

Land grabbing and forest conflict in Cambodia: Implications for community and sustainable forest management

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Abstract: As a global phenomenon, land grabbing has significant economic, environmental, and social impacts, often resulting in serious conflict between the local community and outsiders. The aim of the study is to get a deeper understanding of the extent to which land grabbing and resulting land-use conflicts affect the move towards sustainable forest management (SFM) in Cambodia. Two case studies were conducted involving community forests (CFs), with data collected through literature review, key informant interviews, focus group discussions, and field observations. The results indicate that land grabbing in Cambodia, particularly through economic land concessions (ELCs), is often associated with conflict and thus has serious implications for sustainable land management, including SFM. Ambiguous property rights and overlapping claims, lack of coordination among government agencies, and lack of consultation and impact assessment prior to the decision-making process are the underlying causes of conflict. The study suggests that the Cambodian government should revisit the policy on ELC to ensure the policy goes hand in hand with sustainable land management objectives, including SFM. Additionally, the study underlines the importance of consultation and environmental and social impact assessment before the granting of an ELC license and the provision of capacity-development activities for conflict management. Finally, further research is needed to carefully evaluate ELCs and their role in SFM in order to gain deeper understanding of the impacts and to evaluate the strengths and weaknesses of ELCs within the context of the goal of SFM.

Keywords: Land grabbing, forest conflict, Cambodia, sustainable forest management, community forestry, economic land concessions

11.1 Introduction

This paper addresses the fundamental land-use-management issue of land grabbing, which affects a large number of developing countries throughout the world (Borras and Franco 2010, Zoomers 2010). While often defined differently, the term *land grabbing* in this paper refers to large-scale acquisitions of land by domestic and transnational investors in the Global South either through leases or concessions, normally for plantation and agricultural production (GRAIN 2008, Cotula et al. 2009, Graham

et al. 2010). The International Food Policy Research Institute (IFPRI) estimated that during the period 2005–2009, land grabbing affected about 20 million ha worldwide (von Braun and Meinzen-Dick 2009). A number of drivers inducing this phenomenon include the impacts of the current global crisis (e.g. food security, climate change, the financial crisis), globalisation, the liberalisation of land markets, and increased foreign direct investment (e.g. in agribusiness, mining, food and biofuel production) (Borras and Franco 2010, Zoomers 2010).

Land grabbing has been going on for centuries in many forms, though it has only come to prominence

in academic literature, and global news media, in recent times. It has significant economic, environmental, and social impacts, often resulting in conflict between the local community and outsiders (e.g. the company, government) caused by displacement and dispossession of local people's land, loss of access, threats to livelihoods, and environmental degradation (Yasmi et al. 2010b, Borrás and Franco 2011, Schneider 2011).

Nonetheless, although this land-grabbing phenomenon is on the rise and increasingly studied and covered by the media (Graham et al. 2010), academic work has tended to focus more on the issue in Africa than in Southeast Asia (Borrás and Franco 2010, 2011). In the context of Asia, Cambodia is considered a salient example of forest and land-use conflict (Davis 2005). Since the fall of the Khmer Rouge in 1979, the country has been confronted with serious conflicts related to land-use management, including land grabbing, that are set against a backdrop of unsustainable natural resource management practices favouring the elite over indigenous and local communities (de Lopez 2002).

Though a relatively recent phenomenon in Cambodia, land grabbing has become an increasingly critical issue. Often the land grabbing results from the establishment of economic land concessions (ELCs), most of which are for agro-industrial plantations (Neef and Touch 2012). The extensive granting of land concessions has resulted in widespread conflicts over land and forest in Cambodia (Poffenberger 2009, Schneider 2011, USAID 2011), particularly conflicts between forest-dependent communities and ELC companies (NGO Forum on Cambodia 2010a, Yasmi et al. 2011). The land grabbing reflects the chronic land-tenure insecurity and weak policy frameworks as well as significant overseas investments in the agriculture sector and deficient governance related to the issue (e.g. lack of transparency in granting concessions) (e.g. Schneider 2011, Neef and Touch 2012).

