

Managing multiple forest and land-use interests

Lessons learnt on consensus building mechanisms from two REDD+ pilot project sites in Cambodia

DRAFT (updated 26.12.2012)

Related Activities UN-REDD Workplan:

2.5A Assessment of options for linking subnational and national implementation (legal aspects) and conflict management and resolution mechanisms

Objectives:

To support the REDD+ readiness process by identifying potential consensus building mechanisms in case of forest and land-use disputes and suggest preliminary recommendations on how to strengthen them based on international best practices and observations at 2 REDD+ pilot project sites. In particular, the activities will directly contribute to:

1. Achieve the outcome 2.5 “Develop policy and legal framework for REDD+ implementation” through activity 2.5A “developing conflict resolution and independent review mechanisms” (*UN-REDD Project Document, August 2011*)
2. Implement the Cambodia REDD+ Roadmap “strengthening conflict management and resolution mechanisms, as mandated under the NFP and 2008 PA Law; review suitability of these mechanisms for REDD+ and recommend modifications as required” (*Component 4.1 Cambodia REDD+ Roadmap, March 2011*)
3. Address FCPF recommendations to revise the R-PP submission, in particular 2 a) “provide a rough roadmap to improve forest governance issues [...] which are necessary for REDD+ to succeed” (*Technical Advisory Panel Review, Comments and Recommendations, March 2011*)
4. Identify priorities to focus the expected activities under the additional FCPF 200,000 USD fund for “proposed feedback and grievance redress mechanism to be operational early in the R-PP implementation phase” (*FCPF Guidelines for Establishing Grievance and Redress Mechanism at Country Level, April 2012*)

Context:

Forests, through the provision of multiple ecosystem services, support the needs of a number of stakeholders. When people with different priorities as well as social, economic or political interests interact, disagreements are likely to arise. In Cambodia, the strong dependence of the people on agricultural activities for their livelihoods, the relative high rate of land use change, as well as the recent history that resulted in recreating cadastral mapping almost from scratch, are also contributing to cause tensions over forest and land use in the country. Recently, the Royal Government started an initiative to demarcate several hectares of the territory, which will allow officials to issue land titles.

When disputes occur they are managed by the Royal Government and local authorities within the existing legal regulatory framework that includes the 2001 Land Law, the 2005 Sub-decree, the 2008 Protected Area Law, and the 2002 Forest Law, among many others. There are five formal Royal Government bodies responsible for handling land related disputes: the Commune Councils (reconcile differences of opinion only, usually the first step for all cases), the Administrative Committees (conflicts during the land registration process), the Cadastral Commission (disputes over unregistered land), the court system (disputes over registered land, contractual and inheritance issues), and the National Authority for Land Conflict Resolution (for cases beyond the competence of the Cadastral Commission).

However, the enforcement of these regulations and procedures is often challenged by the competing interests in forest lands from different state and non-state stakeholders that, if not properly addressed, risk undermining peace and development efforts.

Approach:

The the Oddar Meanchey Community Forestry and the Steung Siem Reap Watershed/Kulen Promtep Wildlife Sanctuary, two REDD+ demonstration projects in the northern territories of Cambodia, are the selected sites for this study.

By consulting with key local stakeholders at the project site as well as national stakeholders, the mission team will increase the understanding on sources of disagreement over forest use and existing consensus building mechanisms, how they differ in relation to management objectives, and how they can potentially be strengthened within the existing context.

The fact that the two projects are implemented in two different land types, productive forests and protected areas, and thus fall under the management and regulations of two different government agencies and sub-national authorities allow the mission team to have a general overview of the institutional context regarding the Forest sector in Cambodia.

Overview of the activities:

