNRM in Cambodia. In order to assist the reader, an explanation of what is policy (policy as compared to legislation) and an overview of the legislative system in Cambodia is provided. In addition, this chapter will identify existing gaps within the legislative framework in Cambodia.

2. Understanding Policy

The difference between policy and legislation is often confusing; in many instances commentators will refer to legislation as policy, though they should be separate and distinct instruments in the governance field. Policy documents represent a course of action or vision that a government has adopted, written in a standard report format, while legislation sets out specific mandates, rights, responsibilities and prohibitions on a subject matter within a rigid format of chapters and articles. Policy documents are written and adopted by a government's executive branch[3]. Legislation is enacted by either the legislative or executive branches of government, with Laws being enacted by the legislative branch and implementing rules and regulations enacted, implemented and enforced by the executive branch[3].

Good policy documents should be clearly written providing a government and its administrative agencies with clear directions on a course of action that is adopted. Policy documents are often adopted to direct the drafting, enactment and implementation of legislation. Policy documents can also be written to assist in the interpretation of legislation by those entities that are responsible for implementation and enforcement. Properly written policy documents compliment and link to legislative documents. In instances where there is no written policy on a subject matter, then the legislative documents are often times referred to as the government's policy; this is considered a very poor form of policy development, and in such instances clear policy should be written and adopted by the government.

For government policy to be truly effective, it should contain clear statements on courses of action to be taken that can be effectively measured and monitored over time. Far too often policy documents only contain broad statements embracing a general concept without spelling out a clear course of action.

[3]See Section 4 below for an in depth explanation of the legislative framework in Cambodia.

3. Policy Documents

The following is an overview of policy documents that link in some way to CBNRM in Cambodia[4].

3.1 Royal Government of Cambodia's Second Five Year Socio-Economic Development Plan 2001-2005

The Royal Government of Cambodia's (RGC) Second Five Year Socio-Economic Development Plan (SEDP II) is a policy document charting the course for the government's focus on a broad variety of developmental issues with a concentration on actions to be taken to stimulate economic growth and private sector development. Because of the natural links between this policy and the recently adopted National Poverty Reduction Strategy (NPRS), the two will be combined in 2006.

This policy makes a commitment to the sustainable use of natural resources and discusses the areas of agriculture, forestry, fisheries and land management reform, but statements that can be linked directly to CBNRM are quite limited. The document does specifically call for the "optimization of benefits [from forest resources] to rural communities through community based forestry," formulation and implementation of a legal and regulatory framework for community fisheries management," and recognizes as a guiding principal that "structured interventions to provide local communities with the skills to manage the natural resources base on which their livelihoods depend is the most effective way of achieving sustainable management of these resources."

3.2 Royal Government of Cambodia's Strategy of Land Policy Framework (2002)

This policy document that elaborates on the 2001 Statement on Land Policy and sets forth the principals and plans which will be utilized to accomplish the RGC's goals regarding land and plans for assuring that land resources are used effectively to achieve broad national goals. It represents an ongoing process of creating detailed land policies for Cambodia.

There are several promising principals that are adopted that link to CBNRM. The policy states that "the people who use land are the day-to-day land managers, their participation in land use planning is essential." The policy also states that "concepts of community forestry and community fisheries…imply that community land use planning and land management are expected nation-wide."

The policy explains that the "preferred method for implementing decentralized land use planning is referred to as Participatory Land Use Planning (PLUP)." This is a method of developing local agreement about current and future land use in harmony with development goals and available natural resources, and is based on the principles of local ownership and control of the planning process. In relation to indigenous land rights, the document states that principals of "local land use planning and expanded partnerships between indigenous communities, NGOs and government in managing areas in and around communal property will guide implementation of communal titling.

3.3 Royal Government of Cambodia's National Poverty Reduction Strategy (2003)

The NPRS, like SEPD II, covers a broad range of issues impacting on poverty reduction within Cambodia. The policy does an excellent job of clearly listing objectives, actionable measures to be taken, measurable indicators and targets set to specific timelines and the agencies responsible for carrying out the actions. As such, this is an example of a well written policy document as described above in Section 2.

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[4]Policy documents that have exceeded their intended time frames, such as the Government Action Plan (2001-2004) or the National Environmental Action Plan (1998-2002) are not included in this analysis. These government policies need to be replaced or have been integrated into other policy mechanisms such as the National Poverty Reduction Strategy.

This policy and SEDP will be integrated into one broad policy document guiding development and poverty reduction in 2006.

Unfortunately the policy makes very few statements that can be linked to CBNRM type activities. The policy does specifically call for the "establishment of land use planning integrated with natural resources management and decentralized land use planning and management," which should be incorporated into a Sub-Decree on Land Use Planning as called for under the Land Law[5]. It also calls for establishing and strengthening community forestry through increasing awareness and "assisting forest user groups in implementing community forestry management plans," and continuing "efforts of sustainable communities-based fisheries management." In the area of water resources management, the policy states the government needs to adopt a comprehensive set of guidelines and regulations relating to farmer's involvement in irrigation development and management through the promulgation of a Water Resources Law and Sub-Decree on Farmer Water User Communities.

3.4 Royal Government of Cambodia's National Forestry Policy (2002)

This document is not so much a policy document as it is a government statement which states a commitment to broad management principles. A comprehensive forestry policy within Cambodia still needs to be developed, and is required under provisions found in the Forestry Law. With this in mind, there is very little in this statement that links to CBNRM issues. The document states that the government shall "ensure the maximum involvement of private sectors and local communities in the form of sustainable conservation and management of forest resources…," recognize and "legally protect the traditional rights of local communities in use of forest resources…," and "increase the benefits of local communities from the use and management of forest resources through the concepts of community based forest and wildlife conservation."

3.5 Royal Government of Cambodia's National Water Resources Policy (2004)

In January of 2004, the RGC adopted the country's first National Water Resources Policy. This broadly worded document recognizes the importance of water resources within Cambodia, and calls for the sustainable development, use and conservation of these resources throughout the country. The major weakness with this policy document is that it does not spell out concrete actions that are to be taken, what timelines are involved or what institutions, agencies or departments are responsible. The only ministry that is mentioned is MOWRAM, and only in a very limited sense.

In terms of CBNRM issues, the only language within this policy document that links are those statements relating to improved participation of beneficiaries and farmer user communities in management of the water resources in question.

4. Overview of the Legislative System in Cambodia

The legal system in Cambodia exists within the overall governance structure created under the Constitution, which is the supreme law of the land. The government is made up of a system where the intent is to have a clear separation of powers between the legislative, executive and judicial branches of government. "The separation of powers ensures that no element or branch of government can assume absolute or dictatorial power, and it is a safeguard for the people against abuses of state power."[6] Due to weakness and lack of capacity within both the legislative and judicial branches, this system of separation of powers does not work as effectively as it should.

[5]This Sub-Decree has yet to be enacted; see Section 5 on Gaps in Legislative Framework
[6]Legal and Judicial Reform Policy, Page 8, as adopted by the Council of Ministers (20 June 2003)

The judicial branch is perceived as the weakest of the three, though efforts are being made to rectify this situation, such as the recent adoption of a legal and judicial reform policy as drafted by the Council for Legal and Judicial Reform.

The Legislative branch is divided into the National Assembly and the Senate with the authority to approve and amend legislation initiated by them or the Royal Government of Cambodia (RGC)[7]. The Executive Branch consists of the Prime Minister, the Council of Ministers and the various line ministries. The Judicial branch consists of 19 provincial courts, two municipal courts, a military court, and an Appeals and Supreme Court in Phnom Penh. The Ministry of Justice and the Chief Prosecutor implement criminal law, procedure and oversee judicial police in the enforcement of all legislation through the Courts[8]. The laws and regulations of Cambodia are hierarchical, and each of these derives its validity and authority from a rule placed above it in the hierarchical structure of laws. The following is a general outline of the hierarchy of law within the Kingdom of Cambodia:

1) Constitution
2) Laws (Chhbab)
3) Royal Decree (Reach-Kret)
4) Sub-Decree (Anu-Kret)
5) Prakas
6) Circulars (Sarachor)
7) Deika

Within this hierarchy of law are general observations that can be made on time and scope. The higher the level of the instrument that is being enacted, the greater the amount of time for actual enactment due to various levels of review it must go through. For example, a law that is drafted at the level of the RGC must go through a review process at the Council of Ministers, the National Assembly and finally the Senate, while a Prakas is simply reviewed within the Ministry that is promulgating it[9].

Another aspect that should be considered is scope of the legal document. Laws have broad scope and apply to all government entities and geographic locations within the country, unless specifically limited within their text. Prakas are only binding within the Ministry in which they are promulgated, and Deika only apply to the geographical area of the province or commune that enacts them.

4.1 Law**:** Laws, or Chhbab in Khmer, are the primary source of law in Cambodia. Chhbab are the laws passed by the National Assembly (lower house) and the Senate (upper house). The Chhbab is often times confused with the Kram, which is a form of Royal Decree used for the promulgation of a Chhbab by the King or Head of State. The process of promulgating a Law that is proposed by the RGC is rather time consuming, as already mentioned, and generally proceeds according the following procedure[10]:

1) Preparation of a draft law by a technical line ministry, such as MOI;
2) Discussion of the draft law in inter-ministerial meetings (or, if need be, within the concerned ministry itself. Interested stakeholders (donors, civil society, private sector, etc.) are often times consulted as well.

[7]The RGC consists of the Council of Ministers headed by the Prime Minister.
[8]Constitution, Chapters 7-11

[9]After promulgation, laws may also be reviewed for constitutionality by the Constitutional Council, but only upon request of the King, President of the Senate or National Assembly, the Prime Minister, ¼ of members of the Senate, 1/10 of the members of the National Assembly or the Courts. The Constitutional Council has no authority to review laws on non-constitutional issues, nor does it have authority to review other legal instruments such as Sub-Decrees or Prakas.
[10]This procedure would apply to proposed amendments to laws as well.

3) Study of the draft law by the Council of Jurists under the Council of Ministers to check conformity with the Constitution, coherence with existing legislation, etc.;4) Discussion of the draft law at the inter-ministerial level under the Council of Ministers;
5) Examination and adoption of the draft law by the Council of Ministers;6) Submission of the draft law of the RGC to the National Assembly. Draft laws are submitted in a written format accompanied by a "Statement of Purpose" to the Permanent Committee of the National Assembly for distribution to all deputies. The Permanent Committee forwards the draft law to a specialized commission for review. After such review, the Chairman of the Commission presents the opinions of the Commission to the National Assembly;
7) Examination and debate of the draft law at the plenary session, including modifications by the National Assembly;
8) Vote on the draft law by the National Assembly (simple majority);
9) Submission of the adopted law to the Senate which has to review and provide a recommendation within no more than one month. For urgent matters, the period is reduced to seven days. If the Senate does not provide the recommendation within the time limit stipulated, the law is promulgated. If the Senate calls for changes, the National Assembly shall take them into account a second time immediately. In the second review of the adopted law, the National Assembly must adopt it by an absolute majority;
10) Promulgation of the law by the King or the Head of State (Kram).

4.2 Royal Decree**:** The Constitution states that "upon proposal by the Council of Ministers, the King (or Head of State) shall sign decrees (Kret) appointing, transferring or ending the mission of high civil and military officials…"[11] This provision has been utilized by the RGC to create high level multi-ministerial bodies such as the National Committee to Support the Commune and Supreme Council for State Reform. There are also times when Royal Decrees are used as regulatory instruments, such as the case with the Royal Decree on Watershed Management; technically speaking, such Decrees are unconstitutional since the King only has authority to reign, not govern.

4.3 Sub-Decree**:** Sub-Decrees, or Anu-Kret, are legislative documents that are generally used to implement and clarify specific provisions within Laws, though they are also utilized to outline the roles, duties and responsibilities of government entities, such as a ministry, or for the appointment of high ranking government officials. Sub-Decrees tend to be drafted within a ministry or amongst several ministries that have subject matter competence on the area to be legislated. Once drafted, the Sub-Decree is submitted to the Council of Ministers for examination and adoption[12]. Once adopted by the Council of Ministers, the Sub-Decree is signed by the Prime Minister and counter signed by the minister or ministers in charge of implementation and enforcement. Authorization for the Sub-Decree, whether direct or indirect, must come from a higher level legal instrument, such as a Law. Since Sub-Decrees are adopted at the Council of Ministers level, their scope can be quite large.

4.4 Prakas**:** Prakas are ministerial or inter-ministerial regulations that are used, like Sub-Decrees, to implement and clarify specific provisions within higher level legislative documents. They are also often used for the creation of guidelines that are necessary for the implementation of Laws or Sub-Decrees. Prakas are usually drafted at the technical department level and then signed into effect by the minister (or ministers) in charge of the ministry within which the regulation or guidelines apply. It should be noted that Prakas are largely used to implement Law in Cambodia, and that lessons learned can be quickly incorporated since the process for enacting a Prakas are relatively simple and quick.

[11]Constitution, Article 21
[12]The steps taken for passage of a Sub-Decree essentially mirror steps 1-5 for the passage of a Law.

The drawback to Prakas is that their scope is limited to the subject matter jurisdiction of the ministries that enact them, and other line ministries or government entities will not always feel bound to follow them.

4.5 Circulars: Circulars, or Sarachor, are instruments that are issued by the Prime Minister or a minister to explain or clarify certain legal or regulatory measures, or to provide instructions. Like Prakas, these are limited in scope, but easily issued.

4.6 Deika: Deika are orders given by provincial governors or Commune Councils that have the force of law within the geographical limit of their territorial authority. Deika can not conflict with other rules and regulations at the national level.

5. Legislative Documents

The following is an overview of primary legislative documents that link in some way to CBNRM in Cambodia. Legislative documents that are currently in draft form are discussed in Section 6.

5.1 Law on Environmental Protection and Natural Resources Management (1996)

This Law includes provisions for the protection of the country's natural resources and environment that covers Protected Areas that fall under the management responsibility of the Ministry of Environment, water pollution control activities, creation of national and regional environmental action plans, and conducting Environmental Impact Assessments for development projects or other activities that could have a significant impact on the environment.

One of this Law's stated objectives is to "encourage and provide the possibility of the public to participate in the protection of the environment and the management of natural resources." While this certainly links to concepts of CBNRM, there are no concrete provisions within the Law addressing how this is to be done. The Law authorizes the drafting and enactment of a Sub-Decree on procedures for the participation of the public in the protection of the environment and management of natural resources, but this was never done.

5.2 Land Law (2001)

The Land Law outlines concepts of land classification (State Public, State Private and Private) and ownership in Cambodia[13]. It also includes important provisions on communal property ownership rights of minority indigenous groups within the country. The Law does not specifically spell out any mechanisms for land use planning and management that would link to CBNRM activities, but it does call for the enactment of a Sub-Decree on state land management that might cover this through provisions on participatory land use planning. The Land Law does provide some conflict resolution mechanisms that could be used when encountering problems of ownership during CBNRM activities.

5.3 Law on Administration and Management of the Commune (2001)

This important piece of legislation grants executive and legislative authority to semi-autonomous democratically elected commune councils at the local level of government in Cambodia. Commune councils have authority to protect the environment and natural resources within their commune boundaries, though they are specifically prohibited from making management decisions on forestry issues unless granted specific authority from the RGC.

[13]For an overview of how the Land Law and Forestry Law classification systems link, see Annex to this Chapter below.

The commune councils must create commune development plans that can include issues surrounding natural resources management. In addition, the commune councils may create sub-committees to assist in specific management issues, such as those that would link to CBNRM activities[14]. There are no specific provisions within this Law or subsidiary legislation that directly link to CBNRM.

5.4 Forestry Law (2002)

The Forestry Law outlines the general rules and regulations related to administration and management of the Permanent Forest Estate within Cambodia. Though primary jurisdiction is granted within the law to the Forestry Administration (FA) over the Permanent Forest Reserve, the FA also has jurisdictional authority over other areas within the Permanent Forest Estate, such as forestry crimes in MOE protected areas and regulation of timber plantations on private land (private forest). The Forestry Law outlines the basic structures, functions and responsibilities of the FA.

The Forestry Law is one of the most important existing pieces of legislation that links to CBNRM issues. This Law contains important provisions on traditional use and access rights to forest resources, though these do not include management rights. More importantly are the provisions that allow for the creation and management of community forests, whereby communities are granted an area of the Permanent Forest Reserve to manage and derive benefits from. Unfortunately provisions within the Forestry Law only allow community forestry activities to occur in areas classified as Production Forest, thereby excluding areas of Protection Forest from this management scheme.

5.5 Royal Decree on Protected Areas (1993)

This Royal Decree creates the system of MOE protected areas, but does very little in regards to the management of these areas. The Royal Decree has been criticized for its judicial legitimacy, though that has been handled through the passage of the Forestry Law; essentially the Forestry Law is the mechanism by which the National Assembly has ratified the Royal Decree and given MOE clear jurisdiction over the management of these areas.

5.6 Community Forestry Sub-Decree (2003)

This Sub-Decree, specifically authorized by the Forestry Law, outlines the general rules and procedures for community forestry within Cambodia[15]. Detailed procedures and requirements necessary for implementation will be laid out in the guideline Prakas that are being drafted at the moment. It is expected that the guideline Prakas will be enacted by the Ministry of Agriculture, Forestry and Fisheries sometime in 2006.

5.7 Fisheries Law (2006)

This Law covers management of the entire fisheries sector in Cambodia, including issues surrounding family fishing activities and community fisheries that link to CBNRM activities. This Law was enacted by the National Assembly in 2006.

5.8 Sub-Decree on Community Fisheries (2006)

This Sub-Decree, enacted under a Royal Decree, creates the detailed rules for establishment and management of community fisheries in Cambodia. As such, it naturally links well with CBNRM issues and is similar, in terms of granting an area of resources to a community to manage and derive

[14]Natural Resource and Environmental Management (NREM) committees have been established by some Commune Councils in Cambodia as part of a program to mainstream NREM into the commune development planning process.

benefits from, to the Community Forestry Sub-Decree. In general, the law is well-received, but there are some perceived weaknesses in terms of enforcement procedures. Communities do not have the right to deal with illegal activities themselves, but rather must cooperate with government officials.

6. Legislative Gaps

There are many Laws, Sub-Decrees and Prakas with the potential to impact on CBNRM activities in the country that have yet to be enacted. Following is a listing of key legislative documents that have been or are in the process of being drafted. It is uncertain what form these will take when finally enacted.

6.1 Protected Areas Legislation

There is a tremendous need for legislation that guides the management of Protected Areas under the management authority of the Ministry of Environment. There is currently a draft that includes provisions on community use and management zones that would link to CBNRM issues. Though originally drafted as a Law, it looks more likely that this legislation will be enacted as a Sub-Decree.

6.2 Water Resources Management Law

The draft Water Resources Management Law (most recent draft dated March 2002) has the stated purpose of "fostering the effective management of the water resources of the Kingdom of Cambodia in order to attain socio-economic development and the welfare of the people." This shall be done through the determination of: the rights and obligations of water users; the fundamental principals of water resources management; institutions in charge of implementation and enforcement; and the participation of users and their associations in the sustainable development of water resources. With its provisions on rights and obligations of water users, including farmer user groups, this legislation links well with CBNRM issues in Cambodia.

6.3 Community Forestry Guidelines Prakas

This Prakas will provide the details for enactment of the Community Forestry Sub-Decree. It will include annexes that provide the general format and content of the Community Forestry Agreement, Community Forestry Management Committee By-Laws, Community Forestry Regulations and Community Forestry Regulations. Currently existing community forestry sites, nor areas that are being proposed for community forestry type activities in the future, cannot be formally recognized under the law until these guidelines are enacted.

7. Conclusion

There are limited provisions within Cambodian policy and legislative documents that directly support concepts of CBNRM. A promising sign in this regard is current use of participatory land use planning techniques that may be codified into legislation on land management in the future, passage of the Community Forestry Sub-Decree, and currently draft legislative documents that contain provisions relating to Farmer Water User Groups and community fisheries management.

What must be remembered is that policy and legislation can change over time. As lessons are learned and attitudes change, then there can be greater opportunity for adoption of concepts relating to CBNRM in the policies and legislation of Cambodia.

SECTION IV

ESIA REQUIREMENTS FOR COMMUNITY FORESTRY

1. Introduction

There is an issue relating to whether it will be required to conduct an ESIA as part of a Community Forestry Management Plan. During discussions with the Community Forestry Office (CFO), it was argued that provisions within the Prakas on the guidelines for community forestry (CF Prakas) should be consistent with other provisions in the laws and regulations of the Royal Government of Cambodia. The main laws that are involved in this analysis are the Forestry Law and the Law on Environmental Protection and Natural Resources Management.

The following is an outline of the relevant legal provisions, the position that CFAC lobbied for based on the relevant legal provisions and comments that were received, and what appears to be the Forestry Administration's (FA) current stance on the issue.

2. Legislative Background

2.1 Forestry Law (and Community Forestry Sub-Decree)

The Forestry Law, in paragraph 2 of article 4, states that, consistent with the Environmental Protection and Natural Resources Law and the Code of Forest Management, an "Environmental and Social Impact Assessment (ESIA) shall be prepared for any major forest ecosystem related activity that may cause adverse impact on society and environment."

It should be noted that the Code of Forest Management only mentions conducting an ESIA for concessions and that the articles in the Forestry Law that deal directly with Community Forestry make no mention of an ESIA requirement.

The Community Forestry Sub-Decree does not make any mention of an ESIA requirement in Chapter 7 on Community Forestry Management Plans. The only place where there is any mention of this in the Sub-Decree is in the definition of Community Forestry Management Plan (CFMP) contained in Article 5, but it does not state exactly when or under what circumstances this needs to be conducted. The Definition of CFMP reads as follows:

> A document prepared by a CF Community with approval by Forestry Administration following the Environmental and Social Impact Assessment and detailing the procedure, regulation and measure related to sustainable use and management of the Community Forest.

2.2 Law on Environmental Protection and Natural Resource Management

This law outlines the requirements for conducting Environmental Impact Assessments (EIA) in Cambodia[15]. The details for when this activity is required are contained in the Sub-Decree on

[15]While the Forestry Law and subordinate regulations use the term "Environmental and Social Impact Assessment, the Law on Environmental Protection and Natural Resources Management and the Sub-Decree on Environmental Impact Assessment Process uses the term "Environmental Impact Assessment." Though slightly different terminology is used, they are the same type of assessment.

The Annex in the Sub-Decree on EIA Process lists what activities and size of activities require an EIA. In the Agricultural area, it states that Concession Forests greater than 10,000 Ha require an EIA. It also states that Agricultural Concessions greater than 10,000 Ha require an EIA. Though it does not mention Community Forests, it would make sense that the same size limitation would apply, since Community Forests would generally have less of an impact on the environment than Concession Forests or Agricultural Concessions.

In addition to the above activities, the Annex in the Sub-Decree also requires an EIA for "Logging" greater than 500 Ha. It could be argued that Community Forestry Management Plans that encompass the commercial harvesting of timber would fall under this activity.

3. Position of CFI Expressed to CFO Staff

The primary concern related to ESIA language in the draft CF Prakas had to do with the addition of seemingly unnecessary bureaucratic requirements to the community forestry process and the inability of communities to carry out such a process. It was recognized, however, that the Forestry Administration was set on some sort of ESIA requirement for the CFMPs, and that the requirements would be clarified in the CF Prakas.

In light of this, it was decided by the Policy and Legal Advisor to CFI that the argument should be made that community forestry activities are similar to concession forest activities and therefore should be treated similarly under the law. While an ESIA may be required as part of the Community Forestry Management Plan Process, it should only be required for Community Forests that are larger than 10,000 Ha. In this way, the language related to ESIAs in the Guidelines for Community Forestry (CF Prakas) will be consistent with existing Law in Cambodia. In addition, since most Community Forest Agreements would cover areas less than 10,000 Ha, it would not place too much of a burden on the community forestry process.

The primary weakness in this argument is the language in the Sub-Decree on EIA Process that requires an EIA to be carried out for logging greater than 500 Ha. If a Community Forestry Management Plan included commercial harvesting of timber, would it be subject to this provision? The argument could certainly be made that it would be, but the law does not have enough clarity to answer the question one way or the other.

4. Forestry Administration's Current Position

Based on conversations with the CFO staff, it appears that the Forestry Administration's opinion will be to require an ESIA for Community Forest Management Plans that will include commercial harvesting of timber products and by-products. It is the opinion of the Forestry Administration that community forestry activities that include commercial harvesting operations are "a major forest ecosystem related activity that may cause adverse impact on society and environment," and therefore require an ESIA under Article 4, Paragraph 2 of the Forestry Law. Community Forestry Management Plans that only envision customary use activities as outlined in Article 40 of the Forestry Law will not require an ESIA.

The FA believes that it is the requirement of the Administration, not the community, to carry out the ESIA on the management plan as part of the approval process. This should allay the fears of those who commented that communities do not have the capacity to carry out an ESIA. It is uncertain how exactly this would be carried out, or what role the Ministry of Environment might have in the process.

Considering that EIAs or ESIAs are rarely carried out in Cambodia, even when explicitly called for, this may become a non-issue during implementation. What is for certain is that the FA is not likely to budge on this issue, and that clarifying language related to ESIA requirements for Community Forestry Management Plans will be included in the CF Prakas.

ANALYSIS OF PENALTY PROVISIONS FOUND IN THE KINGDOM OF CAMBODIA'S FORESTRY AND LAND LAWS

SECTION V

1. Introduction

The following section is intended as a general guide to identifying and enforcing penalty provisions within the Forestry and Land Laws. The focus is on natural resources management issues, specifically forest resources located on State Public Land. The analysis of penalty provisions found in the Land Law is included as a compliment to provisions found in the Forestry Law.

The report includes an overview analysis of prohibitions and penalty provisions included in the Forestry Law, including provisions related to Forestry Administration officials and other government employees, statutes of limitation, and available appeals procedures. Related provisions found in the Land Law are then explored. As an illustration of circumstances where these various provisions can be utilized, two case examples are presented; the first is based on illegal logging activities that took place in the Mt. Aural Wildlife Sanctuary in 2004, while the second explores a hypothetical situation where a concessionaire illegally cuts resin trees that are tapped by a local community for traditional use. As a supplement to this general guide, the detailed list of forestry offenses and penalties found in Chapter 15 of the Forestry Law is included in Annex "A."

2. Forestry Law

The Forestry Law contains various prohibitions on activities within the permanent forest estate that are classified as forestry offenses and subject to penalty provisions if engaged in. These prohibitions appear throughout the body of the Forestry Law, though the detailed list of forestry offenses and penalties are spelled out in Chapter 15, with the procedures for resolving forestry offenses covered in Chapter 14.

2.1 Violations of Forestry Law Subject to Penalty

Violations of the Forestry Law subject to penalty can be carried out by a variety of individuals including private actors, Forestry Administration officials and other government employees/authorities. In addition, employers or supervisors of employees can be held accountable for the actions of those individuals that are working for or managed by them.

2.1.1 General Violations Classified as Forestry Offenses

General prohibitions or violations contained in the body of the Forestry Law that are subject to penalty are as follows:

According to **Article 24** of the Forestry Law, "Any individual, legal entity or community that intends to harvest Forest Products & By-products for commercial purposes must possess a harvest permit issued by the Forestry Administration." It should be noted that communities that are harvesting amounts equal to or below customary use limits defined in Chapter 9 of the Forestry Law, or that are harvesting above these limits pursuant to a Community Forestry Agreement and approved Community Forestry Management Plan, do not need a permit, as "permission" has been granted through another mechanism contained in the law. Harvesting without a harvest permit is a forestry offense under the law.

Article 25 takes the permitting issue a step further and presents a list of permits that are required for various activities. Not possessing the necessary permit, or not complying with the terms and conditions of the permit, constitutes a forestry offense under the law. The permits listed in this article include:

1) Permit setting an annual harvesting quotas for forest products & by-products;
2) Permit to harvest forest products & by-products;
3) Permit setting the transport quotas for forest products & by-products;
4) Permit to transport forest products & by-products;
5) Permit for use of forests or forest lands;
6) Permit to establish a forestry industry, sawmill, or forest products & by-products processing facility (issued by Prakas);
7) Permit to enter forest for the coupe preparation (for concessionaires);
8) Permit to establish a stock place to sell or distribute forest products & by-products;
9) Permit to establish any type of kiln that uses forest products & by-products as raw material;
10) Permits containing export quotas for forest products & by-products;
11) Export and Import Permits for forest products & by-products;
12) Other types of permits that may be required according to provisions in the Forestry Law.

Article 28 states that the granting of a right or permission (permit) to harvest forest products and non-timber products may only occur in areas classified as Production Forest. As such, any harvesting of forest products or non-timber products outside of Production Forest areas, such as in protection forests or MOE protected areas, would be classified as a forestry offense. It should be noted that this provision would not apply to customary user rights outlined in Chapter 9 of the Forestry Law.

Article 29 spells out specific prohibitions on harvesting, subject to exceptions authorized by the Ministry of Agriculture, Forestry and Fisheries. Under this article it is generally prohibited to harvest forest products and by-products as follows:

1) Tree species whose diameter is smaller than the minimum diameter allowed to harvest;
2) Rare tree species;
3) Tree species that local communities have tapped to extract resin following tradition;
4) Trees that yield high-value resin.

The terms of this provision are to be clarified by Prakas. Anyone who harvests these forest products or by-products without authorization from the Ministry can be held liable for committing a forestry offense.

Article 30 generally prohibits the processing of forest products or by products, establishment or operation of sawmills or other processing facilities, or the operation of any types of kilns within the Permanent Forest Reserve. These types of facilities should be located at least 5 kilometers outside of the permanent forest reserve unless a specific exception has been granted by the Ministry of Agriculture, Forestry and Fisheries based on studies conducted by the Forestry Administration. The existence of such facilities within the Permanent Forest Reserve is a forestry offense.

Article 31 prohibits the clearing of forestland for public road construction unless approved by the Royal Government of Cambodia. It also prohibits the clearing of forestland for the construction of forestry roads unless approved by the Minister of the Ministry of Agriculture, Forestry and Fisheries. In addition, settlement along public or forest roads within the Permanent Forest Reserve is strictly prohibited unless there is permission from the Royal Government of Cambodia (this is an anti-encroachment provision).

Article 32 prohibits a list of activities that damage forest resources, including:

1) To displace, remove, or destroy the boundary posts or distinctive sign marking the forest boundary;
2) To grid bark, poison, destroy, fell down or uproot any tree without technical necessity;
3) To use harvest rights for forest products & by-products in a manner different from those authorized by permit;
4) To use various means or allow unleashed or leashed livestock within an area with tree seedlings or recent growth after harvesting, or forest fires, or in areas being or recently planted; and
5) To establish yellow vine or other forest by-products' processing facilities that may cause significant pollution or destruction to the forest ecosystem.

Article 33 creates a general prohibition on all forest clearing activities, unless the activity is permitted elsewhere in the law. This provision is not very helpful for enforcement purposes.

Article 36 creates a general prohibition on the setting of forest fires.

Article 38 states that it is prohibited to saw, slice or process logs within the Permanent Forest Reserve (this compliments the language found in **Article 30**), and also prohibits the use of chain saws to harvest forest products within the Permanent Forest Reserve unless operating with a permit authorized by the Forestry Administration (chain saws also need to be registered and tagged by the Forestry Administration according to **Article 70**).

Article 39 is a general prohibitive statement on the issuing of permits, clearing forestland, harvesting forest products or by-products, or occupying land within the Permanent Forest Reserve contrary to other provisions within the law. It is essentially a catch-all provision that is not that useful for enforcement purposes due to its lack of specificity.

Article 49 spells out specific prohibitions related to wildlife. For all wildlife species, it is prohibited to hunt, harm or harass:

1) Using all types of dangerous means;
2) Hunting during the prohibited season; and
3) Hunting in protected zones and special public areas.

For wildlife that is classified as rare or endangered, the following activities are prohibited:

1) Harass or harm any such species above or its habitat;
2) Hunt, net, trap or poison;
3) Possess, stock or maintain as a zoo or in a family house;
4) Transport;
5) Trade; and
6) Export-Import.

Article 50 spells out activities involving common wildlife species that are illegal unless a permit has been issued by the Forestry Administration:

1) Stock or maintain as a zoo or in a family house;
2) Transport and Trade an amount exceeding that necessary for customary use.
3) Import or Export.

Article 57 generally covers the issue of valid permit holders carrying out activities but failing to pay the necessary royalties or premiums.

Article 68 strictly prohibits the felling of trees and the collection and transport of forest products & by-products between the hours of 8:00PM and 5:00AM within the Permanent Forest Reserve. There are no exceptions to this rule.

Article 69 states that it is illegal to transport or stockpile forest products or by-products without the required transport and stock permits, or not in compliance with the terms and conditions stated within valid permits.

Article 70 states that it is prohibited to use unregistered or improperly tagged machinery, vehicles and chainsaws within the Permanent Forest Reserve.

2.1.2 Forestry Offenses Committed by Government Officials

Non-Forestry Administration government officials are treated specially within the Forestry Law for commissions of forestry offenses. **Article 100** states as follows:

Any activities carried out by the official of local authority, the police officer, Royal armed forces or other authorities that directly or indirectly allow forest exploitation or other activities contrary to the provisions of this law, or to threaten a Forestry Administration officer, or to obstruct the performance of duties and operations of a Forestry Administration officer, shall be subject to one (1) to five (5) years in prison and fines of ten (10) million to one hundred (100) million Riel.

In addition to this, **Article 78** places a mandatory duty on all government officials and local authorities to assist in the investigation, prevention and suppression of forestry offenses, such that any failure to meet this duty would be a violation of Article 100 above.

2.1.3 Forestry Offenses Committed by Forestry Administration Officials

Forestry Administration officials, like other government officials, are treated specially in the Forestry Law. **Article 101** spells out the provisions as follows:

> The following activities shall be regarded as forestry offense committed by a Forestry Administration Official and shall be subject to one (1) to five (5) years in prison and fines of ten (10) million to one hundred (100) million Riel:
>
> 1) Grant authorization contrary to provisions of this law;
> 2) Entirely or partially participate directly in any forest exploitation activity contrary to the provisions of this law;
> 3) Allow any forestry offense;
> 4) Conducting any business related to the forestry sector either as a sole owner, a shareholder, an employee or a guarantor for others, while a position or within one (1) year after quitting the position for any reason;
> 5) Failure to report or failure to timely file for a Class I forestry offense occurring in his/her responsible territory; and
> 6) Intentionally neglect duties during a mission or provide the false written report that allowed the commission of a Class I forestry offense.

It should be noted that the penalties outlined for Forestry Administration officials are equivalent to Class II forestry offense penalties outlined in Article 98.

2.1.4 Agency Concepts

The Forestry Law holds those who have management authority or control over others liable for the acts of those below them. This is true for both private individuals and those that are acting in an official government capacity. **Article 86** of the Forestry law states as follows:

Individuals who are state employees, or employees of the private sector, who have used means from relevant State offices or private companies to commit forestry offenses, the individuals or their employers shall be penalized as described in the provisions of this law. The employers shall be

penalized under the provisions of this Law for forestry offenses committed by an individual or an organized group working for them in their organization.

2.2 Statute of Limitations for Enforcement

The Statute of Limitations to file a case with the court for a forestry offense is spelled out in **Article 85** as follows:

1) Class I forestry offense fifteen: (15) years counting from the date the offense was committed;
2) Class II forestry offense five: (5) years counting from the date the offense was committed;
3) Class III forestry offense one: (1) year counting from the date the offense was committed.

It is unclear from reading the law what the Statute of Limitations would be for offenses committed by Forestry Administration or other government officials covered under Articles 100 and 101. The argument could be made that, since the penalties are the same as those found under a Class II forestry offense, the 5 year Statute of Limitations for said offenses should apply.

2.3 Administrative and Judicial Appeals of Forestry Administration Enforcement Decisions

The Forestry Law clearly spells out that the Forestry Administration is responsible for enforcement activities for all forestry offenses (see **Article 3, Article 76**). However, any individual that is not satisfied with an enforcement decision of a Forestry Administration official, including decisions to not take action, can follow administrative and judicial appeal procedures that are described within the Forestry Law. Paragraphs one and two of **Article 89** state as follows:

Any person dissatisfied by a decision made pursuant to this law by the Forestry Administration has the right to appeal to the Head of Forestry Administration within 30 days of notification of the administrative decision. The Head of Forestry Administration shall make a decision on the appeal within a maximum of 30 days. After a final decision has been made by the Head of Forestry Administration, if there is not agreement with this decision, those persons may file a judicial appeal to the court.

There are no details on the formalities of this appeals procedure contained within the Forestry Law.

3. Land Law

The Land Law contains important penalty provisions, specifically related to infringements against public property, which can compliment the enforcement provisions contained in the Forestry Law. Unfortunately the Law is unclear as to how these provisions are to be enforced.

3.1 Violations of Land Law on State Property Subject to Penalty

There are several provisions within the Land Law that can be used in conjunction with provisions found in the Forestry Law. As stated earlier, the Permanent Forest Reserve is classified as State Public Property, and therefore any penalty provisions within the Land Law related to State Public Property would apply within the Permanent Forest Reserve.

Article 248, for example, states that an improper or illegal beginning of occupation of State Public Property constitutes a penal offense under the Law.

Article 259 states that an infringement against State Public Property shall be fined from five million (5,000,000) Riel to fifty million (50,000,000) Riel and/or subject to imprisonment from one to five years.

Related to the above is **Article 261**, which states that an official or authority, irrespective of whether acting under orders or not, who abuses his power to seize immovable property (State Property or Private Property), shall be subject to a fine from ten million (10,000,000) Riel to twenty-five million (25,000,000) Riel plus additional administrative sanctions. If the act of the official or authority is carried out with violence, the offender shall be imprisoned for six months to two years in jail in addition to the fine. The individual who gave the order shall be subject to the same penalties imposed against the offender.

Similarly, **Article 262** states that a competent authority or any kind of armed forces who wrongfully acquire immovable property (State Property or Private Property) where they are in charge of maintaining public order shall be subject to a fine of three million (3,000,000) Riel to thirty million (30,000,000) Riel, and/or shall be imprisoned from two to five years, and shall also be subject to administrative sanctions.

Articles 265 and 266 of the Land Law state that an administrative authority responsible for management of a zone, such as a Forestry Administration official within the Permanent Forest Reserve, which infringes on the land rights of indigenous communities or monastery immovable property is subject to fines and even imprisonment as follows:

Indigenous Community Land: Fine from one million five hundred thousand (1,500,000) Riel to nine million (9,000,000) and or put in prison from two to five years, plus administrative sanctions.

Monastery Immovable Property: Return of the property and fine from one million, five hundred thousand (1,500,000) Riel to nine million (9,000,000), plus administrative sanctions.

3.2 Questions Related to Enforcement of Land Law Provisions

The Land Law is silent with regards to who is supposed to enforce the penalty provisions contained therein. The obvious conclusions would be that provincial, district or commune police would be charged with the duty to prosecute such matters, though this is not certain based on the language in the Law.

The Land Law is also silent on provisions related to appeals of decisions, administrative or otherwise. It is assumed that the drafters of this legislation were relying on provisions in the Constitution related to the right of individuals to appeal decisions made by the government. As stated in **Article 39 of the Constitution (as revised 1999)**, "Khmer citizens shall have the right to denounce, make complaints or file claims against any breach of the law by state and social organs or by members of such organs committed during the course of their duties. The settlement of complaints and claims shall be the competence of the courts.

4. Example 1: Illegal Logging and Encroachment Activities in a Protection Forest

4.1 Fact Pattern

Mr. X is a military commander whose base is located near a Protection Forest. Mr. X has established a small commercial logging operation within the Protection Forest which consists of a saw mill, forestry access roads to the mill and into the heavily forested areas for accessing and transporting timber, chainsaws for cutting down trees, and several transport vehicles for moving logs to the mill and sawn timber out of the Protection Forest to distributors located in the region. In order to maximize profit, Mr. X has set up a kiln next to the saw mill in order to convert cut green tree limbs into charcoal.

Mr. X has hired several employees to run the operation made up of a combination of civilian and military personnel. In addition, Mr. X has employed Mr. Y as his manager for the site, as Mr. X is usually not located on site. As part of the payment package for working for the operation, Mr. X has told his employees that he can give them each a 1 hectare parcel of land within the Protection Forest along the forestry access road for residential and farming purposes. His employees have used this land to build simple residences, clear forest land and plant fruit trees and other crops. In order to clear the land, the employees have intentionally set forest fires. The employees have enclosed the parcels of land they are using with available fencing materials in order to claim ownership.

In order to avoid detection, Mr. X has instructed his manager to transport the sawn timber at night, under cover of darkness. During a recent evening Mr. X's employees were transporting sawn timber when their vehicle was stopped by Forestry Administration officials located just outside of the Protection Forest, but within the boundaries of the Permanent Forest Reserve where the officials were operating a check point. When the Forestry Administration officials requested to inspect the contents of the vehicle, Mr. X's employees responded by threatening the officials with AK-47 rifles. As the Forestry Administration officials did not have weapons on them, they had no choice but to let the vehicle continue on its way.

4.2 Violations of Forestry and Land Laws

What provisions under the Forestry and Land Laws can be used to prosecute Mr. X and his employees for violations of said laws? First it should be reiterated that Mr. X can be held accountable for the illegal activities of his manager and the other employees based on the language contained in **Article 86** of the Forestry Law.

Specific violations are as follows:

1) Mr. X and his employees have violated **Article 24** of the Forestry Law because they have harvested Forest Products and Non-Timber Forest Products without the required harvest permit.

2) Mr. X and his employees have violated **Article 25** of the Forestry Law because they do not possess the necessary permit to harvest forest products & by-products, permit to transport forest products & by-products, permit for use of forests or forest lands, permit to establish a forestry industry, sawmill, or forest products & by-products processing facility (issued by Prakas), or permit to establish any type of kiln that uses forest products & by-products as raw material.

3) Mr. X and his employees have violated **Article 28** of the Forestry Law because they are harvesting forest products and by-products outside of an area classified as Production Forest (they are harvesting within an MOE protected area).

4) Mr. X and his employees have violated **Article 30** of the Forestry Law because they are operating a sawmill and charcoal kiln (processing forest products and by-products) within the Permanent Forest Reserve.

5) Mr. X and his employees have violated **Article 31** of the Forestry Law because they have cleared forestland for the construction of forestry roads without approval from the Minister of the Ministry of Agriculture, Forestry and Fisheries. In addition, they have created settlements along the same forest roads within the Permanent Forest Reserve without permission from the Royal Government of Cambodia.

6) The employees have violated **Article 36** because they have set forest fires to clear land. It would be difficult to find Mr. X liable for this activity since the employees were not necessarily doing this activity at his direction. The argument could be made, however, that if it were not for Mr. X's operation, the employees would never have set the fires, and therefore he should be held liable for the violation.

7) Mr. X and his employees have violated **Article 38** of the Forestry Law because they have sawn, sliced and processed logs within the Permanent Forest Reserve, and have also used chain saws to harvest forest products within the Permanent Forest Reserve without a permit authorized by the Forestry Administration.

8) Mr. X and his employees have violated **Article 68** of the Forestry Law because they have transported forest products & by-products between the hours of 8:00PM and 5:00AM within the Permanent Forest Reserve.

9) Mr. X and his employees have violated **Article 69** of the Forestry Law because they have transported forest products and by-products without transport permits.

10) Mr. X and his employees have violated **Article 70** of the Forestry Law because they have used unregistered or improperly tagged machinery, vehicles and chainsaws within the Permanent Forest Reserve.

Based on the above violations and the fact pattern presented, the following offenses and penalties can be identified within **Chapter 15** of the Forestry Law:

Transaction Fines（**Article 96)** for the following activities:

1) Fell tree without mark authorizing the felling;
2) Transport Forest Products & By-products without a permit;
3) Fell, saw, split and chop logs within the Permanent Forest Reserve, or use chain saw as a means to harvest forest products without permit or tag;
4) Harvest Forest Products & By-products during unauthorized hours;
5) Transport Forest Products & By-products that were obtained from felling or harvesting contrary to the provision of this law;
6) Selling or distributing Forest Products & By-products that were obtained from felling, finding, transporting or processing contrary to the provisions of this law; and
7) Forest Products & By-products that were obtained from harvesting, transporting and processing contrary to the provision of this law.

Punishment under a Class I forestry offense (**Article 97**) for the following activities:

1) Clear forestland and enclose it to claim for ownership;
2) Set forest fires intentionally; and
3) Gird bark, poison, destroy, fell or uproot trees to collect stumps.

Punishment under a Class II forestry offense (**Article 98**) for the following activities:

1) Use machinery or vehicle with the purpose of Forest Products & By-products harvesting without permit or tags;
2) Use forest land exceeding the size of the area authorized in the permit or without permit to construct public road, forest road or all types of building or residence along the road within the Permanent Forest Reserve;

3) Establish a forest industry base, sawmill, Forest Products & By-products processing facility at large and medium scale without a Prakas issued by Ministry of Agriculture, Forestry and Fisheries;
4) Establishing all types of kilns that use Forest Products & By-products as raw material without permit;
5) Harvest Forest Products & By-products without a permit.

Punishment under a Class III forestry offense (**Article 99**) for the following activities:

1) Use any type of chainsaw to harvest Forest Products & By-products without permission from the Head of Forestry Administration;
2) Establish stock place, wholesale and retail depot for Forest Products & By-products or small scale of Forest Products & By-products processing facilities without permit or contrary to permission; and
3) Establish industrial forest factory, sawmill, Forest Products & By-products processing facilities or any type of kiln that use Forest Products & By-products as raw material or as an energy source contrary to permission of the Forestry Administration.

In addition to the above, Mr. X and those employees that are members of the military can be held accountable under **Article 100** for directly or indirectly allowing forest exploitation or other activities contrary to the provisions of the Forestry Law, and for threatening a Forestry Administration officer, or for obstructing the performance of duties and operations of a Forestry Administration officer.

Provisions found within the Land Law could also be used to prosecute Mr. X and his employees. As outlined in section 3.1 above, the following articles within the Land Law could be utilized due to the activities within the fact pattern that amount to infringement on State Public Land: **Article 248, Article 259, Article 261** and **Article 262.**

5. Illegal Cutting of Resin Trees

5.1 Fact Pattern

Acme Logging has a concession in Cambodia. Within the concession area there are several existing indigenous communities whose livelihoods depend on the tapping of resin trees within areas that they claim as their traditional lands.

One day some of the indigenous community members discover that Acme Logging has cut several of the resin trees that the community traditionally uses.

5.2 Violations of Forestry Law

What provisions within the Forestry Law could possibly be used to prosecute Acme Logging for violation of said law? Since this is an area of the Forestry Law that is waiting for clarification through the issuance of a Prakas, this analysis should be considered preliminary.

Possible specific violations are as follows:

1) Acme Logging has probably violated the provision in **Article 29** of the Forestry Law that prohibits the cutting of tree species that local communities have tapped to extract resin following tradition.

2) Acme Logging has probably violated **Article 32** of the Forestry Law that prohibits the use of harvest rights for forest products & by-products in a manner different from those authorized by permit.

Based on the above violations and the fact pattern presented, the following offenses and penalties can be identified within **Chapter 15** of the Forestry Law:Transaction Fines (**Article 96)** for the following activities:

1) Transport Forest Products & By-products that were obtained from felling or harvesting contrary to the provision of this law;
2) Sell/buy or distribute Forest Products & By-products that were obtained from felling, finding, transporting or processing contrary to the provisions of this law; and

Punishment under a Class II forestry offense (**Article 98**) for the following activities:

1) Non-compliance with the technical regulation defined in the Code of Practice for Forest Management in Cambodia;
2) Non-compliance with management plan and annual Forest Products & By-products harvest plan;
3) Misuse of a forest use permit to harvest Forest Products & By-products; and
4) Fell trees with a classified diameter smaller than allowed, that are rare species, that local people tap for resin or that yield high-value resin.

6. Conclusions

There are provisions within both the Forestry Law and Land Law that can be identified for prosecution purposes when analyzing fact patterns of this nature. The key to using this guide is to match the fact pattern with the provisions identified in Sections 2.1 and 3.1 above, along with those provisions listed in Annex "A." In this manner one can quickly and easily identify available prohibition provisions, offenses and penalties contained in the law from which to write up a clear and effective enforcement brief.

ANNEX A

LIST OF FORESTRY OFFENSES AND PENALTIES FROM CHAPTER 15 OF THE FORESTRY LAW

Article 95

The Forestry Administration may issue a written warning and impose a requirement to repair damage for the following activities in the Permanent Forest Reserve:

1) Use of any means, including unleashed or leashed livestock animals within the Permanent Forest Reserve, forest plantation or state nursery, that harms trees or seedlings located in that area;
2) Injure or damage trees or other vegetation that have been planted or are under maintenance; and
3) Steal or damage fences, boundary poles or signs in nurseries or the Permanent Forest Reserve.

Article 96

An individual who has committed the following forestry offenses shall be subject to a transactional fine from the Forestry Administration for two (2) to three (3) times the market value of real evidence:

1) Fell tree without mark authorizing the felling;
2) Transport Forest Products & By-products without a permit;
3) Stock Forest Products & By-products without a permit;
4) Transport Forest Products & By-products contrary to the destination or exceeding the quantity authorized in the permit;
5) Use an expired transport permit for Forest Products & By-products;
6) Actual specifications of Forest Products & By-products contrary to those described in a transport permit;
7) Stock Forest Products & By-products exceeding the quantity authorized in a permit;
8) Export Forest Products & By-products, forest seed and vegetation species exceeding the amount in the applicable license;
9) Fell, saw, split and chop logs within the Permanent Forest Reserve, or use chain saw as a means to harvest forest products without permit or tag;
10) Harvest Forest Products & By-products during unauthorized hours;
11) Transport Forest Products & By-products that were obtained from felling or harvesting contrary to the provision of this law;
12) Forest Products & By-products for processing obtained from felling or harvesting contrary to the provision of this law;
13) Sell/buy or distribute Forest Products & By-products that were obtained from felling, finding, transporting or processing contrary to the provisions of this law;
14) Forest Products & By-products that were obtained from harvesting, transporting and processing contrary to the provision of this law;

Article 98

Any individual who has committed the following forestry offenses shall be punished under class II forestry offenses subject to one (1) to five (5) years in prison and/or court fines of ten (10) million to one hundred (100) million Riel, and confiscation of all evidence as state property:

1) Non-compliance with the technical regulation defined in the Code of Practice for Forest Management in Cambodia;
2) Non-compliance with management plan and annual Forest Products & By-products harvest plan;
3) Misuse of a forest use permit to harvest Forest Products & By-products;
4) Use machinery or vehicle with the purpose of Forest Products & By-products harvesting without permit or tags;
5) Quarry, excavate stone or sand, or mine within the Permanent Forest Reserve;
6) Use forest land exceeding the size of the area authorized in the permit or without permit to construct public road, forest road or all types of building or residence along the road with in the Permanent Forest Reserve;
7) Establish a forest industry base, sawmill, Forest Products & By-products processing facility at large and medium scale without a Prakas issued by Ministry of Agriculture, Forestry and Fisheries;
8) Establishing all types of kilns that use Forest Products & By-products as raw material without permit;
9) Hunt wildlife in closed season or in protected zones;
10) Hunt, kill, trade, or export rare species;
11) Hunt wildlife by dangerous means that harm to animal biology; and
12) Posses, process, stock, transport or import endangered wildlife species or specimens.

Any individual who has committed the following activities shall be punished under a Class II forestry offense subject to one (1) to five (5) years in prison and a fine of ten (10) million to one hundred (100) million Riel, and confiscation of all evidence as state property:

1) Harvest Forest Products & By-products without a permit;
2) Harvest Forest Products & By-products outside a coupe area as stated in a permit or outside the location set forth in the annual operational plan;
3) Transfer a right or sell a license or permit without permission;
4) Fell trees within a State Forest plantation;
5) Fell trees with a classified diameter smaller than allowed, that are rare species, that local people tap for resin or that yield high-value resin;
6) Import seeds of forest vegetation species without a visa from the scientific authorities from the exporting country and without permission from Ministry of Agriculture, Forestry and Fisheries;
7) Export Forest Products & By-products without license;

Any individual who has committed Class II forestry offense multiple times shall be penalized as stated for a Class I forestry offence in this law.

Article 99

Any individual who has committed the following offenses shall be punished under Class III forestry offense subject to one (1) month to one (1) year in prison or fine of one (1) million to ten (10) million Riel. All evidence shall be confiscated as state property:

1) Use any type of chainsaw to harvest Forest Products & By-products without permission from the Head of Forestry Administration;

2) Import all types of machinery, vehicles and chainsaws to harvest Forest Products & By-products without an appropriate evaluation by the Ministry of Agriculture, Forestry and Fisheries;
3) Export Forest Products & By-products in a container without a seal from the Forestry Administration;
4) Harass, harm, or collect egg or offspring of, an endangered or rare wildlife species or destroy its habitat;
5) Establish stock place, wholesale and retail depot for Forest Products & By-products or small scale of Forest Products & By-products processing facilities without permit or contrary to permission;
6) Establish industrial forest factory, sawmill, Forest Products & By-products processing facilities or any type of kiln that use Forest Products & By-products as raw material or as an energy source contrary to permission of the Forestry Administration.

Any individual who commits a Class III of forestry offense multiple times shall be penalized as stated for Class II of forestry offense in this law.

ANNEX B

COMMUNITY RIGHTS AND RESPONSIBILITIES IN THE FORESTRY LAW

Note: The following is a simple listing of important rights and responsibilities of communities that are found in the Forestry Law (2002). Language has been simplified for ease of use, but the Article from which the right or responsibility comes from is noted.