This chapter aims to provide a deeper understanding of how land grabbing and resulting land-use conflicts affect the efforts to achieve sustainable forest management (SFM). Based on two case studies from Cambodia involving community forests (CFs), we examine how social, political, and environmental conditions evolved, interacted, and affected forests, people, and the diverse ecological, social, and economic conditions, with a particular focus on the implications of these conditions on CF and the efforts to achieve SFM in Cambodia. While SFM is a long-term goal of forest management in Cambodia, our study provides insights into how it can be affected by conflict associated with the recent phenomenon of land grabbing.

SFM represents a vision of balancing the ecological, social, and economic values in the utilisation

and conservation of forest (Angelstam et al. 2004), and community forestry is considered one of the best approaches to preserve and sustain forests in developing countries (Ascher 1994, Rebugio et al. 2010). Local people who live in or near the forest are often considered to be the most appropriate managers and regulators of forest uses, given that they have been managing the forests for a long time, and since they depend on forest resources, they will more likely guard the long-term future of forest resources (Ascher 1994). To make sure that social values are in place, active and informed participation of all forest stakeholders, especially communities whose lives depend on forest resources for their survival, are vital to the credibility and sustainability of the forest management process. Moreover, efforts to achieve SFM require support and meaningful participation from a variety of stakeholders in the decision-making concerning forest management (e.g. government, local communities, civil society organisations, industry, experts) (FAO 1993, SCBD 2009, Rebugio et al. 2010). Reluctance to address social problems will likely lead to negative impacts towards SFM, one of the most frequent being conflict among forest stakeholders that can be a significant obstacle to SFM (Yasmi et al. 2010b).

Considering the wide range of issues affected by and related to land grabbing, the use of the term *SFM* in this chapter includes not only forest but also forest land management. In this context we formulated these two research questions:

- ◆ What are the underlying causes of conflict in the context of land grabbing?
- ◆ What implications do land grabbing and conflict have on efforts to achieve SFM?

Recommendations are made for how ELCs can be better governed to minimise their impacts, taking into account the often-conflicting national and sub-national needs.

11.2 Overview of forest and forest policy in Cambodia

Cambodia is blessed with relatively abundant forest cover, encompassing approximately 59% of the total land area (about 10.7 million ha), one of the highest proportions in Asia (FAO 2010). It consists of large tracts of evergreen, semievergreen, and deciduous forests concentrated in the southwest, east, and north of the country (Bradley 2011). Forest resources are critically important for socio-economic development in Cambodia. The Cambodian government's revenue from the forestry sector reached approximately USD 1.4 million in 2005 (FAO 2010). The



Figure II 11.1 Forests in Cambodia have significant cultural and religious values. ©Yurdi Yasmi

agriculture sector contributes 34% of the GDP, of which 6.9% comes from the forestry sector (MAFF 2009 in Sovann and Saret 2010).

11.2.1 Forests and local communities in Cambodia

For most Cambodian rural people, forests are a fundamental asset. For them, forests – timber forest products and non-timber forest products (NTFPs) – and agriculture are the main source of their economic income and daily consumption. Forest resources contributed 30%–42% of local households’ livelihoods, equal to USD 280 to USD 345 annually (Hansen and Top 2006). Moreover, land and forest are also important in their cultural and spiritual life (UNOH-CHR 2007, Figure II 11.1). In this regard, unclear tenure and the loss of forest due to the increasing demands of land for developments have increased the vulnerability of these forest-dependent people (FA 2010).

While forest lands are owned by the state, under the authority of Forestry Administration (FA), the 2002 Forestry Law guaranteed the rights of local

communities to forest resources by giving traditional user rights to forest products and by-products, including collection of NTFPs (such as dead wood, wild fruit, honey, and resin) as well as timber for houses, stables for livestock, and agricultural tools. The law also allows the extraction of forest resources for the purpose of traditional customs, beliefs, religion, and subsistence without requiring permission from forest authorities.

There have been changes, or reforms, in Cambodian forest policy that include adoption of more policies targeting SFM (Bradley 2011). In 2010, the royal government of Cambodia (RGC) issued its National Forest Programme (NFP), a policy document that serves as a guide for planning, implementation, monitoring, evaluation, and coordination of forest management in the country. Its aim was to put good forest governance in place and achieve SFM. A key component was development of the community forestry programme (RGC 2010a, 2010b).

