



**Food and Agriculture
Organization of the
United Nations**

FIAP/FIAO/C1138 (En)

**FAO
Fisheries and
Aquaculture Circular**

ISSN 2070-6065

COMMUNITY FISHERIES ORGANIZATIONS OF CAMBODIA

Sharing processes, results and lessons learned in the context of the implementation of the SSF Guidelines



Cover photo: Family-scale fishing in Community Fisheries by Nyro Tum

COMMUNITY FISHERIES ORGANIZATIONS OF CAMBODIA

Sharing processes, results and lessons learned in the context of the implementation of the SSF Guidelines

by

John Kurien

Visiting Professor

Azim Premji University

Bangalore, India

The designations employed and the presentation of material in this information product do not imply the expression of any opinion whatsoever on the part of the Food and Agriculture Organization of the United Nations (FAO), or of Consumer Unity and Trusts Society concerning the legal or development status of any country, territory, city or area or of its authorities, or concerning the delimitation of its frontiers or boundaries. The mention of specific companies or products of manufacturers, whether or not these have been patented, does not imply that these have been endorsed or recommended by FAO, or CUTS in preference to others of a similar nature that are not mentioned.

The views expressed in this information product are those of the author(s) and do not necessarily reflect the views or policies of FAO, or CUTS.

ISBN 978-92-5-109746-5

© FAO, 2017

FAO encourages the use, reproduction and dissemination of material in this information product. Except where otherwise indicated, material may be copied, downloaded and printed for private study, research and teaching purposes, or for use in non-commercial products or services, provided that appropriate acknowledgement of FAO as the source and copyright holder is given and that FAO's endorsement of users' views, products or services is not implied in any way.

All requests for translation and adaptation rights, and for resale and other commercial use rights should be made via www.fao.org/contact-us/licence-request or addressed to copyright@fao.org.

FAO information products are available on the FAO website (www.fao.org/publications) and can be purchased through publications-sales@fao.org.

PREPARATION OF THIS DOCUMENT

In the context of the development and implementation of the Voluntary Guidelines for Supporting Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines), the Food and Agriculture Organization of the United Nations (FAO) has supported the Kingdom of Cambodia since 2012 to strengthen the Community Fisheries (CFi) organizations for improved small-scale fisheries governance and development.

This publication pulls together the most important insights generated from fieldwork conducted between 2012 and 2015 concerning this particular community empowerment model, the Community Fisheries in Cambodia. The findings are being used to guide further FAO support to the small-scale fisheries sector in Cambodia as well as in other countries, in the context of the implementation of the SFF Guidelines. These activities are carried out under the FAO Strategic Objective 1, Outcome 1.1 (“Member countries and their development partners make explicit political commitments in the form of policies, investment plans, programmes, legal frameworks and the allocation of necessary resources to eradicate hunger, food insecurity and malnutrition”) as well as under Strategic Objective 3, Output 3.1.1 (“Support to strengthen rural organizations and institutions to facilitate empowerment of the rural poor”). The information presented in this publication is useful to those working in government and non-government organizations and academic and research institutions in the overall context of Blue Growth.

The findings also contribute to a global learning process on the implementation of the SSF Guidelines: they are particularly relevant for governments, but also for civil society organizations (CSOs), research/academia and donors/resource partners, as well as UN partner agencies (e.g. IFAD) with an interest in small-scale fisheries governance and development. The draft document was reviewed by members of the FAO SSF Task Force. Nicole Franz, Susana V. Siar, Daniela C. Kalikoski and Rolf Willmann all provided guidance during fieldwork and the writing of this document.

FAO 2017.

Community fisheries organizations of Cambodia. Sharing processes, results and lessons learned in the context of the implementation of the SSF Guidelines, by John Kurien. FAO Fisheries and Aquaculture Circular No. 1138. Rome, Italy.

ABSTRACT

The institution of community fisheries (CFi) organizations in Cambodia provides an interesting case for the empowerment of small-scale fisheries. The document pulls together findings from two activities carried out in the context of the development and implementation of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines) in Cambodia. These activities aimed at gaining a better understanding of the small-scale fisheries sector in Cambodia in general, with particular emphasis on the functioning of the CFi.

Part 1 documents a national consultation process on small-scale fisheries which took place in 2012 to inform the development of the SSF Guidelines. This process provided a comprehensive assessment of the CFi organizations at the local, provincial and national level, and generated Guidelines for a brighter future for small-scale fisheries in Cambodia through community fisheries.

Part 2 consists of a scoping study to explore the community fisheries organizations through Elinor Ostrom's eight principles for the governance of the commons.

According to the data from the Community Fisheries Development Department (CFDD) there were 507 CFi institutions in Cambodia in 2015. This attempt to understand whether the Community Fisheries organizations of Cambodia are an example of a 'modern commons' was undertaken in August 2015.

CONTENTS

Preparation of this document.....	iii
Abstract	iv
Abbreviations and acronyms	vii
Introduction	1
PART 1: ON DEVELOPING GUIDELINES FOR SECURING SUSTAINABLE SMALL-SCALE FISHERIES.....	3
1. Context and introduction.....	3
2. Why Cambodia?.....	4
3. Evolving Guidelines in Cambodia	4
3.1 Local level assessment	5
3.2 Provincial-level consolidation	9
3.3 National level consolidation	10
4. Follow-up policy changes in Cambodia.....	12
5. Lessons from Cambodia	13
6. Cambodia’s experience and the FAO SSF Guidelines.....	14
7. Conclusions	14
Annex A	17
Some important features of the Community Fisheries (CFi)	17
Annex B	21
Community fisheries membership profile.....	21
Annex C	29
Views of community fisheries members	29
Annex D	39
National consultation workshop on Combating Child Labour in Fisheries Sector and Making a Brighter Future for Small-Scale Fisheries through Community Fisheries in Cambodia.....	39
Annex E	41
Closing Speech by H.E. Poy Try, Secretary of State of MAFF	41
Annex F	43
Report on the Implementation of Fishing Lot Reforms and further actions	43
Annex G	45
Report of the meetings in ten provinces on strengthening and expanding Community Fisheries to manage the abolished fishing lot and fish conservation areas, and the suppression of illegal fishing activities	45

PART 2: THE COMMUNITY FISHERIES OF CAMBODIA: DO THEY QUALIFY AS EXAMPLES OF MODERN COMMONS?	47
Acknowledgements	47
Executive summary	48
Introduction	54
1. Fish, fisheries, fishers and fishery conflict in Cambodia.....	55
2. How community fisheries organizations were formed	58
3. Setting up community fisheries organizations	60
4. About the community fisheries studied	62
5. Community fisheries: A modern commons?	64
6. Factors accounting for successful community fisheries	71
7. Benefits through community fisheries	72
8. Does the idea of a commons spread?.....	74
9. Governance challenges for the commons of community fisheries.....	74
10. Replicating the commons	79
11. Conclusions and further recommendations	81
Annex 1	85
Notes on the thirteen community fisheries interviewed for the commons study	85
References	91

ABBREVIATIONS AND ACRONYMS

AA	Area agreement
CC	Commune council
CF	Community forestry
CFi	Community fisheries
CFiC	Community fisheries committee
CFDD	Community fisheries development department
CFDO	Community fisheries development office
CFS	Committee on World Food Security
DG	Director-General
DDG	Deputy Director-General
DoF	Department of fisheries
EU	European Union
FAO	Food and Agriculture Organization of the United Nations
FiA	Fisheries administration
FGD	Focus group discussion
IASS	Institute for Advanced Sustainability Studies
ICSF	International Collective in Support of Fishworkers
KHR	Cambodian Riel
MAFF	Ministry of Agriculture, Forest and Fisheries
NAG	Network Action Group
NGO	Non-government organization
RFLP	Responsible Fisheries Livelihood Programme
TGC	Technical guidelines on commons
VGGT	Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security
SSF Guidelines	Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication

INTRODUCTION

Cambodia has over 650 000 fishers, most of whom operate in small-scale fisheries. The average annual supply of fish per capita is 41.4 kg, far above the global average value of 19.7 kg (FAO, 2016), with fish accounting for 68.6 percent of total animal protein supply in Cambodia.