1. Community Rights

Article 10, point 2, second paragraph

Local communities have customary user rights to collect Forest Products & By-products within Protection Forest areas, but with only minor impacts of the forest. The rights to collect Forest Products & By-Products will usually be more limited in Protection Forest Areas than other areas of the Permanent Forest Reserve.

Article 40

In general, you may use the forests, including the forest products and by-products contained in the forest, for traditional family use. You do not need a permit for this type of use, and you do not need to pay royalties or premiums for this type of use. The use of forest products and by-products should be sustainable, not disrupt the natural balance of the forest ecosystem, and respect the rights of other users.

1) You may collect dead wood in the forest for cooking and heating purposes.
2) You may collect wild fruit in the forest, as long as you do not kill or harm the tree to get to the fruit.
3) You may collect bee honey in the forest.
4) You may hunt common wildlife species, such as wild pig.
5) You may collect resin from trees in the forest, as long as you do not kill the tree to take the resin.
6) You can use timber from the forest to build your residence, but you should check with the local Forestry Administration officials to find out how much timber you are allowed to use in your area.
7) You may use timber products to build stables for animals or fences.
8) You may use timber products to make agricultural instruments.
9) You may collect grass cutting for livestock, or let your livestock loose to graze in the forest.
10) You may barter or sell forest products you have collected as long as the amount you are collecting does not cause significant damage to the forest and the activity is sustainable. People you sell to may have to get a transport permit and pay necessary royalties and premiums.
11) You may not transfer your traditional user rights to other individuals, by contract or other agreement.

Traditional user rights in some areas may be limited by law, such as in Protection Forests.

Article 44

A local community, operating under a Community Forest Agreement, shall have the rights to harvest forest products & by-products within the demarcated forest area stated in the Community Forest Agreement and consistent with the Community Forest Management Plan.

A local community can not use the Community Forest in the form of a concession, nor sell, barter or transfer its rights in such forest to a third party.

Article 45

The government can recognize your traditional spirit forest areas as protection forest.

It is prohibited to harvest a community's spirit trees, so a community may specially mark these trees as spirit trees to protect them. If the community has a Community Forestry Agreement, then the spirit trees should be identified in the Community Forestry Management Plan.

2. Community Responsibilities (Prohibitions)

Article 30

It is prohibited to operate a charcoal, or other type of kiln in the Permanent Forest Reserve.

You may not process other forest products & by-products on a commercial scale: For example, you may not operate a sawmill operation.

Article 31, paragraph 4

You may not establish a new household or settlement along public or forest roads in the Permanent Forest Reserve. The Forestry Administration considers this to be encroachment on forest lands, and there are penalties under both the Forestry Law and Land Law if you do this.

Article 32

You may not displace, remove, or destroy the boundary posts or signs marking the forest boundaries.

You may not let your cows or other livestock graze in areas with tree seedlings (re-planted areas), where there is tree re-growth after harvesting or forest fires

Article 36

You may not set forest fires in the Permanent Forest Reserve.

Article 38

You may not use a chainsaw to cut trees or timber unless you have a special permit from the Forest Administration. Traditional or customary use rights do not include the use of chainsaws.

Article 49

It is strictly prohibited to hunt, harm or harass all wildlife:
1) Using all types of dangerous means;
2) Hunting during the prohibited season; and
3) Hunting in protected zones and special public areas.

It is prohibited to commit the following activities against rare and endangered wildlife species:
1) Harass or harm any such species or its habitat;
2) Hunt, net, trap or poison;
3) Keep in a family house as a pet.

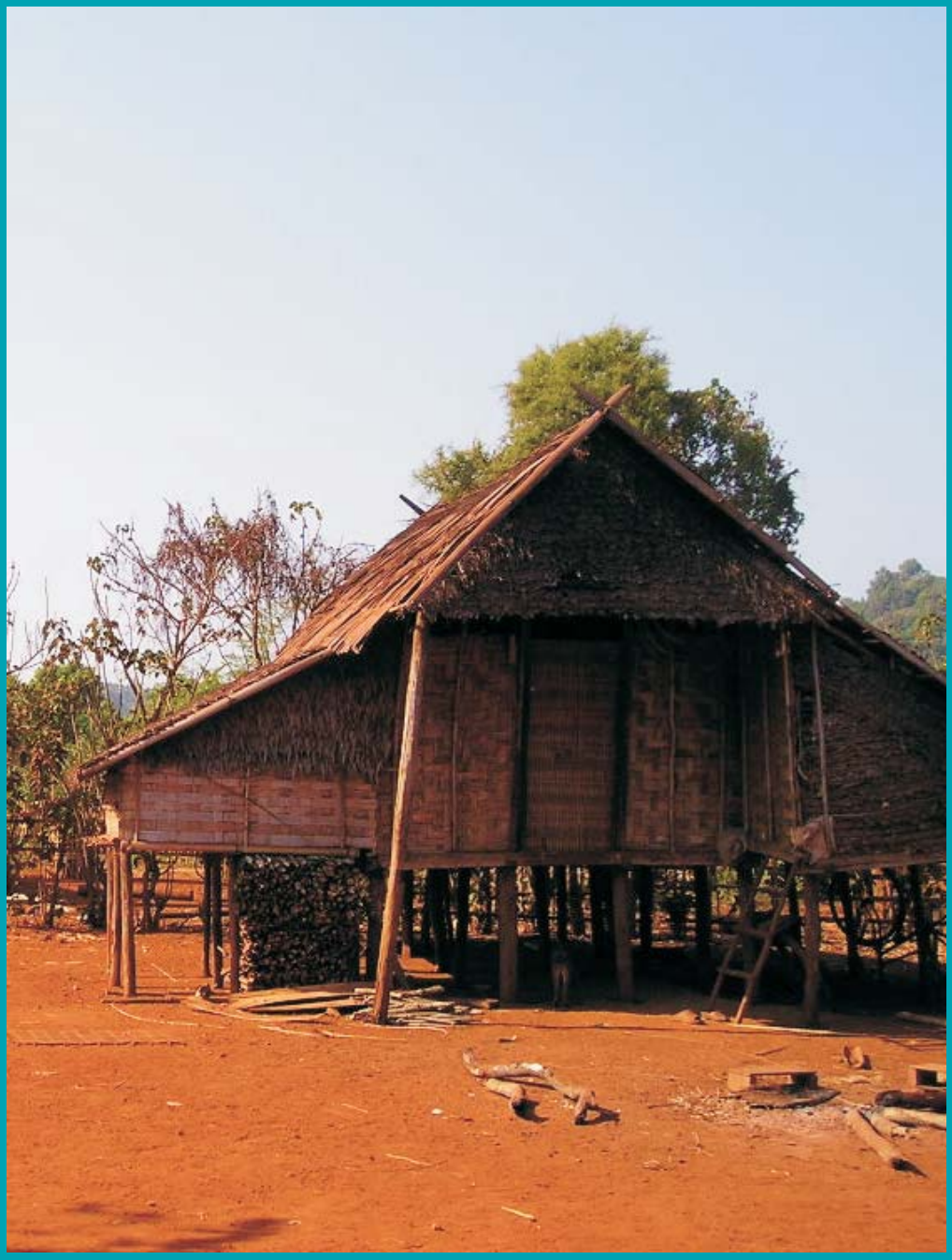
Article 59, paragraph 1

People have the obligation to participate in tree planting and reforestation.

Article 96 - 99

The following are activities that are subject to penalties in the Forestry Law and that are of particular concern to communities:

1) Fell tree without authorization;
2) Transport Forest Products & By-products without a permit;
3) Fell, saw, split and chop logs within the Permanent Forest Reserve, or use a chain saw as a means to harvest forest products without the special permit or tag;
4) Hunting in public area.
5) Destroy, alter, or damage the boundary posts of the forest areas;
6) Clear forestland and enclose it to claim for ownership;
7) Set forest fires intentionally;
8) Establishing all types of kilns that use Forest Products & By-products as raw material without permit;
9) Hunt wildlife in closed season or in protected zones;
10) Hunt, kill, trade, or export rare or endangered species of wildlife;
11) Hunt wildlife by dangerous means;
12) Use any type of chainsaw to harvest Forest Products & By-products without permission;
13) Harass, harm, or collect egg or offspring of, an endangered or rare wildlife species or destroy its habitat;



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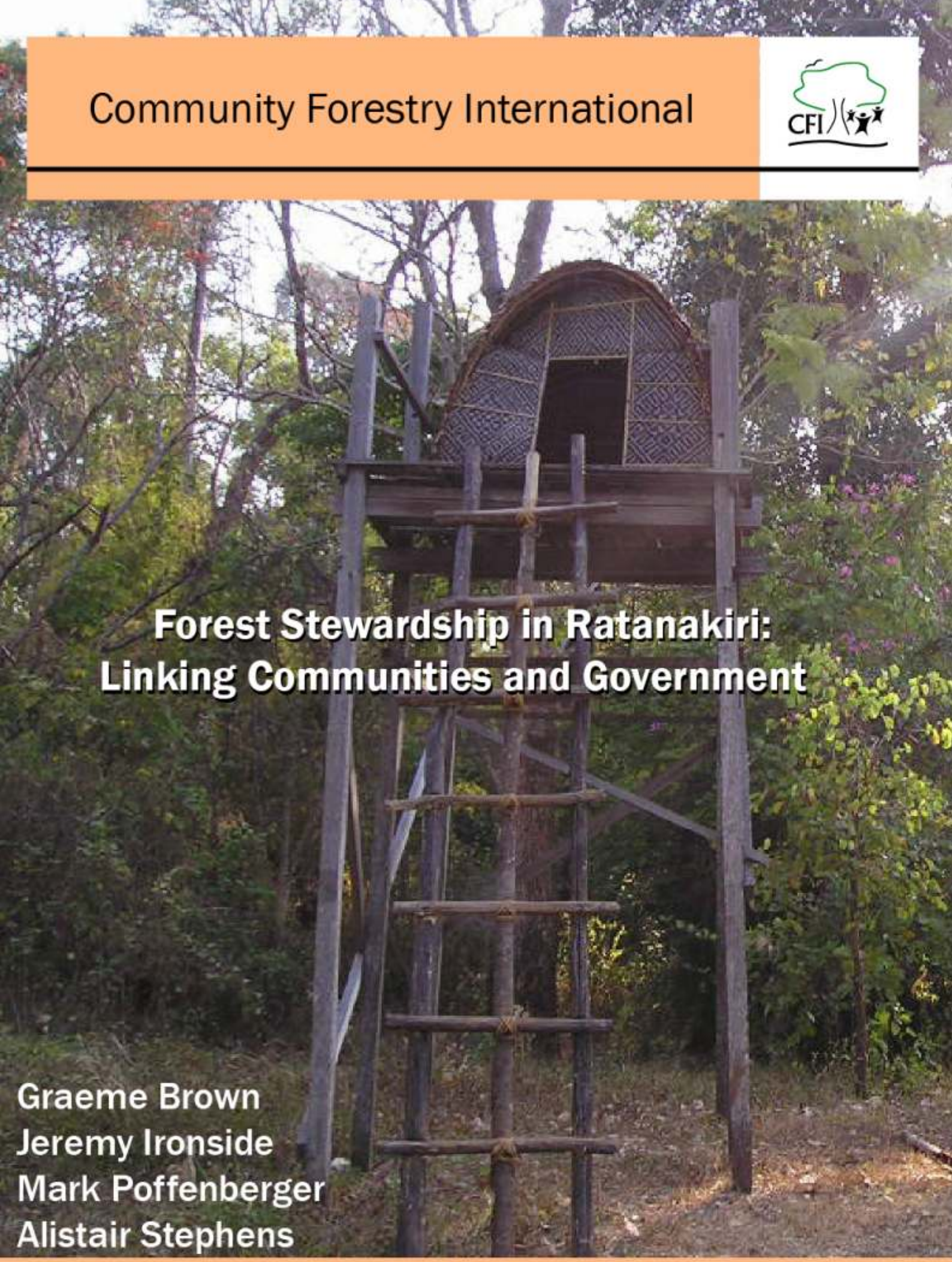

Forest Stewardship in Ratanakiri: Linking Communities and Government

Graeme Brown
Jeremy Ironside
Mark Poffenberger
Alistair Stephens

2006

COMMUNITY FORESTRY INTERNATIONAL

Supporting Sustainable Management & Restoration of the World's Forests

Community Forestry International (CFI) assists rural communities to regenerate forests by helping policy makers, development agencies, NGOs, and professional foresters develop the legal instruments, human resource capacities, and negotiation processes and methods to support resident resource managers. Community forest management contributes to livelihood security and poverty alleviation that, in turn, leads to sustainable development. CFI enables community forest management strategies to become an integral part of stabilizing forest management worldwide. CFI strategies are implemented through four interrelated thematic program areas. These include 1) Regional and National Policy Dialogues, 2) Mediation Processes and Methods for Enhancing Tenure Security, 3) Participatory Research and Field Programs, and 4) Communication. The program components are designed to engage national policy makers, professional practitioners, and communities to facilitate learning, reduce conflicts, and ultimately create management agreements that result in more equitable, sustainable forest management.

Dr. Mark Poffenberger, Executive Director
Dr. Kate Smith-Hanssen, Administrative Director

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Front cover photo: Kreung ethnic minority house in Rattanakiri.
Back cover: Poey Village in Rattanakiri.

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FOREWORD TO THE COMMUNITY FORESTRY SERIES-CAMBODIA

The major goal of CFI's mission in Cambodia is to support the involvement of civil society in the management of forests. Rural communities have a special role to play as forest stewards, both due to their logistical proximity to natural forests, but also because of their dependency upon these resources for shelter, water, fuel and food. In many parts of the world, forests are important components of the local economy, whether for subsistence goods, non-timber forest products, employment in commercial lumber production, livelihood generation, or involvement in the tourist industry. In Cambodia, rural communities are concerned over the destruction and mismanagement of local forests and are seeking to address problems of rapidly changing landscapes by establishing community forestry committees, mobilizing forest patrols to guard against illegal logging and land grabbing, framing user rules to control access, and securing management tenure.

In much of Asia and other parts of the world, forests are legally considered public land. While some communities may be interested in managing forest lands, they often have little basis under the law to exert authority over management decision-making. In recent years, a growing number of governments have established policies and programs to allow communities to engage in management “partnerships,” typically with national forestry agencies. India, Nepal, Cambodia, and the Philippines have passed laws that extend clear use and management rights to specific villages over state forest land.

In Cambodia, there has been a growing trend towards engaging local communities in forest management, both in planning and field activities over the past decade. In part, this transition is driven by recognition that government agencies lack the staff and financial resources to ensure sustainable use. This paradigm shift in devolving management is also being pushed from below by demands of rural, forest-dependent people. There are factors impeding this transition towards a more decentralized, participatory approach involving a wider range of stakeholders.

During the 1990s in Cambodia, commercial timber concessions covered nearly two-thirds of Cambodia's forest area and logging operations were rapidly degrading the nation's once rich forests. In 2002, the Royal Government of Cambodia suspended 4 million hectares of logging concessions, and passed the Community Forestry Sub-Decree in 2003 paving the way for a new approach to forest management. A 2003 GTZ/RGC report identified 8.4 million hectares of land suitable for community forest management, representing over forty percent of the nation's land area. However, illegal logging remains a problem and forest land clearing for speculation is rampant in many parts of the country. Further, there is economic pressure to convert forests to estate crops.

In 2003, Community Forestry International (CFI) initiated a project to support the development of community forestry in Cambodia. The CFI approach has involved building the capacity among Cambodian NGOs and Forestry Administration staff to begin implementing CF projects around the country, while supporting the development of operational guidelines for the National CF Program's implementation. CFI has helped to mobilize financial and technical support from the donor community, as well as provide training in financial and organizational management, conflict resolution, gender awareness, and sustainable natural resource management.

CFI also supports the indigenous communities in Ratanakiri where communal land management is under pressure from outside land speculators. The breakdown of communal land management systems, through privatization, is leading to widespread land loss among tribal households, and ultimately to their impoverishment and social marginalization. The pending collapse of communal tenure is opening the path for landscape-level forest clearing and land conversion to commercial estate crops. CFI seeks to help local communities sustainably manage their natural resources and conserve their cultural traditions by supporting local networks and organizations that provide legal resource rights education and promote cultural solidarity.

This series of publications on community forestry and land-use issues is designed to educate and encourage a greater awareness of the challenges facing forest dependent communities, while suggesting possible strategies to stabilize the nation's forests in ways that respond to the needs of Cambodia's forest people. As part of its greater mission, CFI attempts to disseminate information that can stimulate an on-going forest management dialogue among government, donor organizations, NGOs, the international community, and the Cambodian people. It is our hope that by transitioning management to communities and building the capacity of government and NGOs, Cambodia's critical ecosystems will be conserved and utilized in ways that benefit the rural poor.

-Mark Poffenberger, Ph.D.
CFI Executive Director

ACKNOWLEDGMENTS

This research initiative was supported by the John D. and Catherine T. MacArthur Foundation and the United States Agency for International Development. CFI appreciates the support these organizations have provided for our action research and field implementation program. CFI is indebted to the communities of Ratanakiri for sharing their learning with the field researchers. We hope the learning emerging from this study will lead to programs and policies that enhance the natural resource security of the region's indigenous people and contribute to their livelihoods.

The authors would also like to thank all the other individuals who contributed their knowledge and views regarding ways to strengthen the role of communities in managing forests. Within the Forestry Administration, we are grateful to H.E. Ty Sokhun, Dr. Sokh Heng, and Mr. Lao Sethaphal for their guidance. We also appreciate the ideas of Dr. Steven Schoenberger of the World Bank. Finally, we are indebted to the local government officials and civil society organizations that are working to improve the sustainability of land and forest resources in Ratanakiri. Special thanks are due to the Ratanakiri Network Support Program team, the Highlanders Association, NTFP, CEDAC, and all the other organizations working in the field.

EXECUTIVE SUMMARY

Ratanakiri Province is located in the northeastern corner of Cambodia and is endowed with some of the most biologically diverse lowland tropical rainforest and montane forest ecosystems of mainland Southeast Asia's. Two-thirds of the population of Ratanakiri is comprised of indigenous peoples from seven ethno-linguistic groups who continue to depend on traditional land use systems for their livelihood. Due to the remote location and the political isolation of the region, these unique environments have survived through the 20th century, but are increasingly threatened by internal and external forces. This report explores how to enhance the natural resource security of Ratanakiri's largely rural population, while conserving the region's remaining natural forests.

Since the 1960s, the development of rubber plantations and other estate crops began jeopardizing the environment and the indigenous peoples of the region. In the late 1990s, a number of large timber, coffee, rubber, and cashew concessions were granted to outside investors. Over the past five years, the granting of extensive concessions by the Royal Government of Cambodia (RGC) has declined sharply, however illegal land grabbing has grown rapidly and is destabilizing rural communities who are losing their lands and forests, while accelerating deforestation. The Forest Administration of the RGC is concerned over forest loss in Ratanakiri, but has limited resources to demarcate the State Public Forest Lands and implement effective protection on the ground. Rural communities lack the legal documentation to prove their rights over land and forest and, consequently, are in a weak position to contest illegal land alienation and illegal logging by more powerful outside actors. This study raises the question “Could there be a mutual advantage in collaboration between the Forest Administration and rural communities in Ratanakiri, whereby communities could protect and manage State Public Forest Lands, under the recognition of the Forest Administration?”

There are a number of challenges and opportunities in developing such a partnership. The first challenge is finding ways to relate indigenous resource tenure systems and use practices to RGC laws, policies and programs, the most relevant of which are the Land Law (communal titling section), and the Forest Law with special reference to the Community Forestry Sub-Decree. This report attempts to outline some approaches that could be used relate actual land use practices to newly ratified community-based NRM laws and programs to establish a viable basis for collaborative management. The second challenge is finding ways to apply the tenure tools (communal titling, CF Agreement, CPA agreement, etc.) in ways that support existing land allocation and resource management systems that rely on communal decision making through traditional structures, while relating them to local government institutions. This paper suggests that the indigenous communities of Ratanakiri have strong incentives and potential to play a substantial formal role in managing and protecting local forests, in part due to their heavy dependence on natural resources for their livelihoods.

While the alienation of community land control has been rapid in recent years and continues to present major challenges for the sustainable use and conservation of remaining forest lands in Ratanakiri, it is the growing threat of loss of resource use rights that is driving communities to explore partnerships with each other, the RGC, NGOs, and civil society in general. If properly staffed and funded, a program to implement existing community-based natural resource management laws and policies in Ratanakiri would likely be popular and widely adopted in the province.

-Mark Poffenberger, Ph.D.
CFI Executive Director

LIST OF ACRONYMS

CFA	Community Forest Agreement
CFAC	Community Forestry Alliance for Cambodia
CFM	Community Forest Management
CFMC	Community Forestry Management Committee
CFMP	Community Forest Management Plan
CFO	Community Forestry Officer
CFSD	Community Forestry Sub-Decree
DBH	Diameter at Breast Height
DFW	Department of Forestry and Wildlife
EIA	Environment Impact Assessment
FA	Forestry Administration
FARCF	Forestry Administration Recognized Community Forestry
ICC	International Cooperation Cambodia
LL	Land Law
MOE	Ministry of Environment
NPRS	National Poverty Reduction Strategy
NREM	National Resource and Environmental Management
NTFP	Non-Timber Forest Product
PLG	Partnership for Local Governance
PLUP	Participatory Land Use Planning
PRDC	Provincial Rural Development Committee
RGC	Royal Government of Cambodia

TABLE OF CONTENTS

Foreword to the Community Forestry Series on Cambodia i
Executive Summary iv
Part I: Introduction 1
Context 3
Problem Statement 4
Part II: Indigenous Resource Stewardship in Ratanakiri 7
Customary Institutional Arrangements 10
Conservation Forests 13
Agricultural Lands and Forests 19
Land and Forest Management Change 22
Changing Customary Laws and Practice 23
Changing Traditional Law 25
Part III: Community Forest Rights and Tenure Authority under Cambodia Law 28
Forestry Law 29
Community Forestry Sub-Decree 36
Land Law 38
Part IV: Strengthening Community Forest Management in Ratanakiri 41
Identifying Potential Communal Land and CF Areas 42
Matching Indigenous CF with Tenure Mechanisms 55
Part V: Summary 56
Cooperation with the Local and National Government 58
Implications for Policy 58
Recommendations 61

References 63
About the Authors 66

LIST OF TABLES

Table 1: Summary of the Changes Occurring in Traditional Land and Natural Resource Governance.
Table 2: Land and Forest Conflict Resolution in Tumpuon Reung Thoum; Village: 2003-2006
Table 3: Comparison of Land and Forest Tenure Options
Table 4: Indigenous Land Use Categories
Table 5: Spatial Distribution of Forest and Land Use Types by Distance from Village
Table 6: Land Area and Distance from Village
Table 7: Suggested Tenure Option by Distance from Village

LIST OF MAPS

Map 1: The Extent of Land Use Planning Mapping as at December 2004
Map 2: Land Use Mapping to December 2004 - Agricultural Lands
Map 3: Land Use Mapping to December 2004 - Forest Areas Communities Want to Protect
Map 4: Land Use Mapping to December 2004 - Forest Areas Communities Want to Use for Sustainable Harvesting
Map 5: Ratanakiri Province Showing Village Locations and Distance Zones Away from Villages

PART I

INTRODUCTION

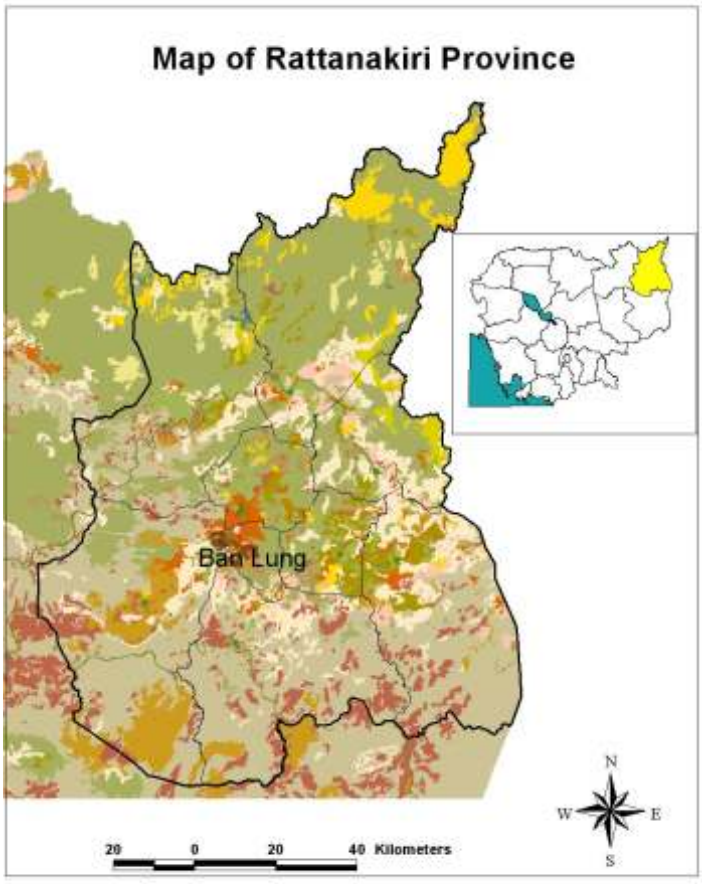
We are the people who live in the remote-isolated area in Ratanakiri, Cambodia; our daily life depends on forest products following our traditions.

-Pa Dol villagers, Jarai ethnic group[1]

In the past the management of communal land and natural resources was good. The lands and resources were used without any conflicts between one village and another.

-Ul Leu villagers, Tampuen ethnic group[2]

Community Forestry Management (CFM) has been a traditional form of resource stewardship management in much of Cambodia for centuries. Under the Land Law (2001) and the Forestry Law (2002), as well as the Community Forestry Sub-Decree (2003), it is now possible to gain legal recognition for the resource rights of rural people in Cambodia. The establishment of a legal framework that can be supportive of community rights to natural resources upon which their livelihoods and subsistence depends comes at a critical time in the country's history. Why community management rather than leaving forest management to technical departments? Aside from their legitimate claims to the forest resources, communities represent an important resource for the protection and management of forests. Where communities are recognized and involved with the management of forests, they are often found to play an effective role in monitoring and enforcing forest management prescriptions. Communities possess immense knowledge of local forest areas, their species composition, water sources, and topography. Isolated rural communities also have the human resources to patrol remote forests tracts, where no agency staff could reach without considerable cost and time.



[1]Vel Thea. et. al. 2006
[2]Ke Penh. 2006a

Communities have also been a force in the mismanagement and over-exploitation of forest resources. Community Forestry Management avoids this by building sustainable management capacity, project monitoring, and securing greater tenure rights so that communities have an incentive to protect the forest. In many parts of the world, communities who have been given long-term security over their traditional forests have become effective partners with forestry agencies. Communities who are empowered as forest stewards are often effective in controlling and influencing neighboring villages that would otherwise utilize the forest resources unsustainably. Supporting and promoting community use and management of forests is also a poverty reduction strategy for Ratanakiri. In many parts of Cambodia, forests are a major element in food security. Swidden farmers rely on forests for agricultural land to produce rice, corn, and vegetables, while many wild foods such as tubers and other root vegetables are collected in the forest providing famine foods when crops fail. The future of Cambodia's state public forests can best be ensured by enlisting community people in the conservation and protection of forests. It is an important strategy in reducing the unsustainable use of forest by outsiders and by community people.

Context

Ratanakiri Province is situated in the northeastern corner of Cambodia, bordering Lao PDR and Vietnam. The province is divided into nine districts with 240 villages and a population of 120,000 people, of whom 65 percent are minority hill tribes, 9 percent Lao, and 25 percent Khmer, etc. In the hill tribe villages, women and older people generally do not speak the national language, Khmer. Only about 5 percent of the people in more remote villages are literate, increasing to 10 to 20 percent in villages closer to towns.

For centuries, Ratanakiri has been one of the most remote provinces in Cambodia, populated with Tampuen, Kreung, Jarai, Brau, Kraveth and other ethnic communities. In the 1950's and 60's, rubber plantations were established in the province. More recently, coffee plantations have been planted, though the price of coffee has been low and expansion has slowed in recent years. Much land has been earmarked for industrial agricultural concessions. Since the 1960s, the development of rubber plantations and other estate crops began jeopardizing the environment and the indigenous peoples of the region. In the mid to late 1990's several concessions for agricultural plantations were granted, one of which was for 20,000 ha and would have required displacing 4,000 people. Several large logging operations were also approved in Ratanakiri in the late 1990s, including the Pheapimex forest concession located to the north of the Sesan River, near the newly formed Virachey National Park.

While negotiations with resident communities are required under current national policy guidelines, this has generally not taken place to date. Local people are concerned over the continued illegal land grabbing, as well as illegal logging pressures by outsiders that have increased steadily since the 1990s. Recently, Prime Minister Hun Sen designated Ratanakiri to be a focus of national economic development, with an emphasis on timber production, plantation establishment, and tourism. Plans include the paving of the highway from the Vietnamese border to Phnom Penh. The national government is also encouraging resettlement of lowland Khmer and decommissioned soldiers into the province. In the mid-1990s, the NRM Working Group in Ratanakiri estimated that 120 percent of the land area of the province had been allocated through either Protected Areas, designation "sales" of possession, long term leases and concessions for timber extraction, mining, and estate crops. Most of these concessions are currently "sleeping" or inactive, but represent sources of conflict with indigenous communities who claim most of the province as their current domain. The Land Law (2001) and Community Forestry Sub-Decree (2003) recognize community claims on resources, but a process to negotiate land claims among stakeholders has not been put in place.

Even more threatening has been the emergence of an aggressive land speculation market driven by external actors and private sector interests that hope to benefit from agricultural and tourist enterprise developments in the coming decade as new roads link this once remote province with Vietnam, Lao PDR, and other parts of Cambodia. Over the past two years, several hundred cases of illegal land sales have been reported by the indigenous communities, many resulting in conflict or the loss of control of land and forests by local villagers.

Problem Statement

Cambodia is currently going through an historic transition within the forest sector. Recognizing the environmental and social problems caused by unsustainable forest exploitation, 4.5 million hectares of commercial forest concessions have been suspended since the late 1990s. In addition, millions of hectares of forestland have been degraded and currently have little or no management. With several million rural people still dependent on natural resources for their livelihood, the Forestry Administration of the Royal Government of Cambodia is in the process of re-orienting the agency to engage communities in the management of degraded forests as well as ex-forest concessions and protected forests.

Currently the social, economic, and environmental stability of communities in the northeast of Cambodia is being threatened by a variety of pressures. For decades, the indigenous communities have largely been able to live according to their communal traditions, practicing farming with long fallows in the forests that surround their villages. In the past five years, however, the land rush has arrived in this remote corner of the world, with speculators eager to secure control over forest lands for planting commercial crops like cashew and rubber. Villagers relate that men with political connections come into the village with a jug of wine and a pig, and after a night of drinking, thumb-prints are stamped on blank paper, securing illegal deals that result in the loss of tribal lands. Within this environment it is also important to understand that “offerings” and “bribes” are also a form of threat. They are a display of power to which a villager refuses at his/her own risk.

One villager explained, “People with power are the main cause. They pay off a small number of people in the village, often those with local positions and power, and the community land is sold.” Another village leader lamented, “It was local officials who came to tell our village that we had no rights to the land we were told that we had to sell. They said that the land would be taken anyway, even if we did not sell it. We were tricked into selling 500 hectares. We want it back!” Such comments reflect the urgent need to establish legally binding agreements between the region's indigenous people and the government. There are a number of options for management of forests by indigenous communities in Ratanakiri due to their heavy dependence on forest products, and extensive local knowledge of their environment. Community-based approaches offer considerable scope, both for poverty alleviation and livelihood support, as well as for environmental conservation.

Over the past five years, the rate of landscape-level change in forest cover appears to be accelerating in Ratanakiri. Based on community reports and low-level air flights, it is evident that forest clearing is taking place in many parts of the province, but especially along the east-west highway, around Ban Lung and other district towns, and in areas with fertile red soils. Much of the land clearing appears to be driven by outside land speculators that anticipate the commercial development of the province, as soon as hard surface roads are completed linking the region to Vietnam and Lao PDR. This market integration is likely to occur within the next two to three years. Cashew, soybeans and rubber are the three most popular commercial crops displacing natural forest cover and swidden farmland.

While the land has largely been held under communal control by six local groups (Kreung, Tampuan, Jarai, Brau, Kavet, Kachok) for generations and, although the Land Law acknowledges communal tenure and creates protection against the alienation of village lands, illegal land sales are rampant. Once some type of documentation has been arranged, often with the collusion of local commune or district officials, and money has changed hands, land clearing typically begins. Village swidden land, including both fields and fallowed regenerating secondary forests are cleared, farmers' huts dismantled, and plots fenced. The exclusion of the local community from accessing plots that may vary in size from several hundred to several thousand hectares, places increased pressure on remaining village lands, often accelerating clearing of secondary forests for new plots. In addition, it is likely that some of the displaced village families seek forest lands in other parts of the province, resulting in forest clearing in other areas that may not have been under cultivation in the recent past. In 2004, Graeme Brown and Alistair Stephens conducted an analysis of factors that appear to be associated with forest clearing and land speculation identifying proximity to roads and urban centers, soil conditions, and mining as strongly associated with land use change[3].

There are, however, major challenges in crafting viable management partnerships between communities and government. This involves bridging a huge cultural gap between indigenous cultures and values systems and their land use practices and tenure forms, with the government legal framework and development plans for the region. While the region is populated predominantly by indigenous peoples with its resources managed under traditional systems for centuries, government development plans and private sector interests are moving in rapidly with radically different management goals and strategies.

[3] Graeme Brown and Alistair Stephens, 2004

Will community forestry be adopted as a strategy for economic growth? Will forest concessions and commercial operations and community forestry be compatible? Will the Royal Government of Cambodia have the political will to recognize the ancestral land and forest claims of Ratanakiri's ethnic minorities? Only time will tell. In this report, we provide some forest management options in Ratanakiri where the Forestry Administration and communities could cooperate to sustainably manage the region's forest, resources that are currently under growing pressure for conversion to estate crops.

This report draws on the results of research into traditional law and conflict resolution recently carried out in 15 indigenous villages in Ratanakiri and 3 in Mondulkiri Provinces[4]. The local researchers in this study were indigenous elders from the Highlanders Association and youth from the Indigenous Youth Development Programme (IYDP part of Non Timber Forest Products (NTFP) Project, Ratanakiri). The IYDP researchers also wrote the reports of this village research which form the basis of this report.

This report also draws on the experience of the Ratanakiri Network Support Project, an initiative that involves interactions of over one hundred indigenous extension workers engaged in dialogue with settlements in twenty communes across the province.

[4]See Backstrom et. al. (2006) for a summary of this research

PART II

INDIGENOUS RESOURCE STEWARDSHIP IN RATANAKIRI

A growing body of research is demonstrating that indigenous people in northeast Cambodia continue to operate well-developed land allocation and resource management systems that rely on communal decision making through traditional structures[5]. Management is based on the practical needs of maintaining livelihood strategies, through both rotational swidden agriculture and the collection of forest products. Communal forms of land tenure allow for the rotation of upland agriculture fields, and for the equitable distribution of land among community members[6].

The swidden system is an integrated system of land use, where the distinction between forest and agricultural areas is often blurred. Farmers require secondary forest regeneration for soil fertility replenishment. Regenerating forests of different ages are reserved for cultivation. These younger secondary forests are intermingled with forested areas comprised of older growth that have been protected for generations as they are believed to possess strong spirits or serve as a burial forest area or because the land is too stony or steep for agriculture. In other cases, forests are preserved to shelter the village from violent storms, protect springs and water sources, or provide a convenient source of non timber forest products. Indigenous communities rely on these forested areas for many of their livelihood needs and consequently have developed effective and diverse systems to manage and protect them.

In the past, rotating the use of village lands and maintaining a dispersed distribution of villagers over the landscape were two key principles used by the hill tribe cultures for sustainable forest management[7]. This practice and the constant need of swidden farmers to promote forest regeneration for soil fertility means that overall forest cover (forest and secondary forest) in Ratanakiri has been maintained at 80% or more for several centuries[8]. Relatively low population densities assisted this maintenance of forest cover, though aerial photographs taken in 1953 show that areas with the most productive soils, such as on the basalt plateau, were intensively used for swidden farming.

[5] See for example Condominas (1957; 1965; 1977[1957]) on the Mnong Gar of Vietnam, Dournes (1977) on the Jarai of Plei Ku, Vietnam, Matras-Troubetzkoy's (1974) study of a Brao village in Ratanakiri Province, and recent studies conducted by researchers and organizations working in Cambodia since the 1990s (e.g., Baird 2000; Baird, et al. 1996; Bourdier 1995b, 1995a; Ironside 1999a and 1999b; Ironside and Baird 2003; White 1996) (Backstom et al 2006).

[6] Rotations are required in swidden farming to allow for fallow periods during which swidden fields grow back to forest, allowing soil fertility to recuperate (see, e.g., Izikowitz 1951; Conklin 1957) (Backstom et. al. 2006).

[7] Bourdier 1995

[8] Fox 1998

Photos of the same areas today show swidden farms and fallows rotating along the same rivers and streams as they did in 1953. This dispersed distribution of villages over the landscape meant that each village was autonomous from the others and there was no governance structure higher than this level. Each village was confined to a certain area of land because they were also surrounded by neighboring villages each claiming their own area of land.

When asked what land use areas were important for agriculture and livelihoods at a National Forum of Indigenous People held in Kampong Speu in September 2004, participants from 12 ethnic groups representing 14 provinces listed:

- Rivers, streams, and their edges (banks), land at the source of streams
- Swiddens, fallow swiddens, paddy, fallow paddy, reserve land, spirit forests, burial forests, housing areas, forests for conversion to paddy land
- Deciduous and evergreen forests, bamboo forests

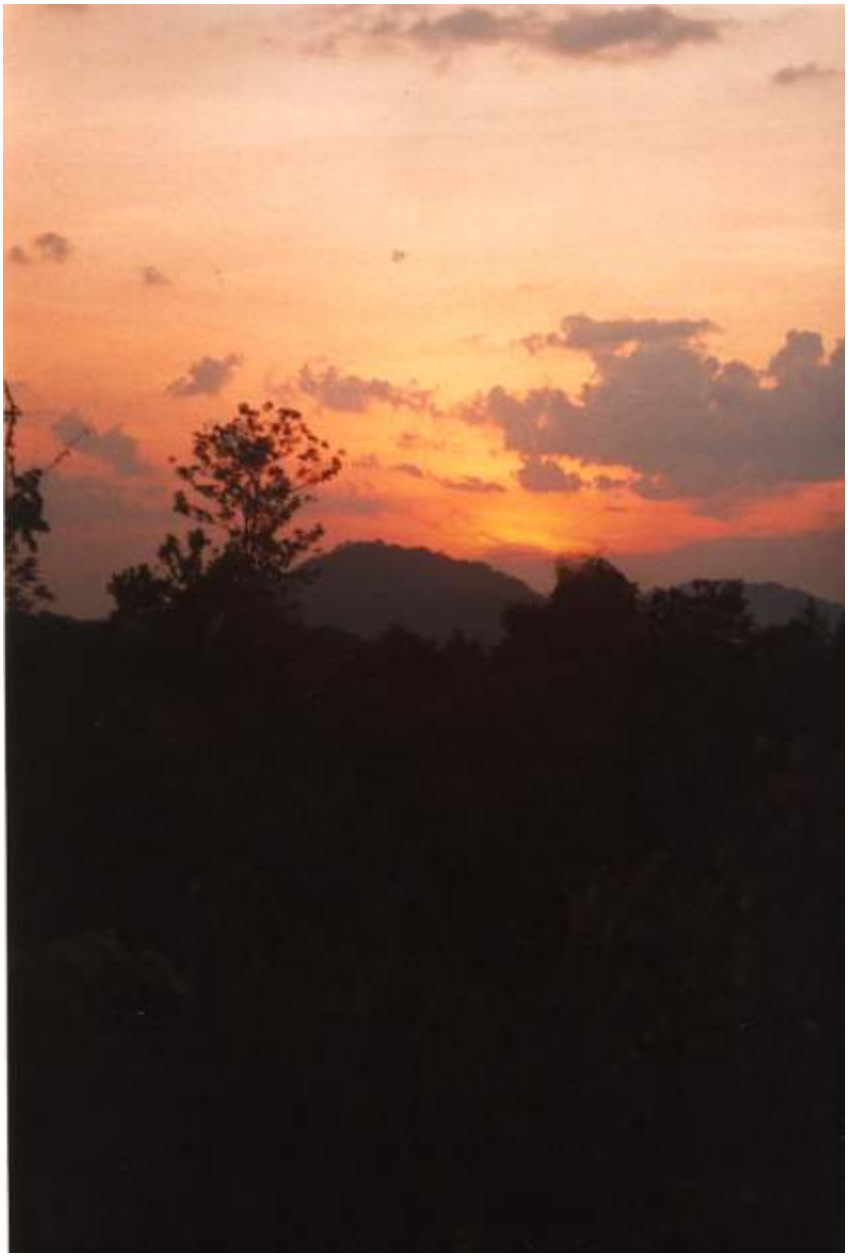
It is no accident that many areas where indigenous people live are actually well endowed with forests and natural resources. Protecting these resources allows them to cope in times of shortages of rice and cultivated crops. Communities take responsibility for protecting these areas and villagers (insiders) are fined much more severely than outsiders for destructive actions. Often, sacrifices of village animals are made for the destructive actions of outsiders because villagers see themselves as guardians of their lands and forests and they fear the spirits of their area will blame them and cause them harm for allowing the destruction.

There are many reasons to support community management of forests in Ratanakiri and Cambodia. Forests are crucial for the livelihoods and well-being of communities, particularly indigenous communities that have been settled in and near the forest for generations, drawing many of their resources from them. The forest is the source of most food that is either grown in swidden (*chamkar*) fields or is harvested in the form of wild tubers, fruits, honey, insects, amphibians, reptiles, and mammals, either through hunting or gathering in forests surrounding the village. Building materials are largely generated from the forests, as well as most tools and equipment.

The forests also play a key role in moderating the climate and ensuring the hydrological functioning of streams, springs, and ponds. Villagers in Ratanakiri believe that the spirits of the forest can cause floods and droughts if people do not respect important hill areas where they live. Kavet villagers in Kok Lak Commune, for example, go to spirit forest areas deep inside what is now

Virachey National Park to make ceremonies to ask the spirits for rain. Now people say it is difficult to go to these areas to do the ceremonies because Virachey National Park staff reportedly will not allow them to enter the area. It is generally recognized among indigenous communities of the area that forests plays a very important role in creating micro-climate conditions favorable for rice cultivation and other crops. These spirit areas, for example, are often important watershed areas heavily forested hills with waterfalls, etc, where community leaders responsible for conducting ceremonies in these areas report it is cool and damp all through the year.

Forests are also an important part of the religious beliefs of the indigenous communities who are largely animists. Spirit forests are respected, honored and feared. They often have interesting natural rock formations and other features (waterfalls, pools and ponds, particular vegetation) that are considered sacred. Many local people believe that spirits inhabit the forest and are responsible for the well being of the community. If community forests are lost or community management ceases, it undermines the religious foundation of these communities and results in social disruption, fragmentation, and alienation. In addition to their religious significance, communities have a strong social attachment to their forests, which provide an important environment for relaxation and seclusion from the communal village setting. If forests are degraded, important aspects of community identity may be lost. In short, forests are pivotal in the livelihoods and well being of communities. One of the strategies to achieve the overall goals in the National Strategic Development Plan 2006-2010 is, “Promoting forestry contribution to poverty reduction by strengthening community forestry's initiatives and by involving local communities in forest exploitation plans ” (NSDP 4.48)



Customary Institutional Arrangements

Traditionally, community elders managed the village's affairs. Depending on the ethnic group, one or more leader(s) are chosen to manage the village, mediate conflicts, and ensure that customary laws are followed. Village elders act more as facilitators of dialogue, consensus builders, and advisors to the heads of households, rather than playing an autocratic role in village decision making. In cases where a village has one primary leader, other village elders would assist this person with various duties (see Box 1).

Box 1: Selecting the Traditional Village Leader

Mr. Sev Yun, chief of Srala village, Kak commune, Bar Kaev district, said that the village leader was selected by village consensus after the villagers knew the leader's capacity in organising traditional ceremonies and in managing, serving and adjudicating cases for the villagers. The elders with all villagers discussed the selection of their leader. This discussion could take two to three days depending on the time that the elders and villagers took in making a decision. After the decision was made, the selected person would be invited to a meeting place and be appointed. A ceremony would then be held in order to gain recognition and trust from the villagers. He also added that some leaders were selected from the next generation of leaders by the spirits due to dreams by the elders and villagers (Backstrom et. al. 2006).

Criteria for Selecting the Village Leader(s)

From village research into traditional law the village leaders were/are chosen on some or all of the following criteria: (It should be understood that traditionally the village leader is always a man)

- Able to educate, lead and govern the village
- Has a good knowledge of traditions and rituals, and has special powers
- Has shown by experience that he is good in solving conflicts and in mediating to find the solution that is fair for everyone.
- Able to make good and fair decisions about levels of punishment and fining.
- Is clever, has higher knowledge, is wise and skilled in public speaking.
- Understands the problems of the village, is seen to have the interests of the village at heart and volunteers his time for the collective benefit. 'Active in the village and likes to help the poor' (Pa Dol Village)
- Is the oldest and wealthiest in the village. This gives him the most impact and influence.
- Has a gentle attitude. Knows how to advise the children.
- Can build solidarity in the village.
- Knows how to communicate with outside.

It is on the basis of the above that he earns his respect and the villagers have confidence and obey him.
(Information from several villages in Backstrom et. al. 2006).

The ethnic communities of Ratanakiri organize themselves in self-governing villages with strong social cohesion provided both through kinship ties as well as the villagers' sense of membership in a particular village. Among all groups, the family elders are leaders held in great respect. Elders officiate at religious ceremonies and feasts, as well as mediate intra-family disputes. They also play an important role in orchestrating land-use decision making. Their knowledge of customary law is of special importance for land and resource use, including their ability to conduct the

proper ceremonies to the spirits of the forest. Customary law, which is informed by the elders, governs and guides community decisions regarding the clearing of forests for agriculture. According to customary law, the family has rights over the land that they currently cultivate and over produce from old plots that are fallowed, but may be farmed at a later date. Fallowed *chamkar* land is often planted with fruit (bananas, payayas, etc.) and tubers, providing an ongoing source of food to the family.

After a certain time, however, the right to use a fallow *chamkar* which was abandoned and unused by the family, reverts back to the community although there is often a tradition of a previous user coming back to use the same area later Elders often play a mediating role in land disputes within or between villages however, for the most part, village land and forest boundaries are respected between communities. If encroachment or damage occurs as a result of one family or community's action on another community's land, a fine or retribution is usually negotiated to settle the case. Mediation and reconciliation is a fundamental component of indigenous conflict resolution. If a dispute arises between two parties, one or more mediators resolves the case. It is important to note that village elders and indigenous community institutions continue to dominate village decision-making. According to one report:

> The role of the village chief (a local government person often appointed by higher levels of government) is clearly seen as one outside the internal village affairs and decision-making. In one Kreung village, the people explained that they choose their village chief to play a linking role with the government because of his openness and friendliness. But they affirmed that other villagers "know more than he does" and hold more traditional authority. In fact, many villagers were very unclear exactly what the work of the village chief entailed, apart from occasionally going to meetings and relaying messages from the government. He is evidently not seen as a representative of the community as much as a representative of the government[9].

[9]Joanna White, p.354.

Village spatial organization varies among the ethnic communities of Ratanakiri with Kreung villages constructed in a circular manner with the large houses occupied by the heads of the extended families facing inwards towards a central longhouse where village meetings are held, as well as communal feasts and ceremonies[10]. Smaller houses form an inner circle and are inhabited by pre-marital teenagers or young married couples. By contrast, the Jarai traditionally construct vast longhouses inhabited by all extended families, with the inner house divided into compartments for various couples and their children. Adolescents often stay in separated houses. Tampuan villagers tend to follow the pattern of either their Jarai or Krueng neighbors.

Now the government-appointed village chief also takes a leadership role in village affairs. The traditional leaders and elders have the important responsibility of maintaining the village traditions and culture. They are in charge of conducting the village ceremonies to the spirits of the village, land, water and forests. An important part of maintaining village solidarity and village well being is maintaining harmony with the spirit world. Kak Thoum villagers (Tampuen) explained that their belief systems consisted of respecting different spirits - like the land and forest spirits, the spirit of the village, the spirit of funerals, the spirit of making offerings, etc[11].

While the village elders are usually men, women also play an important role in land and forest use and protection to ensure livelihoods. The Pachoe (Jarai) or traditional healer is always a woman who conducts ceremonies and contacts the forest and other spirits. Kak Thoum villagers said men have to consult with women about important land and forest decisions[12].

Indigenous Forest Use Systems

While there are some variations in land-use practices and terminology among the six major indigenous communities in Ratanakiri Province, the general categories of forest and land utilization are generally common to all ethnic cities.

[10] Source: Backstrom, et. al. 2006

[11] Some ethnic groups (Kachok, Jarai, Tampuen) divide the village into subgroups or clans which are governed by a clan leader. The Brao language sub-groups (Kreung, Brao, Kavet and Lun) do not have clan based systems.

[12] Joanna White, p.335.

In recent community consultations in several communes with some experience in defending their forest, leaders stressed that they wanted to divide their community forest areas into two zones: 'Protection zone' and 'Protection for use zone'. The protected areas are the spirit forest and other important areas (see below) which communities do not want to see being logged or otherwise destroyed. The rest of their community forest areas they want to protect also for supplying what they need for their livelihoods. By protection villagers mean to stop destructive activities and especially stop logging by outside companies. They want to preserve these forest areas for food and resource gathering[13].

Conservation Forests

Sacred Forests **-** Sacred forests are common to most of the indigenous communities of Ratanakiri who believe spirits inhabit the forests. Tree felling is forbidden, as it is thought to draw the anger of resident spirits. Ratanakiri indigenous people's belief systems are based around respecting the spirits that inhabit the world around them. These include land and forest spirits, the spirit of the village, the spirit of funerals, the spirit of making offerings, etc. There are also spirits of water and large stones. These sacred areas often include the whole mountain or hill, and local people say that they are inhabited by particularly powerful spirits. People feel a sense of awe when entering these areas.

[13]Part of the information about indigenous forest use zones was collected by Jeremy Ironside and two Indigenous Youth Development Project researchers (Mr. Pow Kum, Kreung ethnicity and Mr. Peurng Vannak, Tampuen ethnicity) in 7 villages.

Box 2: The Spirit Forests of Kok Lak Commune

In Kok Lak Commune the Kavet indigenous group has lived in the mountainous areas along the Lao border for centuries. They still have strong beliefs associated with the landscape of this area, even though they have been forced to move out of their traditional area and live in the more accessible lowlands.

Their important spirit forest areas are inside Virachey National Park the park include:

Jundo (hill) Hurrling
Jundo Hurrling Baie
Jundo Niep – has different rocks and a cathedral-like area 5m by 20m with a pointed roof.

Three other spirit areas are inside their community protected area and also in the park:

Dalung Louiee
Jundo Lung - has big diameter bamboo, which is never cut.
Jundo Miout Geh

These areas are characterized by different forest, bamboo and rock types. People go to these areas to make ceremonies for the rain to avoid both droughts or floods, which the spirits can cause. The spirits recognize Kavet language and this is the only language that can be spoken in these places. People have to wear a traditional loin cloth to enter these areas. They cannot smoke manufactured cigarettes, and they cannot speak loudly and loosely. They have to be careful of what they say. Another reason these areas are feared is because of the leeches which have a powerful blood anti coagulant. Villagers say there are four kinds of leeches and the kelee kelar (leech) is th e worst one. It gets into the armpits etc. and the blood does not stop flowing. There are also red and black flying insects known as 'mul' which bite in these areas. There are also tiger caves, and villagers have reported seeing white (albino) animals in these areas. They also say there are an enormous number of ants.

Villagers say these areas are cool and dark in any month of the year. Many are areas of great beauty with views out over large areas. There are also waterfalls and grassland areas.

Often there are noises coming from these areas. Villagers say sounds like gongs can be heard. There are also often noises that appear to be people talking. People respect these areas because they have seen concrete evidence of unexplained phenomenon and have seen the power of these spirits. Kok Lak people say that to go to these areas it is necessary to conduct a ceremony beforehand. If not, something bad could happen, such as a high probability of a serious accident or death. The ceremony requires killing a pig, rice wine, incense and candles. Kok Lak villagers point to direct proof of the consequences of not paying respect before entering these areas. There is a story during the French Indochinese war of two French soldiers who went to the top of one of these spirit hills to make a sign for a plane to come and get them. They subsequently died and villagers are sure the spirit of the mountain killed them, because they were disrespectful.

Remote forest areas have also been used for hiding and escape. People ran and hid in these forests during wartime. They lived at the base of one of these spirit forests for 2-3 years, and people said the spirit protected them. Kreung villagers from Tong Krapo village also said that talking “loosely” or loudly in spirit forest areas is forbidden. Even before people enter their sprint forest they say it is wrong to chat with other people in the village about their intention to go to this area. Before people leave this area, they need to take hot rice with meat and tobacco, light candles, leaves for chewing (slut malu) and leave this on top of or under a big stone, to respect and appease the spirit. They ask the spirits (arruk bree dark: land and water spirit; arruk jundo: hill spirit) in the area for health and success in hunting and avoidance of accidents. Generally hunting is allowed in spirit areas, but no cutting of trees or even bamboo is permitted.

