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# INDIGENOUS COMMUNITIES AND OTHER STAKEHOLDERS ADDRESS CONFLICT OVER LAND AND FOREST RESOURCES IN CAMBODIA

## WORKSHOP ON COMMUNITY-LEVEL IMPACT OF FOREST AND LAND CONFLICTS IN MONDULKIRI



*A group of farmers prepare their presentation for the workshop that took place on 26-27 May 2004.*

Ethnic minority communities living in the forests of Mondulkiri Province rely on the forest resources and land for their livelihoods, just as their ancestors have done for generations. Many of these communities are now facing competition from outsiders for the resources and land that they have traditionally used and managed. The communities have tried to accommodate the needs of outsiders, but in some cases this has not been possible, leading to conflict.

Conflicts over forests and the land on which forests grow are increasing in Cambodia as the result of poor natural resource governance, pressure exerted by a growing population of landless rural people, and greater access to forest areas via an expanding road network. Mondulkiri Province was very isolated until the recent upgrading of a road from Snoul District of Kratie to the provincial capital of Sen Momorom. Ethnic minorities dominate the province's small human population. The indigenous people are increasingly being forced into conflict with outsiders over land and forest resources. Land-poor agricultural migrants from the lowlands as well as affluent "land grabbers" are occupying land in Mondulkiri that by tradition and recent law belongs to indigenous communities. The indigenous people also face threats to their livelihoods from illegal loggers and wildlife poachers.

In response to increasing forest-related conflict in Mondulkiri, USAID organized a workshop on "Community Level Impacts of Forest and Land Conflicts in Mondulkiri," held in Sen Monorom on May 26 and 27, 2004. Seventy-seven participants from indigenous communities, local government, and NGOs worked together over two days to characterize the types and severity of conflict over land and natural resources in the province and to identify actions to avoid or mitigate these conflicts. The workshop was notable because 39 of the participants were indigenous people, many of whom came from remote areas to share their views and learn more about their land and forest resource rights under Cambodian law. Even more notably,

these normally shy people entered into spirited dialogue with other participants, including local government leaders.

USAID/Cambodia is among a growing group of donors and NGOs who are implementing a wide range of activities in Cambodia to avoid conflict through recognition and protection of individual and community rights over land and forest resources. A USAID partner is currently litigating land cases on behalf of communities, building on the work of another partner that helped communities understand and defend their resource use and land rights. USAID is also supporting the Community Forestry Alliance for Cambodia (CFAC) to assist communities to establish management rights over forestland and resources.

The Monduliri Workshop is part of an Asia-wide USAID effort to understand the causes of natural resource conflict and identify widely-applicable approaches to reducing conflict and strengthening natural resource governance. During February 2004, a USAID-funded team assessed the nature and scope of forest resource and forestland conflict in Cambodia, prioritizing the need to hold a workshop in Monduliri Province to raise awareness among communities and government officials on this frontier of rich forest resources and growing conflict.

Dr. Mary Melnyk of USAID's Asia and the Near East Bureau gave the opening speech of the workshop and explained USAID's concern about the increase in conflicts over forests and forestland in Asia, noting that eleven countries in which USAID works in the region are experiencing natural resource-related conflict. She said that there is a trend toward increasingly violent conflict as forest resources are reduced through unsustainable logging and plantation establishment. Dr. Melnyk explained that the Monduliri Workshop is an important opportunity to identify means to reduce forest conflict.

The workshop opening and closing sessions were presided over by H.E. Khoy Khun Hour, First Deputy Governor of Monduliri. He cautioned that there could be potentially severe livelihood impacts on indigenous communities if they are denied access to non-timber forest products (NTFPs) and land as the result of conflict with outsiders. He explained that the government is taking steps under the Land Law and Forestry Law to protect community land and resource use rights and referred to a pilot project for Communal Land Titling being implemented by the Ministry of Land Management, Urban Planning, and Construction in one commune of Monduliri. Trainers from the Cambodia Legal Education Center (CLEC) spent much of the first day of the workshop presenting information on aspects of the Land and Forestry Laws that are applicable to indigenous forest communities. This was the first time that most of the village participants had heard this information.

The second day of the workshop produced important insights into the nature of forest and land conflict in Monduliri as the participants broke down into groups to discuss how each of the villages represented at the workshop are experiencing conflict. For the more remote villages, conflicts typically resulted from illegal harvesting of valuable resin-producing trees and increasing scarcity of fish and game due to commercial hunting and fishing. For villages that are near newly upgraded roads, forest resource conflicts are generally more severe and many villages are now rapidly losing land to agricultural migrants who are rushing to clear and claim land along the road. Some villages also reported that "land grabbers" are staking plots of land along the road for speculation. The speed with which outsiders are claiming land has overwhelmed traditional methods of conflict resolution.

The workshop participant groups identified actions to prevent or reduce conflict over land and forest resources. The groups collectively proposed a wide range of actions, the highest priority of which

were formulated into a Draft Action Plan on Avoidance of Forest and Land Use Conflict at the Community Level in Mondulakiri. The highest priority action identified was the need to educate indigenous communities, government officials, law enforcement officials, and those who cause conflict about community rights under the Land and Forest Laws. This should be done through training courses and distribution of legal educational materials in Khmer and local languages. The Action Plan also highlights the need to extend the application of the Participatory Land Use Planning (PLUP) process to a wider number of communities than those currently being served by pilot projects implemented through collaboration between provincial government and NGOs. The land use plans developed through the PLUP process clearly identify village boundaries and the location of community land and resource uses, giving communities a means to document and defend their rights as a first step toward obtaining communal land title. The groups noted that community forestry was also a potentially important means to protect community forest use rights that has not yet been widely applied in the province. A third key action identified was the need to strengthen the capacity of communities to organize themselves and communicate effectively to defend their forest and land rights. Several communities in adjacent Kratie province have successfully organized and have been effective in resisting illegal loggers as a result.

In her closing remarks, Ms. Susan Merrill, Director of the General Development Office of USAID/Cambodia, reviewed progress toward achieving the objectives of the workshop, noted the serious challenges faced by forest communities in protecting their rights, and commended the participants for their open and outspoken participation at the workshop.