Acknowledging the importance of fisheries in terms of livelihoods, food security and nutrition, the Cambodian began to reform the fisheries sector in 2001, which led to the redistribution of fishing rights from commercial fishing lots to increase those of local communities.

This legal reform, which empowers small-scale communities in both marine and inland fishing areas, anticipated key principles contained in the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (SSF Guidelines, FAO, 2015) endorsed by the FAO Committee on Fisheries in July 2014. This internationally negotiated and agreed instrument, which complements the Code of Conduct for Responsible Fisheries as well as other related international instruments, sets out objectives which include: the enhancement of the contribution of small-scale fisheries to global food security and nutrition; the equitable development of small-scale fishing communities and poverty eradication; the sustainable utilization, prudent and responsible management and conservation of fisheries resources. These objectives should be achieved through the promotion of a human-rights-based approach, by empowering small-scale fishing communities of both men and women to participate in decision-making processes, and to assume their responsibilities for the sustainable use of fishery resources, placing emphasis on the needs of developing countries, and for the benefit of vulnerable and marginalized groups (SSF Guidelines, FAO, 2015, paragraph 1.2).

In addition to the adoption and implementation of an enabling legal, regulatory and policy framework, the enhancement of the capacities of the fishing communities themselves is vital to ensuring securing sustainable small-scale fisheries. The present publication presents key findings on community empowerment from fieldwork conducted in Cambodia in 2012 and 2015 in the context of the development and implementation of the SSF Guidelines. It provides a profile of the Cambodian Community Fisheries, as well as an analysis of their characteristics with respect to Elinor Ostrom's eight principles of governing the commons.

The findings in terms of processes, results and lessons learned about community empowerment in the context of the implementation of the SSF Guidelines in Cambodia are aimed at supporting FAO, governments, civil society organizations and other partners; they will be relevant when planning and implementing appropriate interventions and technical assistance designed to improve the capacity of small-scale fisheries community organizations to actively engage in decision-making and management processes related to their livelihoods. These experiences also contribute to a global learning process on the implementation of the SSF Guidelines: they are particularly relevant for governments, but also for CSOs, research/academia and donors/resource partners, as well as UN partner agencies (e.g. IFAD) with an interest in small-scale fisheries governance and development.

The document is structured as follows:

Part 1 summarizes the fieldwork conducted in 2012 in the context of a participatory, national information gathering and consultative process to gain insight into the nature of small-scale fisheries in Cambodia, e.g. how the sector is viewed by policy makers; how it has evolved over time; how it is governed; what the small-scale fishers themselves think about their sector and its future.

Part 2 is a scoping study conducted in 2015 as a preliminary effort to understand the contours of the 'commons' dimension of the Community Fishery organizations of Cambodia.

PART 1: ON DEVELOPING GUIDELINES FOR SECURING SUSTAINABLE SMALL-SCALE FISHERIES

1. CONTEXT AND INTRODUCTION

The small-scale fisheries (SSF) sector is a dynamic sector with highly diverse characteristics. They are very local, context-specific and closely linked to the socio-economic and cultural ethos of local riparian communities. While those active in the sector may also be involved in other aquatic-agriculture activities, their fishery involvement is often a key source of food and nutrition security. Most small-scale fishers and small-scale fishworkers (those involved in the processing and marketing of fish) are the primary cash income earners in their families.

Viewed globally, the small-scale fisheries sector accounts for over 90 percent of the world's capture fishers and fishworkers; over half of these are women. The sector nets about half of global fish catches (of 85 million tonnes) using low fuel and labour intensive technologies, with most of the fish destined for direct human consumption; it therefore contributes significantly to the food and nutrition security of millions of consumers. In spite of its risks and vagaries, the sector represents a culturally important way of life.

Yet, despite this global significance, in many national contexts, small-scale fishers and fishworkers are marginalized, discriminated against and deprived of their right of access to resources. Efforts to ensure sustainable development and empowerment for them are often hampered for a variety of reasons, both external and internal to their communities. This is also accompanied by a lack of political will to support the sector, often because of a lack of awareness of its significance to national economies.

In the recent past there has been a slow but steady increase in the recognition and support being given to the small-scale fisheries sector: national-level movements among the communities; important national legal pronouncements; the recent adoption of Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Contexts of National Food Security negotiated through the Committee on World Food Security in 2012; as well as the recognition of the role of SSF by FAO Members, who have mandated the development of international guidelines for securing sustainable small-scale fisheries (SSF Guidelines). These are all welcome indicators of the changes in attitudes towards small-scale fisheries.

The SSF Guidelines are specifically intended to support the enhancement of the sector's already important contribution to global and national efforts towards the eradication of hunger and poverty. The SSF Guidelines intend to support small-scale fisheries governance and development for the benefit of current and future generations, with an emphasis on vulnerable and marginalized people.

As part of the process of developing the SSF Guidelines, it was deemed appropriate to initiate several participatory, national and regional information-gathering and consultative processes, which would provide insights into the nature of small-scale fisheries in specific country contexts: how they are viewed by policy-makers; how they have evolved over time; how they are governed; what the small-scale fishers themselves think about their sector and its future.

One of the countries chosen for a more in-depth, national-level initiative is Cambodia in Southeast Asia.

2. WHY CAMBODIA?

Cambodia has a vibrant inland capture fishery, a significant marine fishery and an emerging aquaculture sector. In 2000, major policy reforms were introduced in Cambodia's inland and marine fisheries. New forms of governance for the resources were given legal recognition with the participation of the community and the government.

In October 2000, in the town of Siem Reap, Prime Minister Samdech Hun Sen of Cambodia made his now famous pronouncement, releasing 50 percent of the individually owned fishing lot areas in the Tonle Sap Lake from the control of the influential owners. He promised to grant the released area to the rural communities around the Lake. He called on them to take over the right to fish without fear, along with the responsibility for caring for the resources. He surprised the fishing lot owners, the fisheries administration and the rural communities with this radical action that is now referred to as the Fishery Reform of 2000.

In the decade between 2000 and 2011 much has changed in Cambodia's fishery landscape. A whole new social engineering experiment began in Cambodia, which resulted in giving the fishery a much more community-oriented focus. Many laws and rules were changed and new ones enacted. The first Community Fisheries Development Department in an Asian country was started. The Community Fisheries (CFi) organizations were constituted with a sub-Decree (see Annex A for some important features of the CFi organizations of Cambodia). Many governmental and intergovernmental development and aid agencies came forward to help the Fisheries Administration (FiA) of the Royal Government of Cambodia to implement this ambitious programme. Similarly, numerous non-governmental agencies took steps to assist the communities in their collective efforts to gain control over the fishery and other natural resources.

Today there are 469 Community Fisheries organizations spread across Cambodia. The majority of them (430) are located in the inland fishery around the Tonle Sap Lake and across the banks of the Mekong River. A smaller number (39) have also been formed in the marine sector.

In the context of the above historical events, two factors make Cambodian fisheries particularly relevant to the development of the SSF Guidelines:

1. Cambodia is the only country in Asia where, since 2000, there has been a conscious government-driven policy- dedicated to the "small scale-isation" of the fishery through the creation of Community Fisheries organizations.
2. Cambodia has, as a consequence of the above, been experimenting with new forms of local-level governance and institutional arrangements which seek to change the formerly individual access-and-use rights (largely in inland fisheries) into community-oriented tenure arrangements.

3. EVOLVING GUIDELINES IN CAMBODIA

Against this background it was decided to undertake a project in Cambodia with the following objectives:

At the local level: Undertake a participatory, local-level (village) assessment of the relevance and the role of small-scale fisheries in the inland and marine sectors of Cambodia by gathering data through a representative sample of the membership of the Community Fisheries organizations across the country.

At the provincial level: Utilise the consolidation of this information at mezzo-level (provincial) meetings of the Community Fisheries organizations in order to raise awareness about the merits of small-scale fisheries, particularly with respect to their role in food security, environmental protection and sustainable livelihoods.

At the national level: Feed the insights from the above processes into a national consultation with the objective of formulating guidelines for the future of Community Fisheries organizations in Cambodia and providing some insights for the current development of the SSF Guidelines.

