



RECOFTC

Community forestry models in Asia-Pacific

# Community-protected areas in Cambodia

Infosheet

In Cambodia, there are three types of community forestry models: community forests, community-protected areas and community fisheries (in flooded forests). Cambodia's community-protected areas model aims at improving living standards for local communities and indigenous ethnic minorities. It enables them to enter into an agreement to manage parts of the sustainable-use or community zones of local protected areas for the sustainable management of natural resources and the production of non-timber forest products. The model's legal basis is laid out in the 2008 Law on Protected Areas and the 2017 Guideline on Procedure and Process of Community Protected Area Establishment. The Ministry of Environment is responsible for allocating and overseeing implementation of community-protected areas. The 2008 Law on Protected Areas defines a community-protected area as the participation of local community or indigenous ethnic minorities in an elected form of administrative structure that is recognized by the General Department of Local Community to manage and sustainably use natural resources in a particular part of a protected area. The 2017 Guideline also provides a framework for monitoring and evaluation of community-protected areas.



# Key requirements

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## Who is eligible?

The 2008 Law on Protected Areas does not define “community”, but it specifies that all Cambodian citizens living in or around protected areas have the rights to establish a community-protected area for the purposes of preserving natural resources, culture, traditions and religious beliefs and to improve local communities’ or Indigenous People’s livelihoods.

The law defines indigenous ethnic minorities as Indigenous Peoples living in mountainous areas, most of whom make their living by practising shifting agriculture and other livelihoods, such as hunting, fishing and collecting forest products and by-products.

## Allocation process

1. A working group is formed, composed of officials from the General Department of Local Community, the General Department of Natural Conservation and Protection Administration, the Provincial Department of Environment, the Department of Protected Areas, the commune council, development partners or relevant institutions, if necessary. This working group functions as researcher and coordinator in the process of establishing a community-protected area.
2. If a community agrees to establish a community-protected area, the village chief or community representative requests technical and material support from the Department of Community Livelihood through the local authorities, the director of Protected Areas and the Provincial Department of Environment. The application is made after the proposed area is studied, especially if it is well-demarcated with official recognition from authorities, sectoral institutions and other stakeholders. The application form is in Appendix 2 of the 2017 Guideline.
3. The community members elect a community-protected area committee. The election must be coordinated by a temporary working group composed of a pagoda committee, teachers, monks and elders or community members who are not candidates. The working group reports the results of the election to the commune chief and the director of the protected area. The commune chief recognizes the legitimacy of the elected committee to lead the community-protected area and to sign an agreement with the Ministry of Environment’s General Department of Local Community.
4. In accordance with Article 27 of the 2008 Law on Protected Areas, the community-protected area committee, local authorities and the director of Protected Areas visit the proposed community-protected area site to discuss and demarcate its boundary by GPS. The Department of Community Livelihood coordinates production of a scale map of the community-protected area.
5. The community-protected area committee, the village chief, the commune council and select members of the community draft the community-protected area by-laws. Each village and other stakeholders are consulted. The final draft is submitted to the Department of Community Livelihood for review and adjustment. It is then signed by the commune chief and the Provincial Department of Environment. To help it develop the by-laws, the community-protected area committee can request technical support from development partners, the director of Protected Areas, the Provincial Department of Environment and the Department of Community Livelihood.
6. The community-protected area committee has up to one year to prepare a community-protected area management plan. The committee can request support from the Department of Community Livelihood and non-government organizations. The process of preparing the plan includes conducting zoning of the community-protected area, undertaking an inventory of forest resources, assessing resource-use needs and using the findings and consultations with stakeholders to determine the management options. The stakeholders consulted should include community members, local authorities, the commune council, the Provincial Department of Environment and the director of Protected Areas. The community-protected area management plan is signed by the commune chief, the director of Protected Areas, the director of the Provincial Department of Environment and the director of the General Directorate of Local Communities.
7. The community-protected area committee drafts a community-protected area management agreement and can request support from the Department of Community Livelihood through the Provincial Department of Environment. The agreement is then signed by the General Department of Local Community of the Ministry of Environment and the community-protected area committee. It is valid for 15 years.
8. The community-protected area committee determines a framework for monitoring and evaluating the effectiveness of its sustainable management of the community-protected area, conducts regular monitoring and evaluation and reports the results to the director of Protected Areas.

# Main elements



## Duration of tenure

- Tenure is 15 years and is renewable.



## Type and condition of forest

- Sustainable-use zone or community zone of a natural protected area.
- The condition of forest to be handed over to communities is not specified.



## Type and duration of management plan

- The community-protected area management plan is for five years.