CF has emerged as a new approach to managing forests and recognising local communities’ rights to forest resources. The government has promoted CF by issuing supporting legislation (i.e. Sub-Decree on Community Forestry Management and the Guidelines for Community Forestry), laying out a process for granting rights to local communities to manage

the forests for 15 years, and finalising legislation for community protected areas (Dahal et al. 2011). While supported by substantial governmental legislation, most of the CFs were initiated and promoted mainly by various national and international NGOs as well as donor agencies to achieve SFM. From 1990 to 2004, 150 CF units were established in 15 provinces in Cambodia, covering 55 568 ha of forest area (Beang and Sethaphal 2004). This number has gradually increased, by 2012 totalling 227 CFs with formally signed agreements (covering 182 354 ha) and at least 250 in developmental stages (FA, personal communication). The CFs are considered vital to forest-dependent communities as a source of timber and NTFPs. The government has set an ambitious goal in the National Forest Program to allocate 2 million ha of forests for community forestry and expand the number of CF to 1000 groups by 2029 (RGC 2010a).

11.2.2 Economic land concessions in Cambodia

Since the early 1990s, the Cambodian government conceded significant tracts of land to private companies for investment in large-scale plantations and agriculture through a concession system, covering up to 7 million ha, approximately 70% of the country's forest (RGC 2010b).

The 2001 Land Law (Article 48) defined land concessions as “a legal right established by a legal document issued under the discretion of the competent authority, given to any natural person or legal entity or group of persons to occupy a land and to exercise thereon the rights set forth by this law.” The Land Law recognises that there are three types of concessions designed to contribute to social and economic development: 1) social land concessions, which respond to a social purpose (e.g. build a residence or cultivate for subsistence), 2) economic land concessions, which respond to an economic purpose (e.g. industrial agricultural exploitation), and 3) concessions related to the use, development, or exploitation of state land (e.g. mining, port, airport, industrial development, fishing).

Sub-Decree No. 146 on ELCs (2005) establishes the legal and regulatory framework for the granting and management of land concessions for large-scale, market-oriented development, including requirements to conduct public consultations and environmental and social impact assessments (Grimsditch and Henderson 2009). The main official motivation of the ELCs was economic development, with implications for poverty reduction. Against the backdrop of a growing population, economic devel-

opment, and suboptimal forest law enforcement and governance (Sovann and Saret 2010), however, these concessions have adversely affected the rights and livelihoods of Cambodia's rural communities (UNOHCHR 2007, NGO Forum on Cambodia 2010b, Ratner and Parnell 2011, Schneider 2011) and led to rapid and extensive deforestation (Poffenberger 2009, Broadhead and Izquierdo 2010).

Cambodia, along with agricultural expansion (both small and large scale), unsustainable logging, infrastructure development, wood fuel demand, and mining exploration (Poffenberger 2009). In 1965 the forest cover was estimated at approximately 73% of the total land in the country, while in 2006 it was estimated at 59% (FA 2010). Because of its deforestation rate, Cambodia has been classified as a country that has high forest cover and a high rate of deforestation (HFHD) (Griscom et al. 2009).

In response to international pressure and to reverse the trend of deforestation and forest degradation due to illegal logging and the industrial concession system, the government issued a temporary moratorium on logging in 2002, leading to the cancellation and suspension of numerous logging concession permits issued by the government and the promotion of CF. However, although the moratorium clearly affected timber supply, there is no clear and accurate statistical data about its impact on illegal logging (Amariei 2004).

There has been growing concern about the impact of economic land concessions on the rights and livelihoods of rural forest-dependent people. The United Nations Cambodia Office of the High Commissioner for Human Rights (UNCOHCHR) found these impacts to include: loss of livelihoods, environmental destruction, encroachment on agricultural and grazing land, displacement, and alienation of indigenous people (UNCOHCHR 2007). The area granted for ELCs often overlaps with the land of local people (such as farmland), which leads to conflicts between the company and local community. These conflicts mainly result from an incomplete process in the granting of ELC, which does not comply with the procedure outlined in the Sub-Decree on ELCs (for example, lack of public consultation and an environmental and social impact assessment (ESIA) prior to the granting of ELCs) (Sothath and Sophal 2012).

11.3 Material and methods

11.3.1 Description of case study sites

This chapter is based on two forest-conflict case studies involving community forests in Kratie and Kampong Speu Provinces of Cambodia. The field data was collected between 2009 and 2010 as part of

a regional research project examining forest conflict in Asia (e.g. Yasmi et al. 2010b, 2012, 2013).