If people do not pay their respects like this, Tong Krapo villagers believe the spirit will not allow them to have success hunting and they could have an accident, become sick, or die. Disrespect can also cause unseasonal weather, droughts, while crop yields can be poor. As a consequence, the community forbids any destructive activity to happen in this area[14].

Tampuen communities from Kachoan and Yeak Laom Communes also said people can hunt in these areas and collect some resources (though sometimes the resources must be consumed in the forest rather than removed). Other villagers can also use these areas and it is not possible to prevent people to go there. During traditional ceremonies people call the spirit of these areas when they have a ceremony. Certain trees are also believed to have powerful spirits. These spirits can help people to get better when they are sick. Sometimes pieces of trees with strong spirits when used for example as a washing platform can affect people and cause them to have a headache.

Burial Ground Forests **-** Burial ground or cemetery forests are areas where the dead are laid to rest and any disturbance of the forests is forbidden. The Jarai demarcate these areas to warn others of the taboo against any form of tree felling or other forest desecration. For example, in Tong Krapo village (Kreung) an area of 2 hectares, 150 meters from the village is reserved as the village burial forest. People cannot cut their swidden fields, but they can collect resources and even hunt 'if they dare'. People have swidden fields near the burial forest but village elders have been preventing agriculture encroaching into the area itslf. Clearing this area violates people's rights and shows great disrespect for the people who have died. People also are afraid that something bad will happen to them like dying of the same illness that the person in the cemetery died of if they clear the burial forest.

[14] Ironside 2006b

Box 3: The Spirit Areas of Tong Krapo and Tong Kamal Villages

Tong Krapo and Tong Kamal were formally one village and share a spirit area called Drang Yong (the house posts of Yong). In Drang Yong forest there are stone shapes which resemble large house posts. Villages said in ancient times these were wood but have since turned to stone. Another area called Tmor Bang a rock formation looks the same as a wall as of house, several metres high and tens of metres long.

In the time of the ancestors, people liked to hunt in this area. Then in the night they saw ghosts/spirit lights, and many different kinds of animal sounds. In the day they saw these big stones and saw forest people (*Beyayaie*), which are widely talked about in indigenous villages. This made people afraid when they went in there.

Together these areas make up approximately six hectares. In these areas there are all kinds of bamboo, rattan,vines, gems (no one is allowed to dig in these areas), streams, waterfalls, and big stones. There are also animals like tiger, monkey, wild pig, deer, and a variety of birds.

If people want to cut a tree in this area, this is permitted e.g. for making coffins. Resources can also be used for making the cover over the grave (*nham gayock* grave house). This makes it easy when someone dies as people don't have to go far to get the materials. Sometimes bamboo is planted near the grave to mark it. Fruit trees are also planted (*lakar*, tamarind, kapok). A rice wine jar may also be planted near the grave.

If the person who dies has a lot of possessions, bamboo will be ornately woven for the cover over the grave houses. This depends on how much the family has to feed the people doing the weaving. In the past, funeral ceremonies could last up to 7 days before burial for a prominent person. Coffins are made of high or low quality timber depending on the status of the dead person.

In Kachoan Krom village, (Tampuen, Veunsai District) people carve and paint wooden statues (*Kik*). There have been problems with tourists taking photos of these statues. If a tourist takes a photo of the grave, the villagers are afraid this will disturb the spirits of their ancestors and they will have to hold a ceremony requiring a chicken and rice wine to ensure the spirits will not cause tthem any harm. Signs have now been put up asking people not to enter the cemetery. The *kik* are to accompany the dead person partly to make sure they will not disturb the living. For example, if a young man dies, a *kik* of a young women will be placed beside the grave and vice versa if a young man dies. A buffalo or a pig is sacrificed when the *kik* is put up.

Kachoan Krom villagers may also cover over the grave area after the burial, which requires a ceremony when completed. Another ceremony is held one year after the person died also requiring the killing of a buffalo or a pig. This ceremony signifies the end of the relationship with the living and the house over the grave is not repaired after this. It is not required to go to the ceremony to appease or respect the spirits of the dead. This can be done in the family's house. According to Tampuen traditions the burial forest is always to the west of the village. According to traditions, the body is buried with the head to the east and the feet to the west. In this way the dead person's spirit can go back to its home.

In some villages, close to the main towns, there are very limited areas for burial forests due to land selling. In some cases, there is no forest area and some villages have to use grassland for their burial area. People in some villages also now have to reserve a grave site. In the past, people used thatching out of tree leaves and woven bamboo weaving for rich people for the grave house. Now, people use corrugated iron, and make designs on the iron. The village leader is the one who has the authority to choose the burial forest area. Burying someone in another place could cause problems for the village. The burial forest area also cannot be changed unless the whole village is moved.

Village Shelter Forests **-** Village Shelter forests entirely surround most ethnic communities in Ratanakiri. They play an important role in protecting the village from violent monsoonal storms, while providing a moister, cooler micro-climate during the hot, dry season. These forests are usually older, secondary growth and ideally moist, evergreen trees that reduce the chance of catastrophic forest fires. Typically, no tree felling is allowed in a Shelter Forest. These forests provide opportunities for privacy and recreation, as well as for human waste disposal.

The shelter forest that protects Tong Krapo village has big trees and generates many resources including vines, timber trees for houses, firewood, katmar leaves for thatch roofing, and edible tree leaves (*arriniang*). This forest protects against strong winds, and people can easily collect resources for housing and eating. Village animals can also graze in this area.

Wildlife Forests **-** Wildlife forests are located in areas with high biodiversity values, especially if unique or sacred forests are known to frequent the area. Several villages are delineating areas for wildlife in their land-use plans, because they want to see wildlife populations restored[15]. Villagers are also delineating tourist areas for forest tourism and these areas also often are favorable areas for different kinds of wildlife species.

[15]Ironside 2001

Watershed Catchment Forests - Watershed catchment forests are located in areas that have significant hydrological run-off and are known to supply streams, springs, and ground water areas with wells. Ridge tops and ravines above and around water flow areas are placed outside swidden blocks and allowed to retain old growth forests. This is also because these areas are both steep and rocky and not good places for farming.

Water Source Forests - Located around springs and along waterways, these riparian buffer forests are well protected and ensure maximum water flow during the dry season. Water Source Forests also provide habitat for fish and amphibians that are hunted by village youth. These moist forests also produce abundant quantities of mushrooms. Tong Krapo village for example, protects five areas of spring or water source forests along the Krapo, Bassut, Kriek, Bandraee, Darkrouey streams. These places contain a lot of resources like wild taro, taro stems, rattan, and precious gem stones, in some places. People use these areas for dry season wild vegetable collection. For example, taro stems are collected for pig and human food.

In other villages such as Phnom village, Yeak Laom Commune (Tampuen), the forest area around their water source has been cleared for paddy land and some of the land has been sold. This is causing hardship as people don't have clean water, or forest to get vegetables in the dry season, or a shaded cool area for bathing. Also, erosion makes the water dirty.

Forests for Tourism

Forests for Tourism is a new category of forest use which villagers are designating more and more. These areas are protected and use of these areas is restricted. The 362 hectare forest around Yeak Laom Lake (near Ban Lung town) is one example. The forest around the lake has big trees. People can cut trees for coffins, but all other tree cutting is forbidden. Fire and people encroaching on the edges of this area for clearing swidden fields are constant problems because of proximity to the provincial town. The lake committee, made up of representatives from the villages around the lake, monitor this forest area and enforce the regulations. The area is therefore protected and has great attraction to tourists who pay a small entrance fee which assists conservation.

Agricultural Lands and Forests

Chamkar/Swidden Agricultural Fields an Fallows - Swidden farming (*chamkar*) is widely practiced throughout much of Ratanakiri Province. The land may legally be considered agricultural under the Cambodian Land Law, but in practice, much of the area under long-term swidden rotation is regeneratingnatural forest. Swidden involves the cutting of vegetation in the beginning of the dry season usually in January, burning it at the end of the dry season from March to April, and then planting a crop at the beginning of the rainy season, corn in May and rice in June or July. Most Fields are utilized for two to five years, then left to fallow for five or more years where possible. Households usually have two to four *chamkar* plots of one to two hectares in different locations. Generally, the fields are within a one hour walk of the village (2-5 km). Villagers prefer to reduce risk from destruction by domestic animals and locate their fields generally far from the village. Swidden fields are typically dispersed to minimize the spread of potential hazards such as insect and disease infestation, as well as forest fire. While the main crop is rice, *chamkar* fields may have more than thirty varieties of green vegetables, tubers, climbers, fruit trees, and other crops.

Fallowed swidden fields regenerate as young secondary forests. They are often enrichment-planted with fruit trees and tubers, but also contain many useful natural plants including rattan, edible greens, mushrooms, medicinals, thatch, lumber, etc. In Poey Commune, one study of landscape level land-use found that only four percent of the land area in the village was under active swidden, however 46 percent of the community land was young regenerating forests, either open forest (0-2 meters in height) or closed canopy forest (2-10 meters) indicating that it was part of an active swidden rotation land pool. The remaining 50 percent of the land area was various types of older secondary regrowth that was likely outside the *chamkar* land pool and viewed by the community as varying forms of protected forest or NTFP production forest.

Bamboo Forests **-** These forests are important in producing poles for house construction, tools, weaving materials, as well as edible shoots. Tong Krapo village in Ratanakiri, for example, has reserved two hectares near Bandraee stream and another three hectares near Bogall forest for cutting bamboo. Tong Kamal also has reserved two places near N'Deur forest and Yourt forest of around 2 hectares total. These areas are protected from cutting for swidden; **t**hey are also not that fertile. Bamboo is useful for making floors for houses, making arrows for crossbows, weaving back baskets used for carrying nearly everything, and animal and fish traps, etc.

NTFP Collection Forest - NTFP collection forests are often found in older growth forest tracts where *chamkar* has not been practiced for a number of decades. Such forests often possess older *dipterocarpus* trees that have reached a girth of 45 to 50 DBH probably reflecting an age of 40 to 50 years. In areas with these resin trees, the majority of the village may be involved in commercial resin collection that has expanded rapidly in the past decade in some districts.

The importance of wood resin collection for household income creates a strong incentive among communities to protect their NTFP forests. In a recent study by Ian G. Baird in Teun Commune (Kreung), Ratanatkiri, villagers often traveled 14 km or more to reach these resin trees, although Baird found that most of the resin trees tapped in Taven Leu are within one or two kilometers of the settlements[16]. In Teun Commune, there were at least 6,500 *dipterocarpus* resin trees being tapped of which 45 percent were managed privately, 17 percent were under arrangement by a group of villagers' "company", and 38 percent communally. The villagers in the study area complained that 10,000 resin trees were felled by Vietnamese commercial logging operations between 1984 and 1998. In response, Teun Commune formed a Natural Resources Management Committee (**s***ahakum*) and confiscated chainsaws, guns, and electric shock fishing gear. The four villages in the commune also established an 8,756-hectare commune-level protected area for wildlife conservation[17]. An interesting finding of the tree resin study was that "communally managed trees are being managed better" than privately held trees and that tree tenure arrangements were closely linked to "socio-cultural aspects of intra-and inter-community relationships."

As discussed above, communities wish to protect their community forest areas for communal use. This is both for livelihood security and for cultural reasons, so people can maintain their traditions. An example of the hardship for people once community forest areas are gone is seen in Yeak Laom Commune, on the outskirts of rapidly growing Ban Lung town. Apart from the area around Yeak Laom lake (See Section: *Forests for Tourism*), two other hill areas (30 and 70 ha) and a 100-hectare area of 40-year-old regenerating forest were designated for community forest in the late 1990s. The one hundred hectare forest has now nearly all been illegally sold to business people since the 2003 commune council elections. Parts of one of the hill areas have also been sold. The management regulations were only useful for a short time, because the commune chief refused to manage the area according to the community's wishes and sold these forest areas and allowed others to sell. Now, people are worried because they have no forest to use. Before, people depended on the forest for nearly everything, now most of the forest areas are gone. The belief in the spirits of the forest are still strong, but there are fewer forest and spirit places. The use of the remaining spirit areas is also now more restricted. In swidden areas near Yeak Laom, there are small forest areas remaining that are used for collecting some forest products. These forests are also being cleared by villagers and outside companies. In addition, people in Yeak Laom have no place to bury their dead as the authorities also sold burial forest areas. Traditions are now either being lost or changed. In the past, during important ceremonies, the village was closed for five days. People could not leave the village and no one could come in. Ceremonies are now shorter and there are less of them. The belief in spirits is also beginning to change. Before a ceremony was performed prior to clearing the swidden, the forest spirits were asked for a sign that they would allow clearing of the area temporarily.

[16] Jefferson Fox, p.4-6
[17] Ironside 2001

Now this ceremony, in Yeak Laom Commune, is not observed. Other cultural changes include less indigenous music (including singing, gong playing) and dancing, fewer traditional weddings, and a declining respect for the elders. As a result of cultural erosion, one of the villages in the commune has now dispersed and is "no longer a village," representing a loss of physical and cultural resources previously available for natural resource management.

Multiple Use Forests -Multiple use forests provide a wide variety of products that can be hunted or gathered. Often located at some distance from the village, timber for house construction, mushrooms, resins, and other goods may be found in these forests. Communities may share multiple use forests and rely on them for extensive rather than intensive use. Nonetheless, there is a sense of control over multiple use forests and certain conservation and protection measures may apply.

Land and Forest Management Change

While recent studies indicate that village elders deal with disputes, traditionally village members largely decided among themselves how to share the village land and forests. Brao respondents said in the past there was no need to ask permission to clear the forest in the village to make a new swidden field[18].

[18] Prang, Phiset 2006

Kachork representatives in the same research noted that the decision to clear an area for a swidden field is made by consensus of the people who live around the field. This is because swidden farmers often expand their fields every year and the owner of the swidden field often has rights to claim 100 metres of land adjacent to the swidden field. The size of a swidden field was determined on the labor available both to clear the forest and to be able to weed the area[19]. As local populations have grown and external pressures from investors has increased, increasingly many communities are attempting to tighten resource controls.

In the past, it has generally been acceptable for other villages to use a village's forest area for family or subsistence use. The use of more distant forest areas is often shared between several villages and people are free to collect the resources they need, including vines, bamboo, bamboo shoots, mushrooms, fruits, rattan, malva nuts, etc. Hunting often requires traveling into the forests of other villages, and Ka Meang villagers said the hunters should ask for permission, though this was usually granted[20]. Still, use of village lands and forests by outsiders is generally monitored and controlled. Ten villagers said traditional hunting and collecting equipment is permitted in their village's forests, but the use of guns and illegal equipment was forbidden[21].

Changing Customary Laws and Practice

Commune administrative boundaries have frequently been drawn in ways that divide villages that traditionally cooperated and shared a common forest area. Effective monitoring and management of communal forest areas is best achieved by strengthening the traditional management arrangements that exist between certain villages, and this will likely involve community forests that span more than one commune. Disputes over newer administrative boundaries which do not conform to traditional boundaries and village alliances have caused numerous disputes between villages. Table 1 presents a number of changes and issues emerging as traditional and modern systems of governance and management interface.

[19] Chan, N. 2006
[20] Breu, B. and Prang, P. 2006
[21] Vel, T. 2006

Table1: Summary of the changes occurring in traditional land and natural resource governance[22]

Past (and Present)	Present
People obeyed the traditional laws and respected the elders more than their parents.	Some don't follow the traditional laws and don't respect the elders. People lose their beliefs. The people that have knowledge don't train others. People participate in NGO organized community activities. Village management is not well organized.
Traditionally people communicated only orally.	There is legal and literacy training. People understand the importance of formal education.
Meetings were held in the villages. Didn't have any relationship with outside organisations.	Now relate with NGO networks and other state institutions to make reports and complaints about community problems to the outside, and help villagers understand about the impacts of development, etc.
Boundaries were set by groups of elders from adjacent communities when needed. Land was managed by the elders.	Traditional authorities' management regulations are banned. Land use is regulated by 'Government law' through elected NRM committees, with the village chief, and elders. Conflicts are often not resolved or only very slowly.
There was rotational farming and 'land was not possessed individually but was occupied freely' (Kak Thoum Village).	Each village divides their land into plans and hectares for each family. With plantation crops people occupy the land indefinitely. Population increases people but the land area becomes smaller. Villagers are restricted to a smaller area.
No land selling but land was transferred to their relatives. It could also be 'lent to grow crops'.	More and more land grabbing, (secretive) land selling to outsiders, etc. Conflicts arise sometimes because no one is sure who the land owner is. Land management is not good' (Ul Leu). Land cannot be lent to others because people are afraid the person will grow cashew nuts on it.
Sharing of resources both within and between villages was common. Good solidarity existed and there were no land conflicts (Ten, Ul Leu and Reach).	Less sharing of forest and fish resources. Competition even for firewood in some villages (Chrong). Increasing internal and external disputes.
No logging for selling, natural resources were used freely and shared.	Now forest cutting for sale, catching wild animals to sell to outsiders. Now also there are community forests.

[22] Based on responses from Lut Village Workshop, Raech, Pa Dol, Reu Hon, Kak Thoum, Tompuon Reung Thoum, Ul Leu, Ka Meang, Ten Villages and Kreung and Tampuen Groups in the Khoun Village Workshop (See Bibliography for source of information).

Changes in Traditional Law

Part of the traditions the elders preserve is a body of community law which regulates village life, including the use of the village land and forest resources. Some of the customary laws that govern resource access, use rights and tenure include the following:

? Crossing another village's swidden field to cut a swidden is prohibited. This causes disputes and in the past these disputes could turn violent.

? The village leader(s) and elders would have to agree before people could cut new areas for swidden. Sometimes the village chief may be involved in these decisions.

? The family using a piece of land for swidden, usually has the right to claim that piece of land for up to 10-20 years, or the time it takes for the forest to grow back.

? In the past there was no land selling, and land use rights could not normally be given to anyone who was not a relative.

Newer regulations to address emerging management issues are frequently adaptations of traditional law and practice. In such situations, customary laws and resource use norms are revised to address current management issues and pressures. In some cases they are written down and maps are made of the community resources. Some examples include the following:

- Ul Leu Village (Tampuen) and many others have gone through a land use planning process in which the village's lands and natural resources are zoned for management and use. This includes zoning areas for swidden, spirit forest, protected forest, burial forest, wildlife forest, lands for future generations and in Lalai village 'forest for tourism.'
- New regulations to emphasize the requirement of prior permission from village elders, village chief, or village level committee before the clearing of a swidden field. Growing populations and newly established settlements has place increased pressures on these *chamkar* resouces requiring tighter regulation of land allocation through village authorities.
- Some new regulations require a contract stating the exact period of occupation in order for the community to allow someone from another village to use the village's land.
- If someone is seen cutting trees without approval from the community, the person is fined. If this happens again the fine is increased and the wood, chainsaw, and truck will be confiscated. Ka Meang villagers said when people see forest offences they must inform the village elders or the police[23].
- Several villages that all use an area of forest together are already organising joint monitoring and developing regulations for communal forest use.
- Katieng villagers had strong rules to dismiss the person who illegally sells land[24].

[23] Breu, B. and Prang, P. 2006
[24] Preu, B. and Prang, P. 2006

Table 3 below shows the numbers of conflicts related to land and forests, and who resolved them (in brackets), in Tumpuon Reung Thoum village from 2003 to 2006 (Ria, S, et. al. 2006). It is interesting to note the new types of conflicts they are now dealing with, the difficulty in resolving these new problems, and the fact that the Commune Authorities were only called in once.

Table 2: Land and forest conflict resolution in Tumpuon Reung Thoum Village (2003-2006)

Conflict and who resolved it?					**Old or new problem?**	
Type of conflict		**Traditional authorities**	**Village authorities**	**Commune authorities**	**Past**	**Present**
1	dispute over land within the family	3 cases resolved		1 case resolved		✓
2	cross the farm borders	not yet resolved				✓
3	forbid others to farm on their lands	not yet resolved				✓
4	animals eat a villager's crops	happens every year			✓	✓
5	burn the crops and the farm of others	4 cases resolved all			✓	✓
6	cut old burial forest areas	1 case resolved			✓	✓

At present, there is what could be described as a crisis of authority in the management of land and forests in Ratanakiri. There are many problems such as "land grabbing, selling land secretly (and illegally), cutting new areas for swidden (*chamkar - Kh*), catching wild animals (deer, snake, pangolin) to sell to outsiders, etc[25]". There is also land clearing by companies and new land owners to increase their land area, largely all for some form of cash cropping. Aul Leu villager (Tampuen) described the problem as follows: "The traditions, cultures, beliefs, the livelihoods of indigenous peoples in their communities, [including] customary laws, traditional authorities, and natural resources are all being destroyed[26]."

One problem emerging from land and forest logging disputes results from village elders being asked to adjudicate cases involving officials and private business people who are much more financially or politically powerful and who have been involved in illegal activities. With no formal authority or government recognition of their status,

[25] Ke, P. 2006a
[26] Ke, P. 2006a

some elders in some of the hardest hit villages prefer to stay in their farmhouses and not to get involved in resolving resource conflicts[27]. Young people in several villages said that nowadays the elders are not able to manage land and forests well and this is partly the reason for a loss of respect for them amongst the young. While the authority of the traditional leaders is being eroded the state authorities are frequently not dealing with illegal land and forest activities. Villagers said they have noticed that with the increase in the role of the state in people's lives there is also an increase in illegal activities. They said the reason for this was there is a standard body of formal law but, 'no one obeys the laws'[28]. In this situation there is no mechanism to stop people from committing illegal acts. The new laws are simply not being implemented. In fact they are often being flagrantly disrespected by those vested with responsibility for implementing them.

Community members overwhelmingly endorsed the traditional legal system and the elders as a viable way for them to be able to manage their affairs and their land and forests. Kak village and youth in other villages said that without the elders the village would have a disaster. Young men and women would become gangsters, the land and forest would be completely lost, and internal conflict would happen. There would be no one to advise, and no one to resolve problems[29]. Youth from Katieng village said, "We are happy because we see the ancestor's achievement in maintaining and keeping land and natural resources for us." Land and forest loss are key issues which the youth are having to confront more and more. Community practitioners responsible for managing land and forest requested training and recognition to cope, as elders at present lack the authority and support to deal with new realities.

It is apparent that the rural communities of Ratanakiri Province are undergoing a period of rapid change where customary laws and institutions are losing authority. At the same time, national Cambodian laws and regulations are not being implemented rapidly enough to provide a legal framework for resource security. management. As a consequence, a regulatory vacuum is emerging that is being exploited by land speculators

[27] Khiev, S. 2006
[28] Chan, N. and Peung, V. 2006
[29] Khiev, S. 2006

PART III

COMMUNITY FOREST RIGHTS AND TENURE AUTHORITY UNDER CAMBODIAN LAW

Over the past five years, the Royal Government of Cambodia has approved the Land Law, the Forestry Law, and the Community Forestry Sub-Decree (CFSD) that have created avenues to legally recognize community rights over their natural resources. Broadly, the three types of legal recognition represent varying levels of authority ranging from permitting causal use to communal ownership that can be passed from generation to generation. These levels of tenure and resource use rights include the following broad categories:

1) Customary Use of Forest Areas by Communities

This is regarded as the use of forest by communities where the villagers hold customary rights for subsistence use and there is some local responsibility for the longer term future of the forest. Sometimes communities are the users, and the responsibility for the longer term sustainability of the forest is vested with another group, often the government forest authority. Such customary use rights are secured under the Forestry Law and are operative in both Protection and Production forests.

2) Customary and Commercial Management of the Forest Areas by Communities

Often communities are not just extracting resources from forests, but they are also more actively involved in their management and feel responsible for the longer term sustainability of the forest resources. Such level of utilization and management can be legally recognized through the approval of a community forestry agreement with the FA cantonment office as defined under the Community Forestry Sub-Decree.

3) Ownership of Forest Areas by Communities

This occurs where communities have a stronger sense of rights and responsibility with regard to forest management and sustainability. Like all "ownership" there is always some control over what can be done (environmental protection laws apply to all lands), but with community ownership, a community not only manages the forest but can have long term security over that management and has more decision making possibilities. Such "ownership" could be legally recognized through private or communal land titling authorized under the Land Law (Chapter 3).

Forestry Law

Forests can be defined in numerous ways. The broad categories include ecological definitions and legal definitions, however many nations describe their forests differently both in terms of vegetation and land use type. According to Cambodia's Forestry Law, forests are defined as follows:

> Forest means a unit of natural or artificial forest ecosystem, in the form of wet, flooded or dry land, dominated by trees and mixed vegetation, natural or planted, wildlife and other natural resources located therein, primarily utilized for timber and NTFP production, conservation and other forest services. Lands to which this law does not apply include all land designated by the State as permanent agricultural land including, chamkar, idle land to be designated for non-timber agriculture production, industrial land, and land for urbanization and construction.

For the purposes of this discussion, it is assumed that "land designated by the state as permanent agricultural land including, *chamkar*" includes the swidden agricultural lands of indigenous communities that may be fallowed, but are still part of the swidden rotation pool. In Ratanakiri, therefore, "forest" may refer to old growth or primary forest areas that are not part of any active swidden rotation (though some old forests could arguably to be part of the agricultural system, which involves spirits residing in the forest).

There has been little legal interpretation regarding the specific criteria for identifying what forest would be included in the swidden pool. Some active rotations may take only 5 to 7 years, while others may take up to 30 years. Fallow period depends on a number of factors, especially soil type and fertility. Further, cycle areas may shift over time. As a result, should secondary forest that will be used for further swidden farming, be included as state private land or should it be considered private property? One study using aerial photos found that most of the forests in Ratanakiri have likely been part of a swidden rotation over the past fifty years[30].

[30] Fox 1998

Obviously, this requires further question definition. New legal instruments are needed to define what is meant by 'primary' and 'secondary' forests. Does primary forest mean old growth forest which was previously cut, or is it only a virgin forest? For example, at the time the French re-discovered Angkor Wat, the forest around the Wat was certainly not virgin forest, but was it ancient old growth, albeit of a secondary nature? This type of definition depends primarily on the type of previous human intervention and the time that has elapsed since then. In Ratanakiri, is a 120-year-old fallow with trees a meter in diameter a primary or secondary forest? Perhaps for the purposes of this paper, it could be suggested that "primary forest" (which is not available for communal ownership by indigenous communities) be forest that has not seen agricultural clearing within the past 50 years. In terms of indigenous forms of management in Ratanakiri, it may be helpful to compare traditional use patterns to Forestry Law categories. Broad use practices may include: 1) customary use of forest areas by communities for hunting and gathering that are usually a greater distance from settlements and least intensively utilized, 2) customary management and protection of forest areas by communities that are used primarily for environmental services such as water source conservation, protection from storms, micro climate enhancement and biodiversity conservation, and 3) communal ownership of forest areas that are utilized for swidden or *chamcar* agricultural production. The Forestry Law, Article 10 states:

> The Permanent Forest Reserve consists of three sub-categories: Production Forest, Protection Forest, and Conversion Forest for other development purposes is idle State land, comprised mainly of secondary vegetation, not yet designated for use by any sector that shall be temporarily classified as Permanent Forest Reserve until the RGC designates the land for a specific use and purpose.

Within this legal framework, legal possibilities for community involvement in forest use and management can be summarized as community use within protected forests, and community use within production forests. It is apparent that there are strong parallels between the traditional forest management strategies and goals of communities and the categories of community forest use as described in the Forestry Law. The challenge has been to relate field level practices with legal categories in such a way that the zoning and registration of the community forestry areas can be implemented in a way consistent with the Forestry Law.

Communities within Protected Forests

One possibility for community forestry as defined as community management of forests, (but not necessarily Forestry Administration Recognized Community Forestry) in areas zoned as Protection Forest (as opposed to Protected Areas which come under the jurisdiction of the Ministry of Environment) is stated in Article 22 of the Forestry Law:

> MAFF may propose the RGC to designate as Protection Forest any part of the Permanent Forest Reserve, which may qualify as a special ecosystem area, an area of scientific, cultural, or tourism value or an area for biodiversity soil and water conservation.

Since the forests of Ratanakiri are inhabited by unique indigenous cultural communities and offer high tourism and biodiversity potential, they could qualify for inclusion as Protection Forest under Article 22. Article 10 of the Forestry Law goes on to clarify that:

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Another aspect of this Protection Forest tenure is that it can be applied to the spirit forests of indigenous communities. Article 45 of the Forestry Law states:

> MAFF shall recognize the religious and/or spirit forest of a community, living within or near the forest, as Protection Forest serving religious, cultural or conservation purposes. It is prohibited to harvest any spirit trees, thus they may be specially marked and shall be identified by the community in a Community Forestry Management Plan.

This would also imply that community involvement in the protection of an area is promoted in these areas and that the legal authority of the Forestry Law supports communities in protecting spirit forests from felling. With regard to other uses, there is also no legal way that concessions can be granted on Protection Forest unless Protection Forest is reclassified into production forest. If this tenure of community customary use within protection Forests is applied it may offer an increased sense of security to communities because forest concessions are not immediately possible. What this may mean is that communities are more likely to undertake and support forest management. If the community forestry was in an area of forest formally recognized as Protection Forest, the community forestry in those areas would have to comply with the objectives of Protection Forest "*primarily for protection of the forest ecosystem and natural resources therein*."

Communities within Production Forests

Another category of forest land tenure under the Forestry Law is Production Forest. This is forest that can be used for commercial use by the government or by communities. Article 10 of the Forestry Law explains the general management objectives for production forest:

> Production Forest shall be maintained in a manner to allow for the sustainable production of timber products and NTFPs, and protection as a secondary priority....the RGC may grant an area of production forest, not under use, to a forest concession through public bidding after consultation with concerned ministries, local authorities and communities.

The Government may also allocate commercial use in areas of production forest not under concession. Article 20 and 21 of the Forestry Law explain this:

> Article 20: Production Forest not under concession shall be managed with a priority to meet domestic annual needs for timber products and NTFPs.
>
> Article 21: Any person, legal entity or community may submit an application under public bidding procedures for the annual harvest rights within a production forest not under concession.

As discussed earlier, the customary use of forest by communities in all areas of forest is permitted under the Forestry Law. This means that, even without any further work or permission, communities may continue to use forests as they have done, if it is in a sustainable way. Article 40 expands on this to describe what is meant by customary user rights:

C. For communities living within or near the Permanent Forest Reserve, the State shall recognize and ensure their customary user rights for the purpose of traditions, customs, religious and livelihood as defined in this Law.

D. The customary user rights of a local community for timber products and NTFPs shall not require a permit and include the following:

1. The collection and use of dead wood, wild fruit, products from bee hive or comb, resin, and other NTFPs;
2. The harvest of timber to build houses, stables for animals, fences and to make agricultural instruments;
3. The grass cutting or unleashing livestock to graze within the forest;
4. The use of other timber products and/or NTFPs for customary family use; and
5. The right to barter or sell NTFPs without a permit provided such sale does not threaten the sustainability of the forest. A transport permit is required for any third party who buys NTFPs for commercial purpose from a local community, in accordance with the provisions of this Law and after payment of any applicable royalties and premiums.

For communities wishing to continue this regime of use, but with no intention of increasing their forest use to commercial levels, this may be an acceptable tenure system. While subsistence usufructs are granted under the Forestry Law, communities may not feel a sense of resource security and “ownership” which may in turn undermine their incentive to protect forest.

In a forest classed as Production Forest, for example, communities have customary user rights but the Forestry Administration may allocate the area to an outside contractor for commercial use by way of concession or by annual harvesting rights. With regard to this it is not yet clear what Article 13 of the Forestry Law means, when it states the Government may:

“... grant an area of production forest, not under use, to a forest concession.....”

The term “not under use” still lacks definition and there are few legal decisions that help clarify its meaning. It is possible that customary use by communities may NOT be regarded as “use” and, therefore, forest concessions are indeed possible in areas with high community use within Production Forest. If communities perceive that the forests that they have been traditionally using may in future be allocated to concession companies or annual harvesting permits, community commitment to sustainable forest use and management may be low. If so, this definition of “not under use” would pose a major threat to community livelihoods and sustainable forest management.

One approach to address this and to allow communities to develop sustainable commercial use could be for communities to undertake a commercial operation themselves, and obtain rights to do so. In this case, the community's use would be more formally recognized. The forest would be regarded as “in use” and not open for concessions. In this way, communities may feel that they have security over the forest they use and be more involved in forest management. However, as Article 21 of the Forestry Law explains, an application and public bidding process needs to be followed and the rights are just annual harvesting rights.

> Any person, legal entity or community may submit an application under public bidding procedures for the annual harvest rights within a production forest not under concession.

Under these conditions, if communities require a sense of security over forests in order to be willing to become or remain sustainable managers, this tenure system is not really appropriate. Longer term security would be required such as that explained in Article 10 of the Forestry law. Article 41 of the Forestry Law implies that Community Forestry is possible within the whole Permanent Forest Reserve (which includes Protection Forest):

> The Minister of MAFF has the authority to allocate an area of the Permanent Forest Reserve to a community or a group of people living inside or near a forest area in the form of a Community Forest.

It is not entirely clear if community forestry will be recognized in the third category of the Permanent Forest Estate, the Conversion Forest (which is a temporary classification), or in other areas of Protected Forest. The Forestry Law at least does not preclude these options. With regard to the objectives of Community Forestry, Article 43 of the Forestry Law defines the management objectives of Forestry Administration recognized community forestry:

> A Community Forest shall be managed in an economic and sustainable manner by the local community conforming to the Community Forestry Management Plan, rules on Community Forest and guidelines on Community Forestry.

When community forestry would be in Production Forest, the community forest would have to be or could be in line with the objectives of that forest classification, “maintained in a manner to allow for the sustainable production of timber products and NTFPs, and protection as a secondary priority.”

Community Forestry Sub-Decree

The Community Forestry Sub-Decree (CFSD) describes in detail where and how communities can gain formal recognition of their management rights. The terms are very much generated by the government in consultation with NGOs and selected community groups. Under the CFSD, community forestry refers only to areas where there is an agreement between the community concerned and the Forestry Administration on behalf of the Ministry of Agriculture, Forestry and Fisheries (MAFF). Thus, under the CFSD, “community forestry” is limited to those places where a formal agreement between the Forestry Administration and a community exists. There may be other areas of community forest management and use that are outside areas of formally recognized community forestry.

It may, therefore, be useful to distinguish between community forestry in the general sense and community forestry in the legally recognized sense. Here, we will refer to the latter as being “Forestry Administration Recognized Community Forestry (FARCF)” and refer to the former as “community management of forests” (regardless of whether they are under a formal agreement or not). With these two definitions, it can now be seen that there is currently a lot of “community forestry” in Cambodia, and not yet much “Forestry Administration Recognized Community Forestry (FARCF)”. This comes about because the laws are new and yet to be implemented. The annex to the Forestry Law states:

> (FARCF) .....means an area of State forest subject to an agreement to manage and utilize the forest in a sustainable manner between the cantonment chief of the Forestry Administration and a local community or organized group of people living within or near the forest area and dependent upon it for subsistence and customary use.

The Community Forestry Sub-Decree supports this in Article 5:

> (FARCF).... is the forest plantation of a community or state forest, where the right is granted to a local community living in or near the forest to manage and utilize the forest in a sustainable manner between the Forestry Administration and a local community.

Within that, the Community Forestry Sub-Decree, Article 10 outlines the role of community people in becoming a Forestry Administration Recognized Community Forestry:

> The roles and duties of CF community members are as follows:
> Follow the instruction of the Forestry Administration and MAFF, participate in developing and implementing community forestry regulations, community forestry agreement and Community Forestry Management Plan in compliance with prakas of MAFF; participate in forest resource management in compliance with community forestry regulations, Community Forestry Management Plan and other legislation related to the forest sector;? participate in sharing benefits from the community forest; participate in the monitoring of use of community forest resources by secondary users and Participate in preserving, protecting and planting the forest to ensure the sustainability or forest resources and the environment;

The Forestry Administration Recognised Community Forestry would be regarded as an official use of forest. The Forestry Administration Recognised Community may thereby preclude concession being granted (Article 13 of the Forestry Law stating that concession can be granted in areas not under use). If communities prepare a Community Forestry Management Plan, they then have a right to undertake sustainable non-customary commercial operations in line with that plan. As Article 2 of the Community Forestry Sub-Decree notes:

> The objectives of this Sub-Decree include the following...establish the procedure to enable communities to manage, use and benefit from forest resources, to preserve their culture, tradition and improve their livelihood.

The Community Forestry Sub-Decree Article 12 states:

> Communities under a Community Forestry Agreement may harvest, process, transport and sell forest products and NTFPs in accordance with the following conditions:
>
> Harvest of forest products for selling or bartering shall not be allowed within the first 5 years of approval of the Community Forestry Management Plan. If the Community Forestry has been operating with a Community Forestry Management Plan prior to the passage of this Sub-Decree, then the moratorium shall be five years from the date of approval on that Community Forestry Management Plan; Payment of any required royalties or premiums; and terms and conditions in an approved Community Forestry Management Plan. Based on the Community Forestry Agreement, Community Forestry has the rights to plant, manage, harvest forest products and NTFPs and sell tree species as approved in a Community Forestry Management Plan.

Under the Community Forestry Sub-Decree Article 44:

> A local community, operating under a Community Forest Agreement, shall have the right to harvest timber products and NTFPs within the demarcated area stated in the Community Forestry Agreement and in accordance with the Community Forestry Management Plan.

Note that customary bartering and selling of NTFP's is a right under Article 40 of the Forestry Law and does not need a permit. The term of a Forestry Administration Recognized Community Forestry agreement is not more than 15 years but it may be renewed at the end of its term if there have not been any significant problems. This gives communities a right to use and manage the forest area for an extended time period extending a greater sense of ownership over the forest resource. This may see an increase in or maintenance of desire to protect forests.

Land Law

Land tenure options defined by Cambodian laws are primarily outlined in the 2001 Land Law and the 2002 Forestry Law. The Forestry Law is supported by the Community Forestry Sub-Decree. In relation to the land tenure by indigenous communities, the Land Law states:

> Article 25: The lands of indigenous communities are those lands where the said communities have established their residences and where they carry out traditional agriculture. The lands of indigenous communities include not only lands actually cultivated but also includes reserves necessary for the shifting of cultivation which is required by the agricultural methods they currently practice and which are recognized by the administrative authorities.

As discussed in sections below, some areas of mature forest may be included in the communal land title of indigenous communities. The possibilities for indigenous communities include communal ownership as described in Article 26 of the Land Law**:**

> Ownership of the immovable properties... is granted by the State to the indigenous communities as collective ownership.

> This collective ownership includes all of the rights and protections of ownership as are enjoyed by private owners. But the community does not have the right to dispose of any collective ownership that is State public property to any person or group.

Article 26 implies that State Public Property (which includes forests) can be part of communal ownership of indigenous communities and states that, if it is, it cannot be sold to others (State Public Land cannot go into a private title). With regard to what lands can go into a communal title, Article 25 for the Land Law states:

> The lands of indigenous communities are those lands where the said communities have established their residences and where they carry out traditional agriculture. The lands of indigenous communities include not only lands actually cultivated but also includes reserved necessary for the shifting of asserted by the communities, in agreement with their neighbors, and as prescribed by procedures in Title VI of this law and relevant sub-decrees.

Also, as the Land Law states in Article 26:

> "...collective ownership includes all of the rights and protections of ownership as are enjoyed by private owners"

In this case, however, if the land included in communal title is state public land it can be used but not sold. The Forestry Law then defines the use, in Article 10:

> Private Forest shall be maintained by the owner of the land with the right to manage and develop, harvest, use, sell and distribute the products from their land.

This would mean that indigenous communities could maintain the forest within their communal title and could use it for customary or new, sustainable commercial use. There would not be a 15-year period associated with this and communities would have a sense of ownership over the forest within their communal titles, but could not clear it for agricultural land. Forests would have to be maintained as forest, and this could be strengthened within the actual titles when they are granted.

Another aspect of inclusion of forest within a communal title should also be considered. This is the effect it will have on the speed and practicality of communal land titling. This is a very important issue for indigenous communities, as land speculation and illegal manipulation of communities to alienate land under use by indigenous people in Ratanakiri is intensifying. The security of agricultural land will assist in reducing the need of communities to clear new land from forest areas and reduce the pressures on the forest. If the forests are included in a communal title, only a mapping of the boundary areas would be required, saving considerable time and allowing the communal titling process to proceed faster. Forest areas would be maintained as forest as discussed above and land security for indigenous communities would be enhanced. Table 3 presents some of the advantages of different land and forest tenure options.

Table 3: Comparison of Land and Forest Tenure Options

Tenure Option	Positive aspects for communities	Limitations or issues	Applicability
Customary use of forest areas by communities within Protected Forest under the Forestry Law:	•The forest is formally classed as forest that must be protected •Customary use is a right •Concessions cannot be granted •Commercial harvesting rights cannot be granted. •Forestry Administration Recognised Community Forestry can follow	•There may be little sense of ownership over the forest (but this could be overcome by a good relationship between FA and the community and that could involve Forest Administration Recognised Community Forestry •Commercial activities could not be developed by communities so community interest in management may be lower in some instances.	•Good for areas where communities are only interested in protecting the forest and their customary use of it but are not interested in new commercial use.
Customary use of forest areas by communities within Production forest under the Forestry Law	•Customary use is a right •Forest Administration Recognised Community Forestry can follow •Commercial use by communities cannot be developed.	•Concessions can be granted •Commercial harvesting rights can be granted. •Communities could feel that there was very low security over the forest resource and be less inclined to conserve it. •FA are the managers and communities could feel disinclined to help monitor the forest resource.	•Because of lower security for communities this tenure is only suitable for where communities do not use the forest as part of their normal livelihoods or where they want to develop commercial activities themselves.
Customary use of forest areas by communities within Production forest-Commercial use under the Forest Law	•Customary use is a right •New commercial activities which would be sustainable would be permitted.	•There would have to be public bidding for rights to do commercial activities •Commercial activities of communities would rely on annual permits	•Not very suitable for indigenous communities
Forest Administration Recognised Community Forestry Under the Community Forestry Sub-Decree	•Customary use is a right •Commercial use by communities could be developed with a community forestry management plan. •Concessions can not be granted •Commercial harvesting rights probably can not be granted. •Communities could feel motivated to monitor and protect forest resources. •It may be possible to have annual harvesting by outsiders by mutual agreement.	•FARCF requires a lot of agreements and plans. •It is possible that communities feel dominated by the FA if the relationship is not well managed and developed. •Community Forestry Agreements can only be for 15 years terms	•Forest Administration Recognized Community Forestry is very applicable to forest areas that indigenous communities traditionally use. It is only moderate in its security for communities. •It can be recognized in both production forest and protection forest. •It is ideal for areas that are removed from indigenous villages and not best placed into communal title.
Communal ownership under the Land Law	•It reduces the amount of mapping of exclusions from a communal title •It may speed up land titling and increase land security as a result. •Forest areas must be maintained as forest. •Sustainable commercial activities are permitted. •Communities can have a strong interest in long term maintenance of the forest. •It is administratively easier once established •It is a long term tenure and reverts to the state if communal title dissolves.	•The communal title over spirit forest areas would not immediately preclude commercial operations in those areas and in so doing be a weaker protection (though there are penalties for failing to maintain the forest in forest areas). •There may need to be greater clarity of the need for protection of some forest areas stipulated in the communal land titles.	•Community ownership is very suited to many areas of forest close to indigenous communities, especially within the overall complex of agricultural lands. It would make the land titling process faster and improve and forest land security.

PART IV

COMMUNITY FOREST MANAGEMENT IN RATANAKIRI

Over the past decade, the growth of illegal land speculation in Ratanakiri Province has placed mounting pressure on the land and forests of indigenous communities, as well as on state public forest lands. The absence of cadastral surveys, state public land demarcation, and communal and private titling has created an environment where illicit land manipulation and transactions can flourish. There is an urgent need to clarify land and forest resource management rights and responsibilities throughout the province. The Forestry Administration has the role and responsibility to demarcate the state public forest domain and to determine which areas are suited to Forestry Administration Recognized Community Forestry. This is stated in both the Forestry Law and the Community Forestry Sub-Decree. According to Forestry Law Article 42:

> The cantonment level of the Forestry Administration, through consultation with parties concerned has the duty to study conditions of the Permanent Forest Reserve in order to accurately demarcate and allocate suitable forest areas as Community Forest based on the capacity of forest resources and the need to ensure customary user rights of local communities.

Further, in the Community Forestry Sub-Decree Article 7 it is noted that:

> The local Forestry Administration shall assess and analyze the requirements and problems faced by the local communities that requested to establish a community forestry community with the involvement of local authorities or commune council.

The Community Forestry Sub-Decree Article 24 goes on to clarify that:

> The Forestry Administration shall have the following roles and duties… assess and demarcate forest area for establishing community forestry

The Forestry Administration also has the role of coordinating with the Ministry of Land Management, Urban Planning and Construction in order to delineate land for inclusion in communal titles of indigenous communities. While much of the legal framework is in place to begin establishing recognized community forestry sites and to begin issuing communal titles, the lack of technical and financial resources has constrained this process in Ratanakiri. Further, many of the operational problems associated with the implementation of the Forestry Law and Land Law have yet to be addressed. This report has been prepared in order to suggest possible approaches to guide

the allocation of community rights over forest. As stated in the introduction, the paper suggests where and how communities currently utilize the province's forest lands and proposes possible criteria for zoning of forest areas within Ratanakiri. Such a zonation could facilitate the application of tenure options under current laws and sub decrees leading to a greater clarification of management rights and responsibilities. As suggested in Table 3, it can be argued that land with the highest potential and importance for community management of forests should eventually be transferred into appropriate communal land title. If security of protection of old-growth forest resources is written into the communal title, such tenure would allow communities a very real sense of ownership and responsibility for the forest they have traditionally managed. It would assist the communal land titling process, increasing agricultural land security for indigenous communities and thereby increase forest security. Lands with slightly less importance to communities could become Forestry Administration Recognised Community Forest, either as Protected Forest (where no new commercial operations were desired by communities) or as Production Forest (where new sustainable commercial operations were at some stage desired or required by communities). The challenge is to attempt to match customary systems of land and forest use, with the most appropriate legal tenure mechanism or resource management program endorsed by the Royal Government of Cambodia. As yet not even a delineation of state public/private land has been done in Ratanakiri, nor has there been any delineation between Production Forest and Protection Forest.

Identifying Potential Communal Land and CF Areas

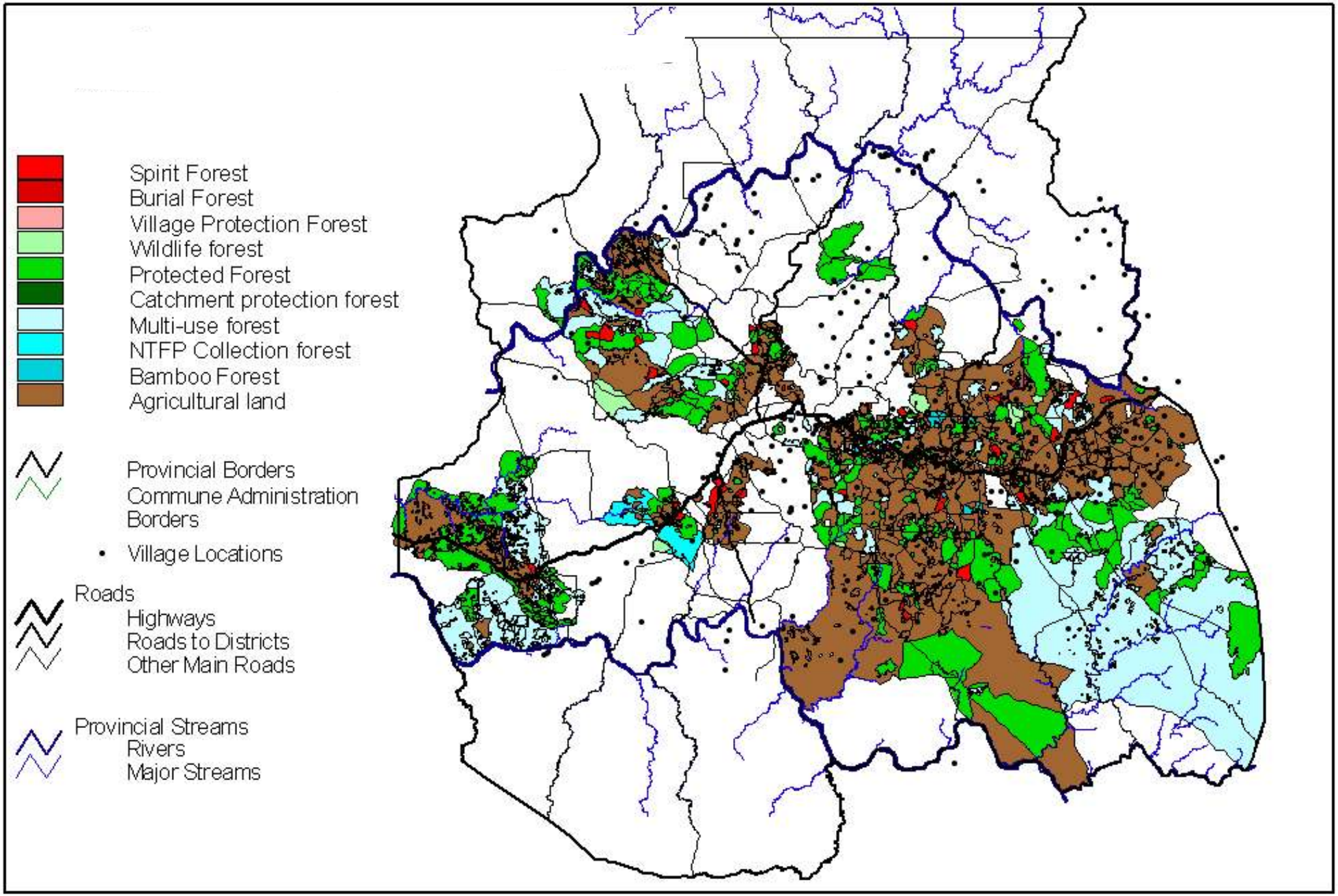
Over the past five years, a number of organizations have been involved in working with the provincial government to develop land use plans, and in the process to document local resource management systems. These provincial maps have been made by the Community Natural Resource Management Project under the management of the Provincial Rural Development Committee (PRDC) in collaboration with the Partnership for Local Governance (PLG), Non-Timber Forest Products (NTFP), International Cooperation Cambodia (ICC) and Cooperation Internationale pour le Developement et la Solidarite (CIDSE). They have been done with teams from each of these projects facilitating community dialogue that defines their current land use. Sketch mapping and field mapping includes the use of handheld GPS units and remote sensing data.

Using the categories described in Table 4, it is possible to look at how much of these areas are under different forms of traditional management. The land-use planning maps that have been done to date do not cover the whole of the province. For this reason, it is not possible to use the total of land use areas from these current maps to say what the situation is within the whole province. Map 1 shows which areas have been mapped and also shows some of the customary land uses that have been mapped**.** Virtually all land, forest, and water resources fall into customary use.

Table 4: Indigenous Land Use Categories

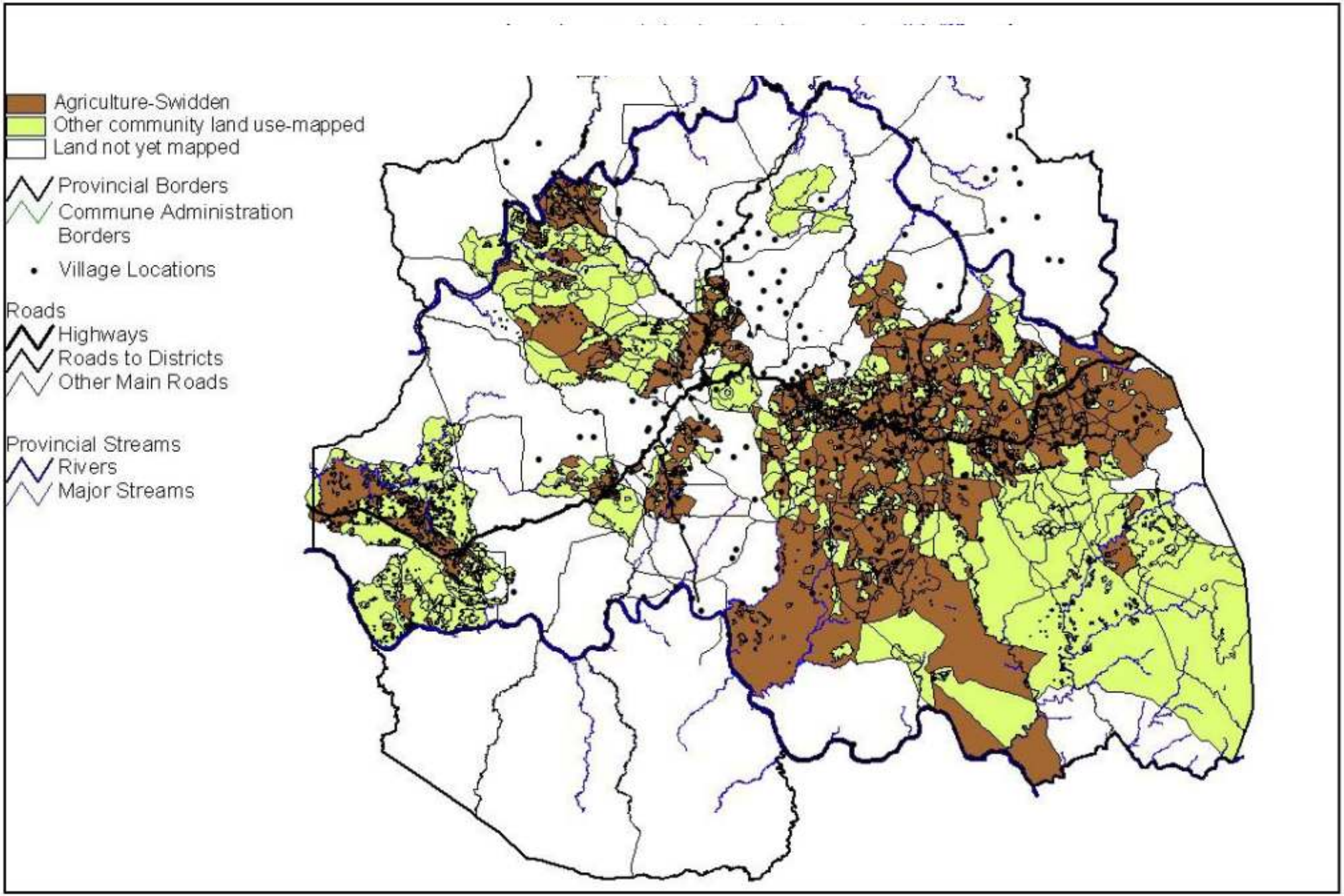
Forest Use Type	Products and Benefits
Conservation Forests	
Sacred Forest	Appeasement of Spirits – Hydrology
Burial Forest	Disposal of dead - Hydrology
Village Shelter Forest	Protection from Storms Hdyrology Micro-Climate
Wildlife Forest	Medicinals Recreation
Watershed Catchment Forest	Hydrology Timber
Spring Forest	Enhanced Spring Flow Fishing
Production Forests	
Chamkar/Swidden Field and Forest Fallows	Multiple crops from agricultural land firewood
Bamboo Forests	Bamboo poles and shoots
NTFP Collection Forest	Medicinals, mushrooms, rattan, resin oils
Multiple Use Forest	Wood, Hunting and gathering

Map 1: The Extent of Land Use Planning Mapping as at December 2004



It is possible to use provincial land use maps to see how much forest occurs within the customary use types that have been suggested. Map 2 provides a view of the area under a swidden cultivation cycle. This includes forest land that has been cleared and is currently under cultivation, as well as fallowed agricultural land that is covered by regenerating forest generally ranging in age from 1 year to 25 years. As is evident from the map, swidden lands tend to be located relatively close to communities within 2 kilometers and usually not more than 5 kilometers from the settlement.