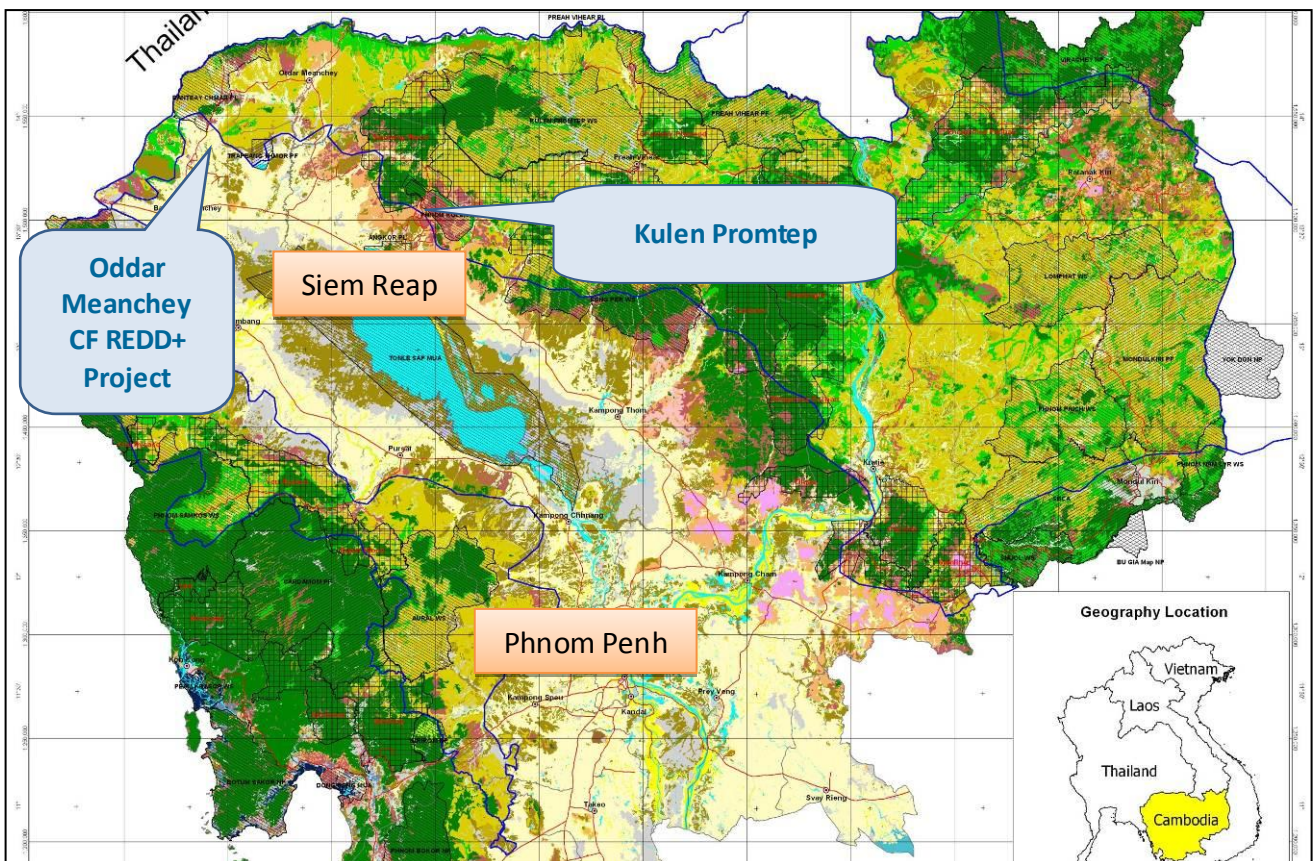
The following key activities will be carried out during the 5-day visit:

1. Conduct scoping meetings to verify and collect additional information on existing mechanisms and practices to resolve disputes related to forests with key stakeholders at national level, including:
 - Forestry Administration (FA) of the Ministry of Agriculture, Forestry and Fisheries (MAFF),
 - General Department of Administration for Nature Conservation and Protection (GDANCP) of the Ministry of Environment (MoE),
 - Selected REDD+ Taskforce members (Ministry of Land Management Urban Planning and Construction, MIME, MoE, MAFF)
 - Ministry of Justice,
 - Civil Society Organisations (CSOs) and Indigenous People (IP),
 - Community Forestry and Community Protected areas networks,
 - REDD+ Pilot project implementation partners (WCS, PACT Cambodia/Children Development Association);
2. Collection of information on consensus building mechanisms at field level (visit of REDD+ Pilot Project sites and/or focal group discussions):
 - local authorities involved in the management of forest disputes (Commune Council, local cluster of GDANCP, FA cantonment)
 - NGOs implementing project activities and key facilitators;
 - local stakeholders and communities members with different interests on forests (Chiefs of Community Forestry and Community Protected Areas)
3. Consolidate the findings from the observations and discussions and develop possible options and recommendations to strengthen consensus building mechanisms related to REDD+ activities in Cambodia.
4. Debriefing Seminar with presentation of preliminary results and recommendations to key stakeholders in Phnom Penh.

Key Outputs:

- Presentation of recommendations and best practices on how to strengthen existing forest and land-use consensus building mechanisms to key national stakeholders involved in initiatives related to forest conservation and development.
- Working paper summarizing international best practices suitable for Cambodia and the analysis carried out during the mission and the resulting preliminary recommendations.
- Indicative plan that describes an approach with key milestones for strengthening consensus building tools for REDD+ in Cambodia, taking into consideration existing capacities and mechanisms.