The first case study was conducted in Kbal Damrei Commune, which is part of Sambo District, Kratie Province, in the northeast of Cambodia and has a total population of 3643. Of the five villages in Kbal Damrei, three (Opo, Sre Treng, and Chang Horb) were selected for the study as the people in these villages were directly involved in the conflict. The majority of people in this commune are Khmer (58%) living together with other ethnic groups: Cham, Phnornng, and Moel. The villagers are heavily reliant on agriculture and natural resources for their livelihoods. About 80% of villagers are farmers and many of them rely on forest resources such as firewood, rattan, bamboo, resin, medicinal plants, charcoal, timber production, and fishing to supplement their incomes.

The second case study was conducted in Kampong Speu Province, which is located about 40 km west of Phnom Penh. It is one of the most forested provinces in Cambodia, with more than 60% of its area covered by forestland (Thong et al. 1998). Due to this potentiality, most of the province land use has been categorised and allocated for protection and conservation purposes, including the well-known Central Cardamom Mountain Protected Forest and Kirirom National Park. Some areas in the province have also been granted as economic land concessions for biofuel, ecotourism, and mining purposes.

11.3.2 Research methods

This study employs a qualitative approach. In order to understand the underlying causes, the manifestation, and the impacts of conflict as well as its management, we used data from several sources, including: 1) semi-structured interviews with key informants, 2) focus group discussions (FGDs), 3) a literature review, and 4) field observations.

The field data collection in Kbal Damrei was done in 2009 using semi-structured interviews with 103 key informants. Additionally, field observation and three FGDs were also conducted. The participants of both interviews and FGDs included village chiefs, members of the commune council, Forestry Administration triage officers, community economic development (CED) staff, and villagers.

For Kampong Speu case, 30 semi-structured interviews were conducted in three villages that are members of Community Forestry Kirirasmey Deydos (CFKD), including Prom Rolork, Kirirasmey, and Deydos. Additionally, field observations and two FGDs were conducted. Fieldwork was undertaken from July through September 2009. Representatives from the local communities (including gender and

minority groups), a mining company, local authorities, and local NGOs participated in the interviews and FGDs.

Additionally, an extensive literature review was conducted from the early (2009) to final stages (2012) of the study, which included a review of relevant forestry and land-use conflict literature, relevant government policies and publications, as well as reports by forestry organisations and civil society groups. The objective was to develop the analytical framework used in this study, verify the findings from the field, and update the information to the current situation.

11.4 Results

11.4.1 Description of conflict in Kbal Damrei

The conflict case in Kbal Damrei took place between Kbal Damrei villagers (including the local community of Khmer and indigenous people (Moel and Phnornng) and a rubber plantation company (Sun Kuy Thy) holding an ELC permit.

To secure the rights to their land, the Kbal Damrei Commune applied and began the process of establishing a CF in May 2006. Accompanied by local authorities and the Forestry Administration, they marked out an area of 2725 ha for the proposed CF. Villagers also sent letters to the relevant authorities requesting an official designation of the CF. In response, the local commune council issued *deika* (a recognition letter), recognising village election results for the Community Forestry Management Committee (CFMC). Nonetheless, when the conflict occurred, the Ministry for Agriculture, Forestry, and Fisheries (MAFF) had not responded to the proposal and had not officially recognised the land as a CF.

In 2008, though most likely aware of the community initiative to establish a CF, the provincial governor granted an ELC to the Sun Kuy Thy Company for investment in the development of a rubber plantation in Kbal Damrei on land overlapping the community's proposed CF. This led to direct conflict between the company and the villagers.

A protest involving about 200 villagers from the three villages (Sre Treng, O Po, and Chang Horb) occurred when the company started operations and began to clear land in Sre Treng, affecting the proposed CF, farmland, and a burial site. The community was also disappointed that the company employed people from outside its community. The protesters agreed to stop the demonstration only after long discussions and mediation between villages and commune councillors, a facilitator from a local NGO, and the commune chief of Kbal Damrei as well as a

promise to resolve the conflict.