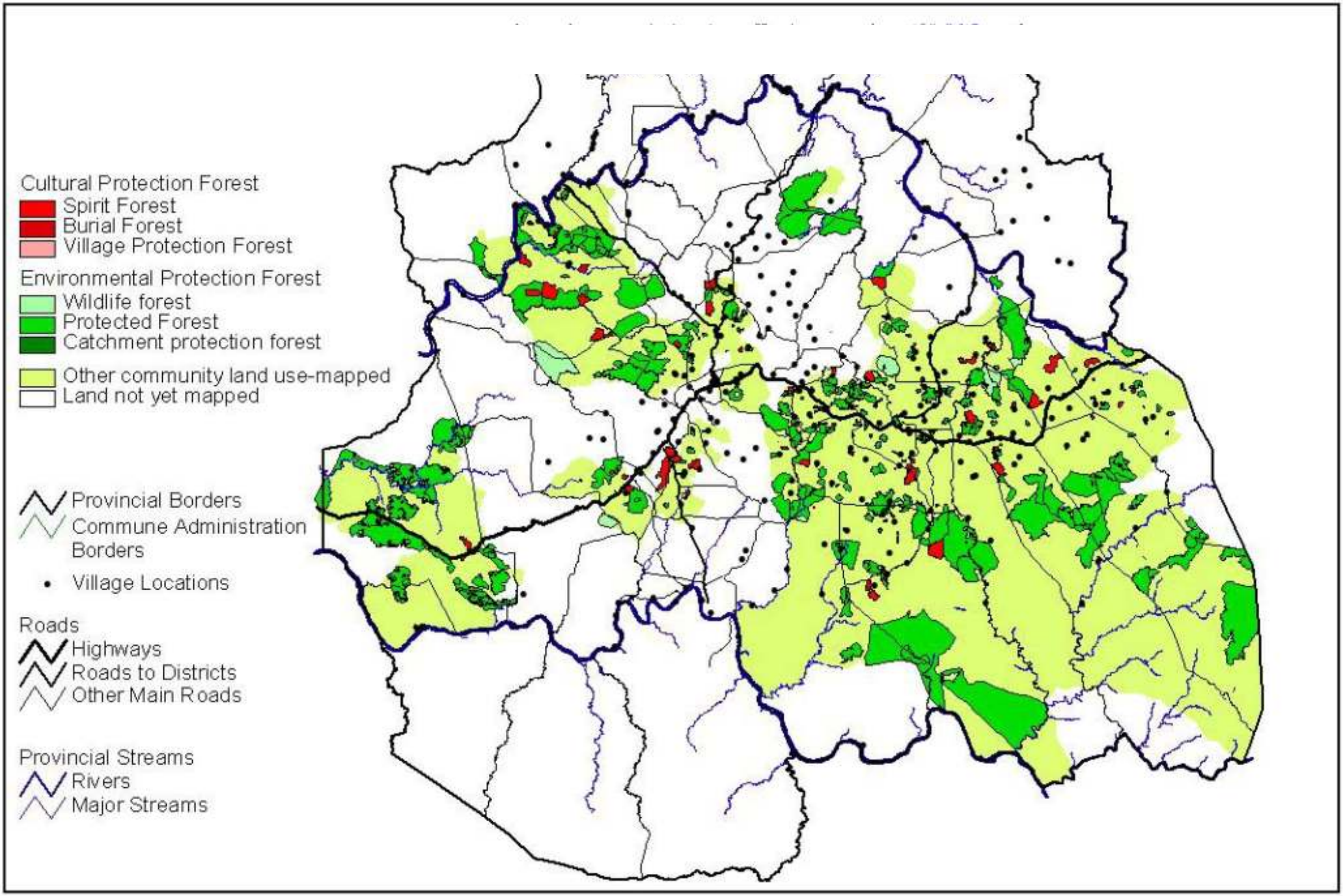
Map 2: Land Use Mapping to December 2004 - Agricultural Lands



Large areas of forest are conserved for cultural and environmental reasons by the indigenous communities of Ratanakiri (see Map 3). Cultural forests, such as spirit and burial forests tend to be smaller and located near the settlement, while watershed and wildlife forests are larger and located at somewhat greater distance from the village. As the map indicates, over one hundred sacred forests are scattered widely throughout the province. Virtually all communities maintain strict conservation policies to protect these areas. Because the forests are carefully conserved, with no green cutting allowed, they often retain old growth trees, springs, and endemic flora and fauna of interest to eco-tourists. Greater community tenure security over these forests could be enhanced through national or international programs that recognize community protected areas. This would help to offset external pressures that alienate community lands. In some communities, there have already been incidences where sacred and burial forests were illegally purchased by outside investors.

Communities report that they protect these areas because they support wildlife important to the village. Indigenous communities also designate some forests for protection as shelter belts around the settlement. Watershed protection forests as well as spring forests are also conserved for their hydrological functions, as well as special habitat values as fisheries and wetlands. These forests can vary widely in distance from the village. Shelter forests are almost always in close proximity to the settlement, while wildlife forests may be at considerable distance from the village. Forests protected for water by communities that have been surveyed to date are frequently located from 2 to 5 km from villages.

Map 3: Land Use Mapping to December 2004 - Forest Areas Communities want to Protect



Map 4 indicates that indigenous communities protect and manage large tracts of forest as low intensity production forest, largely for non-timber forest products. These include multiple use forests, NTFP forests, and bamboo forests. Much of the Multi-Use Forest identified by communities is situated from 5 to 10 km from the villages. There are, however, significant areas within the zones 0 - 2 km and 2 -5 km from villages. Some of these multi-use forests may be very important areas to communities and would be best recognized under Community Forestry Agreements, or, if there are small areas of forest within the agricultural lands of communities these could be incorporated within the communal title of those communities. Small bamboo and NTFP forests are usually near settlements so that household members can easily access them for goods for building, medicines, foods, fibers, and related materials. Multiple-use forests that are relied on for hunting, timber, resin collection, bird nests, and other products that are sought out periodically or on a seasonal basis are often larger in size and at greater distance from the village (see Map 4).

Map 4: Land Use Mapping to December 2004 - Forest Areas Communities Want to Use for Sustainable Harvesting

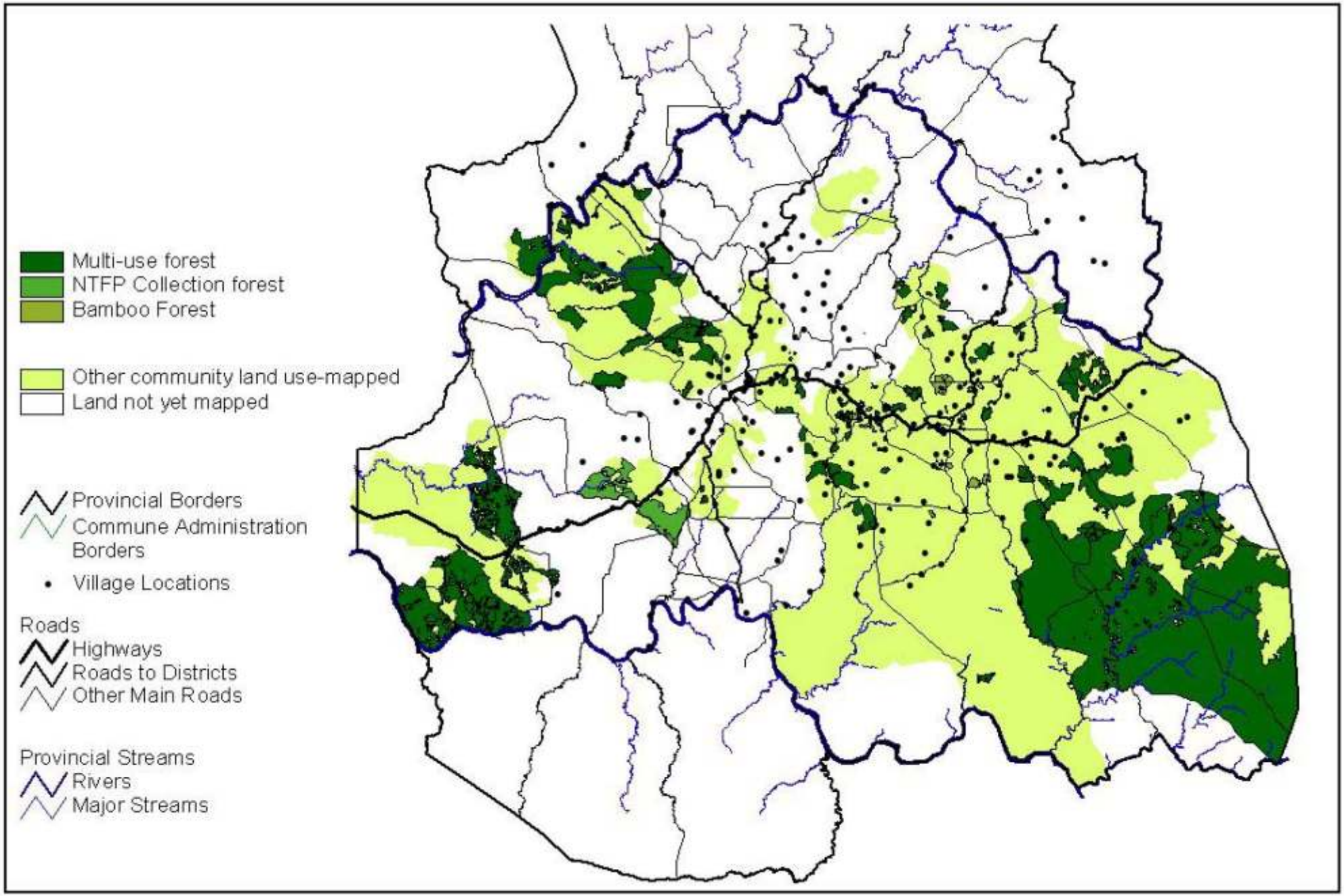


Table 6 provides a helpful indication of the area under different customary use regimes and its distance from the village. Table 6 shows that the percentage of total land area under forest increases as one moves away from the settlement.

Table 5: Spatial Distribution of Forest and Land Use Types by Distance from the Village

Forest type	**Hectares within 0-2 km of villages**	**Hectares within 2-5 km of villages**	**Hectares within 5-10 km of villages**	**Hectares over 10 km of villages**	**Forest cover-age total hectares**
Spirit forest	2,196 ha	2,309 ha	488 ha	*none*	4,993 ha
Cemetery forest	890 ha	63 ha	*none*	*none*	953 ha
Village protection forest	38 ha	*none*	*none*	*none*	38 ha
Wildlife protection forest	92 ha	1,562 ha	57,83 ha	27,269 ha	34,706 ha
Catchment protection forest	10 ha	*none*	*none*	*none*	10 ha
Protected forest	11,897 ha	29,401 ha	19,680 ha	17,590 ha	78,568 ha
Multi-use forest	12,747 ha	35,758 ha	24,675 ha	10,166 ha	83,346 ha
NTFP collection forest	1,121 ha	2,535 ha	441 ha	*none*	4,097 ha
Bamboo forest	647 ha	684 ha	*none*	*none*	1,331 ha
Agricultural Land					
Total	29,638 ha	72,312 ha	51,067 ha	55,025 ha	208,042 ha

Table 6: Land Area and Distance from Village

Buffer distance from village	Total area of Land use mapping	Forest Area mapped within land use maps	Percentage of area under Forest
0 - 2 km	103,780 ha	296,38 ha	29%
2 – 5 km	133,220 ha	723,12 ha	54%
5 – 10 km	789,12 ha	510,67 ha	65%
> 10 km	705,30 ha	550,25 ha	78%
Total coverage	**386,442 ha**	**208,042 ha**	**54%**

In trying to develop maps to indicate where different land and forest management tenure systems may be appropriate in Ratanakiri, considerable thought was given to the types of meaningful indicators or characteristics that could be mapped. Elevation was considered to be a factor because hills have been noted to be significant as areas of spirit forests. It was thought that altitude or elevation could be used to map this factor. On closer examination, however, it was seen that altitude was not a good estimate of areas above the general landscape. This was because some areas lower than the surrounding lands were actually higher than hills in other areas. For this reasons, elevation could not be used for approximating significance for community management of forests, though topography remains a determinant of forest use practices.

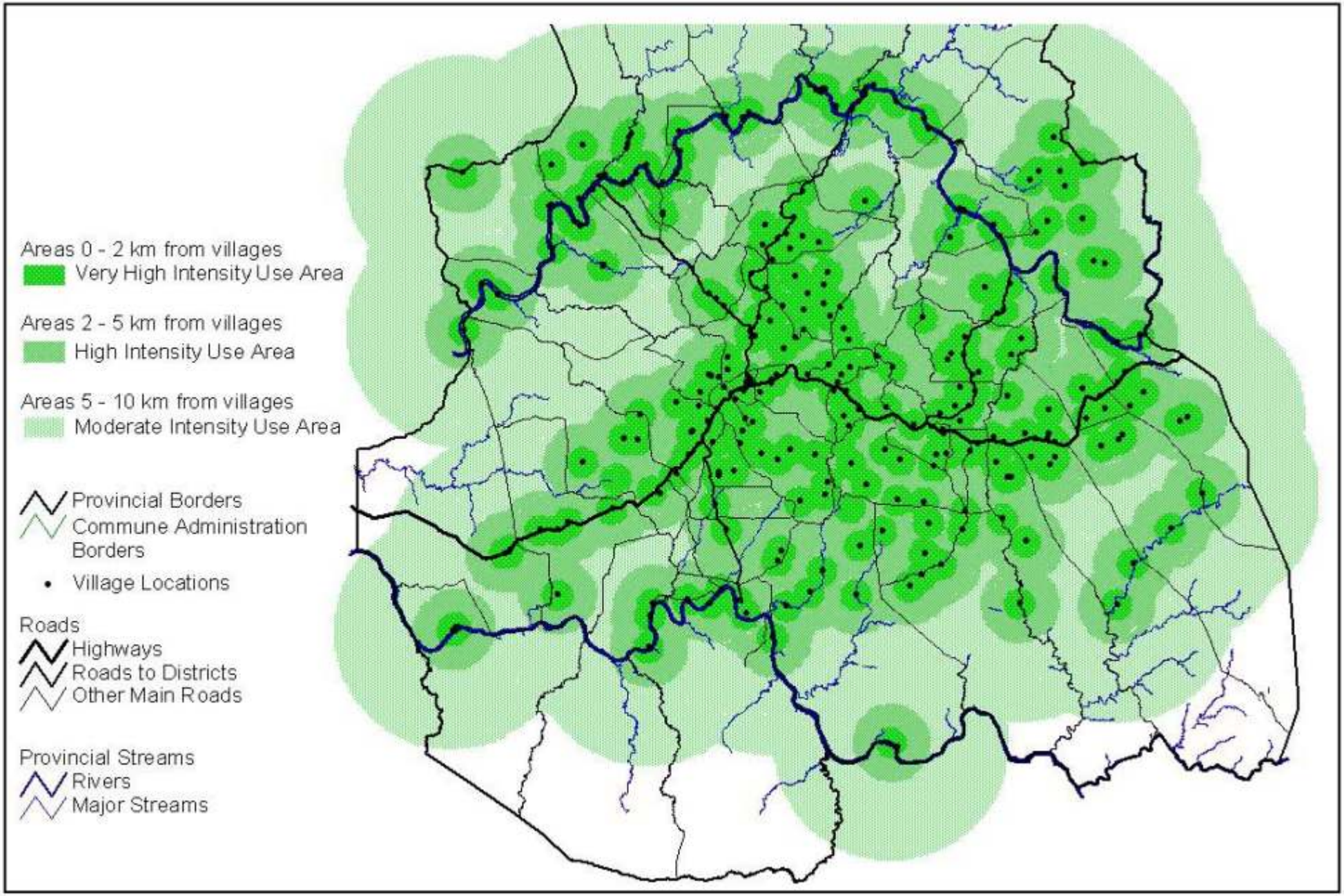
Red soil areas are also considered important because much of the agricultural lands of indigenous communities occur on red soil areas. It was thought that mapping these areas could help indicate which areas were important for inclusion in communal land titles of communities. Red soil, however, as a sole determinate, has limitations as it excludes white soil area with forest of value to communities. As a consequence, areas close to villages on white soil were just as important for communal titling as those on red soils. For this reason, soil type was not included as a factor predicting potential for community management for forest. After evaluating a number of factors, the most important was distance from a village as it generally reflected the community's level of dependency or intensity of use. Distance from the village was considered as the primary factor indicating the potential for community management. Distance has been used effectively in other countries as a proxy indicator for community resource dependence. The closer the forest is to the village, the more the resource is used and the more it is relied upon. The current village locations from the Ratanakiri Provincial GIS database were used and zones around them mapped (see Map 5).

When using distance as an approach for land use planning it is important to remember that the broad zones are not suggested as final management zones. For example, it may be that some forest areas of special importance to communities are located from 5 to 10 or more kilometers distance from villages as indicated in Map5 community usufructs need to be recognized. The reason for doing the broad zoning is to gain a rough approximation regarding how much forest should be allocated to communities under different tenure mechanisms within Ratanakiri. Zones were then given a value of potential for community forest management as follows:

- Areas 0 to 2 km from any village in Ratanakiri were mapped as having a value of “5” for potential.
- Areas 2-5 km from a village were valued at “3”
- Areas 5-10 km from a village were mapped as having a potential value of “ 1”
- Areas over 10 km from a village were mapped as having no or negligible potential for community forest management

It should be noted that this approach does have limitations. Some areas of high significance to communities are far away from the villages. In areas where there is flat land, but hill forests at greater distance from the settlement, these hills are actually often very significant to the community as they may possess a different species composition or have an important hydrological function. These variations cannot be mapped easily. Therefore, the maps presented here are initial attempts at zoning what may be significant areas for community use, management and ownership of forest. Nonetheless, using distance as a reflection of the level of importance of the forest as a resource for the community can be helpful in obtaining a preliminary assessment of where priority should be given in strengthening local tenure authority, especially during a period of intense external pressures on the land.

Map 5: Ratanakiri Province Showing Village Locations and Distance Zones Away from Villages



Matching Indigenous CF with Government Tenure Mechanisms

Using mapped potential to suggest tenurial arrangements for community land and forest management zones provides an estimate of the amount of area that could be allocated to communities under different tenure mechanisms. In actually implementing the tenure agreements, adjustments would need to be made to address prior claims and concessions, including existing privately titled areas. Other factors would include matching tenure to reflect existing land use and land cover. The concentric rings presented in Map 5 provide a general guide to the probable degree of community control required over the resource given the intensity of dependency by village households. The map suggests that much of the province's forests are used to varying degrees by village members and that tenure should reflect use levels. Actual use levels would need to be determined for individual communities.

This study suggests that it would be important to utilize the most secure tenure mechanism to optimally strengthen community rights over resources that they are most dependent upon for their settlements and livelihoods. As Table 7 proposes, land that is generally within 0 to 2 kilometers of the settlement should receive priority for communal titling to protect the village households, their immediate agricultural lands and waters sources. Forest lands within 2 to 5 kilometers could be recognized as community forests through agreements with the Forest Administration, while customary use rights are extended under the Forest Law for more distant forests. Still, these arrangements need to be made flexibly and on a localized basis to respond to site specific variations, historic claims, and other issues.

Table 7: Suggested Tenure Option by Distance from Village

Distance from Village	**Suggested Tenure Arrangements**	**Area**
0-2 km from a village (priority ranking =5)	Communal ownership under the Land Law	220,556ha
2-5 km from a village (priority ranking =3)	Forestry Administration Recognized Community Forestry under the CF Sub-Decree	309,393 ha
5-10 km from a village (priority ranking =1)	Customary use by communities under the Forestry Law	332,235 ha
>10km from a village	Customary use by communities under the Forestry Law	36,848 ha
Total		899,032 ha

PART V

SUMMARY

In conclusion, much of the land area in Ratanakiri Province is under the active use and management of indigenous communities, but this is being threatened by encroachment of community tenure. It is clear that a wide range of land and forest management regimes are utilized by rural households and that most resources are administered collectively by village institutions, although household rights of usufruct are often assigned both to land as well as specific trees.

Spatial analysis described in this paper suggests that distance from the village can be used as a rough indicator of importance of the resource to the community. Land and forests within 2 kilometers of the village, including shelter forests, sacred forests, *chamkar* land and forests, and spring forests are the most intensively used and managed resources and should be considered for communal title. Forests from 2 to 5 kilometers typically hold a moderate level of importance to communities, as they may be important for agricultural land and non-timber forest products. These forests need to be considered for Community Forestry Agreements under the Community Forestry Sub-Decree. More distant forests are generally less intensively utilized, and are primarily relied on for hunting and gathering of non-timber forest products. Nonetheless, distance from the village can only be used as a general reference of importance.

As was noted earlier, some distant forests possess high value resin trees that are a very important source of income for some village families. Further, tenure rights to collection may be quite well delineated. Tenure arrangements are also needed to create incentives for continued conservation of forests that are protected by indigenous communities. Forests that are deemed important by communities for their environmental services, including water and biodiversity, should be zoned as “protected forests” by the Forestry Administration, with collaborative management arrangements established with resident communities.

The indigenous communities of Ratanakiri have a substantial informal role in managing and protecting local forests, and are also heavily dependent upon them for their livelihoods. The alienation of community land control has been rapid in recent years and continues to present major challenges for the sustainable use and conservation of remaining forest lands. Communities are often poorly prepared to deal with pressures placed upon them by local officials and outside entrepreneurs, as well as their own desire for cash. A villager relates his own experience:

> They came to the village and said 'we want to buy your land.' The man didn't say who he was and we do not know how to sell land, as we had never done this. They told us not to speak Jarai (the local language) and to put our thumb print on the paper. The commune council chief bought 3 litres of wine and a pig for a feast to celebrate the land sale. Then they came with tractors. They fenced a very big area, much larger than they said they would. We know now that we were wrong to agree (to the sale).

Now we know the law and our rights. If we lose our land, we lose our sense as a people.

In this case, the company felled 400 hectares of forest and destroyed the homes of 20 families. Each family was given $400, but the families have since spent the money and now have lost their homes and agricultural land. Such cases are increasingly common in Ratanakiri and regularly appear in national newspapers. The question is whether those components of the Land and Forestry Law can be mobilized to extend greater tenure authority to vulnerable ethnic communities throughout the province? At present, there are minimal field project resources, either in terms of staff or funding, to implement a strategy to secure community resource rights. Unclear and unstable land and resource tenure pose serious obstacles to sustainably managing the estimated four to five million hectares of secondary forest lands lying outside of forest concession and protected areas.

A challenge to successful implementation of new laws and policies is their integration into national development plans and donor priorities. According to the Rectangular Strategy for Growth, Employment, Equity, and Efficiency that was launched in mid-2004 by the RGC as the national development agenda, government planners envision promoting economic growth through agriculture, infrastructure, and private sector expansion. With limited resources, the RGC is dependent on development assistance to finance many aspects of this strategy. This approach has led to a commercialization of agriculture, expansion of speculative land markets, and a clearing of natural forests throughout the Mekong region, often displacing indigenous peoples and their land use systems. As an Asian Development Bank report notes: "Recent relatively rapid growth has not led to a significant reduction in poverty." There is a need to consider alternative approaches to the development of Ratanakiri Province that places greater value on conserving the natural environment and the unique cultural composition of that region.

Development plans and policies that further support private sector investors that are already rapidly acquiring land and forest control, often illegally, will only accelerate deforestation and land alienation across the province. An alternative approach that seeks to build and strengthen indigenous resource stewardship systems, while building an eco-tourism infrastructure and industry could protect Cambodia's national heritage while stimulating sustainable economic growth that contributes to social equity. An important step in this process is enhancing the land and forest tenure security of the local population. With the necessary legal instruments already ratified under the national land and forest laws, it is only necessary to establish a strong political will to implement policy and organize the financial resources to proceed with their implementation.

Cooperation with the Local and National Government

An important aspect of the development process in Ratanakiri is the increased presence of government in the villagers' lives. Efforts to encourage decentralization, the establishment of commune councils, national and local elections, proliferation of media, international donor-funded projects, and NGOs have all brought people into closer contact with the state than they had been before. Communities now more than ever need to cooperate with the state authorities, and the state authorities should build bridges, partnerships, and strategic alliances with local communities to protect and manage the forest resources. The commune level could facilitate dialogue between the FA and the traditional authorities. Research into traditional conflict resolution showed the cooperation that is occurring between the state and traditional authorities in dealing with cases which cannot be resolved within the village. Cases are brought to the village chief and then to the commune and district authorities when the case requires formal law. This cooperation could be examined to understand how to improve forest management. Villagers interviewed during recent research requested the state authorities to assist them to resolve conflicts and disputes over land, and forest and natural resource destruction. They also requested that there be a reduction in conflicts created by local government involvement in illegal activity.

In a situation like Ratanakiri, where the implementation of the law has been slow, mechanisms for regulating forest management are urgently needed. The forestry authorities are not able to deal with the hundreds of minor, and even major, forest offences that occur on a daily basis. There is a valuable opportunity to build an important first defense against forest destruction through strengthening the role of the traditional elders and recognizing community forest management systems that are already operating. In addition to indigenous forms of management, many other villages are developing new uses for their forests by designating areas for forest tourism.

Implications for Policy

The policy discussion focuses on how to promote positive interaction between formal and traditional legal systems and how to deal with abuses of power and authority which are often behind illegal forest activities. The problems are more social than technical. Policy options for forest management include:

1. Strengthening community forestry tenure security and livelihoods using proximity criteria described earlier in this report,
2. Developing a network of community based monitors under the supervision of traditional elders in cooperation with the Forestry Administration.

The guiding policy principle in coordinating forest administrative and management efforts in indigenous areas should be to connect the extensive and detailed local knowledge and traditional management practices of indigenous communities to longer term forest development strategies. Indigenous communities have so far not been part of this policy discussion, nor have their concerns and issues been integrated into regional development dialogues. Village people involved in this research project felt that if the formal legal system, including the Forestry Law and Land Law, was properly implemented, allowing for full community participation, this would help to defend their rights and interests.

Indigenous forms of governance in Ratanakiri are not static but dynamic, transforming in a landscape of changing political and economic realities. As in the rest of Cambodia, social and economic changes in the highlands have been acute over the past fifty years. War, revolution, recovery, and development have all had far-reaching effects in the northeast. Although change is arguably taking place at a more rapid pace than anytime in the past, and this is undoubtedly placing stress on traditional values, land use practices, and institutions, these systems have always adapted to changing circumstances through history. With the right emphasis and support, there is no reason why traditional systems cannot evolve and adapt to cooperate with the state forest management systems and legal structures (Backstrom et. al. 2006). In summary, recent land and forest laws can respond to indigenous resource use systems if there is a regional policy that promotes such integration, a political will to move forward with the implementation of national laws, and the technical and financial resources to support this process.

The most logical development pathways for indigenous swidden systems, for example, could be a transition to diversified, long term agro-forestry rather than clearing forest to plant monoculture plantations or annual cash crops. The communal swidden lands could act as a buffer between cash cropping areas and forested areas, with the swidden areas being more a mix of cropping, agroforestry, and fallows. Community-based forest management also includes protecting and encouraging wildlife and there is also potential for utilizing degraded or open dry forest areas for managing and farming wildlife, allowing villagers to become wildlife guardians for tourism. Even sustainable harvesting of wildlife should be possible with secure land ownership and forest management agreements. Wildlife populations could be a useful indicator of forest health. Forest health can be easily monitored and managed by communities creating new opportunities for conserving forest areas.

Important cultural areas such as spirit forests which connect the people to their village land and forest should be recognized and delineated as protected forest areas. Management of these areas could be either formalized under a community forestry agreement or incorporated into a communal land title. For ease of management and for allowing more genuinely integrated approaches to resource management, it is important to develop a package of full and partial use rights. The Philippines, India and a number of other Asian countries offer some examples of these kinds of arrangements.

These options above are consistent with the broad goals for poverty reduction in the forestry sector to maximize benefits to rural communities through community based forestry, agro-forestry and agro-forestry livestock systems. These strategies seem ideally suited for forest based communities and for communal land ownership, and they should be prioritized for poverty reduction in order to support 'development with identity' in the poorest, remote, rural indigenous areas in the country. For communities to invest in these systems they need the tenure security supported that can be extended through new forest and land legislation.

To many Cambodian and foreign field staff working in Ratanakiri, it is evident that the post-war recovery and development boom is having a profound and marginalising effect on many highlanders. Much of the current economic 'boom' in that province is based on illegal land clearing, logging of community forest areas, and unproductive land speculation often through forced and illegal land buying at ridiculously cheap prices. The losers in this process are the indigenous communities and the forests. While a few local persons and outside investors are making profits, the vast majority of Ratanakiri's population is experiencing a process of land and resource alienation that feeds a larger breakdown of culture, community institutions, and rural livelihoods. Deforestation also threatens the province's fragile soils and once rich biodiversity, with long term negative implications for the future productivity of the natural resource base. A major force driving deforestation and social destabilization is the lack of legal authority of the indigenous communities to defend their communal lands and forest. Communities argue that allowing them the autonomy to manage their internal affairs including the management of forest areas would help stabilize the situation. As a recent study concluded:

> Traditional conflict resolution in the community, directly managed by the village leaders with the support of the villagers, would be a good way for them to operate under official recognition. This custom will never be lost if the villagers in the village together help and try to conserve it, especially natural resources. If the natural resources are lost, everything else will be lost as well[31].

[31] Rean, K. and Vel, T. 2006

Recommendations

Community forest management needs to be strengthened to deal with increased conflicts over land and forests. The natural decision making unit for governance and conflict resolution is at the village level. Recent discussions with the indigenous communities in Ratanakiri generated a number of specific recommendations for action suggested by the communities themselves[32].

Community recommendations for land and forest protection:

- Stop the illegal alienation of land and forest resources.
- Village traditional leader(s) and the whole community need to cooperate in delineating an easily recognizable boundary with neighboring villages. Make a written contract and seal this in the traditional way: chicken, pig and jar of rice wine contributed equally from both villages. Village and Commune authorities need to be witnesses of this agreement and this needs to be recognized by relevant government departments and Provincial authorities.
- Village members need extension training so they understand the importance and the impacts if the land and forest is lost.
- Anyone who cuts or destroys forest without agreement will be fined by the community.
- If any offender trespasses across the village boundaries (e.g. to do swidden) they will not be recognized as having rights to cultivate (and they will be fined under the traditional system).
- The community needs to report to the local government authorities (or relevant forest institution), especially if the same offender persists in breaking the community law. Both traditional and government authorities need to cooperate closely together to resolve conflicts.
- Indigenous communities should work together to write down the community laws related to forest protection and management.

[32] Backstrom et. al. 2006,

Community recommendations to NGOs:

- NGOs and Networks should facilitate good communication between communities, organizations and state institutions. This could include building greater awareness of traditional management processes among relevant state authorities.
- NGOs concerned with NRM conflict resolution, human rights, and legal aid, should be trained about laws such as the Land Law, Forestry law, land and environment issues, communal land and forest use, and other developments to clearly understand about the laws and articles.
- NGOs should cooperate with the FA and other relevant government institutions to find ways to resolve new problems, maintain traditions, and strengthen land and forest governance.
- NGOs should lobby the government and other organizations to recognize the people who are responsible for land and forest management in indigenous communities.

Community recommendations for strengthening cooperation with the State:

- Security over community land and forest and recognition of traditional governance should be seen as a way to improve traditional management at the local level. The village traditional authorities should be given the authority to deal with both forest monitoring and community forestry.
- Communities would like the government to recognize and support the traditional authorities to use their own laws to resolve conflicts and manage their community. Communities would like this right to protect the identity and traditions of each minority group and for fighting poverty.
- Traditional land and forest management systems should be incorporated into the national policy framework.
- The relevant government institutions need to understand traditional management, and the traditional authorities need to know the government laws.
- Clarify the level of responsibilities that the traditional authorities will have within their village areas, taking into consideration what they are doing already and the added authority they require to deal with new problems. Communities request the state authorities to cooperate in forest, land and natural resource conflicts including the exploitation of minerals and gems, claims of ancestral land, and community boundary conflicts.
- Government and commune authorities need to find the best way to resolve conflicts in accordance with the government's legal guidelines. Government officials need to stop unjust decisions, bribery, extorting money and exploiting poor people in the state justice system, so that it can provide fair judgment and be a model for the indigenous peoples.
- Find the method to stop corruption in order to decrease poverty that is increasing in Cambodia today. One way to do this could be establishing a Citizen's Complaints Bureau in northeast and other provinces as mentioned in Cambodia's National Strategic Development Plan 2006-2010.

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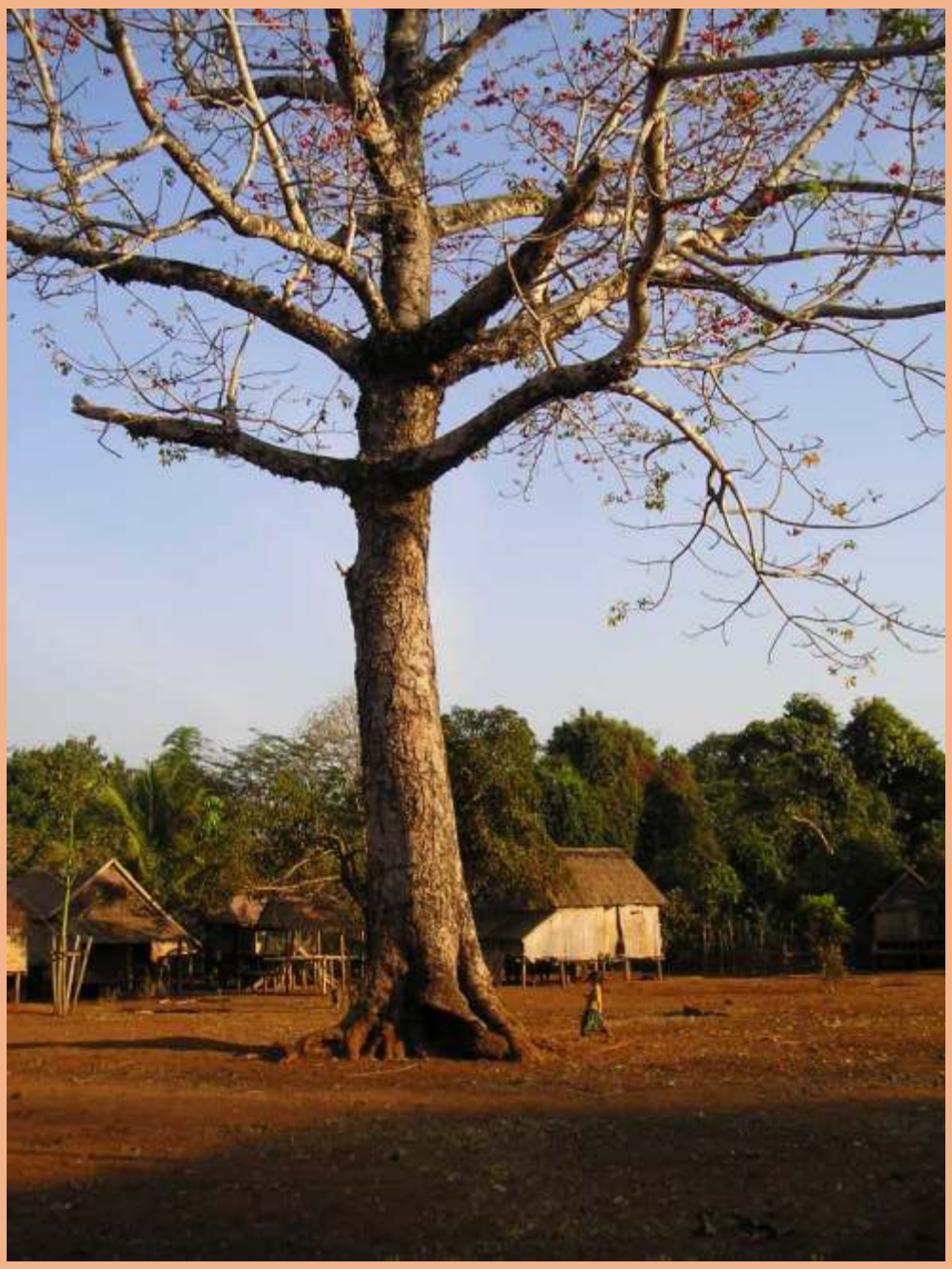

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COMMUNITY FORESTRY SEED GRANTS

Sharing experience on direct funding to community-based organizations in Cambodia

By Amanda Bradley, Phuong Pichponreay

December 2006

COMMUNITY FORESTRY INTERNATIONAL

Supporting Sustainable Management & Restoration of the World's Forests

Community Forestry International (CFI) assists rural communities to regenerate forests by helping policy makers, development agencies, NGOs, and professional foresters develop the legal instruments, human resource capacities, and negotiation processes and methods to support resident resource managers. Community forest management contributes to livelihood security and poverty alleviation that, in turn, leads to sustainable development. CFI enables community forest management strategies to become an integral part of stabilizing forest management worldwide. CFI strategies are implemented through four interrelated thematic program areas: 1) Regional and National Policy Dialogues, 2) Mediation Processes and Methods for Enhancing Tenure Security, 3)Participatory Research and Field Programs, and 4) Communication. The program components are designed to engage national policy makers, professional practitioners, and communities to facilitate learning, reduce conflicts, and ultimately create management agreements that result in more equitable, sustainable forest management.

Dr. Mark Poffenberger, Executive Director
Dr. Kate Smith-Hanssen, Administrative Director

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Front cover photos: Report photos by seed grant recipient communities

COMMUNITY FORESTRY SEED GRANTS

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FOREWORD TO THE COMMUNITY FORESTRY SERIES-CAMBODIA

The major goal of Community Forestry International's (CFI) mission in Cambodia is to support the involvement of civil society in the management of forests. Rural communities have a special role to play as forest stewards, both due to their logistical proximity to natural forests, but also because of their dependency upon these resources for shelter, water, fuel and food. In many parts of the world, forests are important components of the local economy, whether for subsistence goods, non-timber forest products, employment in commercial lumber production, livelihood generation, or involvement in the tourist industry. In Cambodia, rural communities are concerned over the destruction and mismanagement of local forests and are seeking to address problems of rapidly changing landscapes by establishing community forestry committees, mobilizing forest patrols to guard against illegal logging and land grabbing, framing user rules to control access, and securing management tenure.

In much of Asia and other parts of the world, forests are legally considered public land. While some communities may be interested in managing forest lands, they often have little basis under the law to exert authority over management decision-making. In recent years, a growing number of governments have established policies and programs to allow communities to engage in management “partnerships,” typically with national forestry agencies. India, Nepal, Cambodia, and the Philippines have passed laws that extend clear use and management rights to specific villages over state forest land.

In Cambodia, there has been a growing trend towards engaging local communities in forest management, both in planning and field activities over the past decade. In part, this transition is driven by recognition that government agencies lack the staff and financial resources to ensure sustainable use. This paradigm shift in devolving management is also being pushed from below by demands of rural, forest-dependent people. There are factors impeding this transition towards a more decentralized, participatory approach involving a wider range of stakeholders.

During the 1990s in Cambodia, commercial timber concessions covered nearly two-thirds of Cambodia's forest area and logging operations were rapidly degrading the nation's once rich forests. In 2002, the Royal Government of Cambodia suspended 4 million hectares of logging concessions, and passed the Community Forestry Sub-Decree in 2003 paving the way for a new approach to forest management.

A 2003 GTZ/RGC report identified 8.4 million hectares of land suitable for community forest management, representing more than 40% of the nation's land area. However, illegal logging remains a problem and forest land clearing for speculation is rampant in many parts of the country. Further, there is economic pressure to convert forests to estate crops. In 2003, CFI initiated a project to support the development of community forestry in Cambodia. The CFI approach has involved building the capacity among Cambodian NGOs and Forestry Administration staff to begin implementing CF projects around the country, while supporting the development of operational guidelines for the National CF Program's implementation. CFI has helped to mobilize financial and technical support from the donor community, as well as provide training in financial and organizational management, conflict resolution, gender awareness, and sustainable natural resource management. CFI also supports the indigenous communities in Ratanakiri where communal land management is under pressure from outside land speculators. The breakdown of communal land management systems, through privatization, is leading to widespread land loss among tribal households, and ultimately to their impoverishment and social marginalization. The pending collapse of communal tenure is opening the path for landscape-level forest clearing and land conversion to commercial estate crops. CFI seeks to help local communities sustainably manage their natural resources and conserve their cultural traditions by supporting local networks and organizations that provide legal resource rights education and promote cultural solidarity.

This series of publications on community forestry and land-use issues is designed to educate and encourage a greater awareness of the challenges facing forest dependent communities, while suggesting possible strategies to stabilize the nation's forests in ways that respond to the needs of Cambodia's forest people. As part of its greater mission, CFI attempts to disseminate information that can stimulate an on-going forest management dialogue among government, donor organizations, NGOs, the international community, and the Cambodian people. It is our hope that by devolving management to communities and building the capacity of government and NGOs, Cambodia's critical ecosystems will be conserved and utilized in ways that benefit the rural poor.

-Mark Poffenberger, Ph.D.
CFI Executive Director

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Finally, we would like to express our general appreciation to the many local communities and field staff of the Forestry Administration who have cooperated with CFI in the implementation of this program.

EXECUTIVE SUMMARY

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LIST OF ACRONYMS

AEC	Action for Environment and Community
CFAC	Community Forestry Alliance for Cambodia
CFMC	Community Forestry Management Committee
CF	Community Forestry
CPA	Community Protected Area
CFI	Community Forestry International
FA	Forestry Administration
KWRA	Khmer Welfare Rural Association
MCC	Mennonite Central Administration
MoE	Ministry of Environment
SADP	Southeast Asian Development Program
RGC	Royal Government of Cambodia
RPFD	Rural Poor Family Development
UNHCHR	United Nations High Commission for Human Rights

TABLE OF CONTENTS

Acknowledgments iii
Executive Summary iv
List of Acronyms v

Part I: Introduction and Project Background 1
Program Impetus 2
Program Description 2
Dissemination Strategy 4
Criteria and Restrictions 4
Application Procedure and Review Process 6
Monitoring and Evaluation 9
Reporting 11
Capacity-building Efforts 13

Part II: Case Studies 15
Case 1: Building Relations with Authorities 15
Case 2: Boundary Demarcation 18
Case 3: CF Drama: Awareness-Raising 20
Case 4: Forest Protection 22

Part III: Program Review 24
Accessibility 24
Transparent Use of Funds 24
Program Management 24
Effectiveness 25
Risks 26

Part IV: Conclusion 27
Lessons Learned and Recommendations 27

Appendices 29
Grant Review Period 29
Seed Grant Application Form 32
Seed Grants Matrix 35

INTRODUCTION AND PROJECT BACKGROUND PART I

Many communities in Cambodia are forest-dependent; their livelihoods depend on the collection of forest products, as well as the environmental services provided by forests bordering their villages and agricultural lands. In many places, communities have developed traditional ways of managing forests, particularly in more remote areas. The concept of community forestry was introduced in Cambodia in the early 1990's by the NGO Mennonite Central Committee (MCC) which organized community-managed plantations in Takeo province. Since that time, the community forestry movement has gathered force, with both NGOs and government agencies facilitating community management of forest areas. Interest in the sector renewed with the passage of the Community Forestry Sub-Decree in December 2003, a critical piece of the legal framework permitting communities to register CF areas under 15-year renewable management agreements. In addition, the Forestry Administration laid out a relatively straightforward 8-step process for establishing community forestry and provided training and guidance to forest officers for cooperation in the process. There are now over 264 CF sites recorded in the Forestry Administration's database[1].

Likewise, in protected areas which cover over 18 percent of the land area in Cambodia, the Ministry of Environment has demonstrated its commitment to collaborate with communities in protection and use of the natural resources. The “community protected area” or CPA[2] is the primary mechanism which allows communities to establish governance over forest areas in their vicinity. While the CPA legislation is still in draft form, the Ministry of Environment has already informally registered 64 CPA sites throughout the country. In many cases, communities have demonstrated their capacity to work in cooperation with park authorities to control illegal activity, prevent forest fires and boundary encroachment, and harvest non-timber forest products at sustainable levels.

[1] See website: www.forestry.gov.kh/cfweb/cfbyprovince.asp.
[2] In this report ‘community forestry’ or ‘CF’ is used in a general sense to refer also to community protected areas with the understanding that although activities fall under different ministerial jurisdictions, they are similar in the sense that they describe community management of forest areas.

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CFI has an interest in supporting the establishment of community forestry to achieve its organizational mission to improve local livelihoods and conserve natural resources; CFI wanted to learn how direct funding to beneficiary communities might affect community empowerment. CFI hoped that these micro-payments made under the Seed Grants program would match both the community's needs as well as CFI's goals.

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The Seed Grants Program has been designed to compensate for limited capacity and experience of local communities for operating donor-funded projects. First, the program's scope is limited to one of 14 community forestry activities to ensure clear expected outputs at reasonable cost. The amount of any individual seed grant is less than US$500. The activities covered are directly related to the recognized implementation steps for community forestry. They include capacity-building and technical assistance, materials and equipment, exchange and information-sharing and communications. (See Box 1) While the seed grant application is simplified so that communities can fill it in easily, it is necessary for the community to acquire signatures from all members of the elected CF committee, as well as a member of the commune council, to ensure that a number of key villagers are involved in monitoring the project's progress. The budget is carefully reviewed by CFI staff who have knowledge of reasonable costs for all of the possible activities. Community contributions such as labor or equipment are strongly encouraged.

Transparency and accountability are important aspects of the Seed Grant Program. After the project is completed, usually within six months, the community is obligated to fill in a short report and send it to CFI for review. Receipts are included, along with photos of the project activities, since a disposable camera is included with most seed grants. Communities who successfully complete this process are invited to apply for a new seed grant.

Box 1. Types of Seed Grants

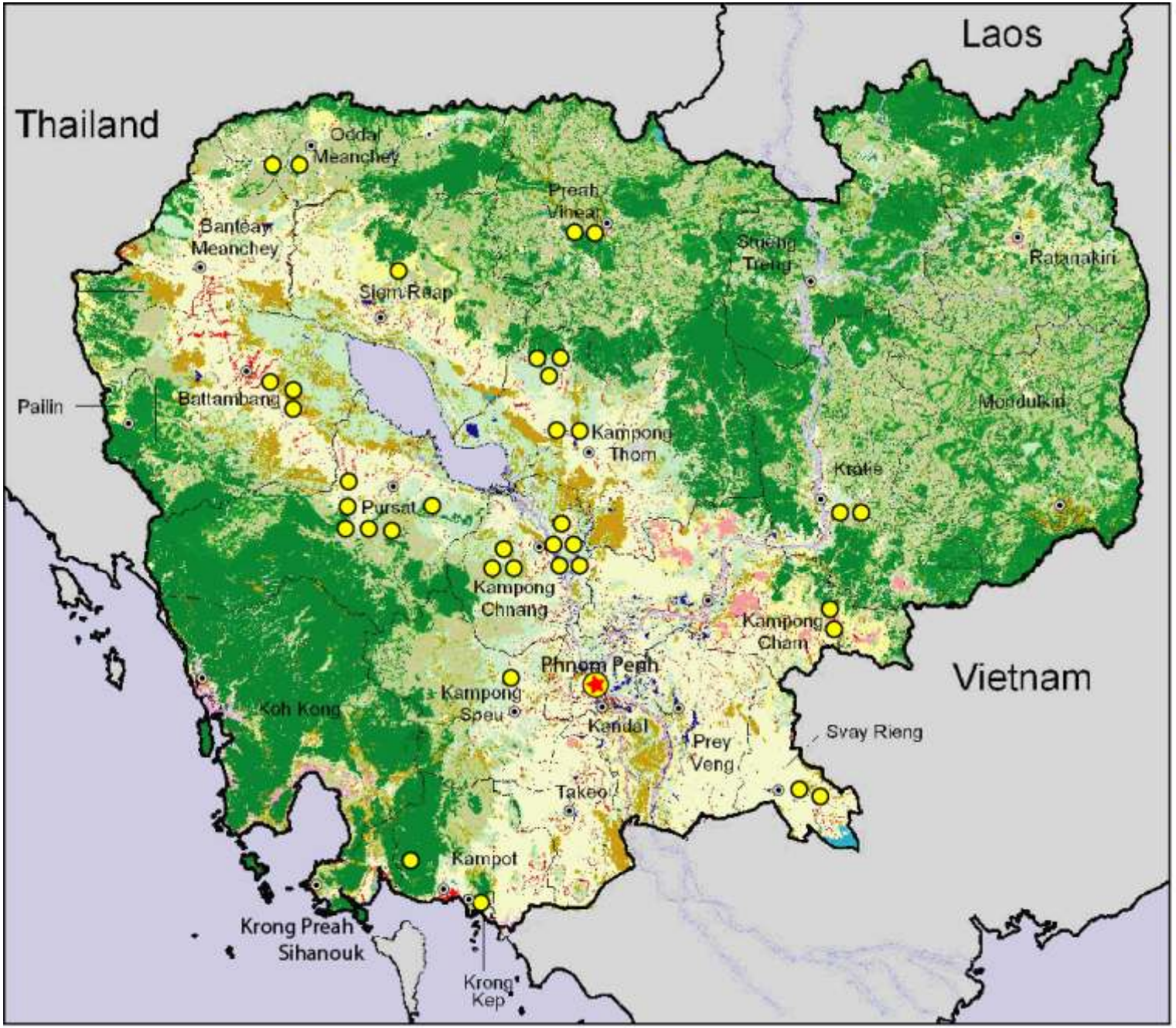
1. Technical Assistance for CF/CPA process
2. Participation in CF/CPA workshops
3. Signs to mark CF/CPA areas
4. Materials to facilitate patrols
5. Materials for map-making
6. Office supplies
7. Travel to CF/CPA Network meetings
8. Exposure trips/invitations
9. CF/CPA anniversary ceremonies
10. Tree nursery
11. Tree ordination
12. CF extension
13. Telephone for the Community Management Committee
14. Livelihood improvement activities

Buddhist tree ordination ceremony in Kompong Speu.

Dissemination Strategy
One of the challenges in launching the Seed Grants program was in building awareness about the program. Since many of the target communities are outside the target areas of NGOs, often in remote areas and sometimes without telephone or radio access, CFI had to rely primarily on word-of-mouth. CFI presented the program several times during national and provincial network meetings. T-shirts were also printed to draw attention to CFI's program and disseminated at community meetings. It appears that the word-of-mouth strategy has been successful and many communities are gradually learning about the Seed Grants program. From the beginning of the first seed grant approval in April 2005 until November 2006, 87 applications have been received. The number of applications received per month has been steadily increasing. During 9 months of 2005, 18 applications were received, whereas during the first 9 months of 2006, 60 were received. Eight communities have completed their first grant and report and have applied for a second grant. After more than one year, the program is quite well-known and information about it continues to spread. (See Map).

Criteria and Restrictions
In order to allow CFI to effectively manage the Seed Grant Program and ensure that funds are used appropriately, some criteria and restrictions were put in place. First, the community must have an elected CF Committee which is responsible for management of the CF activities in the community. (In some cases a temporary committee is accepted). The application must be processed through this committee and as mentioned, all of the members must thumbprint on the application. In addition, a member of the commune council is also obligated to sign on the application. This requirement helps to ensure that the community is represented and informed on the decision to apply.