## Internal governance

- The participation of 60 percent of a village's households is needed to establish a community-protected area.
- The community-protected area is led by a committee that is elected for five years and recognized by the commune councillor. Women are encouraged to apply.
- The committee is responsible for implementing the community-protected area management plan, its by-laws and agreement, among other duties.



## Gender and social inclusion

- The 2017 Guideline encourages men and women and ethnic minorities to fully participate in community-protected area management.
- Votes for female candidates are prioritized if there is no outright winner in an election for the positions of president and vice-president of the community-protected area committee.
- The state recognizes and secures access to traditional uses, local customs, beliefs and religions of the local communities and indigenous ethnic minority groups residing within or next to protected areas..



## Community-based enterprises

- One objective of protected area management is to provide socio-economic benefits to communities.



## Benefit-sharing mechanism

- The community-protected area committee should ensure that benefits are shared in a transparent and equitable manner.
- According to the 2017 Guideline, the process of drafting the community-protected area management plan should include discussions on transparent, accountable and equitable benefit-sharing, and a benefit-sharing policy should be developed.



## External support

- National and international non-government organizations and civil society groups are encouraged to provide assistance and coordination for the establishment and implementation of community-protected areas.
- Specific types of support that can be provided are outlined in the framework for monitoring and evaluation in the 2017 Guideline.



## Conflict-resolution mechanism

- The Ministry of Environment mediates and finds solutions to conflicts inside a community-protected area, together with local authorities.
- The community-protected area committee represents the community-protected area members to mediate and find solutions to conflicts relating to natural resource exploitation.
- The community-protected area committee can file a complaint to a court if it is dissatisfied with a solution proposed by the Ministry of Environment.



## Rights and responsibilities of community members

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### Members have rights to:

- practise traditional uses of natural resources and customary practices, in line with the 2017 Guideline.
- use and, with restrictions, sell non-timber forest products and fishery resources from the community-protected area.
- provide ecotourism services.
- harvest timber at a family or community scale, in accordance with the community-protected area management plan and with permission from the community-protected area committee and approval from the director of Protected Areas.
- exclude outsiders.

### Members must:

- prepare the community-protected area regulation, management plan and agreement, in line with the Protected Areas Law and the Guideline on the procedure and process for community-protected area establishment.
- manage and use natural resources sustainably, complying with the community-protected area regulation and management plan.
- implement the community-protected area regulation, management plan and agreement.

- cooperate with government departments and local authorities to combat all crimes relating to natural resources.

### Members cannot:

- claim title over the land or sell, transfer or divide the area under their management to another person or entity.
- harvest timber for commercial purposes.
- clear forestland.
- practise agriculture.



## Links with climate change policies and targets

- The guidance on developing the community-protected area management plan includes guidance on a five-year action plan relating to climate change adaptation.
- In 2020, Cambodia's updated Nationally Determined Contribution under the Paris Agreement on climate change identified REDD+ (reduced emissions from deforestation and forest degradation) as one measure for mitigating climate change and, within this measure, an effort to strengthen management of forest conservation areas, such as protected areas and flooded and mangrove conservation areas. Other mitigation measures include enhancing supplies of timber and wood-based energy from community-managed forest areas and private plantations to reduce pressure on forest areas. This is in line with the country's 2017–2026 REDD+ Strategy. Among its measures for adaptation to climate change, the Nationally Determined Contribution mentions building up the resilience of biodiversity conservation and restoration. This reflects a priority identified in the National Protected Areas Strategic Management Plan 2017–2031.
- The Climate Change Strategic Plan 2014–2023 promotes the involvement of community-based organizations for adaptive social protection and participatory approaches in reducing loss and damage from climate change. However, it does not mention community-protected areas specifically.

## Read more

- RECOFTC, *Special Report: How community forests boosted pandemic resilience across Asia-Pacific*, [www.recoftc.org/special-report/community-forestry-boosted-pandemic-resilience](http://www.recoftc.org/special-report/community-forestry-boosted-pandemic-resilience)
- RECOFTC, *Special Report: Communities are improving lives and landscapes in Southeast Asia through social forestry*, [www.recoftc.org/stories/special-report-communities-are-improving-lives-and-landscapes-southeast-asia-through-social](http://www.recoftc.org/stories/special-report-communities-are-improving-lives-and-landscapes-southeast-asia-through-social)
- RECOFTC, *Special Report: Bridging policy and practice: RECOFTC and the story of community forestry in Cambodia*, [www.recoftc.org/special-report/community-forestry-cambodia-history](http://www.recoftc.org/special-report/community-forestry-cambodia-history)
- Find out more about RECOFTC's work in Cambodia at [www.recoftc.org/cambodia](http://www.recoftc.org/cambodia)



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