Several meetings were facilitated by the commune, district, and provincial authorities without any significant results for the community. However, these meetings helped prevent escalation of the conflict. All meetings involved participation of community representatives, who had a chance to talk to government officials to discuss their concerns and needs. Then the villagers changed their position from demanding that the company cease operations in the conflict area to requesting the company leave them with a land area of 3 km from the national road number 7. However, the community said that the company left them only about 1 km from the national road number 7. Villagers have had no further interaction with the company since they did not believe that they would win.

11.4.2 Description of conflict in Kampong Speu

The conflict in Kampong Speu is between CF members (local community) and a rock mining company. The overlapping boundaries between the company and CF, as well as contradictory ownership documents for the overlapping land, have caused the conflict. In this case, the CF members argued that their CF (called Community Forestry Kirirasmeay Deydos – CFKD) is legally recognised by the provincial government and Forestry Administration, while the company claimed that they obtained a license to operate their mining activities from the Ministry of Industry, Mining, and Energy (MIME).

According to a discussion with the company representative, before its establishment, the company began to purchase land in 2006 from some community members to expand its area, and in late 2008 the company obtained approval from the ministry to dig the area for rock mining. These lands, however, were not properly demarcated until early 2009.

In January 2009, the company started to clear forestland for plantations but was stopped by CF members. The community members were angry because about 4 ha of their forest were cleared by the company. The community also said that company activities caused dust and noise pollution. As a result, the CF's chief immediately gathered together CF members and reported to the Taing Svay Commune chief. On the same day, the chief, with the villagers, went to the area to halt the clearing of forest, but the request was denied. After protests that failed to garner a response, about 65 community forestry members, armed with knives, sticks, and poles, returned to the area and forcibly seized a bulldozer that was being used to clear the land. The stand-off resulted in intense discussions between the two par-

ties, both claiming rights to the land. The commune chief helped facilitate the conflict resolution between villagers and the business group. Following discussions with the commune chief, the company eventually decided to suspend its activities and agreed to stop clearing community forestland.

11.4.3 Direct and underlying causes of conflict

In both locations, a number of immediate factors were identified that triggered the conflicts: the acquisition of community forest and land, loss of source of livelihood (e.g. farm), destruction of community properties (farmland, trees), pollution, and the lack of employment for the local community, with jobs going to outsiders. Several fundamental factors or underlying causes allowed such things to occur, including ambiguous property rights and overlapping claims, lack of coordination among government agencies, and lack of consultation and impact assessment prior to the decision-making process.

Ambiguous property rights and overlapping claims was a primary driver of conflict in the two cases. The state has retained full ownership of most forested land and constitutionally the government has the right to grant forests to logging concessions and mining and plantation companies. However, the concessions sometimes are allocated on land that has been traditionally and historically managed by the local people. In Kbal Damrei, for example, the government granted legal user rights to the company on land that has been managed by the local community for generations. The Kbal Damrei Commune claims customary rights as it has acted as de facto manager of the land and considers it to belong to the commune. The villagers were in the process of obtaining legal title to the land and obtaining the CF approval at the time.

In the Kampong Speu case, according to a short discussion with a company representative regarding to conflict there was a confusion over the boundary between the company and the CF. The conflict arose because of an overlap between the map from the ministry and the CF map, due to an improper ground survey by relevant authorities before the license was granted. Additionally, although the company claimed it had been buying land from the local community since 2006 to expand its area, the land boundary was not clearly marked – it was marked only using wooden poles.

The lack of coordination among government agencies in granting the rights to manage a piece of land caused conflict in both cases. The conflicting parties felt that they had the rights to the same

piece of land. In the Kampong Speu case, for example, both parties had legal documents issued by the government. The local community had its CF approved by the provincial government and Forestry Administration while the company had obtained a license to operate mining activities from the Ministry of Industry, Mining, and Energy.

The lack of consultation and impact assessments prior to the decision to grant the land concessions drove the conflict in the two cases. In Kbal Damrei, both villagers and the company were unaware that there was an overlap in the area of the concession and the community land prior to the conflict. According to the villagers, at that time they did not know that there would be an ELC company in their area and did not know about the boundary, the aims of the company, the risks, or the possible advantages of the ELC. Likewise, the company and its workers were completely unaware of the villagers' land status and land-use practices.

Public consultation and social and environmental impact assessments (SEIA) are actually required under ELC legislation (Sub-Decree No. 146). Interviews indicated that the villagers were unaware whether the SEIA had been conducted before the company began operation. The lack of consultation and improper application of the SEIA reflect the gap between policy and practice at the local level.