3.1 Local level assessment

Purpose

The purpose of this local level assessment was two-fold: first, to draw attention to some of the salient features of the Community Fisheries organizations' current membership; second, to highlight the perceptions of the CFi membership, both with respect to their experiences over the last decade and their aspirations for the future. These can be valuable inputs into any rethinking of the role and relevance of CFi in the future of inland and coastal communities in Cambodia. The results of the assessment were to be shared with national policy makers, the international development assistance community, non-governmental organizations and the Community Fisheries membership.

Many excellent efforts to evaluate the Community Fisheries organizations have been undertaken in the past by international agencies and other organizations. These have usually consisted of a very detailed case-study analysis of a handful of CFi organizations undertaken by experts from around the world. They tended to examine each CFi institution in great detail, expending a great deal of time and effort to produce very elaborate reports. However, very few of these reports have subsequently been shared or discussed within the membership of the CFi organizations.

On this occasion, the FiA decided that they would undertake the assessment on their own, rather than commission other experts and organizations to do the task. In order to facilitate this, the FAO/UN Lead Resource Person assisted the FiA staff with a training workshop and a pilot testing of the survey instruments in the field, in addition to focus group discussion methodology. One important reason for this approach was also to contribute to FiA staff capacity building in developing field assessments and evaluations.

It was decided that a case-study approach would not be adopted; instead, the assessment would cover a large sample of CFi spread across the whole country. It was also decided that the assessment should be both very quick and very participatory, so that the views of active CFi members could be garnered, giving balanced representation to men, women and young people. This first stage of the assessment was achieved through local-level consultations at the village level. It was also decided that the results of the assessment would be summarized and discussed with the participants at three interprovincial workshops — two in the inland fishery realm and one in the marine fishery realm. The outcomes and recommendations from these workshops would be presented at a national consultation.

Methodology

There are 469 Community Fisheries (CFi) organizations in Cambodia today, with over 126 960 member households. As a first stage of sampling, a quota sample of 60 CFi was selected from this number, giving appropriate weight to the number of CFi and households in each province. These included 22, 23 and 15 CFi from the Mekong, Tonle Sap and Coastal Regions respectively. In the second stage of sampling, the specific CFi to be selected in each province was then largely left to the recommendation of the provincial fishery officers: it is therefore possible that the survey teams visited some of the best CFi organizations in each province. Upon receiving this list, at the third stage of sampling, the Chairpersons of each of the selected CFi committees were informed about the purpose of the assessment in advance. They were requested to select about 5 percent of the CFi membership — or 15-20 members, whichever was less — to attend the assessment, ensuring the balanced participation of women and young people. Although purposively selected, the final sample units of individual members were representative of the membership of Community Fisheries organizations across the whole country.

In October 2011 a team composed of staff from the provincial and central FiA offices went to each of the selected CFi and spent the whole day in the village. First they interviewed each of the selected members individually, before holding separate group discussions with the men and the women. FiA staff had been briefed by the FAO Resource Person in advance about the latest efforts being made by FAO Members to develop international guidelines for securing sustainable small-scale fisheries development and management, as well as on issues relating to tenure rights in fisheries. The staff made efforts to briefly communicate these issues to the members at the local consultations.

In spite of heavy rain and the flooding in some places, the teams were able to meet with 1 095 CFi members from the 60 CFi organizations across 16 provinces, covering the Tonle Sap region, the upper and lower Mekong region and the marine coastal region. Of the members interviewed, 45 percent were women, and one-third of the overall total was under the age of 30 years old.

The focus of these local-level consultations was to make a participatory assessment of different aspects of community life and livelihoods by asking participants to compare the pre-CFi situation with the current one. This covered a wide realm of concerns, including: what changes have taken place during the last decade in fishing-related activity? Have these changes been beneficial to them as individuals and as a community? What has been the role of women and young people in the community? Have conservation and resource management efforts increased? Has illegal fishing activity declined? What is their assessment of the role of government and NGOs? Have the lessons of cooperation and collective action in the CFi spread to other activities in the community?

The assessment also included a representative socio-economic profile of the entire membership of the CFi in Cambodia, and though brief, it was the first of its kind. What is their gender and age profile? What is their educational profile? What are their basic livelihood activities other than fishing? What is their fishing and other assets (such as land) ownership profile? An attempt is also made to provide a rough estimate of the range of incomes from different economic activities undertaken in the wet and dry seasons.

Results

What follows provides a brief account of the findings of an “appreciative inquiry”. It was given this name because of the assumption that the ambitious, multidimensional efforts to build community fisheries in Cambodia over the last decade have many positive aspects; many lessons to be learnt; many dreams to be realized. Below is a brief summary of the socio-economic profile of the Community Fisheries membership, followed by an analysis of the variety of issues discussed in the Focus Group Discussions (FGD). The focus groups were composed of (i) the women and (ii) the men and women respectively in each of the CFi.

Socio-economic profile

Community Fisheries organization members are widely distributed all over Cambodia. Both men and women, young and old, are CFi members. The educational level of the membership is low and lowest in the coastal region. Although Community Fisheries organizations are fish-related, only a quarter of the members identify themselves primarily as “fishers”. This does not however deter members from undertaking capture fishing, which is the most important secondary livelihood activity of CFi members in the wet and dry seasons in all three regions. The vast majority of the membership owns some arable land (with rice or other crops), owns the land on which they built their homes, and also possesses fishing equipment. About 13 and 17 percent of the respondent CFi members do not own land and fishing equipment respectively. These are likely to be the CFi members from poor households. While the majority of members own fishing equipment, the number of equipment items per person is very low. This indicates that there may be scope for more investment and the opportunity to enhance the overall productivity of members, particularly in the inland fishery. In this way the Community Fisheries organizations’ contribution to overall fish production in Cambodia could be enhanced. Fish-related activity was a vital source of cash income for the members. Taken together, estimates of the income-earning potential from three fish-related activities (fishing, processing fish

and selling aquatic products) show that potential income earned was higher in the dry season. The average potential cash income was higher than the estimated average per capita daily income of the Cambodian population as a whole. Detailed tables and analysis are available in Annex A.

Focus group discussions: views on key issues of concern

The Focus Group Discussions (FGD) conducted in each of the Community Fisheries organizations had two purposes. Firstly, they sought to obtain a greater qualitative understanding of the changes which have taken place in their respective local areas over the last decade, with respect to the Community Fisheries' prime objectives. In relation to each of the issues discussed, the members were asked to consider their situation prior to the formation of the Community Fisheries and to compare it to the current context. The groups discussed the issue before arriving at a consensus agreement (sometimes a majority opinion) on whether the answer was affirmative or negative.

Secondly, they were encouraged to discuss some topical issues and issues of future concern, and to express their views on these matters. These included the question of child labour in fisheries, climate change and the environment, the role of NGOs, threats to the development of Community Fisheries — to mention but a few.

The key points which emerged from the discussions are enumerated here. For further details of the Focus Group Discussions, see Annex B.

1. The significance of Community Fisheries as a people's organization with a significant participation of men, women and young people is beyond doubt.
2. If the primary objective of the 2000 Fishery Reform was to ensure that the rural communities of Cambodia obtained access to fish for food and livelihoods, then this objective has been reasonably achieved. The "fishery success" must however be viewed against the overwhelming and continued importance of agriculture for the members of the Community Fisheries organizations.
3. CFi have shown that people consider conservation to be the key to resource sustainability, and are willing to take concrete actions to achieve this. The role of women in promoting this achievement has been significant.
4. Illegal fishing carried out by individuals with backing from influential persons in society was one of the most important threats to fisheries in Cambodia. CFi Committees suggested that they should have a greater role in tackling this problem, and the facilities to do so. Women play a crucial role in the moral economy of illegal fishing.
5. The role of government officers from the Fisheries Administration and the elected members of the Commune Councils have both been meaningful in helping to set up the CFi — and in their ongoing operation. This interaction should continue to be fostered in the future.
6. Community Fisheries organizations were a major factor in building trust and fostering cooperation in the community. This aspect of the CFi may perhaps be even more important than catching fish!
7. Child labour in fishing was and remains prevalent. It was mainly boys who were involved in fish-related activities. However, in the majority of cases this was largely to help their parents and the children were not exploited. Therefore, while they work part time, it should also be possible for them to go to school.
8. The involvement of women in the CFi has given them a formal status and voice in decision-making. They have undertaken action in the key realms of conservation, education, development and the dissemination of information — particularly with respect to the benefits of community cooperation.
9. There have been significant and very noticeable changes in weather patterns. Whether the impact of this is favourable or adverse depends on the resource activity in question. Flooding impacts positively on fish production.
10. Non-governmental assistance has been and continues to be important for CFi activities. NGOs provide important support to the CFi which the government cannot provide. However, the role

of respected and resourceful persons and organizations within the village also needs to be considered and recognized.

