



CAMBODIA DEVELOPMENT REVIEW

A Publication of the
Cambodia Development Resource Institute

VOLUME 10, ISSUE 4

OCTOBER-DECEMBER 2006

\$4.00

Commune Councils as Potential Forest Managers

Iben Nathan, Tove Enggrob Boon, Sovatha Ann and Kasper Hansen discuss the important role that commune councils can play to support the livelihoods of forest-dependent rural poor people, while at the same time sustaining valuable forest resources.*

In Cambodia there is an urgent need to support the livelihoods of forest-dependent rural poor people, while at the same time sustaining valuable forest resources. As past management regimes have failed to meet this need, forestry researchers and development practitioners strongly recommend forest management by decentralised units such as community forest groups and commune councils. Based on experience elsewhere with community-based forest management, this article argues that forest management by commune councils in Cambodia is likely to work only if the communities gain access to substantial benefits, and if higher levels of government and/or other external actors play an active and supportive role.

Introduction

Forests constitute about 58 per cent of Cambodia's total area, corresponding to approximately 10 million hectares, but the forested areas are decreasing and being degraded at an alarming rate (FAO 2005). This is a serious problem because most rural Cambodians depend on access to forest products. Timber and poles are needed for construction of houses, income generation and other purposes. Non-timber forest products, such as firewood, resin and wild



Community-Based Forest Management groups attach importance to maintaining forest resources for future generations.

meat, contribute significantly to rural people's livelihoods, particularly in times of crisis (Heov *et al.* 2006).

Past management regimes in Cambodia have failed to halt degradation and ensure that benefits accrue to rural people (IFSR 2004). This has resulted in increased focus on decentralised forest management as a more promising approach, inspired by international experiences with community-based forest management (CBFM), e.g. in Nepal (Hobley 1996) and India (Sundar 2001). It has been

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argued that in Cambodia the only formally recognised model of decentralised forest management is CBFM, but in its present form CBFM cannot be considered full decentralisation since control is not entirely vested within the community forestry groups. These powers are also retained by the Forest Administration (FA) (Hobley and Boscolo 2004).

In recent years, international debate has increasingly focused on integrating natural resource management into local government structures. The basic point of view is that democratisation and natural resource management can be mutually reinforcing through devolution (e.g. Ribot 2004) and that devolution provides a strong institutional basis for community-based natural resource management. At the same time, there is a general awareness that devolution is not always a feasible approach in practice (e.g. Larson 2003).

In Cambodia, this trend is reflected in the much debated proposal by the Independent Forest Sector Review conceptualised as partnership forestry. Partnership forestry is intended to take the form of a commune forest plan, which must be approved by the state. The commune council has the duty to implement the plan, and is entitled to retain all royalties and fees from the natural resource in question (IFSR 2004). The role of commune councils is also crucial in a new USD 60 million Danida-DFID livelihood programme, which will be implemented in Cambodia during 2006–10 (Danida/DFID 2006). This, together with the fact that the decentralising administrative reforms have recently changed the role and increased the importance of commune councils (Rusten *et al.* 2004), increases the probability that the forest-related authority of commune councils will increase in the future.

The aim of this article is to assess the potential role of commune councils as forest managers by looking at some of the main constraints and opportunities these institutions are likely to encounter if they are given greater responsibility for managing forests.

Because the authority of commune councils in forest management presently is relatively insignificant, and the planned future role of commune councils is not very specific, it is not possible to evaluate any particular or envisioned role. Instead, this article draws on recent experience with CBFM and with commune councils as managers of natural resources as described in the literature and by interested persons interviewed during fieldwork.¹

Constraints and Options for Community-Based Forest Management

The constraints and options for CBFM that were identified during fieldwork come from factors that can be roughly divided into two categories: (1) incentives and disincentives for communities to manage forests through community

forest groups and commune councils, and (2) relationships between commune councils and others concerned.

1. Incentives and Disincentives for Communities to Manage Forests

Communities in general express interest in becoming involved with community forestry. There are incentives that can explain this. First, the forests have livelihood and safety net functions, although these are limited because of the low quality of most of the community forest areas (see below). Second, at least some of the CBFM respondents hope for future benefits in timber and poles for construction of houses. Third, and probably more importantly, the communities point to the advantage of establishing a good relationship with an NGO through CBFM. They expect the NGO to support them also in other regards, e.g. by initiating additional economic activities for the community. In one particular case, the community explained that military staff had attempted to take over their community forest. The conflict had resulted in a court case. Assisted by an NGO, the community had gained support from the FA and eventually won the court case. Finally, some of the interviewed CBFM groups report that they have taken on patrolling community forests, mainly because they attach importance to maintaining forest resources for future generations. Thus, awareness about environmental issues in the interviewed communities is high.