11.4.4 The impact of conflict

According to the interviews and FGDs, there were both negative and positive impacts of the conflict. Interestingly, the two cases share some similarities in the conflict impacts described below.

Negative impacts

Anxiety and fear were the common impacts of conflict in the two cases. The community in Kampong Speu expressed its sadness and anxiety over damage to forest resources by the outsiders. The CF members had protected those trees and limited extraction, even for their own usage. Some said that they cared for the forest as baby and could cut only a small pole for their backyard and chicken cages. Moreover, because of the conflict, Kbal Damrei villagers were afraid they and the next generation would not be able to access the forest area to collect NTFPs such as resin, firewood, rattan, and wood for building houses.

Fear of violence was also felt by both parties. In Kampong Speu, for example, the bulldozer driver and company representatives were frightened because many armed villagers forcefully seized the company's bulldozer used for clearing the land. Such incidents generated fear on both sides.

Conflict also caused *high costs* for the communities and companies in both cases. On the one hand, the company had to spend money for compensation and suspend its operations. On the other hand, the community experienced high cost in terms of loss of land, money, and time. In Kbal Damrei, the villagers said that they had lost their farmland, which was crucial to their livelihoods, and also lost their CF, which they had developed since 2006. In both cases, the villagers also said that the conflict impacted their livelihoods and income because of time spent opposing company and governmental activities and also patrolling the CF more frequently.

Distrust between and within parties became another impact of conflict in Kampong Speu. Many respondents said the conflict made them distrust each other and they perceived that some community members took side with the company, particularly those who had sold land to the company. They also suspected that the commune chief may have had relations with the company.

The natural *environment was degraded* during the conflict. The CF members at the two sites stated that during its operation, the company destroyed their CFs (trees and wildlife habitat). Additionally, the villagers in Kampong Speu were worried that the pollution generated by the company during clearing the land affected their health.

Positive impacts

Though negative impacts predominated, positive impacts were observed at the two sites. Conflict increased *collective action* of the villagers, which emerged in the form of organised protest. In the Kbal Damrei case, collective action was also manifested in the form of advocacy by the Community Forest Management Committee, and later, in a proposal to change the CF location and therefore begin the application anew.

The conflict *increased awareness and pressure for tenure clarity*. Conflict over land and forest have made communities more aware of the value of the land, their rights to the land under the law, and the steps they would need to take to protect these rights. In the Kbal Damrei case, for example, the communities are more aware that having a good relationship and coordination with the local government, including the Forestry Administration, is important for strengthening their efforts in developing the CF. In addition to the increased awareness, the conflict also reiterated the importance of addressing tenure. In the Kampong Speu case, the company representative mentioned that the conflict became a starting point in the discussion to clarify the boundary between the CF and the company.

11.5 Discussion

The aim of the study was to arrive at a deeper understanding of the extent to which land grabbing and resulting land-use conflicts affect the community and SFM efforts. This section discusses how social, political, and environmental conditions evolved, interacted, and affected forests, people, and the diverse ecological, social, and economic conditions. While SFM is a long-term goal of forest management in Cambodia, our study provides insights into how it can be affected by conflict associated with the recent phenomenon of land grabbing.

The study indicates that the land grabbing and conflict that resulted from it have various social, environmental, and economic impacts that can directly affect the efforts to achieve SFM in Cambodia. This includes feelings of fear, loss of land, high costs, distrust, and forest degradation.

11.5.1 Forest policies, institutions, and governance

The study shows that changes in forest policies, institutions, and governance in Cambodia, particularly related to ELC, contributed to conflict at the two study sites. The enactment of Sub-Decree 146 on ELC in 2005 and policies related to the promotion of large-scale land investment have driven a new ELC boom in Cambodia. This is reflected by extensive granting of concessions, which have resulted in widespread disputes and conflict over land ownership and use (Schneider 2011, USAID 2011). The analysis of the NGO Forum on Cambodia (2010a) found that the majority of large-scale land conflicts in recent years usually involved a dispute between forest-dependent communities and ELC companies. Our study confirms findings of other studies that land grabbing and ELCs cause forest conflict in Cambodia (e.g. Schweithelm 2005).