11. Development of human capacity is still one of the key elements required for the CFi to flourish. These efforts must contribute to increasing the participation of members in CFi affairs, in order to enhance the skills necessary for their livelihoods, and to ensure effective and efficient CFi management.
12. Keeping records of data and information is important for institutional sustainability. Data to estimate the fish catch of CFi members can be generated, if required.
13. Community Fisheries have given people the freedom to access resources, and this has in turn resulted in the reduction in poverty and better resource conservation and management. The tenure rights of the CFi should be strengthened, and the proper demarcation of boundaries and equipment for patrolling are vital to support this. The provision of more credit for investment and expansion of service sector activities like tourism and fish marketing are also important, and will result in greater benefits from tenure rights.
14. Migrants should fish in CFi areas only with permission and only using legal fishing gear. Paying a small fee to the CFi for the right to fish should also be considered.
15. There are several serious threats to sustainable fisheries and to the Community Fisheries organizations which need to be addressed promptly.
16. Community Fisheries have helped to alleviate poverty and taught CFi members the value of conservation and working together. But the major benefits of CFi have gone only to CFi Committee members.
17. A range of diverse activities is required to make the CFi the institution of our dreams. One of the biggest challenges is enhancing leadership capacity.

The overall conclusion from this participatory assessment of Community Fisheries organizations in Cambodia is that after a decade of activity they have made a good start towards becoming truly community-based organizations supported by the state and broader civil society.

This success is not unqualified, but the information and collective views gathered provide the basis to state with reasonable confidence that these organizations have made a difference to the lives of the membership with multiple impacts and achievements. The membership has unrestricted access to more fish to eat; they spend more time in fishing-related activity and earn cash income which plays an important role in contributing to their living standards. The cooperation and sense of community between members which has been fostered by these organizations has also yielded numerous social benefits, including: building greater trust; a higher awareness and value placed on conservation; a keen sense of being recognized as a collective; recognition of their weaknesses and lack of capabilities; and the urge and desire to build a better future. These are not mean achievements.

However, if the 2011 status quo prevails the future sustainability of these organizations requires close scrutiny. This calls for honest reflection by the state, civil society and more importantly by the members themselves.

The state needs to consider how it can move from being the initiator of these organizations to becoming a facilitator. This role of facilitation needs to be performed without being unduly overbearing. The state and its representatives (primarily officers of the Fisheries Administration at all levels) must learn how to act as a partner rather than a master in a co-management process for the sustainable management of aquatic resources. The instruments (laws, decrees etc.) which have provided the legal framework for the Community Fisheries need to be reviewed and made more flexible, suited to the realities faced by the membership. Most important in this regard will be the consideration of how Community Fisheries can become multipurpose organizations catering to the entire membership's livelihood needs — particularly their agriculture and related interests — and not focus solely on the fishery. Additionally, serious consideration must be given to a greater role for the organization in dealing with the menace of illegal fishing effectively.

Civil society needs to continue supporting Community Fisheries organizations and focus on capacity building for the committee and members. Effort is needed to ensure that the whole membership begins to take ownership of the organization. In this regard, emphasis should be given to stressing the role of persons from the locality (teachers, nurses, religious leaders, educated young people, other village elders etc.) who can provide encouragement and friendly advice to the Community Fisheries leadership. Non-governmental Organizations that have their base outside the locality should adopt the practice of having resident village community organizers (possibly from among the educated youth in the community) who can animate governance and networking processes within the Community Fisheries' organizational structures. They can lay the groundwork for building savings and credit schemes which will work on a 'group basis' and cater to the productive purposes of the membership. The provision of new livelihood skills, as well as a greater stress on social and developmental activities at the village level must also be considered.

The membership themselves should seize the opportunity to make the Community Fisheries a 'lively and spirited' organization, avoiding the 'empty shell' it may become if the current trajectory is maintained. Female members can play a significant role in making this adjustment. There should be simple, free and fair elections conducted at the earliest opportunity, so that the truly democratic character of the organization is retained. The current committee members should take the initiative for this with the assistance of NGOs and the relevant fisheries administration officers at the appropriate level of governance (district, provincial, etc.).

The above are only suggestions giving a broad overview of what needs to be done. Each Community Fisheries organization and its local context is unique: ultimately, each must therefore have a plan of action of its own.

If the state, civil society and the membership can work out how they will act both collectively and individually to sustain the Community Fisheries organization, then there is a bright future for small-scale fisheries in Cambodia. This may be the surest route to ensuring protection for the country's aquatic ecosystems, fish for all Cambodians and decent, dignified livelihoods for millions.

Striving to achieve these goals is surely worthwhile.

3.2 Provincial-level consolidation

Three interprovincial meetings (termed region-level workshops) were conducted to feed back the data analysis and information gathered from the members during the local-level assessment. The meetings were held in Kampong Cham (for the Mekong region) and Kampot (for the Marine region) in December 2011 and Pursat (for the Tonle Sap region) in January 2012. It is significant to note that for more than 60 percent of the participants attending these meetings (representatives from the Community Fisheries organizations that participated in the local-level consultation and a few representatives from other Community Fisheries organizations which were not part of the sample), this was the first time in a decade that they had come together as representatives of their Community Fisheries organizations.

Initially a consolidated summary presentation was made by the Deputy Director-General of Fisheries, outlining the highlights of the local-level assessment. The focus was on the results pertaining to the specific region where the workshop was being held — Tonle Sap, Mekong or Marine.

This methodology enabled the members to comprehend the manner in which their individual views were aggregated. It also showed them how these consolidated profiles of their socio-economic status and the views expressed at the focus group discussions provide material for policy-makers when taking future decisions. Participants requested clarifications; they raised doubts about the meaning and implications of some of the conclusions and, where appropriate, corrections were incorporated.

The power and significance of participatory assessments became very apparent.

Following these plenary discussions, in each of the three meetings participants were divided into six groups and asked to discuss the following questions:

1. The presentation was a consolidation of the view expressed during the local level consultation. Do you think it is a reasonable summary? If not, what major disagreements do you have?
2. Give five concrete suggestions to government and to non-government organizations regarding the future activities and orientation of community fisheries in your region.
3. Illegal and destructive fishing is still listed as the number one problem in fisheries in Cambodia. Give three suggestions for how community fisheries organizations can be empowered to solve this problem.
4. Should community fisheries organizations also help the agriculture activities of their members?
5. What changes should be made to the sub-Decree to foster a better future for community fisheries?
6. From our experience with community fisheries in Cambodia, what suggestions can we offer for the formulation of global guidelines for small-scale fisheries?

As a final part of these region-level meetings the six group reports were presented in plenary. Once again brief discussion followed and the reports were adopted by the members.

The staff of the Community Fisheries Development Department (CFDD) reviewed all the group reports. The revised draft of the local-level consultations report and the 18 group reports from the three region-level meetings were the material used by the CFDD to prepare the paper to be presented at the National Consultation in February 2012.

3.3 National level consolidation

The culmination of the three-stage process was a three-day national consultation held in Phnom Penh in February 2012. This consultation had two parts.

The first day and a half was set aside to discuss the issue of combating child labour in the fisheries sector with a limited number of participants. A report is available in Annex D.

The second part of the consultation was entitled, “Making a Brighter Future for Small-Scale Fisheries through Community Fisheries in Cambodia.” It was attended by 159 participants including members from Community Fisheries organizations, representatives of the Fisheries Administration, members from civil society, representatives of international development agencies and UN organizations. The main purposes of this workshop were to share the full results of the earlier process and its conclusions with a wider cross-section of fisheries stakeholders in order to comment on the findings and, importantly, to contribute to developing some key guidelines for the sustainable development of small-scale fisheries in Cambodia through Community Fisheries. These national guidelines would then become a contribution to the SSF Guidelines being developed by the Food and Agriculture Organization of the United Nations (FAO).