Map of CFI Seed Grant Support 2005-2006



LEGEND

Seed Grant

Battambang:	Prey Tra Larg CF (Patrolling Material)
	Boueng Ampel CF (Technical Assistance)
	Khom Dang Kam Bet (Patrolling Material)
Pursat:	Kbal Trach (CF Signs)
	PO1 CF (Technical Assistance)
	PO2 CF (Technical Assistance)
	Phum Rolous Kandal CF (Patrolling Material)
	Sna Rach CF (Patrolling Material)
	Roluoskhang keut CF (CF Signs)
Kg. Chhnang:	Sam Kros Prey Cher Phum Ang Chanh (CF Signs)
	Po Chrok Churok Rithy Sen (Office Supply)
	Phnom Teuk Dous Sros Bamprong (Office Supply)
	Keo Pich Ponreay (Office Supply)
	Kang Rei pho Bag Krasang Teng Kloun (CF Signs)
	Da Reangsei Resmey Touk Meas (Exposure Trip)
	Phnom Chan Bang (Patrolling Material)
	Sre Khlong CF (Patrolling Material)
Kg. Speu:	Krang Serei CF (CF Signs)
Koh Kong:	Prey Neata Thmor Trong CF (CF Anniversary)
Kampot:	Dam Neakta thmor Poun CF (CF Livelihood and CF Anniversary)
Svay Rieng:	AngDoung Tra Bak (TA for CF Process)
	Tral CF (TA for CF Process)
Kampong Cham:	TokChar CF (CF Signs)
	Phom Srebrang CF (Patrolling Material)
	Phum Srekok CF (Patrolling Material)
	Phum Brolaeus CF (Patrolling Material)
	Phum Comboke CF (CF Anniversary)
	Phum Trapaeong Preang CF (CF Anniversary)
	Phum Srebrang (CF Sign and Tree Nursery)
Kompong Thom:	Khum Sok Chet CF (Patrolling Material)
	Khum Mean Rith CF (Patrolling Material)
	Khun Dang Kam Bet CF (Patrolling Material)
	Taleak CPA (Technical Assistance)
	Chremas CF (CF Extension)
Siem Reap:	Beuong Mallia CF(Patrolling Material)
Oddar Meanchay:	Kbal Ousa Kork CF (Patrolling Material)
	Chouk Meas CF (Patrolling Material)
Preah Vihear:	Chi ork boeung prey CPA (Patrolling Material)
	Crach Tatom Phnomromluos (Patrolling Material)
Kratie:	Phom Soth CF (Patrolling Material)
	Kruom Ptol (Technical Assistance)
	CPA Snoul (CF Ceremony)
	Phum Cueng (Technical Assistance)

CFI stipulates that the community must have at least a rudimentary knowledge of bookkeeping and a system for keeping track of income and expenditures. To support the development of a bookkeeping system, CFI has developed general guidelines for the community on how to develop a general ledger and on some of the principles of accountability and transparency.

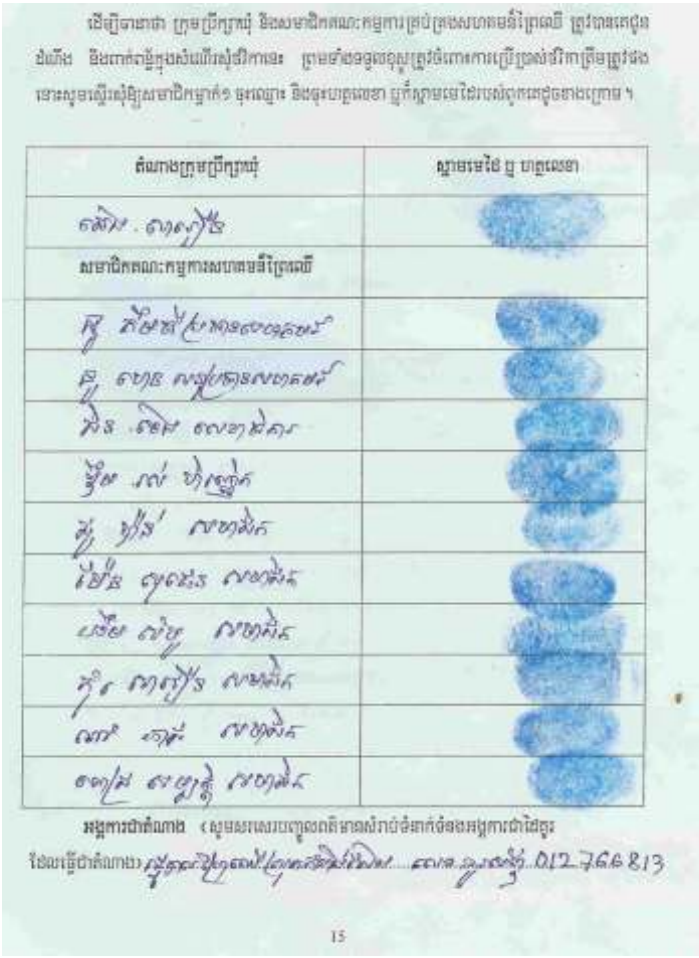
Financial Management Guidelines for CFMCs

Application Procedure and Review Process

The application for the Seed Grant is four pages long and is written in Khmer language. (See Annex English version) It includes requests for information on the location of the CF site, the history and progress of the site development, the management committee make-up, the type of grant requested, the reason for the request, the community contribution, the time frame, and a description of how the funds will be managed. In addition, a brief budget must be submitted with the signatures or thumb prints of the committee members and commune council. While the application is quite simple and short, some communities have found it difficult to complete. In some cases, a strong interest was expressed in the seed grant but the application was not submitted because communities, particularly those with low literacy levels, found it difficult to fill in the application. Also, sometimes only one copy of the application was left with a certain individual

Most importantly, the seed grant is limited to activities related to community forestry and community protected areas "with clear expected outputs and reasonable cost." CFI will not fund operating costs for managing CF or CPA because CFI aims to encourage sustainability of the activities. For instance, rice or gasoline for regular patrolling teams cannot be supported.

Finally, CFI encourages communities to demonstrate their own contribution to the project, whether in the form of financial or human resources. This criteria aims to build cooperation and partnership rather than reliance on CFI.



Thumb-printed application from community in Kg. Chhnang.

who was not capable to fill it out, but hesitated to ask others for help. In order to overcome these difficulties, CFI prepared an enlargement of the application (A0 size), covered in plastic so that the CFI staff could facilitate with many people to fill in a sample application. Dry erase pens are used so that the demonstration is more active. In addition, several copies of the application were distributed among the committee members so that more than one person could contribute to developing and filling it in.

A CF member in Battambang practices filling out the application.

After the application is completed, the community members generally deliver it directly to the CFI office in Phnom Penh. CFI agrees to cover transportation costs for the applicant, and the meeting in Phnom Penh is an opportunity to meet face-to-face and review the application together. In other cases, a local NGO may deliver the application to CFI, or CFI staff may receive it while they are visiting the provinces or a network meeting.

After the application is received it is reviewed internally by the CFI staff. First it is reviewed by the Seed Grants Program Assistant and then together with the CFI Outreach Officer. Finally, it is

presented with comments and recommendations to the Country Director who makes a final decision to approve or reject the request.

The majority of grant applications are approved. Between April 2005 and November 2006 a total of 87 applications were received. Of these, 57 applications have been approved for a total of 49 communities (some repeat recipients). Some applications were combined because neighboring communities made similar requests for the same activity. Twenty-three applications were rejected and 7 are currently being processed. For more than half of the applications, CFI requested modifications. For instance, in the case of Kompong Leng community in Kompong Chhnang, which applied for a telephone, CFI instead encouraged the community to apply for patrol materials and signs because they observed the problem of illegal activity in the CF area. In another case, when some CF members from Kbal Trach CF in Pursat came to contact CFI for seed grant support, they were not sure which activity they should prioritize for their community and had many ideas. Through the discussion and explanation of CFI staff on the CF process and related activities, the community members could identify a priority for CF signs to make people aware of the CF territory. Some of the reasons for rejecting proposals were because the CF area was too small (under 10 hectares), there was no natural forest, or because the management of the site was unclear.

Usually there is some negotiation over the budget items. Villagers may include operating costs or they may combine two types of seed grants in one application. Sometimes several communities in one area will submit grants for extension activities that can be combined, as did 5 neighboring villages in Kompong Thom which applied for similar extension activities. In such a case CFI requested the 5 villages to jointly conduct this activity in one place. The total budget sometimes equals the maximum grant amount ($500) exactly, so CFI staff review it carefully to make sure that the cost estimates are accurate.

In the beginning of the program, the internal review of the grant at CFI generally took about 2 months (See Appendix). This is because it was the start of the program and CFI had limited human resources. Since then, CFI recruited an assistant to help run the program. As a result, there has been a significant time reduction and applications are generally reviewed within 10 to 30 days in the second year, 2006. However, CFI still experiences some delays when several applications are submitted at around the same time. Once the grant is approved, the full amount of the grant is transferred to the community either through an NGO partner, during a field visit, or by asking the community to come to Phnom Penh to collect the money (in which case transportation expenses are covered).

The Seed Grants program is demand-driven; communities must identify the type of grant which is relevant and useful for their situation and take the initiative to submit an application to CFI. An analysis of the types of grants requested reveals the current priorities for local communities. An almost equally large number of requests were made for 'awareness raising and learning activities' (33 requests) such as training, study tours, and dissemination as there were for 'protection activities' (38 requests) such as patrolling materials, signs, and maps. Evidently, there is an eagerness to gain knowledge about the CF implementation process. Many people living in rural areas have limited access to education and information, so their knowledge on the procedures for establishing CF is likely to be limited. The 8-Step process for CF development[3] is significantly complex and challenging for communities to implement on their own, so it makes sense that communities would prefer to have assistance. Technical assistance provided by the local FA can also help to build relations and support future legal recognition. The demand for grants for 'protection activities' reveals the many challenges that communities face in protecting forest areas, and their desire to take action to confront these problems. Illegal activities such as logging and encroachment are common problems in many potential and existing CF sites.

[3]The formal process for community forestry establishment includes participatory rural appraisal, elections of the management committee, development of by-laws and rules and regulation, boundary demarcation and mapping, CF agreement submission to the FA, and management planning.

By conducting regular patrols, installing signs, and demarcating the CF area clearly the community can exercise more control over illegal activities. Maps can also be useful tools to negotiate with other stakeholders should conflicting land claims, such as concessions, arise. More 'advanced management activities' such as office supplies, tree nurseries, or livelihood improvement inputs have not been requested (16 requests) as frequently, indicating that most communities are not advanced enough in the more basic requirements for CF establishment and control of illegal activities. In the future, as more communities advance through the 8-step establishment process, CFI would be likely to see more requests in this area.

TYPE OF GRANT	**# OF GRANT TYPE REQUESTED**	**INDICATION**
Awareness Raising and Learning Activities : 33		
Technical assistance	25	Many communities are challenged to understand the formal procedures for CF/CPA establishment. Interest in dissemination indicates a recognition among community leaders that the wider community may still not be well-informed.
Anniversary ceremonies	4	
Participation in workshops	0	
Travel to CF/CPA network meetings	0	
CF Extension	2	
Exposure trips	2	
Tree ordination	0	
Protection Activities: 38		
Materials to facilitate patrols	24	Many requests for patrolling, signs, and map making indicate that forests are threatened by illegal activities. Communities are demonstrating a desire to protect the forest areas.
Signs for CF/CPA areas	12	
Materials for map-making	2	
Advanced Management Activities: 16		
Office supplies	7	Fewer communities have reached the stage of forest enrichment, office management, and livelihood improvement.
Tree nursery	8	
Telephone	0	
Livelihood improvement	1	

Monitoring and Evaluation
Because of limited staff resources and the relatively large number of grants, field monitoring of the grant implementation has been limited. Several methods of monitoring and evaluation have been used:

Telephone Call Monitoring
In many communities receiving seed grants, a member of the CFMC or another key individual in the community owns a telephone, making it possible for CFI staff to contact the community much more easily than in previous years, to follow up on the progress of activities. Of the 49 communities supported, 25 communities have telephones and can be contacted directly. For the 24 communities without telephone access, CFI made contact through NGO representatives working with the community. Every month, CFI staff call to follow up directly with communities by asking questions related to the progress of the activities, relations with the FA, and any other challenges or problems faced.

Field Monitoring
In addition, CFI staff conduct field monitoring visits to the target areas, meeting with community people to assess the community solidarity, participation, CF activities, and the involvement and support of local authorities. During these visits, CFI staff make appointments with local authorities including commune chief and council members, village chief, and also with FA officials. Thus far, only 16 field visits have been conducted; other grants were followed up by telephone.

Field Visit Calendar

Date of Visit	CF Community Location	Objective of Visit	Findings
13-Oct-2005	Kg Leng CF, Kg. Chhnang	To revise proposal	The CMFC have difficulty to write the budget
27-Oct-2005	Kg Leng, Kg. Chhnang	To provide the grant to the CFMC and explain how to account for the funds.	The CMFC understood the seed grant program and how to manage the funds.
23-Dec-2005	Krang Serei CF, Kg Speu	To revise the proposal and explain how to complete the Seed Grant application	The CMFC need support for proposal writing and CF process
17-Jan-2006	Sang Krosprey Chher CF, Kg Chhnang and Phnom Pet Pos CF, Battambang	To provide the grant to communities and explain how to manage the funds	The community has completed the old grant and started to implement the new one
14-Mar-2006	Andong Trabak, Tros Sambour and Kasang CF, Svay Rieng	To evaluate the progress in implementation	The area has no natural forest (plantation)
24-Apr-2006	Krephou Dam Mrek CPA, Dammak Krebei, Trapang Pring CF,Kg Thom	To provide the grant and give advice on how to cooperate with FA, as well as funds management.	The local communities have limited experience to organize CF
12-May-2006	Damnak Nakta Thmor Poun CF, Kampot	To provide the grant and monitor the achievements under a previous seed grant.	The local communities are interested in CF implementation
07-Jun-2006	Toul Char and Ou Bakrang CF, Pursat	To revise the proposal and provide coaching on 8 steps for CF.	Local communities are not clear how to write a budget
07-Aug-2006	Phnom Pet Pos CF, Battambang	To provide the grant and coaching on 8 steps for CF.	The local communities have limited experience to organize CF
28-Sep-2006	Kompong Leng district (5 CF) Kompong Chhnang	To provide the grant and give advice on how to cooperate with FA, as well as funds management.	FA, commune council and other stakeholders cooperate actively
29-Sep-2006	Kbal Trach CF, Pursat	To revise the seed grant application	The community lacks communication with stakeholders and participation of CF members is limited
04/06-Oct-2006	Dong Kambet CF, Kg Thom	To evaluate the process in implementation of seed grant	CFMC lacks cohesion
17-19-Oct-2006	Boeung Ampil CF, Battambang	To revise the seed grant	CF has participation and support from commune and FA
24/27-Oct-2006	Domnak Neakta Thmor Poun, Kampot	Study tour on CF organizing	Participant have gained experience in CF Management plan
14-Nov- 2006	Boueng Ampil CF, Battambang	To evaluate the process in implementation of seed grant	CF have participation and support from commune and FA
15-Nov-2006	Kbal Trach CF, Pursat	To evaluate the process in implementation of seed grant	The community is brave. CFMC work together well. Some boundary posts have been vandalized.

Meetings in CFI Phnom Penh Office

When the grant period is complete (with a maximum time of up to 6 months), CFI staff work together with the community contact person to review the grant documents including payment receipt, photos, and grant report to make sure that the funds have been spent appropriately.

Reporting

The reporting on the seed grant is straightforward. First, the community is asked to describe their experience in using the grant. They should include a description of any difficulties they encountered. Next, the community is asked to explain how the grant was or was not effective in supporting its community forestry activities. Finally, an expense report should be attached with original receipts. With most grant types a disposable camera is provided so that the community can document their activities. The developed photos or the used camera should also be turned in with the report.

Most communities can produce a report which describes their experience in using the seed money including the importance of the grant to their communities, and the commitment from the community people. Communities described the effectiveness of the seed money to help their communities to keep activities moving, to increase community solidarity, and to protect their community forest. Reports included the following statements: "Posts along the CF border decreased illegal activity", "Forest clearing has decreased", "Good extension materials are now in use", "The community has strengthened its financial system", and "The community has improved its relations with authorities". In general, communities are very satisfied with the grant and carefully carried out the proposed activities. Most of the reports have been sent to CFI on or before the due date with receipts, photos, and sometimes with minutes from CFMC meetings where community members discussed the use of the grant money. Nevertheless, some of the communities faced difficulties in filling in the report despite the simple format, and the reports did not provide much useful data for CFI. Communities were reluctant to describe any challenges in implementation or provide details on their experience. Sometimes communities did not provide clear information on the outputs such as the exact number of CF signs produced. Often photos were more informative than the written reports. Some photos of meetings, for example, revealed that participation of women was very limited[4].

Community report photos revealed that women's participation was limited.

[4]As a result, CFI has added a question to the application and report related to women's participation.

In addition, some communities forgot to collect and keep receipts for their expenses even though it is requested in the agreement. CFI recently decided that providing an initial orientation to communities on the seed grant implementation and reporting process should be prioritized. Two of the communities funded, Meanrith CF and Sokhchet CF in Kompong Thom, were exceptionally problematic since reports were not submitted despite numerous requests and a field visit. In the case of Meanrith CF, the community requested an extension for submission of the report without any clear explanation. There is no telephone communication possible in the area, so CFI relies on a local NGO, RPFD, to pass messages back and forth.

Coaching on CF establishment in Battambang

In the case of Sokchet CF, the community member who accepted the seed grant funds was forced to go into hiding after receiving death threats from loggers. CFI followed up on this report with the UNHCHR and received confirmation of this incident. The individual in question remains in hiding. This case highlights the potential conflicts that can arise when communities are empowered to challenge powerful interests attempting to destroy forests on which communities depend, particularly in high-value forest areas. CFI emphasizes the importance of building relationships with the FA and local authorities as a preliminary step in implementation, and is willing to help communities go about this. In areas of high value forest, particularly areas with suspended or cancelled logging concessions, it remains difficult for communities to negotiate agreements for community forestry.

Coaching on boundary post construction

The incident in Sokchet reflects a broader problem in the Cambodian socio-political context, but it also highlights the need to consider possibilities to reduce risks to the community or active individuals in implementing the Seed Grants program.

Capacity-building Efforts

CFI has provided technical support for the Seed Grants Program, although human resources are limited. Some of the efforts include:

<u>Support for Application Procedure</u>

As described above, CFI staff provided some guidance for filling in the application by explaining the criteria, the types of grant, and the information required. However, some communities still could not fill in the application properly and needed more assistance. For example, CFI staff went to Krang Serey community in Kampong Speu to help community people to fill in the application. Sometimes, nearby local NGO representatives helped the community to fill in the application,

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Villagers in Krang Serey CF installed boundary posts using a seed grant.

? CFI staff met with community people in Kampong Thom and Svay Rieng provinces who requested technical assistance on tree nursery preparation, CF/CPA establishment, CFMC elections, and the Forestry Law. The FA and Environment department staff were supported to conduct 3 days of training. CFI staff monitored the training and followed up by telephone afterwards.

? CFI staff worked closely with local NGO Mlup Baitong to provide assistance to Chramas CF in Kompong Thom to implement CF extension through drama performance. In May 2006, a grant was approved and a story and script for the performance was developed with assistance from Mlup Baitong and CFI. CFI staff went to see the performance and made recommendations for improving future performances.

Generally speaking, CFI's efforts for capacity building with local communities have been limited in relation to the perceived needs, primarily because of a focus on working with small grants NGO partners. In the future, CFI aims to expand its direct coaching and training support to local communities and to provide a range of useful extension materials.

Reporting Skills

When the grant is completed, the community representatives sometimes bring the report to the CFI office or send it through an NGO representative. In the case where the report is delivered directly to the CFI office, CFI staff have an opportunity to review the report directly with the community member and build their capacity by asking them to explain any points which are unclear related to the implementation process, fund management and payment, documentation, etc. In addition, CFI staff and communities also discuss possible proposed activities for a second grant.

This section provides a series of case studies on seed grant experience. Each case analyzes a certain theme in relation to a particular recipient community.

CASE 1: Building Relations with Authorities

Beoung Ampil community forestry is situated in Boeung Ampil village, Sdao commune, Rattanak Mondol district, Battambang province. Community forestry was initiated in 2000 following the suggestion of a Department of Fisheries and Wildlife staff in Battambang who organized a meeting to discuss the problem of forest loss. At that time, many villagers were dependent on timber extraction for charcoal and firewood for brickmaking factories. As a result, the forests in the vicinity of the village were rapidly being depleted.

In the beginning of the CF process, only 43 of the 338 families in the village decided to join the CF initiative as members, but gradually more families were convinced of the importance of protecting the forest for future generations. According to the management committee, today almost all families in the village are members, although official family registration documents have not yet been processed and there is no collection of dues even though called for in the community's own by-laws.

Since 2000, the community has taken many of the steps towards CF establishment on their own and also with the limited support of Seila which has now ceased its support; a Community Forestry Management Committee with 7 members has been elected, and this Committee has developed By-Laws and CF Rules and Regulations. It has also mapped the CF area of 103 hectares and installed 20 posts and 4 signs to mark the boundary. This CF forest area is located next to the village on a hill called “Phnom Sluk” with a pagoda of the same name at the base of the hill. While the forest was originally dense semi-evergreen forest it had been unsustainably logged since 1973 and in 2000 when CF activities started villagers said “the bare rocks were visible” and there were no large trees left. Now the forest has significantly regenerated with some trees reaching over 7 meters. There is no problem with forest fires, thus rapid growth is further promoted. Villagers regularly collect a leaf vegetable called “sluk prik” which they sell by the kilo to middlemen for export to Thailand. They also collect several types of valuable mushrooms, although these are scattered more widely throughout the district, not only in forest areas. Firewood for household consumption is another important product from the forest. Forests also provide important fodder for grazing cattle. Throughout the CF development process, the community explained that they have faced a number of challenges, for example, land encroachment and illegal cutting by outsiders and soldiers. The community believes that their success in defending the CF area against these threats is due to their solidarity as well as backstopping support from the local FA office. Tigers, deer, and monkeys are among the important wildlife sighted recently in the area as a result of better protection.

On the basis of a proposal from the community, CFI approved a seed grant for Boeung Ampil CFMC on 18th September 2006. The grant request was for technical assistance from the FA to aid the community to better understand new CF laws and policies and also to assist them in updating their By-Laws and Regulations in accordance with the new CF Prakas. The intent of this case study was to try to gauge the effect of the seed grant on developing relations between the community and the FA. In many areas of Cambodia, the relations between these two key stakeholders are strained, in which case there is good scope for improvement. The study trip to Boeung Ampil and interviews with villagers and FA officers revealed that the relationship between the community and the FA was already fairly strong, perhaps because the initial suggestion for CF establishment came from an FA officer in Battambang. Therefore, it is difficult to demonstrate a ‘turnaround’ in the relationship as a result of the grant.

On the other hand, some interesting insights were gained through interviews and through observing the training provided by the FA officers. First, the CFMC still feels highly dependent on the support of FA. They attribute most of their success in protecting their forest to date to the support of the FA. The CFMC Vice-Chief, Mr. Him Chanthorn, said “If there is no support from above (lit. no parent) then there is no way we can do CF because it would be impossible to control the illegal activities”. Further questioning revealed, however, that the control of illegal activities was a joint effort between the community's effective monitoring system and, on occasion, the FA support in enforcement. The CFMC leaders claimed that they had a strong system for quickly identifying problems in the CF area. If children, many who take cows for grazing in the CF area, provide authentic reports of violations they are rewarded with 1000 riel (US$0.25). Villagers receive 1 liter of rice wine for similar reports. At present, these rewards come from the CFMC Vice Chief's own personal resources. In response to a military officer's claim to the CF land which is still in dispute, one CFMC member claimed, “We will go to Phnom Penh and sleep outside the National Assembly to protest if he takes our CF land”. They demonstrate a strong commitment, but also lack confidence in their own ability, particularly in understanding CF laws and regulations. They also expressed some doubts about the commitment of the FA officers who they believe may be reluctant to provide support to the community unless they are paid. They said, “The FA never comes on their own to visit the CF community, but will come if we ask them to come.” Under the seed grant proposal, the community requested $7.50 per day for two FA Officers to provide a full-day training.

Members of the Boeung Ampil CF Management Committee

FA officials interviewed expressed support for the Boeung Ampil CF community, noting that it was the most successful of three initiatives in the district because of strong community commitment. They criticized earlier NGO CF projects whereby community members were paid to establish CF; when the project ended, CF collapsed. Mr. Moeurn Meng, the Triage Chief said, “The community in Boeung Ampil understand about CF and they know the benefits of protecting the forest, such as mushrooms they can collect. They have good communication with us. This is a well-established community. In the other villages people are new migrants so it is harder; they only think about themselves.” He also noted that both his superiors and subordinates were supportive of CF in the district which made implementation easier. In describing his way of communicating and relating effectively with the community, he said, “We can't order the community to establish CF; they need to start by themselves and then we come in afterwards to help facilitate. We have to use a soft way of speaking and accept all answers as correct.”

A forestry official reads excerpts of the Forestry Law to community people during a training in Boeung Ampil CF, Battambang province

The training session in the village was arranged on 15 November, 2006. The Committee claimed that they made several requests to the FA since the grant was received in September, but FA officials were too busy to conduct the training sooner. Mr. Moeurn Meng and Mr. Y Cheang Meng conducted an initial introduction to the Forestry Law and read a new regulation on control of chainsaws. Mr. Lang Sokun, FA Division Chief, later joined the meeting to provide more information specifically on community forestry.

During the session, it became clear that two of the more junior FA officers were poorly prepared for the training session. About 50 adult villagers and 15 small children attended the meeting, including many women. The introduction to the Forestry Law was conveyed in lecture style. Villagers said they understood about 40% of what was said, but they were able to recount very little of the explanation. On the other hand, CF members (not committee) claimed that it was their first opportunity to come into contact with FA officers. Also, while the FA officers had agreed to assist the community to revise their by-laws during the appointment, in the end they said they would only be able to do some general dissemination and would have to delay the by-laws revision until a later date. There were also problems in locating the final version of the CF Prakas; officials were not well-versed in the 8-step process.

It may be concluded that the seed grant in Boeung Ampil was instrumental in further developing the relationship between the Forestry Administration and the community at large. In terms of logistical capabilities and extension strategies, there is scope for both the community and the FA officers to improve their skills; however, it was clear that there were a number of lessons learned and that as a first step, the opportunity for communities and the FA to interact directly was valuable in itself.

CASE 2: Boundary Demarcation

Khum Kbal Trach CF is located in Krakor District, Pursat province. The community in this area started to establish community forestry in 2001 when the company Pheapimex made a claim for a land concession in the same forest area where the community traditionally collected many forest products such as resin, fruits, and vines. In effect, from the outset, community forestry was a response to a threat to forest tenure security. The Pheapimex company was granted the concession without consultation with local communities. The company and a number of its subcontractors, many of whom were armed, began clearing the forest on which the villagers were dependent. A number of protests were organized with surrounding villages, one during which eight people were injured by a grenade attack.

The community made slow progress in implementing CF because of the intensity of the land conflict with the company. Forestry officials in the province were unwilling to negotiate on behalf of the villagers (at least openly). Today, however, the situation has changed as a result of strong advocacy by NGOs, lobbying by UN human rights agencies, and media attention. The community now has been given some indication that CF may be allowed in some area of the concession.

Community people put CF signs in Khum Kbal Trach CF in Pursat

As a result, the community have moved ahead and demarcated a forest area of 5,843 hectares to be managed cooperatively between 11 villages. Eventually, the community would like to demarcate separate areas within the forest area for each village in order to divide protection responsibility more clearly.

Villagers attribute their success in opening the door for CF to their solidarity. The community network leader Mr. Kuch Veng said, “We tried so hard because we have so many benefits from the forest.” Nevertheless, while the situation is now calm, one woman member, Ms. Chung Korn said, “We don't see any threats, but now we are always aware.”

The community was interested in applying for a seed grant to further its CF activities. They heard about the program through AEC, a local NGO, and they applied in March 2005 for a grant to install CF boundary poles along the CF border, with the objective of demarcating it more clearly in order to prevent encroachment. Besides the threat of the company and its subcontractors, the community also claims that Cham people from neighboring Kg. Chhnang province come to cut the forest as well.

CFI approved a grant of $500 on 8 April 2005 for the project request, and 20 boundary posts were subsequently installed, which the villagers made and painted by themselves. CFMC member Mr. Ji Vith said, “The posts are useful. When outsiders see the posts, they're afraid, especially people from Kg. Chhnang.” On the other hand, they also noted that some of the boundary posts had been destroyed by vandals, most likely outsiders coming to log. The villagers conduct daily patrols of the forest area which is 7km from their village. They go on foot. Women said they also participate and appreciate joining patrols because they can collect forest foods for their families at the same time.

The seed grant from CFI may be most significant in that it is a measure of support for this community which has faced strong opposition to its CF initiative. The fact that some of the boundary posts have been destroyed is a concern for the sustainability of the project outputs. CFI should consider the cost effectiveness and durability of different methods of demarcating boundaries. Problems with vandals may only be solved through negotiation with various stakeholders and better enforcement of existing laws. While informal protection measures of a dedicated community are probably the most effective way to protect the forest resources, formal recognition of the CF area is necessary to provide the basis for legal enforcement and prevention of illegal activities. CFI should consider playing a role in supporting local communities located in conflict areas to negotiate relationships with key stakeholders.

Mr. Kuch Veng is a dedicated leader for CF initiatives in Kbal Trach CF, Pursat

Members of the Community Drama Team from Preah Sophea CF, Kompong Thom

CASE 3: CF Drama: Awareness Raising

Preah Sophea CF is located in Chramas village, Chhouk commune, Prasath Sambo district, Kompong Thom province. The CF site covers an area of 325 hectares and is surrounded by villages which have not yet established CF. This community faced some problems such as illegal cutting, forest land encroachment, and forest land clearance for plantations, primarily caused by neighboring villagers. There were often conflicts over the right to utilize and manage the forest resources. With this concern, one proposed solution was to increase the awareness of those villagers in the surrounding area and stimulate their interest in establishing their own CF areas. Serendipitously, a local community drama team was interested in taking on this challenge and proposed to perform a story about community forestry to draw attention to the problems of cooperation among communities. The group had already been trained and hired by World Vision and GTZ for education extension in the area on AIDS/HIV, so they had some experience already. As a result, a grant request to CFI for a seed grant for CF Extension was submitted along with a request for technical support. On 19 May, 2006, CFI approved a grant of $392 to cover the preparation and two performances in neighboring villages. After the funds were received, intense preparations started. The script was drafted in a few days by Mr. Mao Sovandy, Deputy Chief of the Provincial Department of Culture and Fine Arts with technical input from CFI, local NGO Mlup Baitong, the FA and Preah Sophear's CFMC. The script focuses on participatory community protection of community forestry areas as a means to protect the forest from destruction. The team spent 15 days for rehearsal. The play lasted about three hours and was performed at night starting at 8 o'clock. At this convenient time, more than 400 villagers attended from seven surrounding villages, excited to see this very popular form of entertainment and education. Most of the viewers stayed till the end of the play.

To do an evaluation, a short quiz game was arranged at the end of the play during which facilitators confirmed that people understood the meaning of the play through questions and answers. The replies from the audience clearly indicated that viewers understood the message of the play. CFI staff also conducted interviews before and after the play, and found that villagers gained new knowledge. Villagers who were interviewed said that the play made them aware of the consequences of destroying the forest: forest spirits would be offended, the climate would become warmer, and the next generation would have no opportunity to benefit from forests. They also understood that only CF members who participated in forest protection would reap future benefits such as timber for building their houses. If they caught illegal loggers in the CF area, villagers understood that they should be turned over to Forestry officials. When asked about the challenges of land grabbers or other pressures on the forest, community members said that the CF land can not be sold "because it is for the common good and should be protected for future generations" and that if anyone tried to take the land away, they would protest. In addition to the important messages and information conveyed, villagers said that the play was also very funny and entertaining.

SOAPOAN BAITONG

The drama, entitled, "Soapoan Baitong" (lit. *Green Beauty*) describes the abundance of natural resources including the beauty of the forest and the richness of wildlife which attract deities to come down to the earth. Later, when the forest is destroyed, wildlife suffers and the weather becomes very hot.

Villagers come into the previously forested area looking for fuel wood, but are disappointed because of the scarcity. Anarchic illegal loggers, finding no more timber to steal from this forest, try to harvest timber from the Preah Sophear CF area, but this area is well-protected by the community. The loggers become angry. They try to convince the CF Chief to collaborate with them in cutting the forest by offering her a bribe, but she refuses. Next, a giant lizard posing as a ghost threatens the loggers. They become frightened and remorseful. After the community catches the loggers, the CFMC and FA officers educate them to cease their illegal activities.

At the end, the Community Forestry Management Committee and the local FA officers give thanks to the CF community members for their cooperation in CF protection. They admire the solidarity of the community which makes the Preah Sophear CF stronger and able to protect the forest. Everyone agrees to sustainably protect their forest and wildlife for the sake of the beauty of the forest.

CASE 4: Forest Protection

The community in Dong Kombut, Sandan District, Kompong Thom, is highly dependent on forest resources. When Mr. In Nam, the head of the CF initiative, visited CFI in Phnom Penh to apply for a seed grant in March 2005 he provided a long list of forest products which villagers collect, including resin, rattan, mushrooms, fruits, and medicines. Dong Kombut has two community forestry areas with a total area of approximately 6,000 ha. More than 200 families live in 3 villages in the area and many depend heavily on forest products, particularly the collection of resin. Some families own more than 900 resin trees. Though the proposed CF area is not yet officially recognized by FA, it would be one of the largest CF areas if approved.

CFI approved a seed grant of $472.10 in April 2005 to build two patrol stations in the community forestry area. Mr. In Nam and other CF members had already marked the boundary of the CF area by putting up simple signs and clearing pathways. Some 10-15 villagers conduct regular patrols of the CF area. Mr. In Nam says that there is very little problem with illegal activity because the community is managing the area very carefully. He has also communicated with other villages in the surrounding area to make sure there is no conflict.

Mr. In Nam was very appreciative for the CFI funds which allowed the villagers to build the two patrol stations. Funds were used to buy materials, and villagers contributed their own labor for construction. The patrol stations are located 6 and 8 km from the village, so it was a significant effort to build them. Mr. In Nam made a special trip to Phnom Penh to the CFI office in order to hand-deliver the final report on the grant along with the photos which were taken by him using a disposable digital camera supplied with the grant to document their activities.

Villagers in Dong Kombut CF construct a patrol post.

In this case study, the degree of community empowerment is somewhat difficult to gauge. A site visit to Dong Kombut in October, 2006 revealed a slightly more complicated situation than originally anticipated. Interviews with villagers and local authorities (in the absence of Mr. In Nam) revealed that the community forestry activities are largely the initiative of a single individual, Mr. In Nam. He is personally motivated to establish community forestry to protect his family's resin trees which number more than 900 trees. While the seed grant has certainly helped Mr. In Nam and the community to protect the potential CF area, it is unclear how much Mr. In Nam, has been able to build the interest and enthusiasm of other community members. During interviews, a few community members, including one commune council member, expressed some distrust of Mr. In Nam and his motivation for being involved in the forest protection activities.

Nevertheless, informal but regular patrols of the community forest areas are taking place and the forest appears to be well-protected. In one sense the seed grant allows an activist in the community to move forward in implementation, but on the other hand, such an individual may not necessarily have the full participation and backing of the village in the initiative.

As a result of the study in these villages, CFI recognized the importance of ensuring that the seed grant not only supports communities or a community activist to meet their objectives, but also of finding ways to support awareness raising and wide participation and support for the initiative. In the case of Dong Kombut, the community is fortunate that the FA official in the nearby Sandan district triage is very enthusiastic to assist the community to establish CF. A local NGO, RPFD, is also offering support for facilitation, although their visits to the area are limited (quarterly). CFI needs to find ways to support the community not only with financial and technical support, but also to act as a catalyst for bringing stakeholders together to support a CF process which is both participatory and active.

Forest visit during field work. Dong Kombut CF, Kompong Thom. Mr. In Nam is third from the left.

This section presents a review of the program. It should be noted that this is an internal review for the purpose of sharing experience. A neutral external evaluation of the program should be planned in the future. In addition, a self-evaluation or joint reflection workshop by seed grant recipient communities could also provide useful feedback.

Accessibility
The accessibility of the program to local communities does not appear to present a problem because of better roads and telephone service. Many key community activists have already been identified by other NGOs and are invited periodically to network meetings and workshops in Phnom Penh. A bigger challenge may be a rapidly growing demand for seed grant support compared to the human and financial resources available at CFI. Information on the program appears not to have reached several areas, such as Mondulkiri, Banteay Meanchey, Stung Treng, and Koh Kong, all of which are rich in forest resources. Protection of higher value forests by communities are likely to have more impact on poverty alleviation and biodiversity protection. If more resources are available to administer and monitor the program, there is good scope to expand the program to other provinces such as these.

Transparent Use of Funds
There are some limitations in the transparent and accountable use of seed grant funds. Most communities have only rudimentary financial management systems at best. CFI needs to allocate more resources to developing these systems and structures within communities. While almost all communities provided clear financial reports and receipts as well as photos of activities, the internal dynamics within communities are complex, as are their relationships with other stakeholders. CFI is aware of the possibility that individuals with power could take advantage of their relationships with communities to benefit personally from the funds. On the other hand, this risk is limited by the relatively small amount of money provided and the requirement for reporting before further funds are granted. CFI has already developed and tested a short training program on basic financial management systems for community-based organizations. In the future, the completion of this training and certification of a functioning basic financial system should be a prerequisite for receiving seed grant funding.

Program Management
The Seed Grant program was not included in CFI's original workplan when the program started, but was developed to address issues which were recognized during implementation of a Small Grant program for local NGOs. The ability of CFI to start a Seed Grant program demonstrates the flexibility of the organization to address needs which arise despite prior formal planning. The Seed Grant program was initiated primarily as a pilot program to test the effectiveness of direct financial support to communities implementing community forestry and community protected areas. Because human resources were limited, a full-time volunteer was asked to assist the CFI Outreach Officer to administer the program. While the Outreach Officer holds overall responsibility for implementation, the volunteer assists with the day-to-day work. The volunteer's tasks include contacting communities and introducing the program, initial review of applications, monitoring activities, and compiling data. The program was limited in some respects by human and financial resources which caused delays in processing applications and fewer field visits than would have been preferred. On the other hand, the experience gained by the CFI staff and volunteers in the first year of implementation was useful for future improvements in the program, to be integrated in overall budget and work planning.

Effectiveness

The CFI Seed Grant program is a unique funding mechanism in Cambodia because it provides direct funding to communities for the community forestry implementation process. The program was started as a pilot activity to test the feasibility of funding communities directly and attempt to see what effect this support would have on communities. As a result of the experience to date, there are both successes and areas for caution for future implementation. The administration of grant-making was somewhat weak in the beginning of the program, but a number of lessons have been learned and staff and volunteers have significantly improved their capacity. The application and reporting forms have been updated, matrixes have been created to collect site data, and an effective filing system is in place.

Much of the appreciation expressed for the grants is anecdotal, but the overall impression is that communities find the grants useful for achieving their objectives. Whereas local NGOs might normally spend more time in field work and developing relations with community members, CFI's understanding of internal community dynamics is limited. In some cases, decisions to fund a particular community are based on recommendations from trusted individuals, such as NGO leaders which CFI staff are regularly in contact with. It appears that the forest protection initiatives may be led by activists within the community, by outsiders including forestry officials, or by broader community consensus. Ideally, the seed grant should be used as a mechanism to strengthen support for CF and CPA initiatives among the general community and encourage broad participation. CFI needs to provide sufficient orientation, training, and monitoring to ensure that the grants are meeting these objectives. A memo to local authorities to inform them of the grant and encourage their participation is one effective way for strengthening communication. CFI staff can also play a useful role in arranging planning meetings between government officials and local communities. The aim of the program is to be a catalyst for developing relations and participation in CF activities at the grassroots level.

It is important for CFI to continue to coordinate the seed grant program in the context of the broader forestry and environment sector. As the legal framework for community management of forests comes into effect there are more and more NGOs and institutions interested to work in this sector. In order to avoid overlapping activities, CFI needs to coordinate closely with other groups to ensure that the program compliments existing initiatives. Despite some encouraging case studies and anecdotes from communities, it is difficult to make firm conclusions about the effect of the program regarding the strengthening (or weakening) of communities. A longer experience with the program and more in-depth external evaluation could provide more insight. There is myriad diversity among communities, of dynamics and internal complexities. CFI will need to decide how much of this complexity is necessary to understand in order to manage a nationwide program. A balance must be sought between the need and desire to support a broad range of communities with the need for close monitoring and support. Currently, the program is demand-driven: communities that are most active in initiating activities and seeking support are most likely to receive a grant. Over time, this demand-driven approach is likely to reinforce the desire for grassroots community activism for forest protection.

The Seed Grant program holds good potential to accelerate the community forestry strategy in Cambodia, particularly given the completed legal framework. The Forestry Administration has pledged its support for community forestry expansion in Cambodia. It remains to be seen how quickly laws and policies will be implemented at the field level. If FA field staff are supportive of community initiatives under the Seed Grant program and if CFI resources are sufficient, then there is great potential to accelerate the spread of community forestry in Cambodia.

Between April 2005 and December 2006, CFI spent $17,392 on 57 seed grants to local communities. The average grant was $232. The recipient communities together protect forest areas totalling 90,927 hectares, demonstrating a cost-effective use of funds.

The cost of monitoring the program has been limited by CFI's staff and financial resources. Based on experience, it would be ideal to visit the recipient community approximately 3 times: first at the beginning of the grant to provide orientation, second for training and extension related to the proposed activities, and lastly to review the implementation. Depending on the remoteness of the community, these visits may end up costing more than the grant itself; however, they may be viewed as an investment in community capacity.

Below is a SWOT (Strengths, Weaknesses, Opportunities, Threats) matrix developed by CFI staff and volunteers to analyze the seed grant program to date.

Strengths	Weaknesses
1. Motivates community people 2. Independent (makes community strong) 3. Can protect forest (patrolling, posts, signs) 4. Helps community to follow CF process 5. Connects remote communities with other resources and information	1. Difficult for community to write report and do bookkeeping 2. Most decisions by the CFMC 3. Little time for CFI staff to follow up 4. Limited communication with local authorities/FA
Opportunities	**Threats**
1. Provide more training and coaching 2. Expand to other provinces 3. Facilitate relation between authorities 4. Initiate study tours 5. More livelihood enhancement activities	1. Misuse of funds jeopardizes program 2. Powerful individuals in the community use funds to increase power 3. Political involvement 4. Increased conflict as a result of community activism 5. Overlap with other NGO support

Risks

The conflict which resulted in Sokchet commune in Kompong Thom between the community and powerful individuals highlights the potential for CF activists in the community to be targeted by powerful interests. During the course of the program, CFI initiated a formal memo to the FA cantonment office whenever a new seed grant is passed. This memo requests the cooperation and support of the FA in implementing the seed grant activities. Many seed grants also incorporate support for FA officials to participate in the activities. The FA is an important partner in developing CF, and this relationship should continue to be developed, as should the relationship with Environment officials in the case of CPAs. Nonetheless, caution should be exercised in areas where military or other anarchic forces are exercising control.

The Seed Grant is an entry-point activity in community forestry development which has the potential to catalyze community interest in forest management. In fact, many rural communities already have the desire to manage their local forests and they may have informal mechanisms for forest protection; however, without some form of financial and technical support, it is unlikely that much progress can be made towards legal recognition of these rights. NGOs have limitations in the geographical area that they can cover compared to the growing grassroots demand for community forestry across the country. The Seed Grant program has the potential to meet the demand of a large number of communities, particularly those in more remote areas beyond NGO target areas. By developing the skills involved in planning, submitting, implementing and reporting on a seed grant activity, rural people build confidence. Community Forestry Management Committees make joint decisions on the activities and work together to implement them. Communities feel a sense of ownership for their forest areas which is reinforced by their autonomy in managing the grant. Higher levels of confidence and ownership can be beneficial to communities in dealing with challenges from outside such as negotiations with government officials, illegal loggers, or concession companies. Through experience, communities are better able to identify and express their own needs in regards to forests.

There are a number of caveats and areas for caution in implementing the Seed Grants program such as the need for monitoring and institution building to ensure participatory processes and transparent use of funds. Efforts to meet these objectives contribute to the building of civil society at the grassroots level and should be considered equally as important as the financial support for activities.

Community forestry and community protected areas are legally-recognized frameworks for community management of forest areas and hold great potential for increasing conservation of forest land with inherent benefits for biodiversity and watershed protection. The Seed Grant program has the potential to accelerate the transition to community-based management approaches in the promotion of environment and local livelihoods.

Lessons Learned and Recommendations
During the implementation, the CFI team learned some lessons:

1. Judging by photos submitted, it was clear that women were not actively involved in many of the activities. As a result, CFI added a question to the application form asking applicants to describe how women would be involved in the activity. It is hoped that this question, as well as informal discussions with CFI staff during the application process, will encourage communities to give women a more significant role. Gender training should be integrated at a later stage. Conflict management training should be considered for grantees in sensitive areas.
2. In the case of one recipient community in Kompong Thom, CFI discovered a serious conflict between the community and powerful individuals. The case highlighted the need to consider how the program can reduce risks to community activists.
3. While no major issues of mismanagement of funds have been uncovered, it was clear that many communities lack understanding of basic financial management. CFI should prioritize training and capacity building for financial management as a prerequisite for receiving a seed grant. CFI should conduct spot checking on the use of funds to uncover irregularities. Several individuals in the community should be consulted privately in order to obtain accurate information.
4. Regular telephone calls to community are a cost-effective way to keep in touch on the progress of CF activities, but more frequent field visits are necessary. Initial orientation is also important.

5. Communities generally require a lot of technical support on the CF establishment process since it is quite complicated. The ability of local FA officers to conduct training is limited. CFI should consider co-training with local officials and provision of extension materials to supplement such training and increase its quality.
6. There is good scope to extend the program to other provinces. CFI should seek additional resources to increase its capacity building and monitoring capabilities.

APPENDICES

Appendix 1: Grant Review Period

No.	Name of community	Date Submitted	Date Approved/ Rejected	Duration of Proc-essing
S-01	Sangkros Prey Chher Phom Anchagn CF	N/A	24/05/05	N/A
S-02	Khom Sochet CF	N/A	29/04/05	N/A
S-03	Khom Damg Kambet CF	N/A	29/04/05	N/A
S-04	Khom Meanrith CF	N/A	29/04/05	N/A
S-05	Khom Kbal Trach CF	N/A	08/04/05	N/A
S-06	Damnak Neakta Thmor Poun CF	N/A	05/12/05	N/A
S-07	Phnom Cham Bang Krang Skear Tboung CF	N/A	06/12/05	N/A
S-08	Keo Pich Ponereay CF	N/A	28/10/05	N/A
S-09	Po Chrok Chumrak CF	N/A	28/20/05	N/A
S-10	Phnom TeukDous Sros Ban Prong CF	N/A	28/10/05	N/A
S-11	DA Resmey Touk Meas CF	N/A	28/10/05	N/A
S-12	Kang Rei Po Bang Krasang Teng Kloun CF	N/A	28/10/05	N/A
S-13	Phom Pet Pos CF	03/01/06	06/01/06	3 days
S-14	Krang Serie CF	02/01/06	17/01/06	15 days
S-15	Damnak Neakta Thmor Poun CF	09/01/06	11/01/06	3 days
S-16	Andong Trabak CF	17/01/06	19/01/06	2 days
S-17	Tros CF	17/01/06	19/01/06	2 days
S-18	Krephou Dam Mrek CF	27/02/06	21/04/06	53 days
S-19	Kosma Roum CF	27/02/06	21/04/06	54 days
S-20	Boueg Milia CF	28/02/06	06/03/06	6 days
S-21	Kbal Ousa Korkle CF	20/03/06	23/03/06	3 days
S-22	Prey Neakta Thmor Trong CPA	19/04/06	24/04/06	5 days
S-23	Damnak Neakta Thmor Poun CF	02/05/06	02/05/06	1 day
S-24	Pres Sophear CF	18/05/06	19/05/06	1 day
S-25	Tropeing Pos CF	10/04/06	19/05/06	40 days
S-26	Dang Kam Bet CF	14/03/06	17/03/06	3days
S-27	SangKros Prey Chher CF	8/11/05	04/01/2006	57 days
S-28	Phnom Pet Pos CF	27/04/06	19/05/06	21 days
S-29	SangKros Prey Chher CF	07/04/2006	19/05/06	42 days
S-30	Samrong Pagoda CF	26/04/06	11/05/06	15 days
S-31	Po1 CF	29/06/06	04/07/06	5 days

S-32	Po2 CF	29/06/06	04/07/06	5 days
S-33	Phum Toul Char CF	29/06/06	05/07/06	6 days
S-34	Phum Ou Ba Krong CF	29/06/06	05/07/06	6 Days
S-35	Chambak CF	N/A	10/12/05	Rejected
S-36	Phun Klang Meung CF	05/11/05	17/01/06	Rejected,72 Days
S-37	Phum Dong CF	05/11/05	17/01/06	Rejected, 72 days
S-38	Phum Sre Reossey CF	05/11/05	17/01/06	Rejected, 72 days
S-39	Kransang CF	08/02/06	10/04/06	Rejected, 62 days
S-40	Sambour CF	08/02/06	10/04/06	Rejected, 62 days
S-41	Kompong Ampel CF	08/02/06	10/04/06	Rejected, 62 days
S-42	Prey Kla CF	08/02/06	10/04/06	Rejected, 62 days
S-43	Tbeing CF	08/02/06	10/04/06	Rejected, 62 days
S-44	Chensar CF	08/02/06	10/04/06	Rejected, 62 days
S-45	Andong Trabak CF	17/02/06	10/04/06	Rejected, 53 days
S-46	Tros CF	17/02/06	10/04/06	Rejected,53 days
S-47	Damnak Krobei	27/02/06	21/04/06	54 days
S-48	Tropang Pring	27/02/06	21/04/06	54 days
S-49	Chivet Prey Chher CPA	22/02/06	10/05/06	Rejected, 78 days
S-50	Tropeing Pos CF	10/04/06		Delay, Wait for the FA guideline
S-51	Talek and Andas CPA	30/05/06	16/10/06	Rejected
S-52	Trabeing Knong CF	30/05/06	16/10/06	Rejected
S-53	Pteik CF	30/05/06	16/10/06	Rejected
S-54	Sramak CF	30/05/06	16/10/06	Rejected
S-55	Sochol CF	30/05/06	16/10/06	Rejected
S-56	Tom Pich CF	09/06/06	10/06/06	Rejected, 1 days
S-57	Khom Dang Kam BetCF	14/07/06	16/10/06	Rejected
S-58	Kralagn CF	19/06/06	04/07/06	Rejected
S-59	Keov Pich Poneray CF	21/06/06	19/09/06	84 days
S-60	Da Reangsei Resmey Touk Meas CF	21/06/06	5/09/06	74 days
S-61	Phnom Teuk Dous Sreos Bam Prong Cf	21/06/06	19/09/06	84 days
S-62	Po Chrok Chumrak Rithysen CF	21/06/06	19/09/06	84 days
S-63	Kangrei Po BAng Krasang Teng Kloun CF	21/06/06	19/09/06	84 days
S-64	Sre Khlong CF	14/07/06	18/09/06	64 days
S-65	Phum Rolous Kandal CF	14/07/06	19/09/06	64 days
S-66	Roluoskhang keut CF	23/08/06	19/09/06	26 days
S-67	Sna Rach CF	23/08/06	19/09/06	26 days
S-68	Phom Sre Reosey CF	29/06/06	16/10/06	Rejected

S-69	Beeng Ampel CF	02/07/06	18/09/06	76 days
S-70	Krang Serei	1/07/06	3/10/06	93 days
S-71	Chiork boeung prey CPA	15/09/06	19/09/06	35 days
S-72	Phom Trpaeong Preang CF	18/09/06	10/11/06	52 days
S-73	Phom Sre kok CF	18/09/06	24/11/06	66 days
S-74	Phom Comboke CF	18/09/06	24/11/06	66 days
S-75	Phom Brlaeue CF	18/09/06	24/11/06	66 days
S-76	Phom Srebrang CF	18/09/06	10/11/06	52 days
S-77	Phom Soth CF	25/09/06	10/11/06	45 days
S-78	Valkonseang CF	09/10/06		Processing
S-79	Kruom Ptol	16/10/06	20/10/06	4 days
S-80	Kyong CF	20/10/06		Processing
S-81	Torsou and Pout trae CF	20/10/06		Processing
S-82	Crach Tatom Phno mromluos	20/10/06	10/11/06	25 days
S-83	Sala Srok Chaysen	20/10/06	30/10/06	Rejected
S-84	Sang CF roukhaVoan	30/10/06	30/10/06	Rejected
S-85	Phom Cueng	13/11/06		Processing
S-86	CPA Snuol	13/11/06		Processing
S-87	Phom Onloungvil	13/11/06		Processing

Appendix 2: Seed Grant Application Form

A. Applicant Information

a. Name of Community Applying: _____

b. Name of Contact Person:_____

c. NGO Associate: _____

d. Village (s): _____

e. Commune(s):_____

f. District: _____

g. Province: _____

B. Background

a. When did communities start to manage forests in your area?

b. How large is the area of community forest/ Community protected area which your community manages? (Approximate area is acceptable)

c. How many families are there in your community?

d. Which of the following documents do you have? (Please check appropriate box and attach a copy if available)

For CF	**For CPA**
? CF Agreement	? CPA Agreement
? CF By-Laws	? CPA Regulation
? CF Regulations	? Tentative Boundaries of CPA
? CF Management Plan	

d. Please describe your management committee

How many members? Male_____Female_____

When were they elected?_____

e. Please give general background on your community forest or CPA. (Use reverse side)

C. Project Information

a. Type of Grant (Check one)

- ? TA for CF Process*
- ? Participation CF workshops*
- ? Signs to mark the CF/CPA area*
- ? Materials to facilitate patrols and post*
- ? Materials for map-making*
- ? Office supplies
- ? Travel to CF/CPA Network mtgs
- ? Exposure trips/invitations*
- ? CF/CPA Anniversary*
- ? Tree ordination*
- ? CF Extension*
- ? Telephone for CFMC
- ? Tree Nursery
- ? Livelihood Enhancement Acitvities

* Items with asterisk require photos with the final report.

b. Why is this funding required? (What problem will it address?)

c. What would be the community's contribution to this request? (labor, funds, running costs, etc.)

d. How will women be involved in the project?

e. When do you plan to complete use of the funds? (6 months limitation)

f. How will these funds be managed? (Explain about your bookkeeping system)

D. Budget

Please fill in the items you need to buy, the cost, and any extra notes. (You do not need to use all the rows, or you may use a separate sheet for longer budgets.)