The government actually has set the essential preconditions in the Sub-Decree on Economic Land Concessions (No. 146), which can be used as a social and environmental safeguard in granting land concessions, such as the requirement for public consultations and SEIA before granting concessions. However, according to the findings of this and other studies (e.g. UNOHCHR 2007, Phalthy 2010), these safeguards have not been fully implemented. This lack of compliance and poor enforcement of these requirements lead to conflict between the concession company and local villagers – in these cases, CF members. The non-participatory process coupled with elite capture that dominates the granting and management of the ELCs clearly need to be ad-

ressed, a view supported by de Lopez (2002) and Hughes (2008). These underline the need for the development and institutionalisation of social processes that will ensure that local communities and other key stakeholders are actively involved and meaningfully participate in the management of forest resources (Rebugio et al. 2010).

The Sub-Decree 146 on Economic Land Concession requires that the ELC contracts only be granted on state private land, which, on paper, will help to avoid the violation of land and use rights of local communities. However, the categorisation of areas as state private land is often recklessly conducted. Non-private land is often defined as idle and degraded, although in reality it is inhabited and forested (Schneider 2011). Additionally, ELCs often encompass people's lands, especially the lands that have not been formally registered. This has placed people without formal land title in a high risk for eviction because of ELCs or private investment interests (Schneider 2011). This is worrying because the majority of rural Cambodians do not have formal documents proving their ownership of land (UNOHCHR 2007).

Land grabbing has significant implications for Cambodia's ability to meet international commitments and obligations, such as dealing with illegal logging (Lacey Act and Forest Law Enforcement, Governance, and Trade (FLEGT) Action Plan) as well as successfully taking part in the development and implementation of REDD+ (Sovann and Saret 2010). REDD+, for example, offers financial incentives to the Cambodian government to increase its efforts to halt deforestation while also encouraging more transparent and participatory governance, though admittedly the development of REDD+ in Cambodia is beset with numerous challenges, not the least, leakage. While Cambodia is in the pre-negotiation phase of FLEGT Voluntary Partnership Agreements (VPAs) and exports very little in the way of forest products to the European Union (Phuc 2010), nevertheless FLEGT efforts could further encourage the government to address the issues related to land grabbing, such as supporting initiatives aimed at improving governance at the local level. However, one could also envision these commitments, particularly REDD+, as being a justification for further land grabbing. For instance, the perceived increased value in forests (in this case for the carbon they sequester) may lead the government to exclude communities or severely restrict their management and, therefore, livelihood options (Gupta 2012), and this would have severe implications for conflict management.

11.5.2 Livelihoods, culture, and socio-economy

Changes in livelihoods, capacities, and cultural and socio-economic aspects contribute to conflict. This study shows that local people had their farmland, which is the source of livelihoods, taken away when it was cleared by a company. The incidence of this confrontation is likely to occur in many places in the country and its intensity is likely to increase if not addressed properly and in a timely fashion.

It is predicted that there will be increasing demand for land in Cambodia, driven by foreign capital inflow, free trade, foreign direct investment (e.g. ELCs), the increase in GDP, and a growing population. Following this increase in demand, it is predicted that there will be a significant increase in land prices and competition in the future (Löhr 2011).

If such competition occurs, it is expected that smallholders and poor people will be less powerful in the competition over land than large-scale domestic and transnational agro-business companies that have more money and a proximity to the government (Löhr 2011). With no guarantee that these investors will devote resources to social and environmental responsibility, it is expected that the rural poor will be vulnerable, with impacts on their livelihoods and rights (e.g. GRAIN 2008). Insecure land titles and unclear land-use rights exacerbate this situation and make it more difficult for Cambodia's rural poor to secure their livelihoods. This study has shown that conflict can arise when people lose the source of their livelihoods and when assets such as trees and farmland are destroyed.

An analysis by the NGO Forum on Cambodia (2010a) shows that the largest number of unresolved land dispute cases in Cambodia in recent years involved agricultural land. This fact may signify that community livelihoods and food security are at high risk as agricultural land is the most likely type of land to be disputed.

11.5.3 Natural resource conditions

The two case studies presented indicate that both companies cleared the land for the preparation of their operations. This confirms other studies showing that land concessions have severely degraded and diminished forest resources (Hughes 2008). This study found that this degradation of forests (community forests and trees) has triggered conflict.