There were four stages to this part of the national consultation:

First, the report of the local-level consultations and the three region-level workshops was presented by the Acting Director of the Community Fisheries Development Department (CFDD) of the Fisheries Administration. The CFDD is formally responsible for the activities of the Community Fisheries organizations.

Second, there was a period of intense group work where seven groups, made up of representatives of all the various stakeholders in the fishery, discussed the report and formulated suggestions which could make up elements for the guidelines for the future of small-scale fisheries in Cambodia.

Third, a committee consisting of elected participants from each of the seven groups discussed and produced a draft of the key elements from the group discussions, which would form the basis of a list of guidelines and recommendations for making a brighter future for small-scale fisheries in Cambodia through Community Fisheries.

Fourth, there was a plenary discussion during which the draft guidelines were read, discussed and endorsed, point by point. The finalized document, given below, was then approved by the whole plenary.

GUIDELINES FOR A BRIGHTER FUTURE FOR SMALL-SCALE FISHERIES IN CAMBODIA THROUGH COMMUNITY FISHERIES

These Guidelines were formulated as the culmination of a series of consultative processes held between October 2011 and February 2012 with a vast cross-section of members of Community Fisheries (CFi) organizations in Cambodia.

The 20 points below have been grouped under four important themes, and are considered to be the most important guidelines for making a brighter future for small scale fisheries in Cambodia through the Community Fisheries organizations.

1. INTERNAL STRUCTURE

1. Strengthen the capacity and upgrade the general knowledge of CFi members using both formal and informal education systems and adopting both classroom and field exposure training. At the same time, request that the Ministry of Education and Youth include the basic knowledge related to fisheries as part of the general educational curriculum.
2. Capacity building for the CFi Committee and CFi youth members should be undertaken as a priority. The focus of capacity building should be on practical livelihood skills, community organization functions, and fisheries resource conflict-resolution strategies.
3. The democratic character of the CFi should be enhanced by conducting fair and simple elections to elect a new CFi Committee as and when their mandates expires.
4. Strengthen the accountability of the CFi Committee to CFi members. This can be achieved by having regular meetings, ensuring greater transparency in decision-making, as well as by undertaking regular monitoring and evaluation of the quality of management and member participation.
5. Open up and encourage the active and effective participation of women and young people in the affairs of the CFi and CFi Committee, particularly in the combat against child labour in fishing activities.
6. Enable and equip the CFi to communicate directly — and make contact with — NGOs and other relevant institutions to support CFi activities.

2. TENURE AND RIGHTS

1. Establish clear tenure rights for the CFi using the official Area Agreement. There should be emphasis on: (1) ensuring good boundary demarcation, and (2) providing effective patrolling and facilities to achieve this same.
2. Encourage the participation of local people to abolish illegal fishing activity by designating specific CFi members as patrollers and encouraging local people to provide information on the illegal fishing activities to them.
3. Any development plan or project undertaken in a demarcated CFi fishing area should be undertaken only after consultation with CFi members, and after making an environment impact assessment (EIA) with the participation of CFi members. The benefits of such projects should also be shared with CFi.

4. Offer a greater physical and legal role to the CFi Committee and Patrolling teams in stopping, preventing and controlling illegal fishing activities, and support the CFi to have appropriate facilities to achieve this.
5. Provide the CFi with the rights to collect a fee for the granting of legal rights to migrants to fish in demarcated CFi areas.

3. ACTIVITIES AND FUNDING

1. Community Fisheries (CFi) should be transformed from a fishery organization to an organization focused on livelihoods. The core focus should be kept on fisheries activities and other income-generating activities should be undertaken.
2. Create a Community Fisheries Revolving Fund exclusively for the CFi and link the borrowing rights for this to the following criteria, based on their performances in the relevant areas: (1) evaluation of their fishery/ecosystem conservation efforts, (2) effectiveness of their internal functioning and member participation, (3) their efforts at controlling illegal fishing, and (4) their efforts in the prevention of child labour.
3. Provide financial and other support to establish small businesses, eco-tourism projects and other livelihood initiatives, keeping a share for CFi members and reducing the profit of middle men at the same time.
4. Encourage CFi members to pay their annual membership fees regularly.
5. Incorporate CFi plans into the Commune Council Development and Investment Plan, and connect the CFi with the village and commune safety policy.
6. Consider the flooded forest protection initiatives undertaken by the CFi for community carbon credits under climate change schemes.

4. INFORMATION AND NETWORKING

1. Establish a regular data and information-gathering system at the CFi level for fishery catch monitoring, as well as socio-economic and ecological biodiversity data collection.
2. Establish a provincial-level CFi network forum to provide opportunities for the CFi in each province to collaborate effectively.
3. Disseminate to the CFi the laws and regulations related to fisheries, fisheries environment, fish migration, fishing gear, fishing technique and climate change that may impact on fishing on a regular basis.

4. FOLLOW-UP POLICY CHANGES IN CAMBODIA

Following the presentation of the above Guidelines at the National Consultation, the State Secretary of the Ministry of Agriculture, Forests and Fisheries of Cambodia, present at the Consultation, officially endorsed them in his official closing speech (see Annex E). Given the complex governance and administrative system in Cambodia, this formal endorsement is a first step towards these Guidelines — developed in a participatory manner — being taken up by the Government and the Fisheries Administration for implementation.

As a first step to making these Guidelines more widely available, the Fisheries Administration will publish them in the next issue of its official magazine.

Though not directly related to the process behind the creation of these Guidelines, a week after the National Consultation in February 2012, the Prime Minister of Cambodia announced that the fishing lot licenses in the Tonle Sap Lake would be cancelled permanently, and that these areas would be reserved as conservation zones, “to protect the lake’s pressured wild fisheries on which tens of thousands of subsistence fishermen rely.”

This decision by the Prime Minister is essentially a continuation of the 2000 Fishery Reform process which he set in motion. The future implications of this decision for the Community Fisheries organizations are enormous. They will now become the main institutional arrangement with rights of tenure and access to the fishery resource at work in Cambodia. The success of fish harvests from the Tonle Sap and the Mekong River will depend on their initiative and resourcefulness. If the Community Fisheries organizations are to meet these expectations, many elements in the Guidelines endorsed above may have to be carefully examined and implemented.

Following the National Consultation, the Community Fisheries Development Department (CFDD) also officially transmitted the Khmer version of the report on the local consultations and the Guidelines endorsed at the National Consultation to the Minister in charge of the Ministry of Agriculture, Forestry and Fisheries (MAFF) and the Deputy Prime Ministers, who are responsible for implementing the abolition of fishing lots.

In April 2012 the Government issued two administrative orders; the first concerned the implementation of the latest fishing lots reform; the second outlined the strengthening and expanding of Community Fisheries to manage the abolished fishing lots and fish conservation areas, as well as the suppression of illegal fishing activities (see Annexes F and G).

Both these orders contain recommendations which have been influenced by the Guidelines. These include: the need for capacity building within Community Fisheries to enable them to participate more fully in the fisheries reform process; encouraging greater efforts for the conservation of flooded forests and mangroves; efforts to suppress illegal fishing; and the strengthening of partnership networking at all levels.

In light of all the above, and in particular the abolishing of the fishing lots, the Fisheries Administration Action Plan for 2012 is being revised. A three-year plan, which focuses on conservation and giving priority to the strengthening of Community Fisheries organizations, is in process.

5. LESSONS FROM CAMBODIA

The unique nature of the Community Fisheries' organizational innovation needs to be shared with the rest of the world. The Community Fisheries is by no means a perfect example of an organizational arrangement for the governance of small-scale fisheries. Nonetheless, for all its imperfections it has numerous lessons to offer to other small-scale fishing communities in other parts of the world. Some of the most important lessons mentioned by the members are given below and self-explanatory.

Lessons for the world from Community Fisheries in Cambodia:

- establish community initiatives in fisheries;
- provide secure access rights;
- conservation is the key;
- good leadership training is essential;
- greater involvement of women helps success;
- have clear management plans and a structure for their implementation;
- provide financial support for implementing management and other action plans.