	ITEM	COST	NOTE
	TOTAL		

E. Signature or Thumbprint of Committee Members and Commune Council Representatives

In order to ensure that the Commune Council and CFMC/ CPAMC are informed and involved in this grant application and take responsibility for the appropriate use of the funds, please ask each individual to write their name and sign or thumbprint below.

COMMUNE COUNCIL REPRESENTATIVE	THUMBPRINT OR SIGNATURE
CF COMMITTEE MEMBERS	

Appendix 3: Seed Grants Matrix

No	Organization and Province		Contact Person	Description	Activities	Timeframe	Amount Requested	Amount approved	Date Decision Memo
1	Samrong Pagoda	Oddar Meanchey	Ven. Bun Saluth (011) 781 710	Monk wishes to establish 14,000 ha community forest in 2 communes (Samrong and Anlong Veng)	Material to facilitate patrolling	May - Oct 2005	$456.50	**$456.50**	11/5/2006 Approved
2	Sangkros Prey Chher Phom Anchagn	Kompong Chhnang	Mr. Chea Phoen (012) 341 756	This community started in Nov 30, 02 on 4000 ha, run by 7 people (4men, 3 women), who were elected on May 7, 03	Sign to mark the CF/CPA area.	May-Oct 2005	$500	**$500**	24/05/05 Approved
3	Khom Sochet	Kompong Thom	C/o Mr. Sar Savuth, Global Witness London-Cambodia	This community started in Nov 30, 02 on 3400 ha, run by 7 people (5 men, 2 women), who were elected on Nov 30, 02	Material to facilitate patrolling	Mar - Aug 2005	$472.10	**$472.10**	29/04/05 Approved
4	Khom Dang Kambet	Kompong Thom	Mr. Sim Dara, Poor Children Saving Organization apca@camshin.com,kh	This community started in November 2002 on 12000 ha, run by 8 CFMCs (1 female) elected on November 2002	Material to facilitate patrolling	Mar – Aug 2005	$472.10	**$472.10**	29/04/05 Approved
5	Khom Mean Rith	Kompong Thom	c/o Mr. Hoy Sun Hok, Global Witness London-Cambodia	This community started in Nov 30, 02 on 4000 ha, run by 7 people (5 men, 2 women), who were elected on Nov 24, 02	Material to facilitate patrolling	Mar – Aug 2005	$472.10	**$472.10**	29/04/05 Approved
6	Khom Kbal Trach	Pursat	Mr. Kuch Veng (012) 480 676	This community started in Jan 19, 04 on 230 ha, run by 7 people (4men, 3 women), who were elected on Oct 5, 04	Sign to mark the CF/CPA area.	Apr - Nov 2005	$500	**$500**	8/4/2005 Approved
7	Damnak Neakta Thmor Puon	Kampot	Mr. Suos Nep (012) 180 3225	This community started in March 2001, run by 15 CFMCs (2 women) elected on March 2001. CF area is 992 ha.	CF Livelihood Improvement	May-Jul 2005	$500	**$497.50**	5/12/2005 Approved
8	Phnom Cham Bang, Krang Skear Tboung village	Kompong Chhnang	Mr. Vong Piseth (012) 1840217 012 977 285	This community started to manage the CF in October, 2004 with 7 CFMCs (a woman) elected on 09/10/2004. The CF area is 552.4 ha.	Material to facilitate patrolling	Dec – May 2006	$415	**$415**	6/12/2005 Approved
9	Chambak Community Forestry	Kompong Speu	Mr. Prak Thearith (012) 293 876	This community started to manage the CF in December 2002 with 9 CFMCs (3 women) elected on 27/04/2005. The CF area is 1,260 ha.	Community Forestry Extension		$480		10/12/2005 Rejected
10	Keov Pich Pon Na Reay Community Forestry	Kompong Chhnang.	Mr. Khim Earng CFMC Chief through Mr. Lao Sethaphal (012) 827 915	This community started to manage CF on 27 June 2002 with 9 CFMCs (2 women) elected on 07/11/2003.	Office Supplies	Aug -Oct 2005	$500	**$305**	28/10/2005 Approved
11	Po Chrok Chumrak Rithysen Community Forestry	Kompong Chhnang.	Mr. Eur Seng Hong, CFMC chief through Mr. Lao Sethaphal (012) 827 915	This community started to manage CF on 26 November 2005 with 11 CFMCs (1 women) elected on 23/10/2003	Office Supplies	Aug -Oct 2005	$500	**$305**	28/10/2005 Approved
12	Phnom Teuk Dous Sros Bam Prong CF	Kompong Chhnang	Mr. Chea Chon CFMC chief, through Mr. Lao Sethaphal (012) 827 915	This community started to manage CF on 28 November 2002 with 9 CFMCs elected on 27/02/2004.	Office Supplies	Aug -Oct 2005	$500	**$305**	28/10/2005 Approved
13	Da Reangsei Reaksmey Touk Meas CF	Kompong Chhnang	Mr. Um Phon CFMC chief, through Mr. Lao Sethaphal (012) 827 915	This community started to manage CF on 01 December 2002 with 9 CFMCs (1 women) elected on 08/03/2004.	Exposure Trip	Aug-05	$500	**$310**	28/10/2005 Approved

14	Kang Rei Po Bang Krasang Teng Kluon CF	Kompong Chhnang.	Mr. Ou Kim Thy CFMC chief throgh Mr. Lao Sethaphal (012)827 915	This community started to manage CF on 25 November 2005 with 11 CFMCs (2 women) elected on 21/02/2004	CF signs	Aug -Oct 2005	$500	**$453**	28/10/2005 Approved
15	Dang Kam Bet Commu-nity	Kompong Thom	Mr. Enk Nam	This community started in Nov 30,02 on 12000ha run by 8 people(8 men and 1 woman) who were elected on Nov 11,02	Sign to mark the CF/CPA area.	Mar – Aug 2005	$500	**$249**	17-03-2006 Approved
16	Phon Doung	Pursat	Mr.Kuch Vy (012) 480 676	This community started in 2005 run by 5 people (3 men and 2 women) who were elected on June 10, 2005	Material to facilitate patrolling	Nov 2005 - Apr 2006	$500		17/01/2006 Rejected
17	Phun Klang Meung	Pursat	Mr.Hong Kel	This community started in 2003 run by 5 people (3 men and 2 women) who were elected on December09, 05	Sign to mark the CF/CPA area.	Nov 2005 - Mar 2006	500$		17/01/2006 Rejected
18	Phom Sre Reosey CF	Pursat	Mr. Tem Sam-hon	This community started in 2002 run by 5 people (4 men and 1 woman) who were elected on April 26,05	Sign to mark the CF/CPA area.	Nov 2005 - Mar 2006	$500		17/01/2006 Rejected
19	Sangkros Prey Chher	Kompong Chhnang	Chea Phoan (012) 341756	This community started in Nov 30, 02 on 4000 ha, run by 7 people (4men, 3 women), who were elected on May 7, 03	Material to facilitate patrolling	Nov 2005 – Mar	$500	**$400**	4/1/2006 Approved
20	Phom Pet Pos CF	Battam-bang	KWRA (012) 970 438	This community started in May 26, 2005 on 600ha, run by 15 people who elected on Nov 15,2005	Material to facilitate patrolling	Jan - Jun 2006	$500	**$456.50**	6/1/2006 Approved
21	Krang Serei CF	Kompong Speu	Kong Ang (012) 678 446	This community started on March, 2005 on 125ha, run by 10 people who elected on April, 2005	CF signs	Jan - Jun 2006	$385	**$385**	17/1/2006 Approved
22	Damnak Neakta Thmor Puon	Kampot	Maradi Tel: (012) 897 104	This community started in March 2001, run by 15 CFMCs (2 women) elected on March 2001. CF area is 992 ha.	CF Anniversary	Jan 2006	$100	**$100**	11/1/2006 Approved
23	Andong Tra-bak CF	Svay Rieng	Sitha Tel: 012 314 423	This community started on 21, September, 2003, run by 12 members(1 woman 11 men) elected on September 2003. CF area is 3000 ha.	Technical Assis-tance	Jan 2006	$500	**$285**	19/01/2006 Approved
24	Tros CF	Svay Rieng	Hou Sreng Tel: 012 455 970	This Community started on 21,september, 2003 run by 13 members(2 women 11men) elected on May 2004. CF area is 3100ha	Technical Assis-tance	Jan 2006	$500	**$297**	19/01/2006 Approved
25	krasang	Svay Rieng	CFED Tel: 016 720 325	This community started on 2004, run by 12mememberss (12 men) elected on June, 2004, 600ha	Technical Assis-tance	Feb 2006	$494		10/4/2006 Rejected
26	Sambour CF	Svay Rieng	KADRA	This community started on 2005, run by 7 members (5 men and 2 women) elected on June, 2005, 600ha	Technical Assis-tance	Feb – June 2006	$289		10/4/2006 Rejected
27	Kompong Ampel CF	Svay Rieng	CFED Tel: 016 720 325	This community started on 1999 run by 8 members (4 men and 4 women) elected on 1999, 53ha	Tree nursary	Feb – Jun 2006	$500		10/4/2006 Rejected
28	Prey Kla CF	Svay Rieng	CFED Tel: 016 720 325	This community started on 2000 run by 8 members (4 men and 4 women) elected on 2001. 12 ha	Tree nursary	Feb – Jun 2006	$477		10/4/2006 Rejected
29	Tbeing CF	Svay Rieng	CFED Tel: 016 720 325	This community started on 2002 run by 8 members (4 men and 4 women) elected on 2003. 10.5 ha	Tree nursary	Feb - Jun 2006	$460		10/4/2006 Rejected
30	Chensar CF	Svay Rieng	CFED Tel: 016 720 325	This community started on 2000 run by 8 members (4 men and 4 women) elected on 2000. 15.5 ha	Tree nursary	Feb – Jun 2006	$460		10/4/2006 Rejected
31	Andong Tra-bak CF	Svay Rieng	Sitha Tel: 012 314 423	This community started on 21, September, 2003, run by 12 members(1 woman 11 men) elected on September 2003. CF area is 3000 ha.	Tree nursary	Mar - Jul 2006	$500		10/4/2006 Rejected
32	Tros CF	Svay Rieng	Hou Sreng Tel: 012 455 970	This community started in March 2001, run by 15 CFMCs (2 women) elected on March 2001. CF area is 992 ha.	Tree nursary	Mar - Jul 2006	$498		10/4/2006 Rejected
33	Chivet Prey Phnom CPA	Kg Speu	Prom Tomcheat Tel: 016 381 871	This community started in 2005 run by 8 people (6 men and 2 women) who were elected on July 09, 2005. CPA area is 10000ha	Tree nursary	Mar - Sep 2006	$303		10/5/2006 Rejected
34	Krephou Dam Mrek CPA	Kompong Thom	Eam Bunna Tel: 012 713 014	This community started in 08 February 2002 run by 5 people (1 woman and 4 men) who were elected on August 2004. CPA area is 1800 ha.	Technical Assis-tance	Mar - Aug 2006	$245	**$187**	21/04/06 Approved

Seed Grants Matrix (Continued)

No	Organization and Province		Contact Person	Description	Activities	Timeframe	Amount Requested	Amount approved	Date Decision Memo
35	Damnak Krebei CF	Kompong Thom	Eam Bunna Tel: 012 713 014	This community started in 2006 run by 5 people (1 woman and 4 men) who were elected on 2005. CF area is 200ha	Technical Assistance	Mar – Aug 2006	$251	**$355**	21/04/06 Approved
36	Trepang Pring	Kompong Thom	Eam Bunna Tel: 012 713 014	This community started in 2006 run by 5 people (2 women and 3 men) who were elected on 2005. CF area is 180ha.	Technical Assistance	Mar – Aug 2006	$251		21/04/06 Approved
37	Kosma Roun CF	Kompong Thom	Eam Bunna Tel: 012 713 014	This community started in 2006 run by 5 people (1 woman and 4 men) who were elected on 2005. CF area is 250ha	Technical Assistance	Mar - Aug 2006	$251		21/04/06 Approved
38	Tbal Chei CF	Kompong Thom	Eam Bunna Tel: 012 713 014	This community started in 2006 run by 5 people (1 woman and 4 men) who were elected on 2005. CF area is 150ha	Technical Assistance	Mar - Aug 2006	$251		21/04/06 Approved
39	Boueg Milia CF	Siem Reap	HURREDO Tel: 016 331 702	This community started in 22-10-2001 run by 17 people (2 women and 15 men) who were elected on 2001. The CF area is 1514ha.	Material to facilitate patrolling	Mar - Aug 2006	$477	**$442**	06/032006 Approved
40	Kbal Ouso KorKI CF	Oddar Meanchay	Ouch Roun Tel:012 1832107	This community started in 10-01-2003run by 7 people(one woman and 6 men) who were elected on 03 -06-2004. On 1200 ha.	Material to facilitate patrolling	Mar - Aug 2006	$300	**$154**	23-03-2006 Approved
41	Phnom Pet pos CF	Battambang	KWRA (012) 970 438	This community started in May 26 2005 run by 15 people who elected on Nov 15-2005. The CF area is 600ha.	CF signs	Jul - Jan 2006	$327	**$327**	19-05-06 Approved
42	Ou Ba Krog CF	Pursat	Mein Thyda Tel: 016 347194 KDP	This community started in 1998 but doesn't have any support from the NGO. But now this community runs by 5 people (2 women and 3 men) who were elected in 16 February 2005. The CF area is 45ha	TA(To organize the By-law)	Apr – Nov 2006	$363	**$120**	5/7/2006 Approved
43	Phum Toul Char CF	Pursat	Mein Thyda Tel: 016 347194 KDP	This community started in 1998 but doesn't have any support from the NGO. But now this community runs by 5 people (1 woman and 4 men) who were elected in 15-02-2005. The CF area is 45 ha.	TA(To organize the By-law)	Apr – Nov 2006	$363	**$120**	5/7/2006 Approved
44	Sangkros Prey Chher	Kompong Chhnang	Chea Phoan (012) 341756	This community started in Nov 30, 02 on 4000 ha, run by 7 people (4men, 3 women), who were elected on May 7, 03	Office Supplies	Apr – Nov 2006	$500	**$330**	19-05-06 Approved
45	Prey Nakta thor Trong CPA	Koh Kong	Mr. Kim Sarine Tel: 012 864 045	This community started on 2000 run by 7 people (2 women and 5 men) who were elected on 2001. The CF area is 744 ha	CF Anniversary	Apr – Nov 2006	$177	**$177**	24/04/06 Approved
46	Damnak Neakta Thmor Puon	Kampot	Mr. Kim Sarine Tel: 012 864 045	This community started on March, 2001 on 992ha, run by 15 people who elected on March, 2001	Equipment for CF	2-May-06	$124	**$124**	2/5/2006 Approved
47	Pres Sophear CF	Kg Thom	Ms. Sen Thol	This community started in 2004, run by 5 people that elected on June, 2004. The CF area is 325ha.	CF Extension	May - Oct 2006	$392	**$392**	19-05-06 Approved
48	Tropeing Pos CF	Kg Cham	Mr. Yen La Tel: 012 157 602	This community Started in 2004, run by 21 people that elected on November, 2004. The CF area is 125ha.	CF signs	Apr- Sep 2006	$457		19-05-06 Delay wait for the guideline
49	Talek and Andas CPA	Kg Thom	Mr. Eam Bunna Tel: 012 713 014	This community started on 08-02-02 run by 11 people(3 women and 8 men) that elected on 05-05-06. The CPA area is 1800ha.	TA for CF Process	Jun – Dec 2006	$392		16/10/2006 Rejected
50	Trabeing Knong CF	Kg Thom	Mr. Eam Bunna Tel: 012 713 014	This community started on 01-01-06 run by 5 people(2 women and 3 men) that elected on 21-05-06. The CF area is 250ha	TA for CF Process	Jun – Dec 2006	$270		16/10/2006 Rejected
51	Pteik CF	Kg Thom	Mr. Eam Bunna Tel: 012 713 014	this community started on 01-01-06 run by 7 people(2 women and 5 men) that elected on 21-05-06. The CF area is 250ha	TA for CF Process	Jun - Dec 2006	$280		16/10/2006 Rejected

52	Sramak CF	Kg Thom	Mr. Eam Bunna Tel: 012 713 014	This community stared on 01-01-06 run by 5 people (2 women and 3 men) that elected on 22-05-06. The CF area is 250ha	TA for CF Process	Jun - Dec 2006	$270		16/10/2006 Rejected
53	Sochol CF	kg Thom	Mr. Eam Bunna Tel: 012 713 014	this community started on 01-01-06 run by 5 people(2 women and 3 men) that elected on 22-05-06. The CF area is 250ha	TA for CF Process	Jun - Dec 2006	$270		16/10/2006 Rejected
54	TomPich village CF	Kg Thom	BSD(Buddhism for Social Devel-opment)	this community started on 24-03-2004 run by 24 people(5 women and 19men). The CF area is 75ha.	TA	Jun - Dec 2006	$375		16/06/2006 Rejected
55	Kralang village CF	Pursat	Mr. Kuch Veng (012) 480 676	This community started on 19-01-2002 run by 5 people (2 women and 3 men) that was elected on 05-05-2005. The forest area is 350ha.	Material to facilitate patrolling	Jun - Dec 2006	$500	**$348**	4/7/2006 Approved
56	Keov Pich Pon Na Reay Community Forestry	Kg Chhnang	Mr. Yeim Eang or Mrs. Sok Rathana Tel: 012 528 732	This community started to mange the CF on 27-06-2002 run by 9 CFMCs(2 women and 7 men) elected on 07-11-2003. The CF area is 1412.825ha.	Material to facilitate patrolling	Jun – Dec 2006	$500	**$345**	19/09/2006 Approved
57	Da Reangsei Reaksmey Touk Meas CF	Kg Chhnang	Mr. Um Phon CFMC chief, through Mr. Lao Sethaphal (012) 827 915	This community started to manage CF on 01 December 2002 with 9 CFMCs (1 women) elected on 08/03/2004.The CF area is 1441.288ha	Office Supplies	Jun - Dec 2006	$355	**$355**	5/9/2006 Approved
58	Phnom Teuk Dous Sros Bam Prong CF	Kg Chhnang	Mr. Chea Chon CFMC chief, through Mr. Lao Sethaphal (012) 827 915	This community started to manage on November 2002 with 9 CFMCs elected on 27-02-2004. The CF area is 1114.976ha	Material to facilitate patrolling	Jun – Dec 2006	$500	**$345**	19/09/2006 Approved
59	Po Chrok Chumrak Rithysen Community Forestry	Kg Chhnang	Mr. Eur Seng Hong, CFMC chief through Mr. Lao Sethaphal (012) 827 915	This community started to mange CF on 26 November 2002 with 11 CFMCs elected on 23-10-2004. The CF area is 1463,13ha	Material to facilitate patrolling	Jun – Dec 2006	$500	**$345**	19/09/2006 Approved
60	Kang Rei Po Bang Krasang Teng Kluon CF	Kg Chhnang	Mr. Ou Kim Thy CFMC chief throgh Mr. Lao Sethaphal (012)827 915	This community started to manage CF on 25 November 2002 with 11 CFMCs elected on 21-04-2004. The CF area is 1617,178ha	Material to facilitate patrolling	Jun – Dec 2006	$500	**$345**	19/09/2006 Approved
61	PO 2 CF	Pursat	Mein Thyda Tel: 016 347194	This community started to manage CF in 1997 with 5 CFMCs. The CF area is 45ha	TA	Jun - Dec 2006	$286		4/7/2006 Approved
62	PO1 CF	Pursat	Mr. Sopheavat Tel: 016 347 194 Tel: 012 33 66 57	This community starts to manage in 1997 with5 CFMCs. The CF area is 45ha	TA	Jun - Dec 2006	$286	**$269**	4/7/2006 Approved
63	Boueng Ampel CF	Battam-bang	Mr.Lan Sokuth	This community started to manage the CF in 11 March 2000 with 7 CFMCs(1 Women). The CF area is 150 ha.	TA	Jul 2006 - Jan 2007	$300	**$269**	18/09/2006 Approved
64	Khom Dang Kam Bet	Kompong Thom	Mr. In Nam	This community started in November 2002 on 12000 ha, run by 8 CFMCs (1 female) elected on November 200	CF office	Jul 2006 - Jan 2007	$498		16/10/2006 Rejected
65	Phum Rolous Kandal CF	Pursat	Mr. Om Savuth	This community started to manage the CF in Decem-ber1999 with 7 MCFCs that elected in December 2000. The CF area is 91.5ha	Material to facilitate patrolling	Jul 2006 – Jan 2007	$506	**$370**	19/09/2006 Approved
66	Sre Khlong CF	Kg Chhnang	Mr.Mein Sein Tel : 0121730956	This community started to manage the CF in 22 March 2005 with 7 CFMCs that elected on 11 August 2005. The CF area is 179ha	Material to facilitate patrolling	Jul - Jan 2007	$410	**$365**	18/09/2006 Approved
67	Krang Serei CF	Kompong Speu	Kong Ang (012) 678 446	This community started on March, 2005 on 125ha, run by 10 people who elected on April, 2005	TA for CF Process	Oct 2006 - Mar 2007	$168	**$158**	3/10/2006 Approved
68	Sna Rach CF	Pursat	Mr. Hong Senit	This community started to manage the CF in January 2000 with 9 MCFCs that elected in December 1999. The CF area is 101ha	Material to facilitate patrolling	Dec 2006 to Mar 2007	$491	**$370**	19/09/2006 Approved

Seed Grants Matrix (Continued)

No	Organization and Province		Contact Person	Description	Activities	Timeframe	Amount Requested	Amount approved	Date Decision Memo
69	Roluoskhang keut CF	Pursat	Mr. Maen Torn	This community started to manage the CF in January 2000.run members elected on 26 April 2005 The CF area is 945ha	Sign to mark the CF/CPA area.	Nov 2006 - Feb 2007	$502	**$370**	19/09/2006 Approved
70	Phom Sre Reosey CF	Pursat	Mr. Kuch Veng (012) 480 676	This community started to manage the CF in 26 April 2005.run members elected on 26 April 2005 The CF area is 340ha	Sign to mark the CF/CPA area.	Nov 2006 – Feb 2007	$308		16/10/2006 Rejected
71	Chi ork boe-ung prey CPA	Preah Vihear	Mr.Bi Senhleang (012) 931 402	This community started to manage the CF in February 2002 run by 7 CFMCs(2 woman) the elected on 19 December 2002 the CPA area is 1500 ha	Material to facilitate patrolling	Oct 2006 - Mar 2007	$438.00	**$438**	20/10/2006 Approved
72	Phom Trpaeong Preang CF	Kg Cham	Mr.Som chay (012) 298 471	This community started to manage the CF in 2003 run by 11 (2 woman)that elected on26 September 2003 the CF area is 400ha	CF Anniversary	Oct 2006 - Mar2007	$513	**$313**	10/11/2006 Approved
73	Phom Sre kok CF	Kg Cham	Mr.Som chay (012) 298 471	This community started to manage the CF in 2003 run by 11 (2 woman)that elected on30 September 2003 the CF area is 608ha	Material to facilitate patrolling	Oct 2006 – Mar 2007	$470	**$249**	24/11/2006 Approved
74	Phom Brlaeue CF	Kg Cham	Mr. Mean savann (012) 968 605	This community started to manage the CF in 2004 run by 5 (2 woman)that elected on 07 May 2004 the CF area is 234,51 ha	Material to facilitate patrolling	Oct 2006 - Mar 2008	$470	**$249**	24/11/2006 Approved
75	Phom Comboke CF	Kg Cham	Mr.Som chay (012) 298 471	This community started to manage the CF in 2004 run by 5 that elected on 23 April 2004 the CF area is 223,82 ha	CF/CPA Anniversary	Oct 2006 – Mar 2007	$450	**$120**	10/11/2006 Approved
76	Phom Srebrang CF	Kg Cham	Mr.Som chay (012) 298 471	This community started to manage the CF in 2004 run by 7 (4 woman) that elected on 30 March 2005 the CF area is 402,34 ha	CF Sign and Tree Nursery	Dec-06	$489	**$361**	20/10/2006 Approved
77	Phom Soth CF	Kratie	Mr.Mol Sanit (012) 384 523	This community	Material to facilitate patrolling		$507.25	**$213.75**	10/11/2006 Approved
78	Valkonseang CF	Kratie	Ms.Huem Sitha (012) 454 275	This community started in July 2001 run by 7 (4woman) the elected on July 2001 . the CF area is 10100ha	Exposure Trip/ invitations	Oct-06	$334.75		Processing
79	Kruom Ptol	Kratie	Ms. Mom Sakin (012) 187 114 6	This Community started in 2001 run by 5 (2 woman) the elected on 2004.the CF area is 1800 ha	TA for CF Process	Oct - Dec 2006	$222.00	**$222.00**	20/10/2006 Approved
80	Kyong CF	Preah Vihear	Mr, Tit Sitha (092) 602 797	This Community started in 2002 run by 7 (3 woman) the elected on 2003 .the CF area is 4300 ha	TA for CF Process	Nov - Dec 2006	$133.37		Processing
81	Torsou and Pout trae CF	Preah Vihear	Mr, Tit Sitha (092) 602 797	This Community started in 2000 run by 9 (5 woman) the elected on 2003 .the CF area is 6000 ha	TA for CF Process	Nov - Feb 2007	$267.75		Processing
82	Crach Tatom Phnomrom-luos CF	Preah Vihear	Mr, Tit Sitha (092) 602 798	This Community started in 2000 run by 7 (2 woman) the elected on 1 January 2006 .the CF area is 6387 ha **(6 Province)**	Material to facilitate patrolling	Nov - Mar 2007	$549.50	**$360**	10/11/2006 Approved
83	Sala Srok Chaysen CF	Preah Vihear	Mr. Thoung Sa-Kuen		Office Supplies		$1,000.00		30/10/2006 Rejected
84	Damnak Neakta Thmor Puon CF	Kampot	Mr.Suos Neb (092) 906 214	This community started on March, 2001 on 992ha, run by 15 people who elected on March, 2002	Office CF village	Nov - Apr 2007	$344		10/11/2006 Rejected
85	Sang CF roukhaVoan	Oddar Meanchey	Ven. Bun Salouth		Material to facilitate patrolling		$974.00		30/10/2006 Rejected
86	Phom Cueng	Kratie	Mr. Chan Bet / Ms. Mom Sakin (012) 187 114 6	This Community started in April 2001 run by 9 (2 woman) the elected on 2005 .the CF area is 2500 ha	TA for CF Process	Nov - Mar 2007	$109	**$78.50**	14/11/2006 Approved
87	CPA Snuol	Kratie	Mr. Kon Er / Mom Sakin (012) 187 114 7	This Community started in 2001 run by 7 (2 woman) the elected on 2003 .the CPA area is 2459 ha	Material to facilitate patrolling	Nov to Mar 2007	$465	**$170**	14/12/2006 Approved
		TOTAL					**$35,666.42**	**$17,392.05**	

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របៀបដាំ ដែរក្បា ការពារ និង ប្រមូលផល ជំណាំ ផ្តៅ

ការបកប្រែពីឯកសារ Rattan For Life

អង្គការសហគមន៍ព្រៃឈើអន្តរជាតិ
Community Forestry International

បណ្តាយអនុផលព្រៃឈើ
Non-Timber Forest Products

NTFP Exchange Programme

ជំណាំផ្តៅ Rattan For Life

ការអនុវត្តផលលិតផលជំណាំផ្តៅ នៅស្រុក ដាន់យ៉ាក់ បេនវ៉ាក់ នៃខេត្តកាលីម៉ាន់តាន់ ប្រទេសឥណ្ឌូនេស៊ី: សៀវភៅព័ត៌មានក្សួនខ្នាត

សៀវភៅនេះជាច្បាប់កម្មសិទ្ធ របស់ប្រជាជននៅស្រុកដាន់យ៉ាក់ បេនវ៉ាក់ ដែលត្រូវបានប្រគល់អោយ SHK-Kalimantan Timur ជាមួយនឹងឯកសារប្រពៃណីយ៍ផ្សេងៗទៀត

ម្ចាស់កម្មសិទ្ធ: SHK-Kalimantan Timur NTFP-Exchange Programme, ហើយនឹង Studio Driya Media-Bandung.

NTFP Exchange Programme

SHK KALTIM

DRIYAmedia

ការបោះពុម្ពផ្សាយនេះបានបង្កើតឡើងដោយ NTFP និងត្រូវបានអនុញ្ញាតិសំរាប់ការអប់រំទូទៅ។

ប្រសិនបើចង់បានសៀវភៅនេះ សូមទាក់ទង:

CFI

អង្គការសហគមន៍ព្រៃឈើអន្តជាតិនៅកម្ពុជា
ផ្ទះលេខ ៨១ បេ ផ្លូវលេខ ៥៧ កែងផ្លូវលេខ ៣៩៨. សង្កាត់បឹងកេងកង១
ខ័ណ្ឌចំការមន ក្រុងភ្នំពេញ កម្ពុជា
ទូរស័ព្ទលេខ : (៨៥៥ ២៣ ២២០ ៧១៤
ទូរសារលេខ : (៨៥៥ ២៣ ២២១ ៦៣៤
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ការបោះពុម្ពផ្សាយលើកទី១ ២០០១

និពន្ធដោយ : ពីពីន អិន សាឌីគីន និង ហ្វីដីលីស នីយ៉ុងការ
គូរូបភាពដោយ : អាយឆឺវ៉ាន់ សេទីយ៉ាវ៉ាន់

របៀបដាំ ដែរក្សា ការពារ និង ប្រមូលផលដំណាំ

ឆ្នៅ

ការបកប្រែពីឯកសារ Rattan For Life

អង្គការសហគមន៍ព្រៃឈើអន្តរជាតិ
Community Forestry International

បណ្តាយអនុផលព្រៃឈើ
Non-Timber Forest Products

មាតិការ

	ទំព័រ
សេចក្តីផ្តើម	៣
១. លក្ខណៈពិសេសនៃការគ្រប់គ្រងផ្តៅ	៤
ប្រភេទផ្តៅ	៤
លក្ខខណ្ឌល្អតលាស់	៥
ការបង្កើតចំការផ្តៅ	៦
២. ដំណាក់កាលក្នុងការដាំផ្តៅ	៦
ការរៀបចំដី	៦
ការរៀបចំគ្រាប់ និងកូនផ្តៅ	៨
ការទទួលយកគ្រាប់ពូជ	៩
ការដាំកូនផ្តៅ	១០
ការដាំដុះ	១១
ការថែរក្សាផ្តៅ	១១
៣. ការដកហូតផ្តៅ	១១
៤. ប្រព្រឹត្តកម្មបន្ទាប់ពីការប្រមូលផល	១៣
ការលក់ផ្សារ	១៤
តារាងប្រភេទ និងលក្ខណៈរបស់ផ្តៅ	១៧
ឯកសារយោង	១៨

((((សេចក្តីផ្តើម))))

ផ្តៅភាគច្រើនជាពពួករុក្ខជាតិវល្លិតោងដែលដុះក្នុងព្រៃធម្មជាតិក្នុងប្រទេសកម្ពុជាហើយត្រូវបានប្រជាជនជនបទប្រើប្រាស់ក្នុងគោលបំណងជាច្រើន។ គ្រឿងសង្ហារឹមធ្វើពីផ្តៅគឺជាផលិតផលពេញនិយមរបស់ប្រជាជនទាំងនៅក្នុងស្រុក និងនៅក្រៅប្រទេស ។

នៅតំបន់មួយចំនួននៃប្រទេសឡាវ និងថៃ ប្រជាជនយកបណ្តូលផ្តៅធ្វើជាអាហារ។ ដើមផ្តៅត្រូវបានគេយកមកផលិតជាគ្រឿងសង្ហារឹមច្រើនប្រភេទ ដូចជា តុ ទូ កៅ អី។ល។ ប្រភេទផ្តៅធំៗដែលមាននៅប្រទេសកម្ពុជារួមមាន ដំបង ស្វាំង ព្រះផ្តៅ សោមនិង ប្រភេទផ្តៅតូចៗជាច្រើនទៀតដែលទទួលបានការពេញនិយមដូចគ្នា។ ប្រភពផ្គត់ផ្គង់ ផ្តៅសំខាន់ៗរួមមានពេជ្រនិលខេត្តក្រចេះ បាត់ដំបងនិងនៅពេជ្រនិល ។

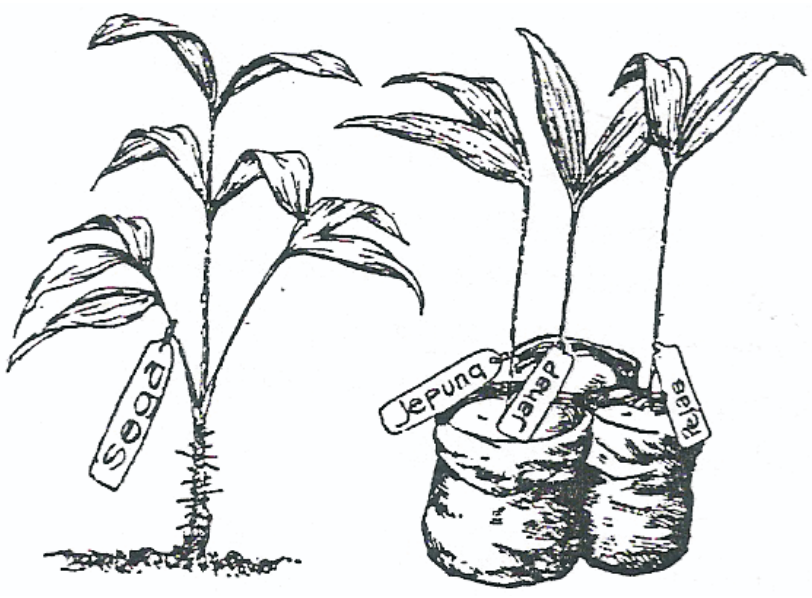
ដោយយល់ឃើញពីសារៈសំខាន់របស់ផ្តៅច្រើនយ៉ាងបែបនេះ និងដោយមានការស្នើរសុំឱ្យមានការបកប្រែឯកសារនេះ ទើបអង្គការសហគមន៍ព្រៃឈើអន្តរជាតិ (CFI) ស្វែងរកឯកសារទាក់ទងនឹងផ្តៅមកបកប្រែជាភាសាខ្មែរ ដើម្បីឱ្យអ្នកធ្វើការងារទាក់ទងនឹងរុក្ខជាតិនេះយល់ដឹងពីរបៀបដាំ ថែរក្សា ការពារ និងប្រមូលផល ដើម្បីធ្វើឱ្យមានផ្តៅប្រើប្រាស់យូរអង្វែងទៅថ្ងៃក្រោយ ។ តែបច្ចេកទេសដែលមាននៅ ក្នុងស្បៀវភៅនេះមិនដូចគ្នាទៅនឹងតំបន់ផ្សេងៗឡើយ ។ នៅប្រទេសកម្ពុជា ការថែរក្សា ការគ្រប់គ្រង ការដាំ និងការដកហូត ប្រហែលជាមានភាពខុសគ្នាខ្លះៗ អាស្រ័យលើអាកាសធាតុ ស្ថានភាពដី ឬប្រពៃណីទំនៀមទំលាប់ ។

ព័ត៌មាននិងបច្ចេកទេសដែលមានក្នុងស្បៀវភៅនេះ គឺ ជាការបកប្រែមកពីស្បៀវភៅមួយដែលមានចំណងជើងថា ឬ **ផ្តៅសំរាប់ជីវិត រស់នៅ** (RATTAN FOR LIFE) ដែលរៀបចំ និងបោះពុម្ពដោយ អង្គការ NTFP , SHK KALTIM និង DRIYAM នៅប្រទេសឥណ្ឌូនេស៊ី ។

១. លក្ខណៈពិសេសនៃការគ្រប់គ្រងផ្តៅ

■ ប្រភេទផ្តៅ

នៅក្នុងតំបន់ Dayak Benuaq ដែលនៅជិតនឹងទន្លេ Lawa (នៅក្នុងតំបន់ Kutai ខាងលិច នៅភាគខាងកើតកោះ Kalimantan មានផ្តៅដែលគេស្គាល់ប្រហែល ៣០ ប្រភេទ ។ ប្រភេទផ្តៅជាច្រើនមានបង្ហាញក្នុង តារាង ទី ១ ។



ផ្តៅគ្រប់ប្រភេទទាំងអស់មានឫសធំ និងសរសៃឆ្មារ១(ឬសរយាង និងមានដើម និងឬស ផ្លែជាច្រើន ។ មានប្រភេទផ្តៅដុះជាគុម្ព និងវាលើដី ។ ប្រភេទផ្តៅដែល ត្រូវបានដាំ និងប្រើប្រាស់ញឹកញាប់ជាងគេសំរាប់ ជីវភាពប្រចាំថ្ងៃរបស់ប្រជាជនក្នុងតំបន់ Dayak Benuaq នោះគឺពូជ Sega ។ ពូជផ្តៅ Sega

មានលក្ខណៈរឹង និងងាយកែច្នៃបើប្រៀបធៀបជាមួយនឹងប្រភេទផ្តៅផ្សេងៗទៀត ។ ផ្តៅប្រភេទ Sega ក៏អាចលក់ដូរបានច្រើនដែរ ដោយសារតែវាមានទីផ្សាររួចជាស្រេចហើយ ។ ផ្តៅប្រភេទ Sega ដែលមានអង្កត់ផ្ចិតតូចជាទូទៅត្រូវបានប្រើប្រាស់ដោយឧស្សាហកម្មផលិតព្រំ និងឈើគ្រឿងសង្ហារឹម ។ ផ្តៅប្រភេទ Sega មួយដើមអាចមានប្រវែងជាង ៣០ ម៉ែត្រ ដោយមានអង្កត់ផ្ចិតពី ១ សម ទៅ ២ សម និងមានចន្លោះប្រវែង ៥០ សម ។

■ លក្ខខ័ណ្ឌលូតលាស់

ជាទូទៅ ប្រសិនបើប្រភេទផ្តៅមួយអាចលូតលាស់បាននៅកន្លែងមួយ នោះប្រភេទផ្តៅផ្សេងទៀតក៏អាចលូតលាស់នៅកន្លែងនោះបានដែរ ។

ផ្តៅអាចដុះបានល្អនៅតំបន់សើម ដែលមានទឹកគ្រប់គ្រាន់ពីព្រោះផ្តៅជារុក្ខជាតិដែលស្រូបទឹក ។ ដោយហេតុដូច្នេះហើយ បានជាផ្តៅមាននៅតាមដងទន្លេ និងតំបន់ភ្នំ ។ ផ្តៅដែលដុះក្បែរដៃទន្លេតូចៗ នៅតំបន់ភ្នំមានគុណភាពខ្ពស់ ។ ប្រភេទផ្តៅជាច្រើន ដូចជា Jahap, Jepung និង Pelas អាចដាំបាននៅតំបន់ដែលមានទឹកដក់ដោយសារទឹកជំនន់នៅរដូវវស្សា ។ ផ្តៅប្រភេទ

Segaអាចដាំបាននៅតាមដងទន្លេ និងតំបន់ភ្នំដែលមានដីឥដ្ឋ និងមានសំណើមខ្ពស់ មានភ្លៀងធ្លាក់ច្រើននិងកំដៅគ្រប់គ្រាន់ ។

■ **ការបន្តើតចំការផ្តៅ**

ដោយមានការប្រើបច្ចេកទេសគ្រប់គ្រងសមស្រប ចំការផ្តៅដែលដាំដោយប្រជាជនក្នុងតំបន់ Dayak Benuaq អាចមានអាយុរាប់ទស្សវត្សរ៍។ គេប្រមូលផលផ្តៅតែមួយផ្នែកប៉ុណ្ណោះនៅក្នុងឆ្នាំប្រមូលផលនីមួយៗ ដើម្បីធានានូវការផ្គត់ផ្គង់គ្រប់គ្រាន់ទៅថ្ងៃក្រោយ ។ វិធីសាស្ត្រប្រមូលផលនេះការពារផ្តៅឱ្យមាននៅតាមទីជម្រាល និងតាមជួរភ្នំ ហើយតាមរយៈនេះវាអាចការពារការហូរច្រោះដីនៅជុំវិញទន្លេនិងនៅតាមទីជម្រាលភ្នំផងដែរ ។

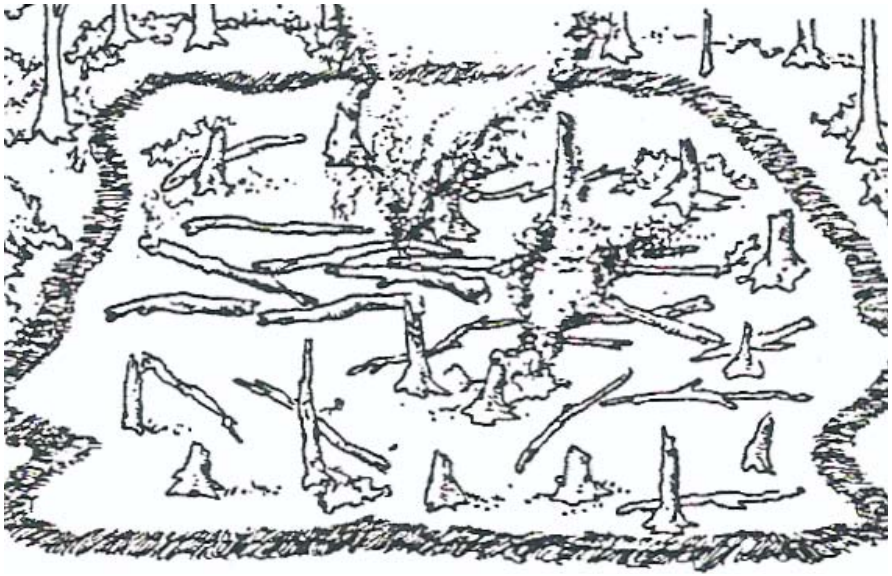
២. ជំណាក់កាលក្នុងការដាំផ្តៅ

■ **ការរៀបចំដី**

ស្របទៅនឹងប្រព័ន្ធវិលជុំដែលគេប្រើក្នុងការដាំដុះ គេធ្វើចំការផ្តៅក្នុងគោលបំណងធ្វើឱ្យដីមានជីជាតិឡើងវិញ(ធ្វើដីឱ្យនៅទំនេរ ។ ជាទូទៅ

1ចំការផ្តៅ នៅព្រៃរបោះ(Simpukng Munan ដែលប្រជាជន Dayak Benuaq ដាំជាមួយនឹង រុក្ខជាតិហូបផ្លែពូកប្រភេទអាយុវែង និងផ្តៅ ។ ទោះបីជាយ៉ាងណា ក្នុងអត្ថបទផ្សេងៗទៀត អ្នកអាចឃើញថាប្រព័ន្ធនេះ គេហៅថា សួនផ្តៅ ប៉ុន្តែ អ្នករៀបរៀងស្បៀវភៅជំនួយស្មារតីនេះ គិតថាពាក្យចំការផ្តៅ មានន័យប្រហាក់ប្រហែលគ្នាទៅ នឹងប្រព័ន្ធនេះ ។

នៅពេលដែលគេរៀបចំដីសំរាប់ចំការផ្តៅ ប្រជាជននៅក្នុងតំបន់ Dayak Benuaq យកដីនេះធ្វើស្រែ ឬ ដាំដំណាំផ្សេងៗ រយៈពេលបីឆ្នាំដំបូងសិន ។



នៅពេលរានដីសំរាប់ដាំដុះ គេរៀចំដីដោយដុតរុក្ខជាតិដែលបានរំលំជាមុនសិន ។ វិធីដុតរបស់ពួកគេត្រូវតែប្រុងប្រយត្ន័បំផុត ។ គេកាប់ដើមឈើ និងមែកឈើនៅលើដីនេះ ហើយទុកវាចោល ២ សប្តាហ៍រហូតទាល់តែវាស្ងួត ។ បន្ទាប់មក ប្រជាជនក្នុងតំបន់ Dayak Benuaq ធ្វើផ្លូវភ្លើង ។ ដើម្បីធ្វើផ្លូវភ្លើងបាន គេត្រូវសំអាតមែកឈើ និងស្លឹកស្ងួតៗ ដែលងាយឆេះពីតំបន់ក្បែរៗនោះចំងាយពី ១ម ទៅ ២ម ។ បន្ទាប់មកគេធ្វើព្រំប្រទល់ជុំវិញទីវាលនោះ។ ព្រំប្រទល់នេះ មានទទឹងប្រហែល ១ ម ហើយដកយកស្លឹកឈើ និងមែកឈើដែលងាយឆេះចេញ ។ នៅពេលគេធ្វើការដុត ពេលនោះព្រំប្រទល់នេះមិនឆេះទេ ។ វិធីនេះធានាថា ភ្លើងនឹងមិនឆេះរាលដាលដល់តំបន់ក្បែរ ខាងនោះទេ ។

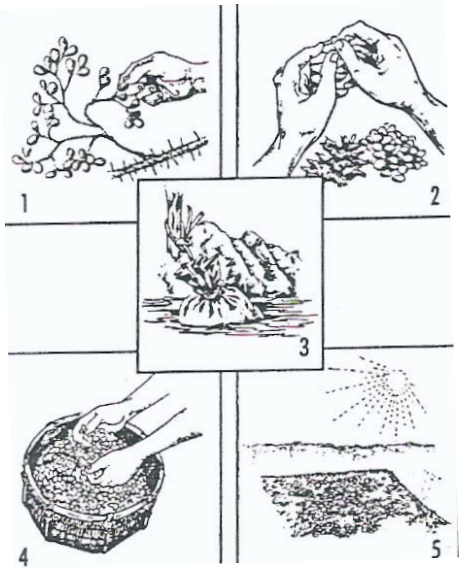
នៅតែមានប្រជាជនចាប់ផ្តើមធ្វើចំការផ្តៅក្នុងកសិដ្ឋានរបស់ពួកគេ ដោយមិនមានរៀបចំដីជាមុនផងដែរ ។ គេអាចហៅការធ្វើបែបនេះថាជាការដាំបង្កើនជីជាតិដីនៅក្នុងព្រៃផងដែរ ។

■ ការរៀបចំគ្រាប់ និងកូនផ្តៅ (រោងសំណាប)

គេអាចបណ្តុះផ្តៅដោយគ្រាប់ពូជ និងកូនផ្តៅ ។ ប្រជាជនក្នុងតំបន់ Dayak Benuaq ភាគច្រើននិយមដាំផ្តៅពីគ្រាប់ពូជ ។ ការដាំដុះបែបនេះគេគិតថាមានប្រយោជន៍ច្រើនពីព្រោះវាមិនត្រូវការការងារបន្ថែមច្រើន ។

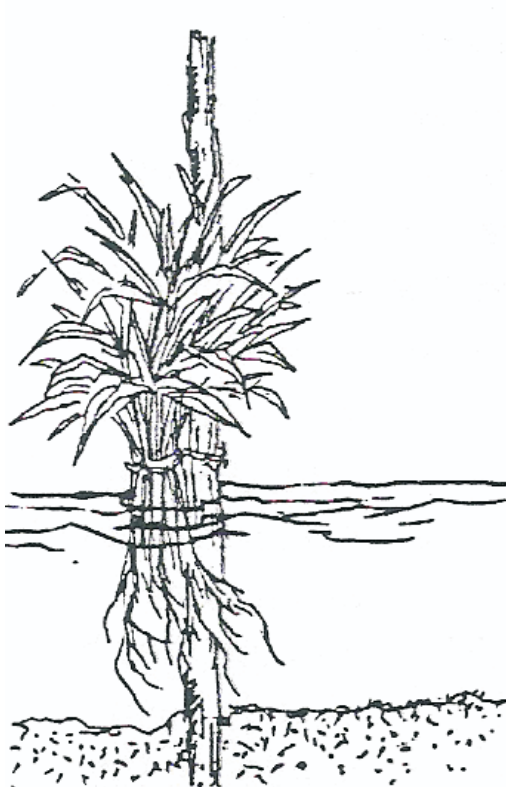
■ ការទទួលយកគ្រាប់ពូជ

ជាទូទៅ គេយកគ្រាប់ពូជពីផ្លែផ្តៅដែលមានអាយុគ្រប់ ៦ ខែ ដែលគេចាត់ទុកថាពេញលក្ខណៈ ។ គេត្រូវបកសំបកផ្លែផ្តៅ ហើយទុកដាក់វាក្នុងកន្ត្រក ឬជ្រៅល ។



បន្ទាប់មកគេយកគ្រាប់ពូជនេះទៅត្រាំទឹកដើម្បីអោយសាច់វាឡើងទន់ ហើយបន្ទាប់មកគេយកគ្រាប់ពូជចេញ និងដាក់ហាលថ្ងៃឱ្យស្ងួតទឹក ។ គេអាចដាំគ្រាប់ស្ងួតនេះភ្លាមឬទុកសិនក៏បាន ។

■ ការដាំកូនផ្តៅ



គេអាចយកកូនផ្តៅដោយផ្ទាល់ពីចំការផ្តៅ ឬពីព្រៃ ។ គេដកកូនផ្តៅ ដោយប្រុងប្រយត្ន័ពីដីដោយមិនឱ្យដាច់ឫសកែវវា ។ ប្រជាជនក្នុងតំបន់DayaK Benuaq មានដំណើរការជាពិសេសក្នុងការដាំកូនផ្តៅ ដោយយកខ្សែរផ្តៅចងកូនផ្តៅជាច្រើនយ៉ាងស្រាលៗ ដោយមិនរឹតតឹងភ្ជាប់ទៅនឹងបង្គោលឈើ ។ បន្ទាប់មក គេដាំកូនផ្តៅមួយបាច់នេះទៅក្នុងដីដែលនៅជិតប្រភពទឹក ។ ឫសវាត្រូវតែលិចទៅក្នុងទឹក ។ បន្ទាប់ពីមួយរយៈពេលខ្លីមក ស្លឹកទាំងអស់នឹងស្វិតហើយជ្រុះ បន្ទាប់ពីនោះស្លឹកថ្មីនឹងដុះឡើងមកវិញ ។ គេអាចដាំកូនផ្តៅក្នុងដីដែលរៀបចំសំរាប់វា បន្ទាប់ពីស្លឹកថ្មី ២ ឬ ៣ ដុះចេញមក ។

តាមវិធីនេះ កូនផ្តៅនឹងអាចមានជីវិតរស់បានតាមរយៈការដាំដុះ បើប្រៀបធៀបទៅនឹងគ្រាប់ពូជដែលមិនមានប្រព្រឹត្តិកម្មជាពិសេសបែបនេះ ។

■ ការដាំដុះ

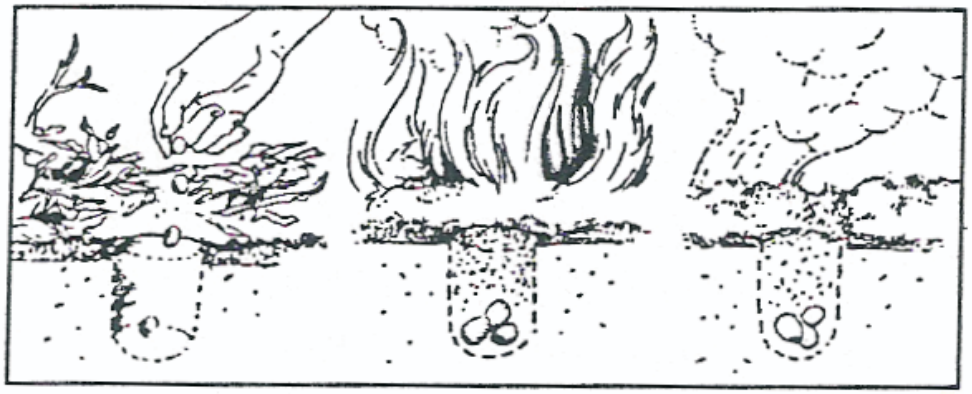
គេដាំផ្តៅនៅរដូវវស្សា ។ ប្រសិនបើចំការផ្តៅត្រូវបានគេប្រើប្រាស់ សំរាប់ធ្វើស្រែពីមុនមក ការដាំគ្រាប់ពូជផ្តៅអាចធ្វើទៅបានក្នុងរយៈពេលពី ១ ទៅ ២ ថ្ងៃ មុនពេលធ្វើការដុតដី បន្ទាប់ពីការដុតដីនៅពេលដែលស្រូវកំពុងលូតលាស់ ឬបន្ទាប់ពីការប្រមូលផលស្រូវ ។ គេអាចដាំកូនផ្តៅបានបន្ទាប់ពី គេដុតដី ហើយនៅពេលពន្លកស្រូវកំពុងលូតលាស់ក៏បាន ឬបន្ទាប់ពីប្រមូលផល ស្រូវ ព្រោះប្រសិនបើគេដាំកូនផ្តៅមុនពេលដុត ពេលនោះកូនផ្តៅនឹងត្រូវឆេះខូចអស់ ។