A main disincentive for CBFM in Cambodia is that community forestry does not provide the communities involved with any substantial benefits. First, apart from the restriction that community forestry can take place only in production forests (RGC/CFO 2006), there are rules about what quantities or qualities of forest can be managed by communities. Nevertheless, CBFM is, in practice, established mainly in small and degraded forests (McKenney *et al.* 2004).² The community forest group members, especially the poorest, exercise their right to collect NTFPs from community forest, but do not consider these benefits substantial. The members of one of the interviewed community forest groups report that they collect the forest products they need from the more valuable forests surrounding the community forest.

Second, the Community Forestry Sub-Decree establishes a five-year logging moratorium for community forestry groups (RGC 2003). The moratorium comes into force for each group from the date of official registration. This requires official approval of a community forest management plan, which must follow a set of government-sanctioned general guidelines. It can take considerable time to get the approval from the Ministry of Agriculture, Fishery and Forestry (MAFF). The officials interviewed are concerned that the waiting time and the five-year

moratorium will demotivate community forest groups because it prevents them from benefiting from their management efforts.

Third, even future benefit flows are uncertain because there is uncertainty about the rules on tenure rights and benefit sharing. As long as the community forest groups are not formally registered, they are not entitled to forest land belonging to the central government. At present, approximately 50 percent have legal documents, and the rules are still unclear about sharing benefits between the community and the government (Vatanak and Leakhena 2005).

Locally, it is perceived a major problem that people often cannot find time for patrolling the community forest area. One of the CBFM committees, for example, had allocated the forest patrolling task to a group of 15 poor families, who had limited time for this task as they received no salary. In this case, where substantial benefits are lacking, community forestry tends to increase the workload for poor people rather than contributing significantly to their livelihoods.

Turning more specifically to disincentives for commune councils, they rarely prioritise natural resource management in their development plans. Benefits from natural resource management projects are usually not as tangible as from, say, infrastructure projects. The members of the councils prefer results clearly visible to the voters.

2. Constraints and Options in the Relationship between Commune Councils and Others

The important actors in forest management, as seen by the commune councils, include the members of the community itself, potential external users of the forest, higher levels of government, donor organisations and NGOs (see also Hobley 2004).

2.1. Dealing with Powerful and Less Powerful External and Internal Actors

No matter whether a forest is to be managed by CBFM groups or commune councils, there is an urgent need for clear mandates for provincial and national governments, as well as “laws with teeth”, to support local management and enforcement, decrease illegal activities and provide legal rights to rural people (see also Marona *et al.* 2005).

Many CBFM groups encounter serious problems with powerful outsiders—and sometimes insiders. There is usually not much a CBFM group can do if the military or other external actors intrude into the community forest or claim it, or if there is a community forest boundary conflict that cannot be solved through negotiation. The same is true with regard to problems such as land encroachment and illegal logging, whether the offenders are external or internal to the community. The CBFM groups have no authority to arrest offenders or crack down on them in any other way (see also Vatanak and Leakhena 2005).

Compared to CBFM groups, commune councils have an advantage in conflict resolution because they, in collaboration with the police, are allowed to arrest offenders. They have the authority to mediate conflicts between members of the commune, and they are in a strong position to do so because this is one of their traditional tasks. Still, commune councils are weak compared to external actors such as the military, and can rarely stand up against them without support from other strong actors. Nor can the councils resolve conflicts in relation to other villages such as boundary conflicts, as they cannot stand up against very strong local elites and are often not familiar with the law.

Experience from other countries shows that many other aspects of relationships between commune councils and local people are important. Some scholars argue that local communities are often riddled with internal conflicting interests and prone to capture by local elites (e.g. Agrawal and Gibson 1999). Others argue that even perfectly representative and downwardly accountable local authorities may ignore minority interests (Wunder 2001). When it is profitable, collective decision makers are likely to exploit natural resources rather than conserve them, especially if they do not bear the indirect costs of resource degradation. This is the case, for instance, if the benefits to the community as a whole are greater with over-exploitation or when present needs are urgent and the costs of exploitation accrue later (Ribot 2004, Larson 2003).

2.2. Dealing with Higher Levels of Government, Donors and NGOs

In Cambodia, one of the problems in realising decentralisation and its objectives is that officials and local politicians are ill equipped to carry out the necessary tasks (Turner 2002). The commune councils have a very recent history as elected bodies, as the first elections took place only in 2002. Those who were previously village heads could not stand for election. This, among other things, implies that most commune councillors are rather inexperienced. Moreover, the financial capacity of the councils is limited (Rusten *et al.* 2004) and authority over forests and other natural resources belongs explicitly to the province (Oberndorf 2004). Hence, the commune councillors rightly do not consider forest management as one of their main tasks.

In the relationship between commune councils and the province, the present legal framework for local government does not leave the councils much independence. The province has the main authority in relation to forests and other natural resources (Oberndorf 2004). According to theory, this is a problem because efficient and equitable forest management requires a transfer of significant discretionary powers to the commune (e.g. Ribot 2004). If commune councils are going to become increasingly involved with forest management,

there is a need to address the implications of the fact that at present they lack autonomy.