6. CAMBODIA'S EXPERIENCE AND THE FAO SSF GUIDELINES

In the context of the FAO initiative to formulate the SSF Guidelines there are some important insights to be gleaned from the experience of organizing community fisheries in Cambodia.

- Initiatives in support of small-scale fisheries that are originally driven by state concerns can be turned into genuine people-centred measures, providing that the development and management strategies planned, financed and implemented are participative, appropriate, and well thought-through.
- Long-term and secure rights to resources are a basic requirement, if small-scale fishers are to commit themselves to participatory governance and management of the resources, as well as the ecosystem in which these are located.
- Resource conservation is a key factor in the management of small-scale fisheries. Supportive institutional and infrastructure initiatives to aid the conservation of aquatic ecosystems need to be envisioned as a central pillar of management efforts. Conservation must become a passion if it is to succeed.
- Good leadership is the bedrock of successful organizations for small-scale fishers. Few fishers may be born good leaders, but leadership can be cultivated through practice and training. Capacity building initiatives which focus on developing leaders is an investment which pays rich dividends for vibrant and sustainable organizations.
- Women's involvement must be central to any effort for small-scale fisheries development and management. They are a vital social, economic and moral force in small-scale fishing communities and their participation as agents for change in development initiatives must become a foundational element and not simply an afterthought.
- Management plans for small-scale fisheries should become a central part of any fisheries development programme. These plans need to be developed with a clear and keen understanding of the realities of local natural resources, and the viable structures for the governance of tenure. The implementation of plans should be participative, involving fishers, the riparian community and the state, with each party taking a key role and responsibility to ensure its success.
- In the future, financial support for a new and ambitious programme for small-scale fisheries development and management must be forthcoming from international donors and financial agencies that have appreciated the role and relevance of small-scale fisheries. More than the size of the funds, it is when funding becomes available in the form of partnering initiatives that it is most likely to achieve its objectives.

7. CONCLUSIONS

The process described in this report was a facilitative initiative undertaken by FAO in close partnership with the Fisheries Administration of the Royal Government of Cambodia and the members of the Community Fisheries organizations in order to develop a set of participatory guidelines designed to negotiate a brighter future for small-scale fisheries in Cambodia.

It was the first time since the Fishery Reform of 2000 that such an elaborate exercise was undertaken by the Fisheries Administration to assess the opinions of members of the Community Fisheries about the past, present and future. The broad and systematic canvassing of the fishers, achieved through the local consultation process, was an important achievement in itself.

This initiative highlighted how Community Fisheries — an organizational intervention which was instituted by decrees and administrative orders — has gradually revealed its potential of becoming an important local democratic enterprise which can transform the livelihoods of an important section of Cambodia's rural population. How and whether this will materialise in reality depends on a confluence of many factors, inter alia: secure tenure and rights to resources, strong and committed local leadership, proper planning and adequate, appropriate funding.

That this process of assessing the Community Fisheries was accompanied by the political decision for the total abolition of the fishing lots system in Cambodia was an important historical conjuncture, with the consequent opening up of new possibilities for Community Fisheries organizations to play a lead role in the country's inland fisheries sector.

There may be influential opinions and adverse comments about the underlying rationale and top-down decisions which marked the beginning of the Fishery Reform process in 2000; be that as it may, it points decisively to the pre-eminent role which political process and political will have in supporting a commitment for small-scale fisheries.

This is a key lesson to be taken away from the Cambodian experience.

ANNEX A: SOME IMPORTANT FEATURES OF THE COMMUNITY FISHERIES (CFI)

What are the objectives of Community Fisheries?

Five objectives were spelt out in the sub-Decree announcing the formation of the Community Fisheries: (a) to manage inland fisheries and related ecosystems where fishing lots have been cancelled; (b) manage fisheries resources in sustainable and equitable manner; (c) to increase the understanding and recognition of benefits of fisheries resources through participation in their protection and management; (d) provide the legal framework to establish community fisheries; and (e) improve standards of living and reduce poverty.

What constitutes a CFI?

It is a group of Cambodian citizens who live in or near the fishing area and voluntarily establish an initiative to achieve the objectives mentioned above.

Who can become a member of a CFI?

A Khmer citizen of either sex, resident in a village in the CFI area; the member must be 18 years old and can only be a member of one CFI.

What are a CFI's duties?

To participate in managing and conserving resources; respect instructions from FiA, MAFF; participate in establishment of conservation areas within CFI area; guarantee equal rights in sustainable use of resource; implement bye-laws and formulate plan; enter into CFI area agreement with FiA to manage resource; and keep all documents related to CFI.

What are a CFI's rights?

The rights of a CFI are: to organize fishing activity; cooperate with the competent authorities to suppress violations; to request the seizure of evidence of fisheries violations and detain offenders, before sending them to the competent fishery officer; in accordance with legal instruments a CFI can communicate with another CFI or other persons/entities for the benefit of a CFI; to fish, undertake aquaculture, sell, use and manage all fisheries resources in accordance with the CFI agreement and plan.

What are the limits on these rights?

The CFI does not have the right to sell the CFI area in any manner, nor can it erect any structure in the CFI area without the prior permission of FiA, MAFF; it cannot partition nor establish any private ownership of the CFI area; finally, it may not enter into any agreement concerning the CFI area with any person or entity, not even for scientific research purposes.

How is a CFI Committee formed?

Each CFI will be led by a Community Fishery Committee (CFiC), elected by the congress through a free and fair election. The results are decided on the basis of an absolute majority of those who voted: the person with highest vote is the CFI Chief; the person with second highest, Vice-Chief. The competent fishery authority and the commune council shall be invited to observe the election. However, results will be recognized as official even if the latter are absent. The number of people on the CFiC will be 5, 7, 9 or 11 depending on the decision of congress. Women will be encouraged to be candidates. Cambodian citizens who are members of the CFI have right to stand as candidates irrespective of sex. The elected CFiC has a term of five years and the right to lead and manage the CFI in accordance with the relevant article of the sub-Decree.

What are the CFiC's duties?

The CFiC has the following duties: draft by-laws and management plans, and operate in accordance with them; seek technical and financial support; represent CFi in mediation and conflict resolution; open a bank account and manage finances in a transparent manner; make decisions on CFi in accordance with by-laws; participate in consultations; report violations; conserve resources and the CFi area; perform other functions as instructed by the competent fisheries authority; appeal if the agreement for CFi is not renewed. Only the CFiC has the authority to apply to FiA to request the approval of a CFi area agreement. The CFiC may request technical assistance from fishery officials or individuals to draft a CFi area agreement.

How is the Community Fisheries Area Agreement prepared?

The procedure for the preparation of the CFi Area Agreement shall be determined by MAFF. It will have a scale map (1:50 000); a list of members and committee members; a by-laws and regulations; statement on the objectives of the CFi. A draft of the CFi area agreement shall be announced and exhibited for 30 days in prominent public places (commune/sangkat, district/khan) and government offices, and submitted to FiA for review and approval. If there is any objection to the notification during this period the commune/sangkat council, district/khan or provincial/municipal authorities shall assist to resolve the conflict or revise the agreement. The CFi Area Agreement is valid for no more than three years from the date of approval by FiA. The CFi Committee shall submit a written request for an extension to the agreement six months before its expiry; this new agreement will be for no more than a period of three additional years. Requests for renewal shall be approved by FiA within 30 days of expiry of the CFi area agreement. If FiA intends to terminate the CFi Area Agreement, they shall send a report based on an evaluation by the relevant authorities and with the participation of the CFi Committee to explain reasons their for doing so. If the FiA does not provide notification on the request for renewal within 30 days, the CFi Area Agreement will be deemed to have been automatically renewed.

Can the CFi Area Agreement be cancelled?

The CFi Area Agreement may be cancelled before expiry of the term for any one of the following reasons: a written agreement among all parties for cancellation; agreement between the CFi Committee and two-thirds of members; as a result of the failure to implement — and/or because of violations to — the current CFi Area Agreement which harm the resource; a judgment by the Royal Government that the area can be used in the service of a higher public and social benefit. In the case of this last, the FiA shall give written notice to the CFi Committee six months prior to termination, stating its reasons for doing so. During this period the FiA will discuss the matter with the CFi Committee and consider the losses to the community which arise from such action.