ដើម្បីបណ្តុះផ្តៅ ប្រជាជនក្នុងតំបន់ Dayak Benuaq ដាំវាចោះៗនៅជុំវិញដើមឈើ ឬគល់ឈើ ។ ជាទូទៅ គេដាំជាបីរណ្តៅជុំវិញដើមឈើឬគល់ឈើនោះ ។ ប្រសិនបើគេដាំគ្រាប់ពូជនោះមុនពេលដុតដី គេត្រូវយកស្លឹកឈើ និងមែកឈើចេញពីជុំវិញគល់ឈើ ក្រោយពីធ្វើការដាំហើយ។ បន្ទាប់មកគេ អាចធ្វើការដុតដីនេះបាន ។

តាមវិធីបែបនេះ គ្រាប់ពូជនឹងមិនអាចឆេះបានឡើយ ពីព្រោះវាត្រូវបានដាំទៅក្នុងដីរួចស្រេចហើយ ។ វិធីដុតដីនេះ អាចធ្វើឱ្យផ្តៅលូតលាស់លឿន ពីព្រោះកំទេចស្លឹកឈើ និងមែកឈើដែលបានដុតនោះអាចបន្ថែមសាធាតុមានប្រយោជន៍ទៅឱ្យដី ។ ការដាំផ្តៅនៅលើដី ដែលមិនបានប្រើសំរាប់ធ្វើស្រែពីមុនមកក៏អាចធ្វើទៅបានផងដែរ ។

■ ការថែទាំផ្តៅ

ជាធម្មតា គេអាចថែទាំផ្តៅប្រចាំថ្ងៃដោយសំអាតស្មៅ ឬស និងកាប់ដើមឈើតូចៗ នៅជុំវិញគុម្ពផ្តៅ ។ តែដើមឈើទំហំមធ្យម និងធំៗ ដែលដុះនៅជុំវិញគុម្ពផ្តៅមិនគួរកាប់រំលំវាទេ ព្រោះវានាំឱ្យប៉ះពាល់ដល់



ប្រភេទផ្តៅដែលវានឹងតោង។ វិធីធម្មតាក្នុងការសំអាតដើមឈើ គឺជ្បៀរសំបកខាងក្រៅជុំវិញដើមឈើ ប្រវែងប្រហែលមួយហាត់ដៃ ។

៣. ការជកហូតផ្តៅ

ការព្រួយបារម្ភណ៍របស់រដ្ឋាភិបាលដែលថា ការធ្វើអាជីវកម្មផ្តៅហួសប្រមាណ នឹងអាចធ្វើឱ្យហិនហោចដល់ខ្លួនគឺមិនមានលក្ខណៈសមហេតុផលដល់ប្រជាជនក្នុងតំបន់ Dayak Benuaq ទេ ពីព្រោះពួកគេប្រើប្រាស់ចំណេះដឹងជា ប្រពៃណីក្នុងការ ប្រមូលផលផ្តៅទាំងនេះ ។ ពួកគេធ្វើការថែរក្សា ការពារដំណាំផ្តៅ ព្រោះពួកគេចាត់ទុក វាថាមានផលប្រយោជន៍ដល់ការអភិរក្ស បរិស្ថាន ។

ពួកគេដឹងពីរបៀបប្រមូលផលផ្តៅជាលក្ខណៈជម្រើសដោយយកចិត្ត ទុកដាក់ចំពោះការការពារដើមឈើដែលមានផ្តៅដុះលូតលាស់ជាមួយ និងថែរក្សា ការពារផ្តៅនោះផង ។ ការប្រើប្រាស់បច្ចេកទេសរបស់ពួកគេបែបនេះ គេមិន អាច ធ្វើឱ្យ បាត់បង់ផ្តៅទាំងស្រុងនោះទេ តែគេអាចទុកផ្នែកខ្លះនៅសល់ ។

ដើមឈើដែលប្រើសំរាប់បណ្តុះផ្តៅនោះក៏មិនត្រូវកាប់ដែរ លើកលែង តែដើមឈើនេះចាស់ពេក។ វិធីសាស្ត្រប្រមូលផលផ្តៅរបស់ពួកគេធ្វើឡើង ដោយទាញផ្តៅចេញពីដើមឈើដែលវាតោង ហើយឆ្ការបន្លាខាងក្រៅសំបក ចេញដោយកាំបិត ។ ប្រសិនបើគេមិនអាចដកផ្តៅទាញចេញពីដើមឈើទេ នោះ គេនៅមានវិធីសាស្ត្រ ពីរយ៉ាងទៀតក្នុងប្រមូលផលវា ។ វិធីសាស្ត្រទី១ ត្រូវឱ្យមនុស្សម្នាក់ឡើងដើមឈើ ហើយកាប់ផ្តាច់ស្លឹកបន្លាដែលតោងជាប់ដើមឈើចេញ ឬប្រសិនបើដើម ឈើ នោះចាស់ហើយ គេអាចកាប់រលំដើមឈើនោះដោយពូថៅតែម្តង ។ បន្ទាប់ពីនោះ គេអាចកាប់ផ្តៅប្រហែលពី ២ម ពីចុងវា ហើយកាប់ប្រហែល ១ម ពីគល់វានៅនឹងដី ។

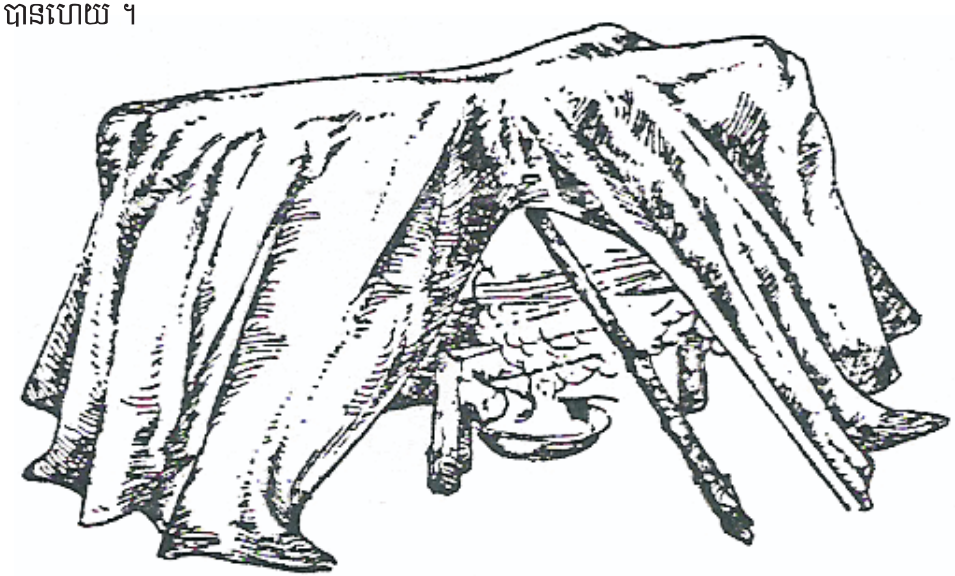
ជាធម្មតា បន្ទាប់ពីការប្រមូលផលផ្តៅមក គេត្រូវប្រមូលវាដាក់លើគំនរដែលមានកំណាត់ឈើជាច្រើន ដែលរៀបចំជាទ្រនាប់សំរាប់ផ្តៅ ។ គេកាប់ផ្តៅទៅតាមទំហំដែលចង់បាន ។ជាធម្មតាគេកាប់ផ្តៅប្រវែងប្រហែល ៦ម បន្ទាប់មកបត់វាជាពីរដើម្បីងាយស្រួលដឹកជញ្ជូន ។

៤. ប្រព្រឹត្តកម្មបន្ទាប់ពីការប្រមូលផល

ប្រសិនបើផ្តៅនោះនឹងយកទៅលក់នៅទីផ្សារ គេត្រូវធ្វើប្រព្រឹត្តកម្មវាជាមុនសិន។ ប្រព្រឹត្តកម្មនោះអាចរួមបញ្ចូលទាំងការសំអាតផ្តៅ ការឆ្អែរ ការសម្ងួត និងការចងវា ។

ជាធម្មតា ប្រជាជនក្នុងតំបន់ Dayak Benuaq សំអាតផ្តៅដោយ ប្រើច្រាស់ខ្សែលួស ដើម្បីបកសំបកខាងក្រៅ និងភាពក្រខ្វក់ ។ ក្រោយមក គេគរផ្តៅលើរានឈើមួយដែលមិនធំពេកទេ ។ បន្ទាប់ពីនោះ គេគ្របគំនរផ្តៅ នោះដោយកៅស៊ូប៉ាតង់ដែលមិនជ្រាបទឹក ហើយគេឆ្អែរផ្តៅនោះពី ២ ទៅ ៣ ថ្ងៃ ដោយស្ពាន់ធ័រ ។

មិនមានអនុបាតស្ពាន់ធ័រកំណត់ច្បាស់លាស់សំរាប់ចំនួនផ្តៅដែលត្រូវឆ្អែរនោះទេ ។ តែកសិករមួយចំនួនឱ្យប្រើស្ពាន់ធ័រ ១ គីឡូក្រាម សំរាប់ឆ្អែរផ្តៅ ២ ទៅ ៣ តោន ។ បន្ទាប់ពីឆ្អែរហើយ គេយកផ្តៅទៅហាលថ្ងៃនៅវាលចំហរលើទ្រនាប់ឈើមូលៗ ឬបន្ទះក្តារបស្ទើ ក្នុងរយៈពី ២ ទៅ ៣ ថ្ងៃ ។ បន្ទាប់មក គេចងផ្តៅ ហើយរៀបចំយកទៅលក់ ឬស្តុក ទុកបានហើយ ។



■ ការលក់ដូរ

ជាធម្មតា ការលក់ដូរផ្តៅមិនសូវមានលក្ខណៈខុសគ្នាទេបើយោងតាមការពន្យល់ពីការអ្នកលក់គ្រឿងសង្ហារឹមផ្តៅនៅទីក្រុងភ្នំពេញ ។

ប្រជាជនក្នុងតំបន់ Dayak Benuaq លក់ផ្តៅមិនទាន់កែឆ្នៃទៅឱ្យឈ្មួញប្រមូលទិញផ្តៅនៅក្នុងភូមិ ឬនៅក្បែរទីក្រុងដែលនៅជិតបំផុត ។ បន្ទាប់មកឈ្មួញនោះលក់ផ្តៅបន្តទៅឱ្យឈ្មួញនៅក្នុងទីក្រុង ឈ្មួញនោះ លក់បន្តទៅឱ្យឈ្មួញនៅក្រៅតំបន់ Kalimantan ខាងកើត ឬ ទៅឱ្យឧស្សាហកម្មផលិតគ្រឿងសង្ហារឹមដែលប្រមូលផ្តុំគ្នានៅលើកោះជ្វា ។ មានអ្នកលក់ផ្តៅ ក្នុងទំរងជាសិប្បកម្ម ផងដែរនៅតាមផ្សារក្នុងតំបន់ ឬទៅឱ្យឈ្មួញកណ្តាល ។ ឈ្មួញកណ្តាលនោះ ដឹកជញ្ជូន កន្ត្រកកន្ទេល និងអ្វីដែលជាផលិតផលផ្តៅនោះ ទៅកាន់ក្រុង បាលី និងទីកន្លែងផ្សេងៗទៀត ។ ឧស្សាហកម្មសិប្បកម្មខ្នាតតូចនៅស្រុក Kalimantan ប្រើប្រាស់ដើមពីផ្តៅច្រើនប្រភេទក្នុងការរចនាម៉ូដតាមតំបន់ខុសៗគ្នា ។

តាមការសាកសួរអ្នកលក់គ្រឿងសង្ហារឹមផ្តៅនៅទីក្រុងភ្នំពេញបានឱ្យដឹងថាផ្តៅភាគច្រើននាំមកពីតំបន់ពេជ្រនិល ខេត្តក្រចេះ និងបាត់ដំបង ហើយយកមកលក់ឱ្យសិប្បកម្មផលិតនៅក្នុងទីក្រុងដើម្បីផលិតជាគ្រឿងសង្ហារឹមផ្តៅ និងលក់បន្តទៅឱ្យហាងលក់គ្រឿងសង្ហារឹម ។ តាមព័ត៌មានដដែលបានឱ្យដឹងថាការផ្គត់ផ្គង់ផ្តៅនាពេលនេះមានការថយចុះយ៉ាងខ្លាំងដោយសារតែការដកហូតមិនបានត្រឹមត្រូវ និងគ្មានការថែរក្សាដាំដុះឡើងវិញ ។ ប្រភេទផ្តៅសំខាន់ៗ ដែលមាននៅប្រទេសកម្ពុជារួមមាន ផ្តៅដំបង ផ្តៅស្វាំង និងព្រះផ្តៅ ។ ក្រៅពីនេះនៅមានប្រភេទជាច្រើនផ្សេងទៀតតែមិនមានប្រភពព័ត៌មានច្បាស់លាស់ ។

បើយោងតាមលោក Tom D.Evans ដែលបានធ្វើការស្រាវជ្រាវអំពីផ្តៅនៅក្នុងតំបន់អាស៊ីអគ្នេយ៍សំរាប់ថ្នាក់បណ្ឌិតរបស់គាត់បានបញ្ជាក់ថានៅប្រទេសកម្ពុជា គេឃើញមានប្រភេទផ្តៅទូទៅចំនួន ៥ រួមមាន : តំបង *(Calamus rudentum)* ព្រះផ្តៅ (Calamus palustris) ស្វាំង (Calamus tetradactylus) ផ្តៅ (*Korthalsia laciniosa*) រំពាក់ (*Calamus Palustris*) ។ ព័ត៌មានលម្អិតអំពីប្រភេទនីមួយៗ សូមអាន សៀវភៅ *A Field Guide to the Rattans of Lao PDR* ។ តែត្រូវកត់សំគាល់ថា ឈ្មោះផ្តៅតាមតំបន់ជាទូទៅ មិនមានលក្ខណៈប្រាកដច្បាស់ទេសំរាប់ការធ្វើអត្ថសញ្ញាណកម្ម ។

គ្រឿងសង្ហារឹមផ្តៅដែលផលិតនៅភ្នំពេញគឺភាគច្រើនផលិតសំរាប់លក់ក្នុងប្រទេសប៉ុណ្ណោះ ។ រូបភាពខាងក្រោមនេះគឺជាគ្រឿងសង្ហារឹមដែលផលិតពី ផ្តៅនៅក្នុងប្រទេសកម្ពុជា:

តារាងអំពីប្រភេទ និងលក្ខណៈរបស់ផ្តៅ

ប្រភេទផ្តៅ	ស្លឹក	មែក/ទង	ពន្លក	បន្លា	ផ្លែ
Sega *(Calamus casesius)*	ផ្នែខាងលើពណ៌បៃតង និងរាងស និងមានរាងដូចទូកក្រឡាប់	រាងជាដង្កុំ មានពណ៌បៃតង មានទំហំប្រហែលមេដៃ	Cirrus ដៃតោង ខាងចុងស្លឹក	ពណ៌បៃតង មិនមានលំដាប់ទ្បៀងទាត់	ពណ៌បៃតងខ្ចី បៃតងចាស់ ស
Jepuk *(Jepung bawon)*	មានរាងដូចទូកក្រឡាប់ មានកន្ទុយនៅខាងចុង	រាងជាដង្កុំ	Cirrus	តិច ធំ ពណ៌ត្នោត	-
Peles *(C. pinicillatus)*	មានរាងដូចទូកក្រឡាប់ តូច និងស្តើង ផ្នែរាងតគ្រឹម	រាងជាដង្កុំ	Cirrus	តូច ញឹក	-
Boyukng (C. continues)	មានរាងដូចទូកក្រឡាប់ ចុងពណ៌បៃតង ពណ៌ក្រហមត្រឹមនៅម្ខាងទ្បៀតនៃស្លឹក	រាងជាដង្កុំ មានពណ៌បៃតងខ្ចី	Cirrus	ញឹក	មានក្លិនឈ្ងុយ
Ngono *(C. manna)*	មានរាងដូចទូកក្រឡាប់ ចុងអាចបត់បែនបាន	ទោល មានទំហំស្មើនឹងកដៃ	Cirrus	ខ្មៅ តំរៀបជាជួរ ញឹក	ត្នោតចាស់
Tuu *(C. scipinous)*	មានរាងដូចទូកក្រឡាប់ ពណ៌បៃតងត្រឿងៗ	រាងជាដង្កុំ (មានពី ២-៦ ទង	Cirrus	រាងចតុកោណ ពណ៌ឈ្មៀង	-
Tuu *(C. scipinous)*	មានរាងដូចទូកក្រឡាប់ ពណ៌បៃតងត្រឿងៗ	រាងជាដង្កុំ (មានពី ២-៦ ទង	Cirrus	រាងចតុកោណ ពណ៌ឈ្មៀង	-
Kotoq *(Daemonorops angqustifolia)*	មានរាងដូចស្លឹកដូង ចុងពណ៌ក្រហមចាស់	រាងជាដង្កុំ	Cirrus	ស្រួច និងញឹក ពណ៌ត្នោតចាស់	ពណ៌បៃតងចាស់
Lalutn *(Korthalsia rigida)*	រាងដូចខ្នែង មានលក្ខណៈត្រឹមៗ និងពណ៌ត្នោត	រាងជាដង្កុំ (មាន ៥-៤០ ទង	Cirrus	តូច	ពណ៌ស្រដែងត្នោត

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known from Lao PDR and nearby area).

ចោះពុម្ពដោយ

អង្គការសហគមន៍ព្រៃឈើអន្តរជាតិ (CFI)

សំរាប់ព័ត៌មានបន្ថែមអំពីអង្គការសហគមន៍ព្រៃឈើអន្តជាតិ សូមទាក់ទង:

អង្គការសហគមន៍ព្រៃឈើអន្តជាតិនៅកម្ពុជា

ផ្ទះលេខ ៨១ បេ ផ្លូវលេខ ៥៧ កែងផ្លូវលេខ ៣៩៨. សង្កាត់បឹងកេងកង១

ខ័ណ្ឌចំការមន ក្រុងភ្នំពេញ កម្ពុជា

ទូរស័ព្ទលេខ : ៨៥៥ ២៣ ២២០ ៧១៤

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ឧបត្ថម្ភការចោះពុម្ពដោយ

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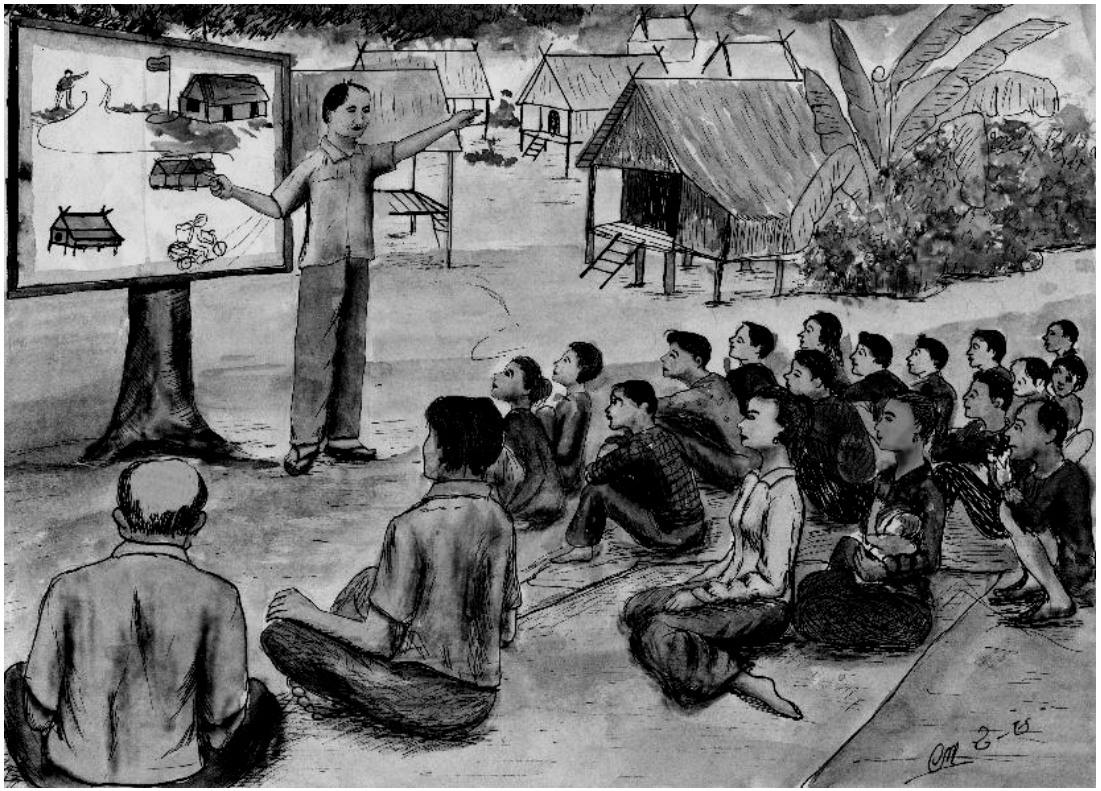
សហាតមន៍ភូមិដោន

ឆីយើង អនាតតយើង

សហគមន៏ភូមិដោនកំពុងតែគិតផ្តួលអនាគតរបស់ខ្លួន

សហគមន៏ភូមិដោនបានប្រាប់ថា ពួកគាត់គួរតែអាច នឹងមានលុយសំរាប់ការអភិវឌ្ឍន៏ដោយការលក់ដី ធ្លីរបស់ ខ្លួន។ ដូច្នេះពួកគាត់រៀបចំការប្រជុំមួយ ហើយពួកគាត់ គិតអំពីតំរូវការអ្វីខ្លះ ដែលពួកគាត់ត្រូវការដើម្បីអភិវឌ្ឍន៏ ភូមិរបស់ពួកគេ។



តំរូវការរបស់គាត់រួមមាន:

- សាលាប្រជុំភូមិ
- សេវាកម្មបំរើផ្នែកសុខភាព

- ការអប់រំ
- ថវិកាសំរាប់ឧបត្ថម្ភ ដល់គ្រួសារក្រីក្រ
- វគ្គបណ្តុះបណ្តាល ស្តីអំពី ជំនាញផ្នែក ដាំដុះ និង ការលក់ដូរ

ពួកគាត់ក៏បានគិតផងដែរអំពីវិធីសាស្ត្រដែលអាចនឹងរក
លុយបានដើម្បីតំរូវការខាងលើនេះហើយធ្វើអោយជីវភាព
ប្រសើរឡើង។ មានតែវិធីមួយគត់គឺ លក់ ដី ប៉ុន្តែទន្ទឹងនឹងនេះ
ពួកគាត់ក៏បានរិះរកនូវវិធីសាស្ត្រផ្សេងៗទៀតដែរ។ នៅពេល
ដែលពួកគេគិតអំពី ការលក់ដីភ្លាមនោះ ពួកគេក៏ដឹងដែរថា
ប្រសិនបើលក់ដីនោះ ពួកគេអាចរកប្រាក់ចំណូលបានតែម្តង
នោះទេ។ លើសពីនោះទៀតពួកគេក៏បានគិតដែរថា

ការបែកជំហរលក់ដីទៅអ្នក
ខាងក្រៅនោះវាអាចដឹង
មានផលអវិជ្ជមានយ៉ាងច្រើន
ដល់សហគមន៏ ។

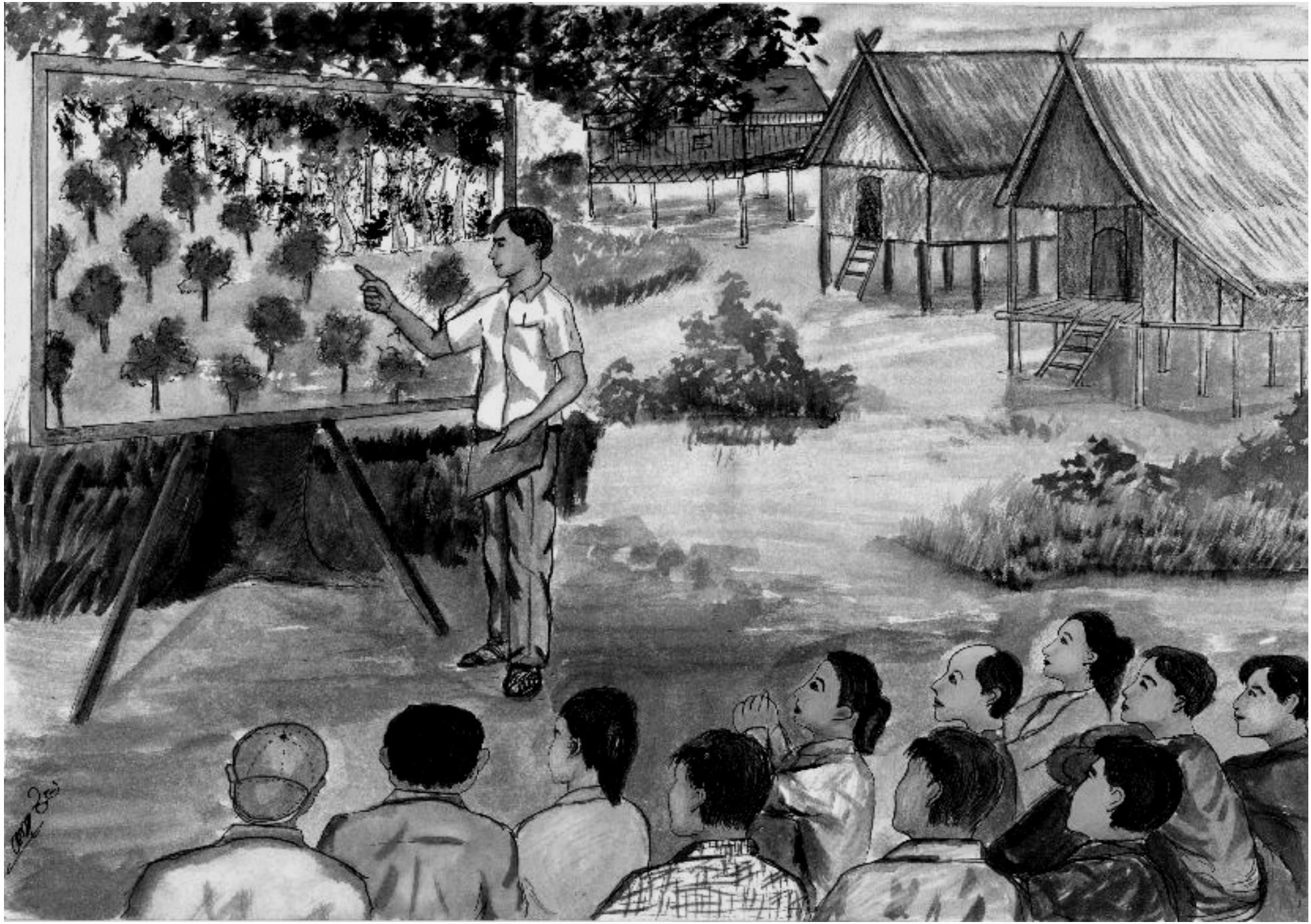
ដូច្នេះពួកគាត់បានរកគ្រប់វិធីក្នុងការប្រើប្រាស់ដីរបស់
ខ្លួនដើម្បីរកលុយទិញរបស់ដែលពួកគាត់ចង់បាននោះ ។

គាត់គិតអំពីការជួលដីរបស់ខ្លួនទៅអោយអ្នកខាងក្រៅ ហើយគាត់ដឹងថាអ្នកខាងក្រៅអាចបង់ចំណូលខ្លះៗដើម្បីប្រើប្រាស់ដីសហគមន៏ គាត់ដឹងផងដែរថា ប្រសិនបើគាត់ធ្វើកិច្ចសន្យាជួលដីរបស់ខ្លួនដល់អ្នកខាងក្រៅគាត់នឹងអាចប្រឈមមុខនឹងគ្រោះថ្នាក់ដោយមិនអាចយកដីមកវិញបានឡើយ ។

មិនតែប៉ុណ្ណោះគាត់នឹងប្រឈមមុខពីផលប៉ះពាល់ផ្នែកវប្បធម៌ ដែលហូរចូលពីអ្នកខាងក្រៅ ។

ដូច្នេះ គាត់គិតរកវិធីសាស្ត្រផ្សេងៗទៀតក្នុងការប្រើប្រាស់ដីរបស់ខ្លួនដើម្បីរកប្រាក់ចំណូលផ្គត់ផ្គង់តំរូវការផ្សេងៗដែលខ្លួនត្រូវការ ។

មានតែវិធីមួយគឺការធ្វើចំការដោយខ្លួនឯងផ្ទាល់ លក់ផលិតផលទាំងឡាយ ហើយធ្វើការផ្តល់វិភាគទាន សំរាប់មូនិធិសហគមន៏ ។



ពួកគាត់ក៏គិតថា គាត់អាចធ្វើការដាំឈើជាសហគមន៍ផងដែរ ។ ក្នុងមធ្យោបាយនោះ សហគមន៍ទាំងមូលនឹងធ្វើការផ្តល់ជូននូវតំលៃកំលាំងពលកម្មតិចតួច ។ ហើយប្រាក់ចំណូលពីការប្រមូលផលនោះនឹងត្រូវបានប្រើប្រាស់ំរាប់បំរើឱ្យផលប្រយោជន៍សហគមន៍ ។

បន្ទាប់មក សហគមន៏បានគិតថា ពួកគាត់មានធនធាន
ផ្សេងៗជាច្រើនទៀតដែលពួកគាត់អាចប្រើប្រាស់បាន ។
ប្រសិនបើពួកគាត់ការពារដីធ្លី និងធនធានធម្មជាតិរបស់
ពួកគាត់បានគង់វង្ស ពួកគាត់អាចប្រមូលអនុផលផ្សេៗ
មកពីព្រៃឈើសំរាប់ជាការលក់ដូរ ។
ជាឧទាហរណ៏មួយស្រាប់ ពួកគាត់អាចធ្វើការប្រមូល និង
ដកហូតផ្តៅដើម្បីលក់ដូរ ។

សហគមន៏គួរមើលឃើញផងដែរនូវដីធ្លី ដីចំការ កសិកម្ម ព្រៃឈើ ការអភិវឌ្ឍន៏សហគមន៏ និងវប្បធម៏របស់ពួកគេ គឺជាទ្រព្យសម្បត្តិទាំងឡាយដែលត្រូវបានគេចាប់អារម្មណ៏។ ដូច្នេះពួកគាត់ថា ពួកគាត់គួរតែរៀនអំពីរបៀបគ្រប់គ្រងវិស័យទេសចរណ៏ ដោយហេតុថា គេអាចរកបានប្រាក់ចំណូលខ្លះៗពីវិស័យនេះ។

ពួកគេក៏បានគិតផងដែរថាពួកគាត់គួរតែត្រូវ រក្សាទុក
ដីរបស់ខ្លួន ហើយពួកគាត់អាចដាំដុះបន្លែបង្គាផ្សេងៗដោយ
មិនមានការដាក់ជីគីមី និងដំណាំមាន
តំលៃខ្ពស់ ពួកគាត់បានគិតផងដែរថា
ការដាំដំណាំសំរាប់ជាម្ហូបអាហារ វា
គ្រប់គ្រាន់ដែលអាចធ្វើឱ្យពួកគាត់
ពេញចិត្តហើយ ។

សហគមន៍ចាប់ផ្តើមមានជំនឿថា ដោយការការពារ
ន្ទរការចិញ្ចឹមជីវិតជាប្រពៃណី និងវប្បធម៌រស់នៅរបស់ពួកគេ
អាចធ្វើអោយពួកគេដាំនូវដំណាំបង្កើនសុខភាព ហើយប្រាក់
ចំណូលអាចធ្វើការចាយវាយសំរាប់តែសេវាកម្មផ្សេងៗ
ដែលត្រូវការបំផុត និងការសិក្សាអប់រំ ។

ជាចុងក្រោយ អ្នកភូមិដោន មានការរីករាយយ៉ាងខ្លាំង ពីការពិចារណាលើអនាគតរបស់ពួកគេផ្ទាល់ ។ វាមានសារសំខាន់ណាស់ដែលគួរចងចាំថា មានជំរើសច្រើនក្នុងការអភិវឌ្ឍន៏ ។ សហគមន៏ភូមិដោន បានសំរេចចិត្តថា ការលក់ដីក៏ដូចជាការលក់អនាគតពួកគេផងដែរ ។

តើសហគមន៍របស់អ្នកនឹងធ្វើអ្វី? តើសហគមន៍របស់អ្នកបានរួបរួមគ្នាដើម្បីអនាគតឬទេ? តើសហគមន៍របស់អ្នកនឹងធ្វើការគិតគូរយ៉ាងប្រុងប្រយ័ត្នពីជំរើសសំរាប់អនាគតឬទេ? តើនឹងគិតពីក្មេងជំនាន់ក្រោយឬទេ?

រឿងនេះបង្កើតឡើងដោយគំរោង CFI សហការជាមួយអង្គការ ICC

គណៈកម្មការត្រួតពិនិត្យ និងកែសំរួល

ក្រុមការងារថ្នាក់អក្ខរកម្មក្រៅប្រព័ន្ធផ្នែកភាសាគ្រឹង របស់អង្គការសហការ ខេត្តរតនគីរី

គណៈកម្មការត្រួតពិនិត្យ

លោក : គេង ខាំអយ

លោក : ប៉ាន់ គ្លីម

លោក : គួក កំប្រែង

អ្នកស្រី : ឡាំ ចានី

អ្នកស្រី : ក្លាយ ច្រម៉ច

ដីយើង អនាគតយើង ក៏ជាប្រភេទសៀភៅរឿងមួយដែលនិយាយ
អំពីបញ្ហាទំនាស់ដីធ្លី និងជនជាតិភាគតិចនៃប្រទេសកម្ពុជា ។
សៀវភៅនេះផលិតឡើងដើម្បីជាឧបករណ៍មួយសំរាប់បង្កើនការរៀន
អានផង និងសំរាប់ការអប់រំផង ។

អ្នកនិពន្ធ

លោក : ហ្ស្រេម ហ្រេន

អ្នករៀបរៀងរឹបចូេកទេសកុំព្យូទ័រ

លោក : ម៉ុន សារឿន

លោក : យ៉ៃ ប៉ាទូ

លោក : គឹម សាម្សៀន

រចនារូបភាពដោយ

លោក : បាំង កាន់ធឿម

សំរាប់ព័ត៌មានបន្ថែមអំពីអង្គការសហគមន៍ព្រៃឈើអន្តជាតិ សូមទាក់ទង:

អង្គការសហគមន៍ព្រៃឈើអន្តជាតិនៅកម្ពុជា

ផ្ទះលេខ ៨១ បេ ផ្លូវលេខ ៥៧ កែងផ្លូវលេខ ៣៩៨. សង្កាត់បឹងកេងកង១

ខ័ណ្ឌចំការមន ក្រុងភ្នំពេញ កម្ពុជា

ទូរស័ព្ទលេខ : (៨៥៥ ២៣) ២២០ ៧១៤

ទូរសារលេខ : (៨៥៥ ២៣) ២២១ ៦៣៤

អ៊ីម៉ែល : cfioffice@cfi-cambodia.org.kh

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ឧបត្ថម្ភការដោះពុម្ពដោយ

CFI USAID FROM THE AMERICAN PEOPLE MacArthur ICC អង្គការ សហការ International Co-operation Cambodia IWGIA International Work Group for Indigenous Affairs

***'Our Land Our Future'* is a series of storybooks about land issues and indigenous peoples in Cambodia. The books are produced as both a literacy and community awareness raising tool.**

The Story in English - not a direct translation: The Dowm Community

Page 1: The Dowm community are facing an uncertain future.
The Dowm community was told that they could sell their land and would be able to get money for development.
The community had a meeting. They thought about what things they needed in order to improve their community.

Page 2: After much discussion, they decided on a village meeting hall, health service, education services, money for poor families, and training on agricultural and business skills.

Page 3: They thought about the different ways they could get the things they needed to improve their lives. One way was to sell their land. But, they realized that if they sold their land, they would only be able to get income from it one time.

Page 4: The community also considered how selling their land might open them to outsiders and possible negative impact on their people. So they thought about ways to use their land so that they could get money to buy the things they wanted.

Page 5: They thought of leasing their land to outsiders so that they would pay to use the community land, but they were afraid that they might not get their land back.

Page 6: They were also afraid of the possible negative effect of outsiders on their culture and values. So, they thought of other ways of using their land to get the income they needed.

Page 8: One thing they thought of was farming the land themselves, selling their crops, and contributing to a community fund.

Page 10: They also thought about creating a community plantation. That way, the whole community could contribute a small amount of labor.
The income from the harvest could then be used for the community wish-list.

Page 12: Then, they thought about other resources they could use for income. If they protected their land and natural resources then they could collect many products from the forest . For example, they could produce rattan that they could harvest and sell.

Page 13: The community could also see that their land, agriculture, forest, community development, and culture might also be assets that others were interested in experiencing. So, they considered that they might learn about tourism so that they could earn income from that.

Page 14: They realized that if they preserved their land without selling it, they could keep it clean of chemicals and grow higher-value crops. They also thought that just growing food for themselves would make them happy.

Page 16: The community began to realize that by protecting their traditional livelihoods and culture they would be able to grow healthy foods for themselves and for income while being able to pay for much needed services such as better education.

Page 18: In the end, the villagers in Dowm village were glad they thought carefully about their future. It is important to remember that there are alternative approaches to development. The Down community decided that selling land is like selling their future

Page 19: What will your community do? Will your community work together? Will your community think carefully about the options for the future?
Will your community think for future generations?

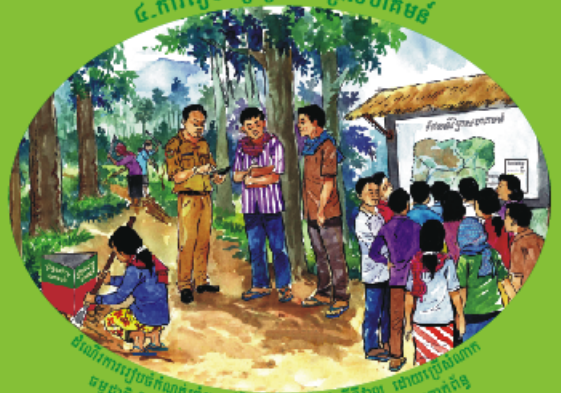
ដំណឹរការរៀបចំបង្កើតសហគមន៍ព្រៃឈើ

ការផ្សព្វផ្សាយអំពីផលប្រយោជន៍សហគមន៍ព្រៃឈើ ការរៀបចំរបបបង្កើតសហគមន៍ព្រៃឈើ ការសិក្សាពីតំរូវការ និង បញ្ជាដ្ឋបប្រទេសរបស់សហគមន៍ព្រៃឈើ

ដំណើរការរៀបចំបង្កើតក្រុមសហគមន៍ព្រៃឈើ និង គណៈកម្មការគ្រប់គ្រងសហគមន៍ព្រៃឈើដោយមានការចូលរួមពីសមាជិកសហគមន៍ព្រៃឈើ

ដំណើរការរៀបចំរបៀបរបបការងារ និង វិន័យផ្ទៃក្នុងរបស់គណៈកម្មការគ្រប់គ្រងសហគមន៍ព្រៃឈើ

ដំណើរការត្រួតពិនិត្យ និង វាយតម្លៃទៅលើសកម្មភាពនានាក្នុង និង ការគ្រប់គ្រងព្រៃសហគមន៍



ដំណើរការរៀបចំកំណត់ព្រំប្រទល់ព្រៃសហគមន៍ទៅលើមីវាល ដោយប្រើឯកសារដែលមានស្រាប់ និង ប្រើឧបករណ៍ជីភីអេសដោយមានការចូលរួមពីអ្នកពាក់ព័ន្ធ

ដំណើរការរៀបចំផែនការគ្រប់គ្រងព្រៃសហគមន៍ដើម្បីអភិវឌ្ឍ និង ប្រើប្រាស់បានយូរអង្វែងសំរាប់កូនចៅជំនាន់ក្រោយ

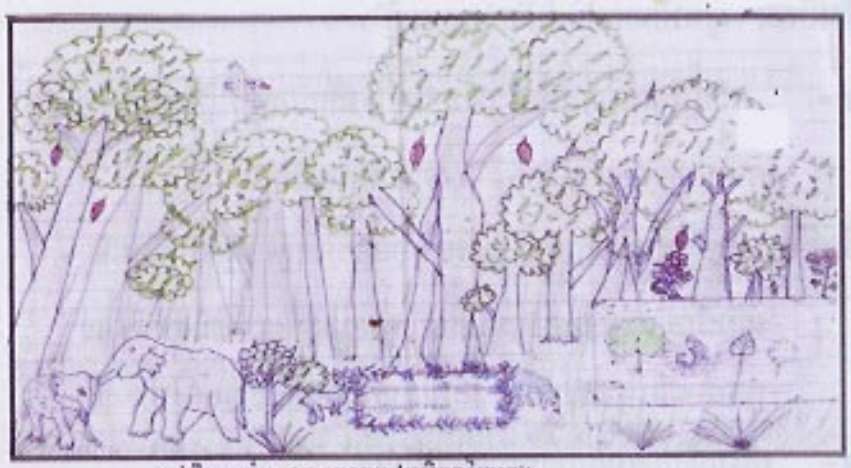
ដំណើរការរៀបចំកិច្ចព្រមព្រៀងព្រៃសហគមន៍ ដែលជាលាយលក្ខណ៍អក្សរវាងគណៈកម្មការគ្រប់គ្រងសហគមន៍ និង ខណ្ឌរដ្ឋបាលព្រៃឈើក្នុងការគ្រប់គ្រងព្រៃសហគមន៍

ដំណើរការរៀបចំបង្កើតក្រុមការគ្រប់គ្រងសហគមន៍ព្រៃឈើដោយគណៈកម្មការគ្រប់គ្រងសហគមន៍ព្រៃឈើ និង មានការចូលស្តាល់ពីអាជ្ញាធរមូលដ្ឋាន

ទូលដួងស្បៀង និង ឧបត្ថម្ភធនដោយ USAID

មកជល់ទៀតហើយ!

- ព្រៃឈើ ជាជំរករបស់មនុស្ស សត្វទាំងឡាយ!!
- ព្រៃឈើពណ៌បៃតង ជួយបន្សុទ្ធបរិយាកាស!!



ឃុវសិស្ស ប៉ែក ខេម សាលាបឋមសិក្សាព្រៃក្នេង

សួនឡាវនៅសាលាបឋមសិក្សា ចំការស្នែង

កុមារា ប៊ីត ថេង ថ្នាក់ទី ៦ ខ

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បិស្នានខ្ទុ

ព្រឹត្តិបត្រ

ចេញផ្សាយប្រចាំ ត្រីមាស (លេខ១៦) ឆ្នាំទី៤ ខែមកក_មិនា ឆ្នាំ២០០៤

ព្រៃ សបាតបង្ឌំ

កុមារី ស្បើង ធា ថ្នាក់ទី ៦ សាលាបឋមសិក្សាព្រៃក្នេង

អារម្ភកថា

សួស្តី!

បួន១សិស្សានុសិស្សទាំងអស់ជាទីមេត្រី! ពេលនេះបរិស្ថានខ្ញុំលេខ១៦បានមកជួបនឹងបួន១ទៀតហើយ។

តើបួន១សុខសប្បាយឬទេ?

ព្រឹត្តិបត្រ"បរិស្ថានខ្ញុំ"មានសេចក្តីរីករាយយ៉ាងខ្លាំងដែលបានមកជួបបួន១ តាមពាក្យសន្យាបីខែម្តង ដោយមានការចូលរួមសរសេរជាអត្ថបទខ្លី សំណួរ កំណាព្យ ចំរើង និងគូររូបភាពរបស់ លោកគ្រូ អ្នកគ្រូ និងបួន១។ យើងជឿជាក់ថា បួន១នឹងសប្បាយរីករាយ ក្នុងការតាមដានខ្លឹមសារនានាក្នុងព្រឹត្តិបត្រនេះ។

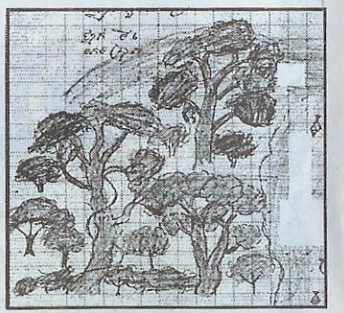
តែកុំភ្លេចណា! លេខក្រោយព្រឹត្តិបត្របរិស្ថានខ្ញុំ នឹងចេញអំពី "សត្វព្រៃ ក្នុងសហគមន៍" ដូច្នេះបួន១ត្រូវបន្តការចូលរួមធ្វើព្រឹត្តិបត្រលេខក្រោយ១ទៀត។

បរិស្ថានខ្ញុំ ស្នាដៃខ្ញុំ

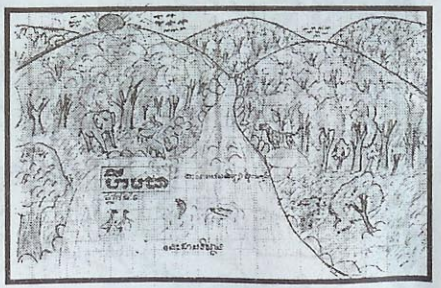
សូមអរគុណ!

មាតិកា

១.អារម្ភកថា	២	២.អត្ថបទខ្លី	៣
៣.អត្ថបទស្វែងយល់	៤	៤.ល្បែងសិក្សា	៥
៥.កំណាព្យ	៦	៦.ចំរើង	៧
៧.រឿងខ្លី	៨	៨.ពាក្យបណ្តៅ	៩
៩.សំណួរត្រិះរិះ	១០	១០.សំណួរចំលើយ	១១



កុមារា សួន វិចិត្រ ថ្នាក់ទី ៦



យុវសិស្ស ហឹម ធា ថ្នាក់ទី ៦ សាលាព្រៃក្អេង

អត្ថបទខ្លី

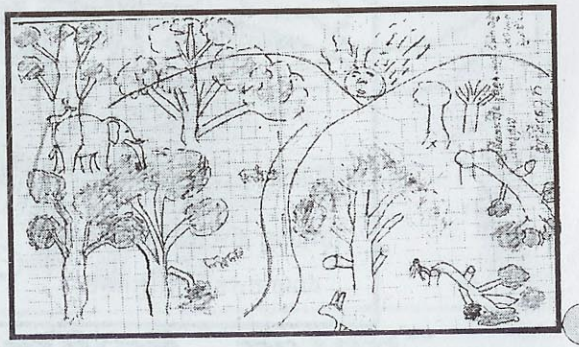
ព្រៃសហគមន៍

ព្រៃសហគមន៍ គឺសំដៅដល់ព្រៃធម្មជាតិ ឬព្រៃដែលសហគមន៍បានដាំ និងថែរក្សា គ្រប់គ្រង និងប្រើប្រាស់ព្រៃឈើនោះប្រកបដោយនិរន្តរភាព ក្រោមកិច្ចព្រមព្រៀងរវាងរដ្ឋបាលព្រៃឈើ និងសហគមន៍មូលដ្ឋាន។ (ច្បាប់ស្តីពីព្រៃឈើ)

សហគមន៍ព្រៃឈើ គឺសំដៅដល់សហគមន៍ដែលស្ម័គ្រចិត្តប្រមូលផ្តុំជាក្រុមដោយព្រមព្រៀងគ្នា ដើម្បីធ្វើសកម្មភាពអភិវឌ្ឍ និងប្រើប្រាស់ធនធានព្រៃសហគមន៍ប្រកបដោយនិរន្តរភាព ។

ព្រៃសហគមន៍ ផ្តល់ប្រយោជន៍ជាច្រើនដូចជា: ការពារការហូរច្រោះ ទប់ស្កាត់ការកាប់រានដីព្រៃ ទីជំរកសត្វព្រៃ ខ្យល់បរិសុទ្ធ ទាក់ទាញទឹកភ្លៀង ផ្តល់ជីជាតិសំរាប់ដំណាំកសិកម្ម ឱសថបុរាណ អុសដុតសំរាប់ចំអិនអាហារ និងផ្តល់ជាគ្រឿងសំណង់ផ្សេងៗ សំរាប់បំពេញដល់សេចក្តីត្រូវការរបស់ប្រជាពលរដ្ឋក្នុងសហគមន៍នោះក្នុងពេលបច្ចុប្បន្ន និងពេលអនាគតទៀតផង។

ដូចនេះយើងត្រូវជួយគ្នាការពារ និងថែរក្សាព្រៃឈើនៅក្នុងតំបន់ ស្រុកភូមិរបស់យើងអោយបានល្អ ដោយបង្កើតជាសហគមន៍ព្រៃឈើ។



កុមារា ទឹម សារឿន និងយ៉ែម រដ្ឋា ថ្នាក់ទី ៦ ក សាលាបឋមសិក្សាព្រៃក្អេង

អត្ថបទស្វែងយល់

កុមារ និងព្រៃសហគមន៍

បច្ចុប្បន្ននេះព្រៃឈើនៅក្នុងប្រទេសកម្ពុជា បានធីងកំពុងទទួលរងការ កាប់បំផ្លាញយ៉ាងខ្លាំងដែលនាំឱ្យនៅតំបន់មួយចំនួន ជួបប្រទះនូវគ្រោះរាំងស្ងួត និងខ្វះខាតនូវធនធានព្រៃឈើសំរាប់ប្រើប្រាស់។

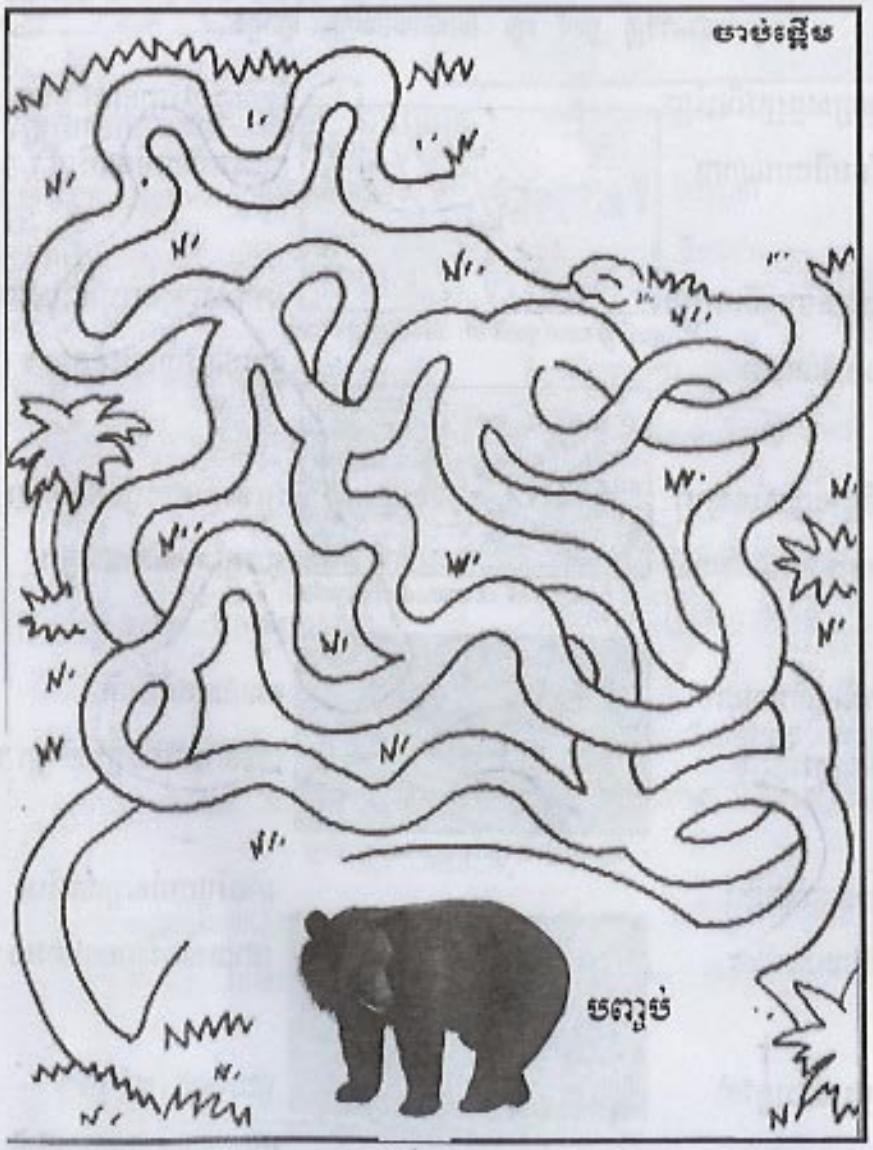
ក្រៅពីប្រយោជន៍ផ្នែកបរិស្ថាន ព្រៃឈើបានជួយបង្កើនជីវភាពរស់នៅរបស់ប្រជាជនថែមទៀតផងតាមរយៈ ការទាញយកផល និងអនុផលព្រៃឈើសំរាប់ជីវភាពរស់នៅប្រចាំថ្ងៃ។ ដើម្បីការពារផលប្រយោជន៍ទាំងនេះ យើងត្រូវរួមគ្នាការពារព្រៃឈើក្នុងសហគមន៍យើង ដោយបង្កើតជាសហគមន៍ព្រៃឈើ។ ការចូលរួមរបស់ប្រជាជនពិតជាមានសារៈសំខាន់ខ្លាំងណាស់ក្នុងការគ្រប់គ្រងព្រៃសហគមន៍។ ក្នុងនោះកុមារដើរតួនាទីយ៉ាងសំខាន់ក្នុងការជួយអភិវឌ្ឍន៍សហគមន៍ព្រៃឈើតាមរយៈ ការចូលរួមឃ្លាំមើល និងផ្តល់ដំណឹងអំពីការកាប់ឈើខុសច្បាប់នៅក្នុងព្រៃសហគមន៍ ចូលរួមការពារ និងការពារភ្លើងឆេះព្រៃ ព្រមទាំងជួយបង្កើនការយល់ដឹងពីព្រៃសហគមន៍ និងការដាំដើមឈើឡើងវិញ។ ដូចនេះយើងជាកុមារត្រូវចូលរួមអភិវឌ្ឍន៍ព្រៃសហគមន៍។

យុវសិស្ស ស៊ីម ស្រី ថ្នាក់ទី ៦ ក
សាលាបឋមសិក្សាព្រៃក្លែង

"ព្រៃឈើ គឺជាជីវិតរបស់យើង"

ល្បែងសិក្សា

សូមជួយថែរក្សា ការពារព្រៃឈើ និងសត្វព្រៃ!