Locations Map:



Developed by: _____

Date:

Designated Focal Point: _____

Approved by: _____

Date:

Tentative Programme Overview

Date	Activity	Objectives	Responsible Party	Place
Day 0 27 Jan	Arrival			Phnom Penh Airport
Day 1 28 Jan	Preparatory meeting and induction meeting with, UNRC, UNDP, FAO senior management team	Introduction, discussions on approach and expectations of the mission	<i>UNDP Cambodia</i>	Phnom Penh
	Scoping meeting with key stakeholders at national level (FA/MAFF, GDANCP/MoE, MLMUPC, MIME, UN-REDD PEB members, ...)	Present the mission objective and approaches, and collect information on existing consensus building mechanisms on forest related issues, practices and recommendations.	<i>REDD+ Taskforce Secretariat</i>	Phnom Penh
Day 2 29 Jan	Scoping meetings with key stakeholders at national level (PEB members and CPA/CF Networks)	Continuation	<i>REDD+ Taskforce Secretariat</i>	
	12:50-14:35 Flight to Siem Reap			Siem Reap Airport
	Focal Group Discussion with stakeholders involved in Kulen Promtep Wildlife Sanctuary management (Local Protected Areas Authorities, Commune Council, Community Protected Areas, Villages Chiefs) [2.5h]	Collect information on existing mechanisms and practices to manage REDD+ related disputes in Protected Area.	<i>Partner NGOs: WCS, Learning Institute</i>	Siem Reap city
Day 3 30 Jan	Meeting with local authorities involved in the Oddar Meanchey REDD+ demonstration site (Forestry Administration Cantonment, Commune Council, Governors' office representatives)	Collect information on existing mechanisms and practices to manage REDD+ related disputes in Production Forests.	<i>Partner NGOs: PACT, CDA Cambodia</i>	Oddar Meanchey province
Day 4 31 Jan	Meeting with local communities (CF Chiefs, villagers) from Oddar Meanchey REDD+ demonstration site	Continuation		
	Consolidation of findings and preparation of recommendations 17:30-18:15 flight to Phnom Penh	Preparation of materials debriefing seminar		Phnom Penh Airport
Day 5 1 Feb	Debriefing Seminar with REDD+ Taskforce members, TWG FR, development partners (EU delegation, ADB, WB, JICA, USAID, GTZ) and selected key stakeholders [3h]	Present preliminary findings, analysis and recommendations to strengthen consensus building mechanisms based on existing structures and international best practices; receive feedback and further guidance.	<i>UNDP Cambodia REDD+ Taskforce Secretariat</i>	Phnom Penh
	Debriefing with UN Agencies (UNRC, UNDP, FAO) and Development Partners of TWG FR and TWG Land?. [1.5h]	Exchanges of feedbacks on the mission and agree on follow up actions and step forwards	<i>UNDP Cambodia</i>	Phnom Penh

Tentative Programme Details

Date	Time	Name of organization	Participants	Place	Responsible for Logistic arrangements	O K?
Day 1 Monday 28 January	08:30- 09:15	UN Agencies (UNDP, FAO, UNRC - UN-REDD PEB members)	Mr. Douglas Broderick, <i>UN Resident Coordinator</i> Ms. Setsuko Yamazaki, <i>UNDP Country Director</i> Mr. Napoleon Navarro, <i>UNDP DCD Programme</i> Ms. Nina Brandstup <i>FAO Country Representative</i>	Building 2	UNDP CO	√
	09:30- 10:00	UN-REDD National Programme Director(FA)	H.E. CHEA Sam Ang, DDG Forestry Administration,	Secretariat Meeting Room	Secretariat/Coordin ator	
	10:15- 10:45	UN-REDD Deputy National Programme Director (GDANCP)	Mr. Monyrak MENG, Deputy National Programme Director	Secretariat Meeting Room	Secretariat/Coordin ator	
	10:45- 11:20	FA Gov. Officials	Omaliss KEO, <i>Deputy Director of Wildlife Department</i> Ratanakoma LONG,	FA Office	FA	
	11:20- 12:15	FA Gov. Officials Community Forestry	TBD by FA TBD by FA TBD by FA	FA Office	FA	
	12:15- 13:45	LUNCH	Lunch meeting		UNDP CO	
	14:00- 14:40	UN-REDDPEB Co-Chair (FA), REDD+ Taskforce members	H.E Chheng Kimsun, <i>Director General Forestry Administration</i>	FA Office	Secretariat/Coordin ator/FA	
	14:50- 15:30	GDANCP, REDD+ Taskforce members	Mr. Kim NONG. <i>Deputy Director General – GDANCP</i>	GDANCP Office	Secretariat/Coordin ator/GDANCP	
	15:40- 16:40	GDANCP Gov, Officials (Protected Areas)	TBD by GDANCP TBD by GDANCP TBD by GDANCP	GDANCP Office	GDANCP	