How is a Community Fisheries Area management plan prepared?

Following approval of the CFi Area Agreement the CFi Committee can prepare a management plan and request technical assistance from the competent fisheries authority to do so. The procedures for the preparation of the plan shall be determined by a proclamation from the Minister of MAFF (see Guidelines for CFi). This plan shall be submitted to the FiA through the proper channels. The period of validity of the management plan will be the same as that of the CFi Area Agreement. The plan shall be reviewed by the provincial/district Fisheries office every year and a report submitted to FiA. The follow-up, monitoring and evaluation of the implementation of the plan shall be done with the participation of CFi Committee representatives. The FiA may require the plan to be revised in compliance with other legal instruments related to the fisheries sector, in order to ensure the sustainability of the fishing area.

Where can the CFI get finances?

The CFI will derive finances from: the contributions of members, donations, assistance from the Royal Government, international organizations and NGOs, and other lawful income.

ANNEX B: COMMUNITY FISHERIES MEMBERSHIP PROFILE

This profile is composed of seven demographic and socio-economic characteristics of the membership of the Community Fisheries organizations selected for the consultations.

1. GENDER AND AGE

In order to ensure the balanced participation of men, women and young people among the membership, certain quotas were prescribed in the selection of participants. Table 2 shows the profile of selected members.

Table 2 – Gender and age profile of the selected community fisheries membership by region

REGION	Gender (%)		Age (%)		TOTAL
	Male	Female	Below 30	Above 30	
Tonle Sap	54	46	30	70	100 (421)
Mekong	56	44	30	70	100 (411)
Marine	56	44	29	71	100 (263)
TOTAL	55	45	30	70	100 (1 095)
Total Membership in the 60 selected CFi	17 140	14 810	9 400	22 550	31 950

(Numbers in parentheses are the sample size)

It is evident from Table 2 that the gender and age profile of the Community Fisheries membership that participated in the local consultations was more or less the same across the three regions and in relative proportion to their respective totals in the 60 CFi members selected for the study.

2. MARITAL STATUS

The marital status of the membership, shown in Table 3, reveals that overall 83 percent of interview respondents were married, 11 percent were unmarried and 5 percent were widows/widowers. The proportion of widows/widowers was highest in the marine region.

Table 3 – Marital status of the community fisheries membership by region

REGION	MARITAL STATUS (%)				TOTAL
	Unmarried	Married	Divorced	Widow/Widower	
Tonle Sap	13	82	2	3	100 (421)
Mekong	11	83	~	5	100 (411)
Marine	7	85	~	8	100 (263)
TOTAL	11	83	1	5	100 (1 095)

(Numbers in parentheses are the sample size)

3. EDUCATIONAL STATUS

Table 4 shows that the standard of literacy and education was significantly lower among the CFI membership in the marine region. This is a widely observed phenomenon among rural coastal marine communities in both developing and developed countries.

Table 4 – Educational status of the selected community fisheries membership by region

REGION	LITERACY AND EDUCATIONAL STATUS (%)						TOTAL
	Illiterate	Literate	Primary School	Secondary School	High School	Higher Education	
Tonle Sap	12	12	42	25	9	0	100 (421)
Mekong	12	8	48	23	9	~	100 (411)
Marine	29	34	23	12	2	~	100 (263)
TOTAL	16	15	40	21	8	~	100 (1 095)

(Numbers in parentheses are the sample size)

4. OCCUPATIONAL IDENTITY

An important but perhaps less recognized feature of the CFI is that members do not exclusively fish. In fact about two-thirds of them stated that they were both farmers and fishers: farmers who fish and fishers who farm (Table 5). Moreover, unlike in other countries, a significant percentage of women perceive themselves to be fishers. In the marine sector too, though women do not go to sea to fish, they are regularly involved in arranging finance for fishing trips, gathering fish, mollusks and other organisms in near-shore areas, and processing aquatic products (Table 6).

Table 5 – Occupational identity of the selected community fisheries membership by region

REGION	OCCUPATIONAL IDENTITY (%)						TOTAL
	Farmer	Fisher	Fish Processor	Fish Trader	Farmer & Fisher	Other occupations	
Tonle Sap	9	19	3	3	65	1	100 (421)
Mekong	12	13	~	~	71	4	100 (411)
Marine	12	50	3	2	28	5	100 (263)
TOTAL	10	24	3	2	58	3	100 (1 095)

(Numbers in parentheses are the sample size)

Table 6 – Occupational identity of community fisheries membership by gender

OCCUPATIONAL IDENTITY	GENDER (%)		TOTAL
	MALE	FEMALE	
Farmer	10	11	10
Fisher	24	23	24
Fish Processor	1	4	3
Fish Trader	2	3	2
Farmer & Fisher	60	56	58
Other occupations	3	3	3
TOTAL	100 (604)	100 (491)	100 (1 095)

(Numbers in parentheses are the sample size)

Table 7 – Occupational identity of community fisheries membership by region

OCCUPATIONAL IDENTITY	REGION		TOTAL
	INLAND	MARINE	
Farmer	10	12	10
Fisher	15	50	24
Fish Processor	2	3	3
Fish Trader	2	2	2
Farmer & Fisher	68	28	58
Other occupations	3	5	3
TOTAL	100 (832)	100 (263)	100 (1 095)

(Numbers in parentheses are the sample size)

It is interesting to note that in the inland region (Tonle Sap and Mekong, comprised of 12 provinces) where the majority of the CFI were located, only 15 percent of the membership claimed their occupational identity as “fishers”. In the marine region too, only half the membership considered themselves to be fishers. There are many historical, socio-religious and cultural reasons for people’s choice of identity: a individual’s perception of their own occupational identity has an important bearing on their worldview, their attitudes and their level of interest in organizations which represent one or other of these occupations. However, occupational identity is not a barrier to adopting occupational diversity, as shown below.

5. OCCUPATIONAL ACTIVITY

Occupational diversity is the hallmark of rural life in Cambodia. It is the phenomenally dynamic aquatic- agricultural ecosystem — the extraordinary diversity of natural resources, as well as the seasonal variations in climate — which makes occupational diversity an almost natural state of affairs in rural areas. Occupational diversity in turn gives rise to considerable skill diversity and a lot of traditional knowledge about natural resources, which manifests itself in the abundance and sophisticated design of Khmer fishing gears. The actual occupational activity of CFI members during the wet and dry seasons was also assessed by asking respondents about the amount of time spent on different activities. This is shown in Table 8.

Table 8 – Occupational activity of the selected community fisheries membership by region

OCCUPATIONAL ACTIVITY	REGION (% of days of involvement)		
	TONLE SAP	MEKONG	MARINE
IN THE WET SEASON			
Farming Rice	24	17	25
Farming Other Crops	8	14	1
Fishing	31	23	44
Fish Processing	5	6	4
Fish Culture	1	3	2
Raising Livestock	14	17	7
Processing Food	11	12	7
Trading	4	5	4
Wage Labour	2	3	6
Small-Scale Industry	~	~	~
TOTAL DAYS*	100 (1 101)	100 (1 447)	100 (480)
IN THE DRY SEASON			
Farming Rice	17	18	7
Farming Other Crops	13	18	1
Fishing	31	20	54
Fish Processing	4	3	5
Fish Culture	2	4	3
Raising Livestock	17	20	9
Processing Food	8	9	9
Trading	5	5	5
Wage Labour	3	3	7
Small-Scale Industry	~	~	0
TOTAL DAYS*	100 (852)	100 (1 196)	100 (375)
TOTAL MEMBERS	421	411	263
*Total reported days spent on different activities by the members in the respective regions.			

(Numbers in parentheses are the total number of days)

The main reported activities were farming; fishing and raising livestock. In the inland region (Tonle Sap and Mekong) both farming and fishing were equally important. In the marine region, as expected, fishing was the most important activity; however, during the wet season rice farming also takes up an important share of people's time.