កំណាព្យ
ប្រយោជន៍ព្រៃឈើ
(បទព្រហ្មគិត)

និពន្ធដោយលោកគ្រូ ប្រាក់ វណ្ណ សាលាបឋមសិក្សា អ្នករក្សេង

១-មនុស្សសត្វត្រូវពឹងព្រៃ តែសព្វថ្ងៃព្រៃខ្សត់ខ្សោយ
ព្រោះតែយើងបណ្តោយ កាប់វាហើយមិនដាំវិញ។

កុមារី ស៊ុំ សុគារ ថ្នាក់ទី ៦ក បឋមសិក្សាត្រកាំងឱប

២-ព្រៃជួយទាញទឹកភ្លៀង អាកាសធ្យើងភ្លឿងពាសពេញ
ធ្វើស្រែបានចំណេញ ផ្តល់ផលវិញហូបមិនខ្វះ។

កុមារា ថៃ ភ័ន់ណោត ថ្នាក់ទី ៦ខ សាលាបឋមសិក្សាត្រកាំងឱប

៣-កុមិដ្ឋានស្រស់អស្ចារ្យ ព្រោះព្រឹក្សាច្រើនស្មេកស្កះ
ព្រៃមានប្រយោជន៍ណាស់ ចូរក្មេងចាស់ចាំជានិច្ច។

សំណាងសុះ ចឿន ឌីណា ថ្នាក់ទី៥ ក សាលាបឋមសិក្សាត្រកាំងឱប

៤-ក្រៅពីផ្តល់អុសដុត ផលឱសថក៏មិនតិច
យើងមិនត្រូវបំភ្លេច ផលសំរេចមានក្រាស់ក្រៃ។

កុមារី សាន សំបូរ ថ្នាក់ទី៥ ខ សាលាបឋមសិក្សាត្រកាំងឱប

៥-វាបានផ្តល់ជាមួយ ទាំងថ្ងៃយប់សត្វលកលែ
រស់នៅគ្មានភិតភ័យ ដោយសារព្រៃសហគមន៍។

៦-ដូច្នេះយើងត្រូវចាំ ជួយថែដាំព្រៃក្បែរភ្នំ
ការពារអោយវាធំ ទើបសហគមន៍យើងជឿនលឿន។

ចំរៀងបរិស្ថាន
ព្រឹក្សាព្រៃស្អួតគាំ

កុមារី ឯន សុខុម ថ្នាក់ទី៦

ច្រៀងដោយលោក ណាយ រ៉ាន់ណេត

១- ឱមួយប៉ែកជាក់...ព្រឈើងព្រឈៃ ព្រឹក្សាលាស់ខ្ចី...នៃបុព្វតា
ឱ្យចិត្តចង្អៀត...ប្រែស្រលះថ្ពាល ក្លូចតាប់នេត្រា...ដិតជាប់នេសា

"បន្ទរ"....អឺយ....

២-សំលឹងព្រៃស្រោង...កោងមែកសាខា មិនចង់ឃ្លាតឃ្លា...នៅនែបនិត
ផ្អែកខ្នងទៅអ្នក...សំរួលកាយចិត្ត ព្រះពាយជាយជាត់...ដិតជាប់នាសា

"បន្ទរ"...អឺយ...

៣-ព្រៃអើយព្រៃខ្ពង...ខ្ពងអើយខ្ពងត្បែង កកោះស្ងប់ស្ងែង...ប្រឡែងត្រីស្មា
ក្រញូងនាងខ្ពន...ត្រាចលូចស្នេហា ច្នងបេងអស្ចារ្យ...សម្ផាដូចចន្ទ័

"បន្ទរ"...អឺយ...

៤-ឈើអើយសូមអ្នក...គង់វង្សស្ថិតស្ថេរ អ្នកជាម្ចាស់ស្នេហ៍...នៅគ្រប់ទិសស្ថាន
ឱ្យមនុស្សក្នុងលោក...អត់អ្នកមិនបាន ផ្តល់ភាពសុខសាន្ត...មិនចេះឡើយណាយ

"បន្ទរ"...អឺយ...

៥-លើកហត្ថបួងសួង...សូមអស់ទេព្តា ជួយថែរក្សា...ឈើព្រៃទាំងឡាយ
អង្វរចិត្តមនុស្ស...ដៃលទាំអន្តរាយ ឱ្យចិត្តប្រែក្លាយ...ស្រឡាញ់រក្សា

"បន្ទរ"...អឺយ...

ឧត្តរភំសាឆ្ន

ឡើងឌ្លី

យើងនាំគ្នាការពារព្រៃក្នុងសហគមន៍

នៅពេលសំរាកមេឲ្យលេង កុមារពីរនាក់ឥង្គុយនិយាយគ្នាលេងពីព្រៃឈើនៅក្នុងសហគមន៍របស់ពួកគេ ។

ស៊ីថា: នែ! សុភា ព្រឹកនេះហាក់ដូចជាក្តៅដល់ហើយ ។

សុភា: ស៊ីថា! មិនមែនតែព្រឹកនេះទេ គឺក្តៅរាល់តែថ្ងៃហ្ឋីង ។ ឌ៉ុពុកខ្ញុំនិយាយថា មកពីភូមិយើងមិនសូវសំបូរព្រៃឈើបាន៍ជាវាក្តៅអញ្ឋីង ។

ស៊ីថា: តើងងដឹងថា ព្រៃឈើមានប្រយោជន៍ដូចម្តេចខ្លះទៅ?

សុភា: ខ្ញុំញ្ញចាស់ៗនិយាយថា វាអាចការពារការហូរច្រោះ ធ្វើអោយអាកាសចាតុត្រជាក់និងខ្យល់បរិសុទ្ធ ទាក់ទាញទឹកភ្លៀង ធ្វើអោយដីមានជីជាតិ ផ្តល់ឱសថបុរាណ ត្រឿងសំណង់ អុសដុត និងផ្តល់នូវផលប្រយោជន៍ជាច្រើនទៀតណាស់ណាញ់!

ស៊ីថា: អញ្ឋីង! តើយើងត្រូវធ្វើដូចម្តេចទៅ?

សុភា: យើងត្រូវជួយគ្នាថែរក្សាព្រៃឈើដែលនៅសល់ ដោយបង្កើតជាសហគមន៍ព្រៃឈើ និងនាំគ្នាដាំដើមឈើបន្ថែមទៀត ហើយបន្ថែមពីលើនេះយើងអាចជួយឃ្លាំមើលនិងផ្តល់ព័ត៌មានផ្សេងៗដែលទាក់ទងនឹងព្រៃសហគមន៍យើងដល់អ្នកភូមិទៀតផងណា ។

ស៊ីថា: អរគុណណាស់ស់ឡ្យាញ់! ពេលនេះខ្ញុំបានយល់ច្បាស់ហើយពីសារៈប្រយោជន៍នៃព្រៃសហគមន៍ ។

ពាក្យបណ្ឋៅ

ចំលើយ ពាក្យបណ្ឋៅត្រិត្តិបត្រលេខ១៥

(១-ក្ឋែក ២-ត្រីបរ៉ សត្ចបរ៉ ទិងឧ្យាបរ៉ ៣-ត្រីអណ្ឋាតឆ្តែ ៤-ព្រួល)

សំនួរ:

ចាតបើម ចាតថ្ពា ចាតបន្ថា ត្មាតស្ថិក។ តើជាអ្វី?

ខ្ញុំជាសត្ចស្ថា លុបសក់កាលណាក្ឋាយជាបើមឈើ។ តើជាបើមអ្វី?

រុក្ខាចាតឈ្មោះពីរចាត់ ប្ត្ចូរពាក្យខាងបើមចាស់ចាត់ ថ្ឋាស់ថ្មីជាក្យត្រក្ឋាយជាវាយោ។ តើជាបើមអ្វី?

ខ្ញុំជារុក្ខា ចាតឈ្មោះពីរចាត់ លុបខាងបើមចាត់ក្ឋាយជា ជី តៅកណ្ឋាលទិក។ តើជាបើមអ្វី?

? សំណួរៗត្រិះរិះ ?

សំនួរ១-ដូចម្តេចដែលហៅថា សហគមន៍ព្រៃឈើ?

ចំលើយ:.....

.....

សំនួរ២-ចូរបួនៗសរសេរឈ្មោះរុក្ខជាតិក្នុងសហគមន៍របស់បួនៗឱ្យបាន ដប់ប្រភេទ?

ចំលើយ:.....

.....

សំនួរ៣-តើព្រៃសហគមន៍មានសារៈប្រយោជន៍អ្វីខ្លះ?

ចំលើយ:.....

.....

សំនួរ៤-តើការប៉ះពាល់ព្រៃឈើបណ្តាលឱ្យមានបញ្ហាអ្វីខ្លះកើតឡើង?

ចំលើយ:.....

.....

សំនួរ៥-ដើម្បីថែរក្សាព្រៃឈើឱ្យបានគង់វង្ស តើបួនៗត្រូវធ្វើដូចម្តេចខ្លះ?

ចំលើយ:.....

.....

សំនួរ -ចំលើយ

១- ដូចម្តេចដែលហៅថា ព្រៃសហគមន៍?

(កុមារ សួន ធន់ សាលាបឋមសិក្សាបន្ទាប់)

ចំលើយ: (សូមមើលនៅទំព័រទី៣"អត្ថបទខ្លី")

២- ដើម្បីថែរក្សាការពារព្រៃសហគមន៍ តើយើងត្រូវធ្វើដូចម្តេច?

(កុមារ ជួប លីនណា ថ្នាក់ទី ៦ សាលាបឋមសិក្សាបន្ទាប់)

ចំលើយ: ដើម្បីថែរក្សាការពារព្រៃសហគមន៍ យើងត្រូវនាំគ្នាដាំដើមឈើឡើងវិញ ផ្សព្វផ្សាយដល់អ្នកនៅក្បែរខាងគ្នាឱ្យយល់ដឹងអំពី ផលប្រយោជន៍ព្រៃសហគមន៍ និងរួមគ្នាបង្កើតជាសហគមន៍ព្រៃឈើ។

៣- តើព្រៃសហគមន៍មានប្រយោជន៍អ្វីខ្លះ?

(កុមារ ពិន សៅរ៉ា)

ចំលើយ: ព្រៃសហគមន៍មានផលប្រយោជន៍ជាច្រើនដូចជា: ជាទីជំរករបស់សត្វ មានខ្យល់បរិសុទ្ធ ជួយទាញទឹកភ្លៀង ផ្តល់ជីជាតិ ដល់ដំណាំកសិកម្ម មានបរិស្ថានល្អ ជាឱសថ និងសំរាប់បំពេញសេចក្តីត្រូវការរបស់មនុស្ស ទាំងពេលបច្ចុប្បន្ន និងអនាគត។

កុមារ
រ៉ែម ហុម
ថ្នាក់ទី ៦ក

ត្រូសារញូសេរ់

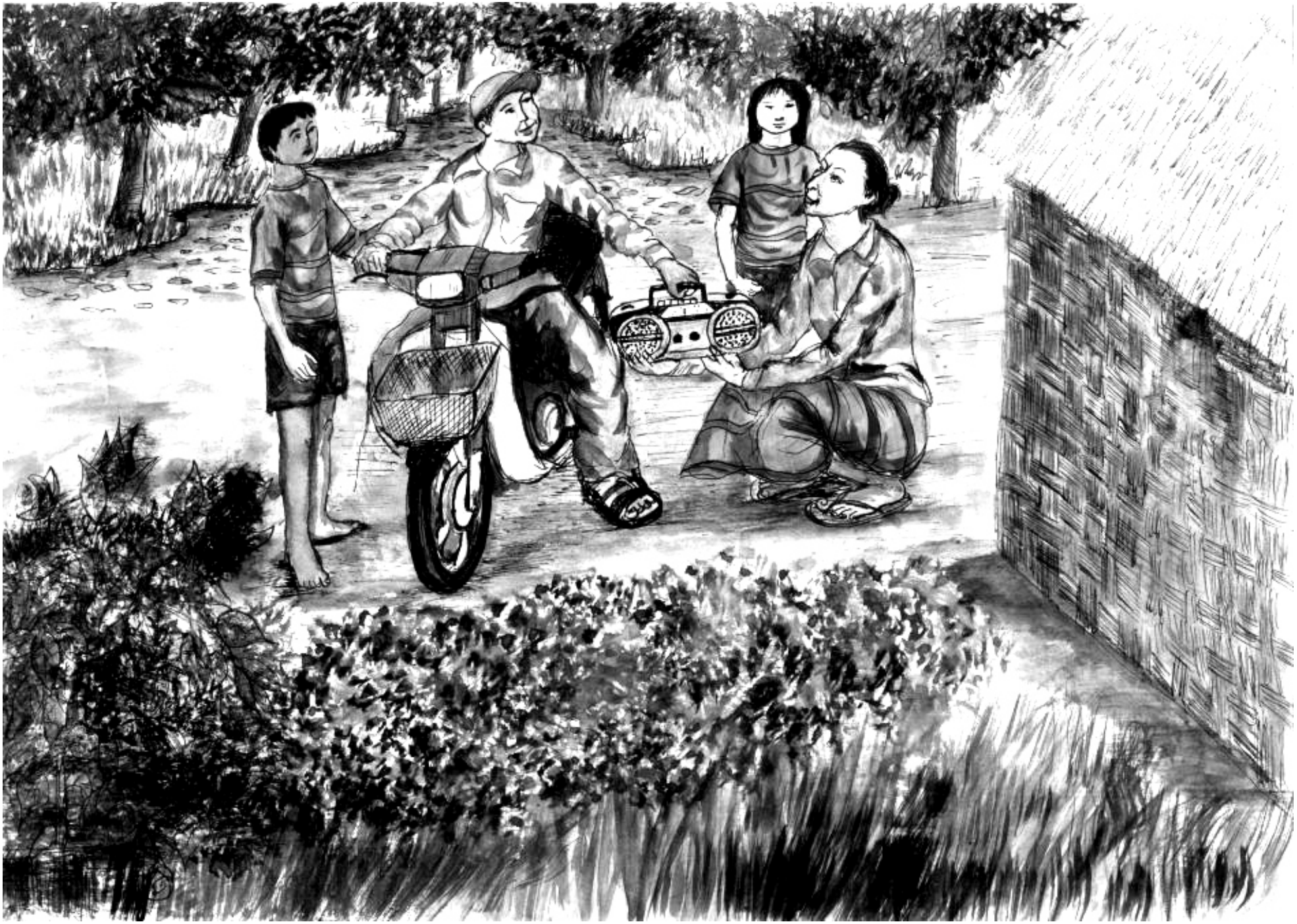
ឫសៀម អនាតតសៀម

ក្រួសារពួសៅ

ដើមឡើយក្រួសារពួសៅបានរស់នៅជាសមាជិក
នៃសហគមន៏ ជនជាតិដើមភាគតិចមួយ ក្នុងចំនោមជនជាតិ
ដើមភាគតិចផ្សេងទៀតនៅខេត្តរតនគីរី។ ពួកគាត់ជាកសិករ
ហើយ ពួកគាត់តែងប្រមូល អាហារ និងសំភារៈសំណង់ ទាំង
ឡាយ មកពីព្រៃឈើ។

គ្រួសារពូសៅ បានឃើញអ្នកផ្សេងក្នុងភូមិកំពុងទិញម៉ូតូ និង ម៉ាញ៉ូ ហើយក៏គិតថា នេះជាការ ល្អដែរសំរាប់ពួក គាត់ ។ ពួកគាត់បានគិតថា វាជាមធ្យោបាយមួយ ដែលធ្វើអោយពួក គាត់មិនមែនជាអ្នក ក្រីក្រ ហើយពួកគាត់នឹងបានក្លាយជាអ្នក ទាន់សម័យនឹងគេ ។

គ្រូសារពូសៅក៏បានលក់ដីរបស់ពួកគេអោយទៅ
អ្នកចំនួលថ្មីមកពីខាងក្រៅដែលមានប្រាក់ ច្រើនហើយ
គេនិយាយថាៈ ការលក់ដីគឺជា មធ្យោបាយដ៏ប្រសើរ
បំផុតសំរាប់ គ្រួសារជនជាតិដើម ភាគតិចគួរតែធ្វើ ។
គ្រាដំបូងគ្រួសារពូសៅសប្បាយរីករាយជាទីបំផុត
ដោយសារពួកគាត់មានម៉ូតូ និងម៉ាញ៉ូ ។



តែក្រោយមកម៉ូតូ និងម៉ាញ៉ូរបស់គាត់ក៏ខូចអស់ហើយ គាត់ក៏គ្មានប្រាក់ ដើម្បីជួសជុល និងដីក៏គ្មាននៅសល់ ទៀតដែរ ។

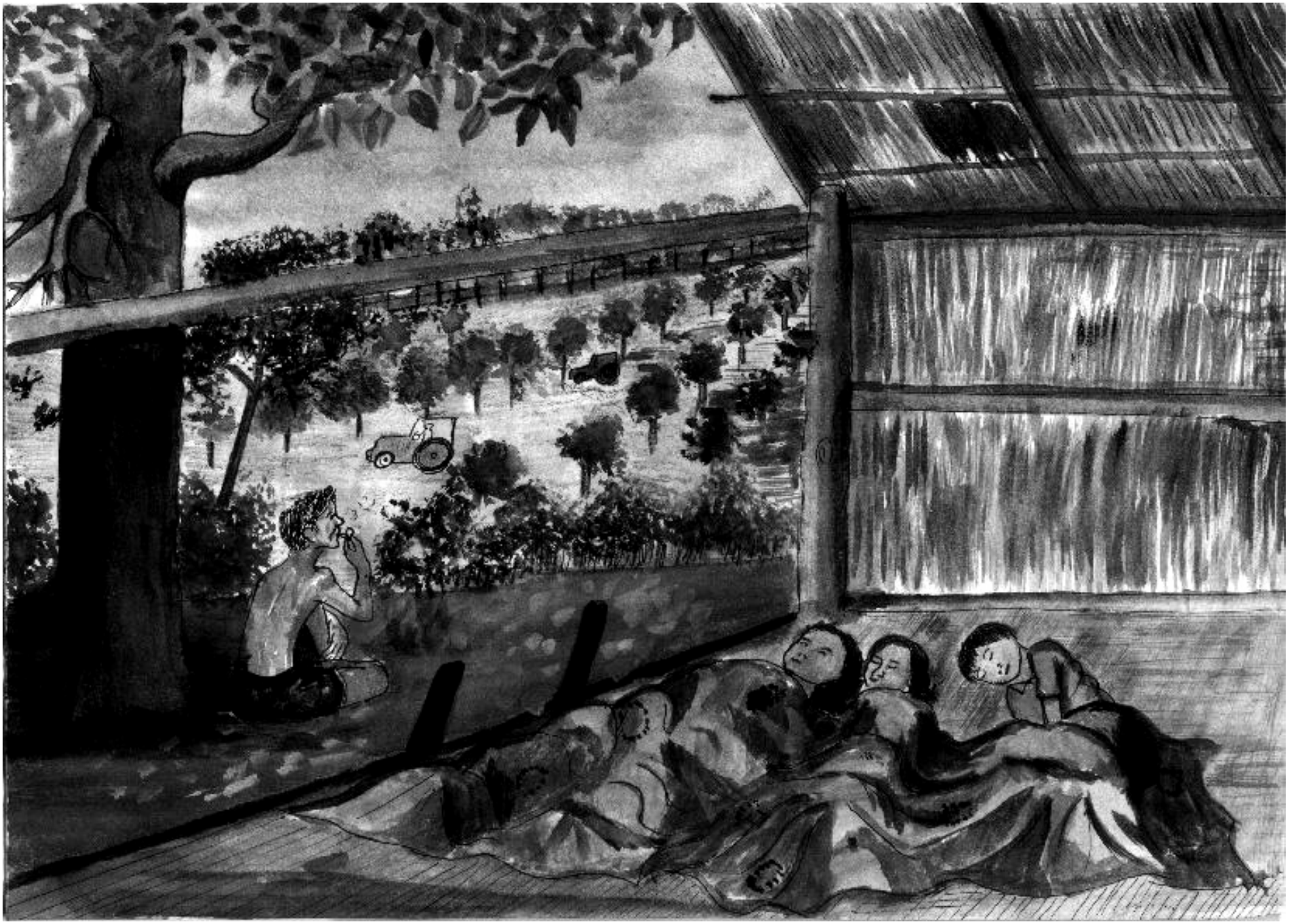
ម្ចាស់ដីថ្មីបាន ទទួលប្រាក់យ៉ាងច្រើន ពីការប្រើប្រាស់ដីនោះ ។

ក្រោយមកពួកគាត់ក៏សំរេចចិត្តធ្វើជាកម្មករអោយម្ចាស់ដីថ្មី ការងារដែលពួកគាត់ធ្វើនោះ គឺជា អ្នកមើលកាត់ ស្មៅ និងថែរទាំដំណាំផ្សេង ៗ។

ម្ចាស់ដីថ្មីអាចជួលកម្មករបានជាច្រើន រីឯប្រាក់កំរៃដែល ពួសៅ ទទួលបានក៏មាន ចំនួនដ៏តិចតួចបំផុតដែរ។

100 m

ជាញឹកញាប់ គឺវាមិនគ្រប់គ្រាន់សំរាប់ការចាយវាយ ក្នុងគ្រួសារ ពួកគេមិនដែលទទួលបាន អាហារល្អហើយឆ្ងាញ់សំរាប់បរិភោគ ក្រោយមកក៏ធ្លាក់ ខ្លួន ឈឺ ។ នៅពេលដែល គ្រួសារ ពួសៅ មានជំងឺ ពួកគេក៏ពុំមានប្រាក់សំរាប់ ទិញ ថ្នាំ ព្យាបាលដែរ ។ ហើយពួកគាត់ក៏ពុំមានប្រាក់សំរាប់អោយ កូនទៅរៀនផងដែរ ។ ចំនែកម្ចាស់ដីថ្មីក៏បានគិតថា ការ ប្រើម៉ាស៊ីនក្នុងកសិដ្ឋាន របស់ពួកគេ ជំនួស កំលាំងពលកម្មមនុស្ស វាប្រសើរជាង ។



ក្រោយមក គ្រួសារពូសៅក៏សំរេចចិត្តទៅរស់នៅឯទីក្រុង ដើម្បី
ស្វែងរកការងារធ្វើនៅទីនោះ ។ ហេតុដោយពួកគាត់ ពុំមានប្រាក់ ពុំ
មាន កន្លែងស្នាក់នៅ ទើបពួកគាត់ត្រូវតែដេកនៅតាមចិញ្ចើមផ្លូវ ។
មនុស្សនៅទីក្រុងគេមិនពេញចិត្តការស្នាក់ នៅរបៀបនេះឡើយ ហើយ
នគបាលក៏បានដេញគ្រួសារពូសៅ អោយចាកចេញឆ្ងាយពីទីនោះទៀត ។
ប៉ុន្តែគ្រួសារពូសៅមិនដឹងថាត្រូវ ទៅទីណា ឡើយ ។ ធ្វើអោយគ្រួសារ-
ពូសៅ ក្លាយជាអ្នកក្រតោកយ៉ាកជាទីបំផុត ពួកគាត់ គ្មានដីគ្មានប្រាក់
ចំនួលគ្មានកំលាំងកំហែង ហើយពួកគេគ្មានអនាគត ។

ទីបញ្ចប់គ្រួសារ ពួសៅបានស្រម៉ៃឃើញដីរបស់គាត់ វប្បធម៌របស់ គាត់ និងសហគមន៏ របស់គាត់ គាត់បាននឹកដល់ ជីវិតរស់នៅរបស់សហគមន៏ ដែលត្រូវបានបែកបាក់ដោយសារតែ ការលក់ដី។

ពួកគាត់បានបួងសួង សង្ឃឹមថា និងមិនមានការលក់ដីតទៅទៀតទេទៅថ្ងៃអនាគត។

'*Our Land Our Future*' is a series of storybooks about land issues and indigenous peoples in Cambodia. The books are produced as both a literacy and awareness raising tool.

The Story in English - not a direct translation: The Sao Family

Page 1: The Sao family lived as part of one of the many indigenous communities in Ratanakiri. They were farmers. They also gathered food and building materials from the forest.

Page 3: The Sao family saw other people buying motorbikes and cassette players and thought this would be a good thing for them. They thought it would mean they were not poor and that they had become part of the modern times.

Page 5: The Sao family sold their land to an outsider who had money and said that selling land was the best thing an indigenous family could do. At first the Sao family was very happy. They had a motorbike and a cassette player.

Page 7: But then…the Sao family's motorbike and cassette player broke and the Sao family had no money to fix them. They had no land either. The new landowner had been making money from the land.

Page 9: The Sao family then decided to work as laborers on the new landowner's land. They cut the grass and looked after the cash crops. The new owner had lots of people he could employ. The amount of money the Sao family got for working was very small.

Page 11: Many times it was not enough for the whole family. They did not have good food and they started to get sick. When the Sao family got sick they had no money for medical care. They also did not have money for their children's education. The new landowners thought it would be better to use machines for their farm work.

Page 13: The Sao family decided to move to the town to try to find work there. Because they had no money they had nowhere to stay. They had to sleep on the streets. The people in the town did not like this. The police told the Sao family to go away. But the Sao family did not have anywhere to go. The Sao family became very poor. They had no land. They had no income. They had no energy. They had no future. `

Page 15: The Sao family dreamt of their land, their culture and their community. They missed the community life. It was the life broken by selling land. They wished they had not sold their land. They wished they had not sold their future.

"This book are produced with financial support from the Danish Ministry of Foreign Affairs"

រឿងនេះបង្កើតឡើងដោយគំរោង CFI សហការជាមួយអង្គការ ICC

គណៈកម្មការត្រួតពិនិត្យ និងកែសំរួល

ក្រុមការងារថ្នាក់អក្សរកម្មក្រៅប្រព័ន្ធផ្នែកភាសាគ្រឹង របស់អង្គការសហការ ខេត្តរតនគីរី

គណៈកម្មការត្រួតពិនិត្យ

លោក : គែង ខាំអយ

លោក : ប៉ាន់ គ្លីម

លោក : គួក កំប្រែង

អ្នកស្រី : ឡាំ ចានី

អ្នកស្រី : ក្លាយ ច្រម៉ច

ដីយើង អនាគតយើង គឺជាប្រភេទសៀវភៅរឿងមួយដែលនិយាយអំពីបញ្ហាទំនាស់ដីធ្លី និងជនជាតិភាគតិចនៃប្រទេសកម្ពុជា។ សៀវភៅនេះផលិតឡើងដើម្បីផលប្រយោជន៍ពីរគឺ មួយដើម្បីអោយជនជាតិចេះសរសេរផង និងសំរាប់ការអប់រំផង។

អ្នកនិពន្ធ

លោក : ប្រ្តែម ប្រាន

អ្នករៀបរៀងរឹបឆ្នេកទេសកុំព្យូទ័រ

លោក : ម៉ុន សារឿន

លោក : យ៉ែះ ប៉ាទូ

លោក : គីម សាម្បៀន

រចនារូបភាពដោយ

លោក : ប៉ាង កាន់ធឿម

សំរាប់ព័ត៌មានបន្ថែមអំពីអង្គការសហគមន៍ព្រៃឈើអន្តជាតិ សូមទាក់ទង:

អង្គការសហគមន៍ព្រៃឈើអន្តជាតិនៅកម្ពុជា

ផ្ទះលេខ ៨១ បេ ផ្លូវលេខ ៥៧ កែងផ្លូវលេខ ៣៩៨. សង្កាត់បឹងកេងកង១

ខ័ណ្ឌចំការមន ក្រុងភ្នំពេញ កម្ពុជា

ទូរស័ព្ទលេខ : (៨៥៥ ២៣) ២២០ ៧១៤

ទូរស័ព្ទសារលេខ : (៨៥៥ ២៣) ២២១ ៦៣៤

អ៊ីម៉ែល : cfioffice@cfi-cambodia.org.kh

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Email: cfioffice@cfi -cambodia.org.kh

ទ្វបត្ថម្ភការឧបត្ថម្ភដោយ

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IWGIA International Work Group for Indigenous Affairs

CFI

សំរាប់សហគមន៍ព្រៃឈើ

គោលការណ៍ ហិរញ្ញវត្ថុ

សេចក្តីផ្តើម

គណៈកម្មការសហគមន៍ព្រៃឈើមានតួនាទីគ្រប់គ្រងសហគមន៍ព្រៃឈើរួមទាំងគ្រប់គ្រងថវិការរបស់សហគមន៍ផងដែរ ។

គោលការណ៍ហិរញ្ញវត្ថុនេះបង្កើតឡើងសំរាប់ការប្រើប្រាស់ថវិការអោយបានត្រឹមត្រូវនៅក្នុងសហគមន៍ព្រៃឈើនីមួយៗ ។ រាល់ចំណូល និងចំណាយ សមាជិកនៅក្នុងសហគមន៍ត្រូវតែអនុវត្តន៍ទៅតាមគោលការណ៍ដែលបានចែងដូចខាងក្រោមនេះ ដើម្បីធ្វើអោយមានតម្លាភាព និងភាពច្បាស់លាស់នៅក្នុងជួរគណៈកម្មការសហគមន៍ព្រៃឈើ ។ ការដែលធ្វើអោយមានតម្លាភាព និងភាពច្បាស់លាស់នេះគឺវាអាចជួយអោយ ការងាររបស់សហគមន៍មានដំណើរការល្អ និងបានទទួលការទុកចិត្តអំពីម្ចាស់ជំនួយ និងអ្នកពាក់ព័ន្ធព្រមទាំងធ្វើអោយសមាជិកទាំងអស់បានទទួលនូវភាពយុត្តិធម៌ និង ជៀសវាងនូវ ជំលោះដែលអាចកើតមានឡើងជាយថាហេតុ ។

៩ ភាពទទួលខុសត្រូវចំពោះបវិការ

គណៈកម្មការសហគមន៍ព្រៃឈើត្រូវបែងចែកតួនាទីដែលទាក់ទងទៅនឹងការគ្រប់គ្រងថវិការអោយបានច្បាស់លាស់ ។ គ្រប់ប្រតិបត្តិការចំណូលចំណាយទាមទារអោយមានសមាជិករបស់សហគមន៍យ៉ាងតិចចំនួនពីររូបចូលរួមចុះហត្ថលេខា និងអនុម័ត ។ ប្រធានសហគមន៍មានតួនាទីមើលការ ខុសត្រូវដោយចុះហត្ថលេខាយល់ព្រមនូវមុខចំណាយទាំងឡាយណាដែលទាក់ទងទៅនឹងសហគមន៍ព្រៃឈើ ។ ចំណែកហិរញ្ញិក(អ្នកកាន់លុយ) ត្រូវមានតួនាទីថែរក្សាលុយអោយបានល្អ និងរៀបចំចុះបញ្ជីចំណូលចំណាយជារៀងរាល់ពេលដែលកើតមានឡើង ។ ហិបត្រូវតែចាក់សោរគ្រប់ពេលវេលា មានតែអ្នកកាន់លុយទេដែលមានសិទ្ធិកាន់សោរ ។ ប្រសិនបើថវិកាបាត់ពីហិប ហិរញ្ញិក(អ្នកកាន់លុយ) ត្រូវទទួលខុសត្រូវ ។ តែបើសិនថវិកាត្រូវបានចាយមិនបានត្រឹមត្រូវ

គណៈកម្មការសហគមន៍ព្រៃឈើច្រម៉ាស់នៅខេត្តកំពង់ធំ

ប្រធានសហគមន៍ត្រូវទទួលខុសត្រូវសងថវិកាមកវិញ ដោយសារប្រធានសហគមន៍ជាអ្នកចុះហត្ថលេខាអនុម័តអោយចាយ ។ ក្នុងករណីដែលសហគមន៍បានបាត់បង់ថវិការបស់ម្ចាស់ជំនួយ ម្ចាស់ជំនួយនឹងសុំអោយសង និងបដិសេធផ្តល់ជំនួយបន្តទៀត ។

គួរតែយល់ផងដែរថា ភាពមិនទៀងទាត់នៅក្នុងគំរោងថវិការនឹងធ្វើអោយសហគមន៍មានការពិបាកក្នុងការរកជំនួយនាពេលអនាគត ។ ដូច្នេះសមាជិកទាំងអស់គួរចូលរួមក្នុងការត្រួតពិនិត្យមើលរាល់របាយការណ៍ចំណូលចំណាយ និងថវិកាដែលមាននៅក្នុងហិប ។

ការចុះសួរអំពីសកម្មភាពរបស់សហគមន៍នៅខេត្តកំពង់ធំ

២ ការគ្រប់គ្រងសាច់ប្រាក់

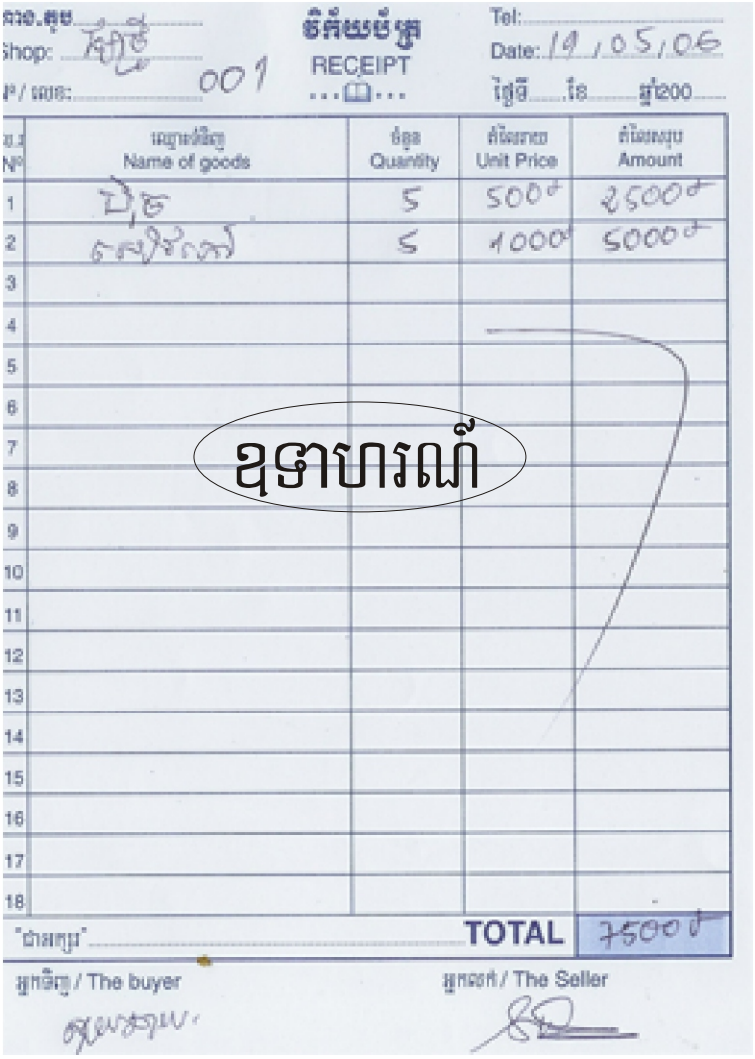
សាច់ប្រាក់នៅក្នុងដៃសំរាប់បំរើការចំណាយប្រចាំថ្ងៃត្រូវរក្សាទុកនៅកន្លែងមួយដែលមានសុវត្ថិភាព(ក្នុងហិបចាក់សោរ) ។ ហិរញ្ញិក(អ្នកកាន់លុយ) ដែលមានតួនាទី ថែរក្សាសាច់ប្រាក់ហើយនោះ គឺមិនត្រូវយកថវិការផ្ទាល់ខ្លួនរបស់មកដាក់លាយ ឡំជាមួយនឹងថវិការសហគមន៍នោះទេ ។ ហិរញ្ញិក(អ្នកកាន់លុយ) ត្រូវកត់ត្រា ចំណូលចំណាយទៅក្នុងបញ្ជីតាមដានសាច់ប្រាក់ជាប្រចាំ ដើម្បីអោយដឹងចំនួនលុយដែលនៅសល់ ។ សហគមន៍ត្រូវរាប់ សាច់ប្រាក់អោយបានទៀងទាត់តាមពេលវេលាដែលខ្លួនបានកំណត់ (យ៉ាងហោចណាស់អោយបានមួយដងក្នុងមួយខែ) ដោយប្រៀបធៀបប្រាក់ នៅក្នុងដៃ និង សាច់ប្រាក់ដែលបាន បង្ហាញនៅក្នុងបញ្ជីកត់ត្រាសាច់ប្រាក់ ។

៣ ចំណូល

គណៈកម្មការសហគមន៍នីមួយៗមានលទ្ធភាពរកចំណូលសំរាប់សកម្មភាពសហគមន៍ព្រៃឈើបានតាមរយៈការបង់វិភាគទានពីសមាជិកនៅក្នុងសហគមន៍ពីភ្ញៀវដែលចូលមកទស្សនា បច្ចុយ ពីទីវត្តអារាម ការលក់ផលអនុផលព្រៃឈើការជួយពីសំណាក់ អង្គការ ដែល ជាម្ចាស់ជំនួយ ។ រាល់ចំណូលដែលទទួលបានហិរញ្ញិក (អ្នកកាន់លុយ) ត្រូវធ្វើការ កត់ត្រាជាចំណូលនៅក្នុងបញ្ជីតាមដានសាច់ប្រាក់ប្រចាំថ្ងៃខាងផ្នែកចំណូល ហើយ បូកយោងជាមួយទឹកប្រាក់សរុបដែលសល់ចុងក្រោយ ។ ឧទាហរណ៍: សហគមន៍បានទទួលចំណូល ២០,០០០រ ពីភ្ញៀវដែលមកទស្សនៈកិច្ចព្រៃសហគមន៍របស់គាត់ គណៈកម្មការបានបញ្ចូលចំនួន សាច់ប្រាក់នេះទៅក្នុងបញ្ជីតាមដានសាច់ប្រាក់ ។

៤ ចំណាយ

ការចំណាយនៅក្នុងសហគមន៍មានដូចជាប្រាក់ឧបត្ថម្ភសំរាប់ការដើរល្បាត អាហារសំរាប់ការប្រជុំ ការទិញសំភារៈដូចជា ប៊ិច ស្បៀវភៅ បន្ទាត់ រណា ស្រោមដៃ ម៉ែត្រ និង សំភារៈផ្សេងៗទៀតដែលទាក់ទងទៅនឹងការងាររបស់សហគមន៍ព្រៃឈើ ។ល។



រាល់ចំណាយទាំងអស់ គឺត្រូវផ្អែកទៅលើការសំរេចចិត្តរបស់គណៈកម្មការផែនការសាច់ប្រាក់ប្រចាំខែ និងខ្ចង់ថវិការដែលបានកំណត់នៅក្នុងគំរោងថវិការរបស់សហគមន៍ ។ ចំណាយទាំងអស់ដែលកើតមានឡើងត្រូវមានចុះលេខរៀងនៅក្នុងវិក័យបត្រ រួចកត់ត្រានៅក្នុងបញ្ជី ខាងផ្នែកចំណាយ ហើយដកំរលោះជាមួយនឹងសាច់ប្រាក់ដែលនៅសល់ ។

៤ ការទិញ

រាល់ការទិញទាំងអស់ដែលកើតមានឡើងត្រូវតែយល់ព្រមពីសមាជិកនៅក្នុងគណៈកម្មការសហគមន៍ទាំងអស់នូវគ្រប់មុខទំនិញ នឹងតំលៃដែលសហគមន៍គិតថានឹងទិញ។ បន្ទាប់មកអ្នកដែលបានជ្រើសរើសដោយគណៈកម្មការសំរាប់ការទិញត្រូវតែយកវិក័យបត្រដែលបានទិញនោះ (ដើម្បីជាភស្តុតាងសំរាប់បង្ហាញថាខ្លួនបានទិញជាមួយនឹងតំលៃដែលបានកំណត់មែន) មកប្រគល់អោយហិរញ្ញិក(អ្នកកាន់លុយ)វិញរួមជាមួយនឹងព័ត៌មាន ដែលមាននៅក្នុងវិក័យបត្រទាំងនោះរួមមាន ឈ្មោះ របស់ហាង រឺ តូប ថ្ងៃខែឆ្នាំ រាយមុខទំនិញ តំលៃរាយ តំលៃសរុបព្រមទាំងមាន ហត្ថលេខារវាងអ្នកលក់ និងអ្នកទិញផងដែរ ។ ហិរញ្ញិក(អ្នកកាន់លុយ) មិនត្រូវមានសិទ្ធិទិញជាដាច់ខាត ។

៥ ការធ្វើរបាយការណ៏

ហិរញ្ញិក(អ្នកកាន់លុយ) ត្រូវរៀបចំរបាយការណ៏ចំណូល និងចំណាយ(តាមគំរូឯកសារលេខ១ អាចរៀបចំនៅក្នុងសៀវភៅកត់ត្រាចំណូល និងចំណាយបាន) នៅរៀងរាល់ដំណាច់ខែត្រូវដាក់អោយប្រធានចុះហត្ថលេខាទទួលស្គាល់ ។

នៅពេលអនុម័តរួចហើយ របាយការណ៏នេះត្រូវតែដាក់បង្ហាញទៅអោយសហគមន៍ទាំងមូលនៅពេលប្រជុំ ។ ប្រសិនបើមានការតួញ្ចែរ ឬសំណូមពរ ចំណុចទាំងអស់នោះត្រូវតែមានការពិភាក្សា និងឯកភាពគ្នា ។

សមាជិកសហគមន៍ទាំងអស់មិនត្រូវខ្លាចក្នុងការសួរអ្វីដែលទាក់ទងទៅនឹងចំណូលចំណាយរបស់សហគមន៍ឡើយដោយផ្អែកទៅលើគោលការណ៍នេះ។ សមាជិកសហគមន៍ទាំងអស់ត្រូវតែដឹងផងដែរថា ពួកគេមានតួនាទីនៅក្នុងការទទួលខុសត្រូវចំណូលចំណាយរបស់សហគមន៍។

សរុបសេចក្តីមក គោលបំណងនៃគោលការណ៍ហិរញ្ញវត្ថុនេះគឺដើម្បីជួយពរងឹងប្រព័ន្ធគ្រប់គ្រងហិរញ្ញវត្ថុនៅក្នុងសហគមន៍ដើម្បីធ្វើអោយមានការទុកចិត្តរវាងសមាជិកនៅក្នុងសហគមន៍ និងម្ចាស់ជំនួយបន្ថែមទៀត ។

ការអនុវត្តន៍គោលការណ៍ហិរញ្ញវត្ថុនេះមានសារសំខាន់សំរាប់សហគមន៍បង្ហាញនូវភាពស្មោះត្រង់ និងគុណតំលៃរបស់ខ្លួនក្នុងការគ្រប់គ្រងថវិកា។

សកម្មភាពបរិច្ចាគថវិការដល់សហគមន៍

គំរូឯកសារលេខ១

សហគមន៍ព្រៃឈើចំបក់
របាយការណ៍ចំណូលចំណាយ

លេខរៀង វិក័យបត្រ	កាលបរិច្ចេទ	ការពិពណ៍នា	ចំណូល	ចំណាយ	ចំនួនសរុប
	01-03-06	លុយលល់ពីខែបុន	50000៛		50,000៛
001	02-03-06	ទិញបិុច - ស្បៀវភៅ		5,000៛	45,000៛
002	04-03-06	ថ្ងៃធ្វើដំណើរចូលប្រជុំ		10,000៛	3.5,000៛
001	06-03-06	ចំណូលពីរដ្ឋកនស្បឆា	100,000៛		135,000៛
002	10-03-06	ចំណូលពីវិត្ត	200,000៛		33,5000៛
003	15-03-06	ទិញដី		30,000៛	305,000៛

រៀបចំដោយ : . . . . ព្រំ ចិត្រ . . . . . ត្រួតពិនិត្យ និង សំរេចដោយ : . . . ប្រធានសហគមន៍ . . . .

ថ្ងៃទី..01..... ខែ..05.. ឆ្នាំ .....2005.. ថ្ងៃទី..01..... ខែ..05..... ឆ្នាំ...2005.....

ENGLISH TRANSLATION

The CFMC has many responsibilities to manage community forestry including financial management of community funds. These financial guidelines have been written to ensure the appropriate financial management by community forestry groups. The CFMC should follow the guidelines below in order to make all financial accounting transparent and clear. Financial transparency and accountability will help the community to work more effectively and make donors more confident to invest in communities. In particular, the community will be ensured fairness and avoidance from conflict.

Accountability (Page 1, 2)

The CFMC members should have clear and separate responsibilities in relation to the finances. At least two members of the CFMC should "sign off" and approve all financial transactions. The Community Chief should be responsible for signing approval on the expenses related to community forestry. The Cashier should keep the money safe and secure, recording all of the revenue and expenses. The safe box should be kept locked. Only the Cashier should have a key. If any money is lost from the safe box, the Cashier shall be responsible; if any funds are spent inappropriately, then the Community Chief will be held responsible for reimbursing funds since he/she is the person who signs off on expenditures. In the case of loss of grant funds, a donor may demand reimbursement of funds and refuse to provide any future support to the community. Therefore, all members should participate in checking all expense reports and the money in the safe box as they would all be impacted by any improprieties.

Cash Management (Page 3)

Cash on hand should be kept in a safe place (a locked box). The Cashier who is responsible to keep the money should not put his personal money with the community money. The Cashier should record all the revenue and expenses in the cash book in order to maintain a running tally of cash remaining. The Community should count the money regularly (at least one time per month) by comparing the amount in hand and in the book.

Revenue (Page 3)

The CFMC can get sponsors to support their CF activities from community member contributions, visitors, the pagoda, sale of forest products, and grants or donations from NGOs or individuals. The Cashier should record all cash received as revenue in the cash book on the debit side and then add it together with the last balance. For example, if the community receives 20,000 riel from a visitor, the committee transfers that money to the box and records it in the cashbook.

Expense (Page 4)

Examples of expenses in the community are for patrolling, snacks for meetings, purchasing of supplies such as pens, books, saws, the gloves, measuring tapes, and other materials related to community forestry work. All of these expenses should be based on the joint decision of the community, monthly planning, and a budget plan in the community. When payments are made, the Cashier should put the order number on the invoice, record it in the cash book on the credit side, and then deduct from the last balance.

Purchasing (Page 5)

Before purchasing any items, the CFMC should approve on the item and its estimated price. After that, the person selected to make the purchase should bring an invoice (as evidence to show he/she has bought the item at the agreed price) to the Cashier with other supporting information including the name of supplier, date, description of the item, unit price, and buyer's signature. The Cashier should never be the purchaser.

Reporting (Page 5, 6, and 7)

The Cashier should prepare a monthly financial report Ssee page 7) at the end of the month and give it to the Community Chief for approval. Once approved, this report should be presented to the whole community at a meeting. If there are any complaints or suggestions, these should be discussed and agreed upon. Community members should not be afraid of asking any questions which relate to the community revenue and expenses in order to become better informed about the community working process. All the members should know that they also have an important role in relation to the community financial management.

In conclusion, these financial guidelines aim to strengthen the community's system for financial management in order to build trust among the community members and potential donors. It is important for the community to demonstrate its desire to honestly and ethically manage its funds by applying these guidelines.

អង្គការសហគមន៍ព្រៃឈើអន្តជាតិ (CFI)

គឺជាអង្គការក្រៅរដ្ឋាភិបាល មិនរកកំរៃហើយធ្វើការគាំទ្រដល់សហគមន៍ព្រៃឈើទាំងឡាយ ដោយធ្វើកិច្ចសហប្រតិបត្តិការជាមួយរដ្ឋបាលព្រៃឈើ អង្គការជាតិ និងអន្តរជាតិ ។

សៀវភៅគោលការណ៍នេះ ត្រូវបានចងក្រងឡើងដោយបុគ្គលិកអង្គការសហគមន៍ព្រៃឈើអន្តជាតិ ជាបទពិសោធន៍ជាក់ស្តែង សំរាប់ការអនុវត្តន៍ចំពោះសហគមន៍ព្រៃឈើណាដែលចាប់អារម្មណ៍ តែមិនឆ្លុះបញ្ចាំងពីទស្សនៈអង្គការ និងម្ចាស់ជំនួយទេ ។ សៀវភៅនេះសំរាប់ធ្វើការផ្សព្វផ្សាយ ហើយលើកទឹកចិត្តក្នុងការបោះពុម្ពបន្ថែម ដោយមិនចាំបាច់សុំការអនុញ្ញាតិពីអង្គការ CFI ឡើយ ។

Community Forestry International (CFI) assists rural communities with the process of community forestry establishment in Cambodia. This booklet aims to provide basic guidelines for financial management to Community Forestry Management Committees (CFMC) so that it can manage income and expenses related to forest management activities with accountability and transparency.

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សមាសភាពអ្នករៀបរៀង

និពន្ធដោយ : ម៉ក់ សូដាលីន

កែសំរួលដោយ : ឃុន ប៊ុនណាត

ភួង ពេជ្រពណ្ណារាយ

អាម៉ាន់ដា ប្រៃតលី

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ផ្ទះលេខ ៨១ បេ ផ្លូវលេខ ៥៧ កែងផ្លូវលេខ ៣៩៨. សង្កាត់បឹងកេងកង១

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ទូរស័ព្ទសារលេខ : (៨៥៥ ២៣) ២២១ ៦៣៤

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ឧបត្ថម្ភការចោះពុម្ពដោយ

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CFMC Financial Guidelines-English Translation

These financial guidelines have been written to insure the appropriate tracking of expenditures of grant money in the community. All of the members of the community should follow the guidelines below in order to make all financial accounting transparent and clear. Financial transparency and clarity will help the community to work better and make other donors more confident with this and other related work. In particular, CF members will be ensured fairness and more avoidance from any conflict.

Accountability (Page 1)

The community should have clear responsibility in relation to the grant for each member. It is required by the grant that two members of the community "sign off" and approve all financial transactions. The Community Chief should be responsible for signing approval on the expenses related to community benefit. The cashier should kept the money safe and secure, recording all of the revenue and expenses every time. If any grant money is lost, either through carelessness or embezzlement, the Community Chief and the Cashier will be held responsible for reimbursing the grant donor immediately. It should be understood that the donor will undertake an immediate investigation into the community in collaboration with the local police. It should also be understood that any irregularities in funding will cancel the existing grant contract and seriously delay any future funding from other donors. It is in the best interest of the community that all members should participate in checking all expenses report and the safety of the money in the safe box as they all will be impacted by any improprieties.. The safe box should be locked at all times with only the Community Chief and the Cashier having the key.

Cash Management (Page 2)

Cash on hand should be kept in a safe place (a locked box). Cashier who is responsible to kept money should not put his personal money with community money. Cashier should record every time all the revenue and expenses in the cash book in order to follow up cash remaining. Community should count the money regularly (at least one time per month) by comparing the amount in hand and in the book.

Revenue (Page 2)

Communities can get a sponsor from community member contributions, visitors, pagoda, purchasing forest product, and other NGOs. Cashier should record all cash received as revenue in the cash book on the Debit side and then add it together with the last balance. For example: community received 20,000 Riel from visitor, committee transfers that money in to box and records it in the cashbook.

Expense (Page 3)

Expenses in the community are considered food for patrolling, food for participation in the meeting, purchasing supplies such as pens, books, rules, saws, water machine, gloves, meters, and other material related to community work. All of these expenses should be based on community decision, monthly planning, and budget plant in the community. When all the payments are made, the Cashier should put the order number on the invoice and then record it into cash book at Credit side and then deduct from the last balance.

Purchasing (Page 4)

Any and all purchasing should be approved by all of the members of the CFMC, with every kind of goods at the price which community wants to buy. After that, the purchaser should bring an invoice (for evidence showing that they have bought the item at the price agreed) to the Cashier with other supporting information including the name of supplier, date, telephone number, description of item, unit price, total price supplier, and buyer's signature (cashier should be a buyer).

Reporting (Page 4, and 5)

The Cashier should prepare a monthly financial report at the end of the month and give to the Community Chief for approval. Once approved, this report should be presented to the community at a meeting for their approval. If there are any complaints or suggestions, these should be discussed and agreed upon. Community members should not be afraid of asking anything which relates to the community revenue and expenses in order to become better informed about the community working process based on these guidelines. All the members should know that they also have a role in relation to the community revenue and expenses. In conclusion, these financial guidelines have been set up in order to strengthen the community ability's to manage their money and to find additional support from other donors. Moreover, these guidelines help demonstrate the community's intention to honestly and ethically manage their grant money.