It is predicted that there will be bigger impacts on forest resources as demands for food and products from timber plantations will likely increase in the future (Godfray et al. 2010, Indufor 2012), especially

from within Asia. Moreover, McMahon (2008) stated that the existing forests are under high threat because of the flow of investments that spur the conversion of forestland to agricultural plantations or ELCs. Continuous illegal logging exacerbates this situation (McMahon 2008).

The combination of widespread forest conversion and land grabbing due to ELCs, the increasing demands for forest products and forest land for agriculture, and a growing population may complicate efforts of the Cambodian government to achieve its Millennium Development Goal to have 60% of the country covered by forest by 2015 (Yasmi et al. 2010a).

Cambodia, rich in natural resources, is defined as one of the least developed countries in Southeast Asia. These resources must be utilised for the betterment of the country as a whole, in a sustainable manner. The challenge is ensuring that the governance framework is in place to accomplish this. The government of Cambodia has a duty to improve the lives of its people, including poverty reduction. In Kampong Speu, the community does not use the forest for economic purposes because of fear, which means it needs to source its timber from elsewhere, placing additional pressure on neighbouring forests: this community's choices can negatively impact other communities' attempts to sustainably manage their forests. The government, however, will view this community's forest resource as being underutilised.

Industrial forestry proved to be a failed strategy for the country, with unsustainable exploitation leading to widespread forest degradation while generating limited income for the national government (Poffenberger 2009). This again highlights the weak governance that besets many aspects of forest management and poses risks to efforts such as REDD+ (Evans et al. 2012).

11.6 Conclusions and recommendations

This study and other similar studies have demonstrated that land grabbing through ELCs in Cambodia is often associated with conflict, with serious implications for SFM. Ambiguous property rights and overlapping claims, lack of coordination among government agencies, and lack of consultation and impact assessment prior to the decision-making process have become the underlying cause of conflict in the context of ELC.

The study findings have various implications for SFM. First, in order to achieve SFM, the study suggests that the Cambodian government should revisit the policy on ELC to ensure that it goes hand in hand

with SFM and community forestry development and includes clarification of tenure and protection of community land rights. This is crucial because tenure will be a strong determinant of who benefits and loses from ELC policy.

Second, the study suggests that the enforcement of the regulation that requires consultation and SEIA before granting of an ELC license is critical. This will require a concerted effort by government and also by non-governmental organisations that may act as control and balance and provide feedback on how SEIA is applied on the ground. Strengthening the capacity of both government officials and non-governmental organisations on how to conduct, monitor and evaluate the SEIA is necessary. SEIA is critical not only for getting consent from the local community but also for understanding and accommodating its needs and rights. Unnecessary conflicts can be anticipated and prevented if there is a community consultation before any development plan, including ELCs. The consultation and SEIA will allow the stakeholders to understand the interests and concerns of other parties, find ways to incorporate them, and identify areas that might have impacts on environment and community. Participatory processes and transparency should therefore be institutionalised.

Third, support will also be needed to strengthen conflict management capacity at all levels. This may require a gradual process of building awareness at local levels on various aspects of policies and legislation related to resource management, including CFs and ELC, what the rights of local people are, etc. At the national level, capacity and willingness of government and investors to take a community's interest into account must be improved. Investing in this community consultation is beneficial for their long-term interest since social conflict resulting from improper consultation processes may cause serious damage to their operations, as shown by these two case studies. The high frequency of conflict in the country underlines the importance of people who can effectively manage and address conflict. It is widely accepted that without proper conflict management, conflict can escalate and spread (Wall and Callister 1995, Yasmi et al. 2006). The protests raised by communities can be attributed to the failure to address the conflict through other avenues, such as assistance from local government or direct negotiation with the company, as well as to mistrust of the formal court or complaint mechanisms, which are widely considered ineffective by rural people in Cambodia (Ratner and Parnell 2011). This highlights the needs for alternative approaches to resolving conflict. A study on forest conflicts in Asia found that mediation is one of the effective approaches to resolving forest conflict in the region (Yasmi et al. 2010b). However, the capacity of mediator in the region is weak and needs to be strengthened (Yasmi et al. 2010b).

Finally, more research that looks carefully at ELC and its role in SFM is necessary in order to gain deeper understanding of the impacts (positive and negative), evaluate the strengths and weaknesses of ELCs, and determine how to move forward toward SFM.

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