	17:00 18:15	Selected REDD+ Taskforce members	<p>Mr. Sam Khandy, <i>Member of the Secretariat for Economic Land Concession, the Ministry of Environment</i></p> <p>Ms. Pov Voleak <i>DDG, the General Department of Energy, the Ministry of Industry, Mines and Energy</i></p> <p>Mr. Sao Vary, <i>Chief of the Office for State Property Conservation, the General Department of Cadastral and Geography, the Ministry of Land Management, Urban Planning and Construction</i></p> <p>H.E. Cheam Pe A, <i>DDG the General Department of Local Administration, the Ministry of Interior</i></p>	TBD	Secretariat/Coordinator	
Day 2 Tuesday 29 January	08:30- 09:05	Indigenous People UN-REDD PEB	Mr. NokVen <i>Cambodia Indigenous Youth Association</i>	NGO Forum	Secretariat/Coordinator	
	09:10- 09:45	Civil Societies Org. UN-REDD PEB	Mr. Chhith Sam Ath <i>NGO Forum</i>	NGO Forum	Secretariat/Coordinator	
	10:00- 10:40	Community Forestry Network	TBD by Secretariat	TBD	Secretariat/FA	
	10:45- 11:20	Community Protected Area Network	TBD by Secretariat	TBD	Secretariat/GDANCP	
	11:30- 15:00	Travel	12:50-14:35 Flight to Siem Reap	PACT/NGO Forum	Secretariat/Admin	
	15:30- 18:00	Focal Group Discussion Kulen Promtep	TBD by GDANCP/WCS, representatives from: Community Protected Areas Networks members, Villages Chiefs, Commune Councils, GDANCP clusters	Siem Reap	GDANCP /WCS	

Day 3 Wednesday 30 January	9:00-10:15	Forestry Administration Cantonment	TBD by FA	Oddar Meanchey	FA/PACT	
	10:45-12:00	Commune Council	TBD by UNDP CO	Oddar Meanchey	FA/PACT	
	14:00-15:00	LUNCH		Oddar Meanchey	FA/PACT	
	15:30-17:30	Governors' office representatives	TBD by UNDP CO	Oddar Meanchey	FA/PACT	
	18:30-20:00	Dinner with NGOs??	PACT/CDA	Oddar Meanchey	FA/PACT	
Day 4 Thursday 31 January	09:00-11:00	Community Forestry Chiefs	TBD by FA	Oddar Meanchey	FA/PACT	
	11:30-14:30	LUNCH with Villagers	TBD by PACT	Oddar Meanchey	FA/PACT	
	14:30-18:15	Travel	17:30-18:15 flight to Phnom Penh		Secretariat/Admin	
Day 5 Friday 1 February	8:30-9:15	Reserve for other meetings/preparations				
	09:30-12:00	Debriefing with REDD+ Stakeholders (UN-REDD PEB members, Donor Partners of TWG FR)	Koen Evereart, <i>EU delegation</i> , TBD by Nakata san, JICA, Shinichi Tamamitsu, <i>Embassy of Japan</i> TBD ADB, TBD WB, TBD USAID, TBD GTZ H.E Chheng Kimsun, FA Mr. Kim NONG, GDANCP H.E. CHEA Sam Ang, FA,	TBD	Secretariat/Admin	

		<p>Mr. Monyrak MENG, <i>GDANCP</i> Julien Brewster, <i>PACT</i> Sarah Sitts, <i>PACT</i> Tom Clements, <i>WCS</i> Ashish John, <i>WCS</i></p> <p>FA representatives TBD by FA GDANCP representatives TBD by GDANCP REDD+ Taskforce Secretariat</p>			
14:00-15:30	<p>Debriefing with UN Agencies (UNDP, FAO, UNRC, UNHCR) and government representatives to the UN-REDD PEB</p>	<p>Mr. Douglas Broderick, UN Resident Coordinator Ms. Setsuko Yamazaki, UNDP Country Director Mr. Napoleon Navarro, UNDP DCD Programme Ms. Nina Brandstup FAO Country Rep Mr. Paris Choup FAO Deputy Country Rep.</p> <p>H.E Chheng Kimsun, (<i>FA</i>)/ H.E. CHEA Sam Ang, (<i>FA</i>), Mr. Kim NONG. (<i>GDANCP</i>)</p>	TBD	UNDP CO	
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