With regard to the relationship between the FA and CBFM groups or commune councils, the FA acknowledges that transferring responsibility for managing a forest to CBFM groups has several advantages, at least when the forest is not valuable. Thus, the community forest groups guard government-owned degraded forest land to ensure regeneration of trees without receiving any salaries or substantial benefits. This spares the understaffed FA from some of its workload without costing it any privileges or money. Moreover, the CBFM groups and commune councils constitute easy forums for the FA to communicate with villagers, e.g. to disseminate information about FA rules and regulations, environmental awareness and control mechanisms. On the other hand, the responding FA staff were clearly not interested in handing over substantial authority to local governments, which is a serious potential constraint on making decentralised forest management work. Hence, there is a need to strengthen the authority of commune councils vis-a-vis higher levels of government, but this requires that councils have the capacity to use this authority.

Donor agencies and NGOs play significant direct and indirect roles in CBFM in Cambodia. CBFM hardly takes place without involving a national or international NGO or donor agency. The donor-supported programme SEILA provides administrative support through provincial and district facilitation teams that integrate natural resources and environment management priorities and concerns into all sectors of the commune and regularly facilitate provincial workshops. At these workshops, representatives from the councils, CBFM groups, the police, the military and others meet to discuss various issues. NGOs involved with CBFM activities often provide support to the communities in different ways, e.g. by supporting CBFM groups in conflicts with powerful external actors. The good news is that NGOs often are present and willing to provide support. The bad news is that if decentralised units become overly dependent on NGO and donor support, the decentralisation approach is not sustainable.

In addition, some respondents pointed out that the management plans required by the new community forestry guidelines are technically too complicated for CBFM groups, as well as for commune councils. This is likely to impede the implementation of CBFM and to decrease the potential empowerment of CBFM groups and commune councils. The risk is that they will become even more dependent on NGO support and technical advice from the FA in dealing with forest management plans and active silviculture. At the same time, the FA also lacks the capacity (staff, skills) to provide technical support to CBFM groups.

Perspectives for Commune Councils as Forest Managers: Discussion and Conclusion

Could commune councils in Cambodia then just take over more responsibility for forest management? The experience with community forest management shows that it is vital that substantial and tangible benefits are gained at the local level, no matter whether it is a CBFM group or a commune council that is the responsible forest management unit. This requires (1) that not only degraded but also valuable forest be transferred to the communities and (2) that the formalities be in place for communities to benefit substantially and tangibly in some way from a sustainable management approach. This could be, for example, through secure rights to harvest and sell timber and other valuable forest products, by improving local value-adding and marketing of forest products, or by paying local people for protecting forests from which they cannot benefit.

Furthermore, it is essential that commune councils be enabled to deal with the various powerful (as well as less powerful) external and internal actors. While this is an important issue, it is also politically sensitive because it basically requires a redistribution of power and resources in favour of commune councils. It may be that massive support to commune councils, e.g. through donor projects will help them increase their capacity to deal with everyday problems. But it is doubtful whether this will really make a difference if there is not at the same time a major focus on central management, as well as the dynamics between central and local levels.

Finally, before completely discarding the role of the FA in decentralised forest management, it should be considered that the relatively weak decentralised forest management units, such as CBFM groups and communes, will need a capable FA system to provide them with technical assistance. They will also need support in overcoming problems such as illegal claims from external intruders and inter-commune conflicts. It would be important not to completely by-pass FA in the development of decentralised forest management as this is likely to pose serious problems to commune councils.

The above constraints and opportunities for decentralised forest management in Cambodia are not exhaustive, because they are based mainly on interviews carried out with a limited scope of respondents during a limited time. Some other aspects, especially the importance of elite capture and national and local power structures, will be addressed in further research on decentralised forest management.

It may be concluded that the decentralised forest management strategy looks promising, and that there are many options for a decentralised forest management system to become more feasible than previous management systems

in terms of sustainable forest management and providing benefits to rural people. At the same time, we would call for more attention to the role of central government in creating an enabling political and legal environment for decentralised forest manager units. More attention should also be paid to improving the relationships between central and local levels. These aspects are at least as important, if not more important, than improving the human, financial and technical capacities of local government.

Endnotes

1. Fieldwork was conducted in four communes in the two provinces of Pursat and Siem Reap in May 2006. It included interviews with community forest committee members, commune councillors, government officials, FAO, SEILA and Danida staff at national and provincial levels and NGO representatives (CONCERN and CFI). The fieldwork was the first step in planned research collaboration between the Cambodian Development Research Institute (CDRI) and Danish Centre for Forest, Landscape and Planning (FLD).
2. Community-protected area management takes place in national parks and is the responsibility of the Ministry of Environment (Oberndorf 2005).

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