6. OWNERSHIP OF LAND AND ASSETS

Ownership of certain assets is a prime requirement for a secure livelihood. If a rural person does not have assets of his/her own, then livelihood options are greatly reduced: in this situation he/she may have only labour to sell, and work as a wage worker. One of the important advantages of being a member of the Community Fisheries is that a person obtains access to natural resources from which to earn a living. However, in order to catch fish one must own legal fishing equipment. To farm a person must own, or have access to, arable land. Even to raise small livestock (chicken, pigs) a person must at the very least own the land around their homesteads. The importance of land and fishing equipment to livelihoods is therefore indisputable.

Table 9 shows that the majority of CFi members own at least some land and fishing equipment. Whether the quantity and quality of land were adequate to earn sufficient income was a separate issue, one also examined below. However, Table 9 also reveals that some CFi members did not own farmland or fishing equipment. This is an undesirable situation.

Table 9 – **Asset ownership of the community fisheries membership** (% and total number)

ASSET OWNERSHIP	OWN	DO NOT OWN	TOTAL
Farmland	87 (960)	13 (135)	100 (1 095)
Land on which house stands	85 (924)	15 (157)	100 (1 081)
Fishing equipment	83 (860)	17 (181)	100 (1 041)

(Figures in parentheses are the number of respondents)

Table 10 – **Average farmland holding estimate of selected community fisheries members by region** (in hectares)

	RICE FARMING LAND	DRY LAND
Tonle Sap Region	2.30	0.83
Mekong Region	1.20	1.37
Marine Region	1.25	0.77
ALL REGIONS	1.68	1.16

Table 10 shows that the average land holdings of the 70 percent of CFi members who owned land ranged from 0.77 of dry land to 2.30 ha (hectares) of rice farming land. This feature again points to the strong agrarian foundations of the Community Fisheries' membership. The ownership of fishing equipment among the consulted CFi membership is presented in Table 11 below.

Table 11 – The different types of equipment and the quantities owned by the selected members of the community fisheries organizations

TYPE OF FISHING EQUIPMENT	REGION		
	TONLE SAP	MEKONG	
Boat	219	150 102	471
Boatwith OB Motor	60	87 51	198
Boatwith IB Motor	47	5 13	65
Traps	52	50 46	148
Gill Nets	289	284 71	644
Hook & Line Sets	108	151 24	283
DriftNet	22	14 18	54
Sei ne Net	1	10 7	18
Other Fishing Equipment	101	85 35	221
Fish Processing Equipment	69	0 17	86
FishTrade Equipment	69	2 12	83
Other Equipment	16	20 24	60
MEMBERS IN EACH REGION	421	411 263	1,095

TOTAL

The most significant observation was the rather meagre asset holdings. One reason for this may be because of the legal restrictions on the types and sizes of fishing gear that can be used for “family-scale fishing”. Nonetheless, it was still very evident, based on the number of people interviewed, that the total amount of fishing equipment owned was very low indeed, with an average of less than one item per person. A low asset base implies low productivity and low incomes.

7. INCOME FROM FISHING

Fishing may not be the main occupational activity of the majority of CFi members, but the cash income provided by fishing is vital for their households. Unlike cash income from agriculture, fishing income can be obtained on a daily basis. If a CFi member catches more than 1—2 kg of fish, he/she has a ‘surplus’ which may easily be sold in the village or to merchants. A rough estimate has been made of the cash income from the fishing, processing and the sale of fish (see Table 12).

Since income from capture fisheries is highly variable, the income range (average minimum and average maximum) for the wet and dry seasons (each six months long) is provided for each of the three regions and for the three different fishing activities.

Table 12 – Estimate of the average minimum and average maximum cash income earned from fishery-related activities in the wet and dry seasons by community fisheries members (in US\$)

		(1) Fishing		(2) Processing		(3) Sales		(4) TOTAL		(5) Per day	
		Fishing income per season (US\$)		Fish processing income per season (US\$)		Fish sales income per season (US\$)		Total income per season (US\$)		Total income per day (US\$)	
		Min	Max	Min	Max	Min	Max	Min	Max	Min	Max
Tonle Sap (421)	Wet	300	541	112	254	227	458	639	1253	3.55	6.96
	Dry	305	510	210	388	324	571	839	1469	4.66	8.16
Mekong (411)	Wet	104	246	25	59	54	143	183	448	1.00	2.48
	Dry	125	228	27	59	63	153	215	440	1.19	2.44
Marine (263)	Wet	589	936	409	664	534	821	1532	2421	8.51	13.45
	Dry	923	1433	674	880	664	1124	2261	3437	12.56	19.10
TOTAL (1,095)	Wet	303	536	117	242	196	379	616	1157	3.42	6.42
	Dry	427	689	218	364	277	503	922	1556	5.12	8.64

The cash income from fishing, processing and the sale of fish was highest in the Marine region, followed by the Tonle Sap and then the Mekong region. This might be expected for three reasons: i) there is more fishing activity in the marine region; ii) it is generally more productive (catch/person/day); and iii) the price of some marine fish species is higher. The income estimates for the three activities were then totalled and shown on a “per day” basis. The latter was achieved by dividing the aggregated cash income by 180 days. It should be noted that the totals and per day figures included in this table were calculated to provide an estimate of the potential cash income for a CFi member were they to undertake all three activities across both seasons. This average, per capita daily income for a CFi member is higher than that of the average Cambodian citizen, which in 2009 was estimated to be \$615 per year; just \$1.70 per day, in other words. Needless to say, if a CFi member undertakes only one of the activities (fishing, fish processing etc) then his/her cash income will be correspondingly lower. This can be estimated from the data in Table 12 above. While it is unlikely that a single CFi member would conduct all three activities, a CFi household might well do.

8. OVERALL ASSESSMENT OF THE MEMBERSHIP’S SOCIO-ECONOMIC PROFILE

Community Fisheries members are widely distributed all over Cambodia. Both men and women, young and old are CFi members. The educational level of the membership was low and lowest in the coastal region. Though Community Fisheries organizations are fish-related, only a quarter of the members identify themselves primarily as “fishers”. However, self-identification does not deter members from undertaking capture fishing, which was CFi members’ most important secondary livelihood activity in the wet and dry seasons in all three regions. The vast majority of the membership owned some arable land (with rice or other crops), owned the land on which they built their homes, and also possessed fishing equipment. But of the CFi members who responded, some did not own land and/or fishing equipment: 13 and 17 percent respectively. Clearly, these were the CFi members from the poorest households. While the majority of respondents owned fishing equipment, the number of equipment items was very low per person. This indicates that there may be—particularly in the marine sector and subject to stock sustainability—scope for more investment, as well as the potential to enhance the overall productivity of members, and through this the Community Fisheries organizations’ contribution to overall fish production in Cambodia. Fish-related activity was a vital source of cash income for members. The estimates made for the cash-income-earning potential of three fish-related activities taken together (fishing, processing and the sale of aquatic products) show that the income-earning potential was higher in the dry season. The average potential cash income was higher than estimates of average per capita daily income when considering the population of Cambodia as a whole.

ANNEX C: VIEWS OF COMMUNITY FISHERIES MEMBERS

The purpose of the Focus Group Discussions (FGD) conducted in each of the Community Fisheries organizations was twofold:

First, they were organized to help obtain a greater qualitative understanding of the changes which have taken place in their respective local areas over the last decade with respect to the Community Fisheries primary objectives. In relation to each of the issues discussed, the members were asked to consider their situation prior to the formation of the Community Fisheries and to compare it to the current context. The groups discussed the issue and then arrived at a consensus agreement (sometimes a majority opinion) on whether the answer was affirmative or negative. These results are detailed in Section One below.

Second, they were encouraged to discuss some topical issues in addition to those of future concern, and express their views on these. Topics included the question of child labour in fisheries, climate change and the environment, the role of NGOs, and threats to the development of Community Fisheries — to mention but a few. These views are presented in Section Two below.

SECTION ONE

1. THE ROLE OF COMMUNITY, WOMEN AND YOUNG PEOPLE

The Community Fisheries were envisaged as a “community institution to harvest fish,” and not as a cooperative of fish producers. The distinction is important: it was as an institution in which all members of the community — adult men and women, and young people — could participate, but the primary focus of the activity was intended to be on the harvesting of fish from the fishery domains created in accordance with the “area agreement”.

The responses of participants during the FGDs gave unambiguous support to the fact that following the Fishery Reform period they had increased their involvement in fish related activities in the phum (“village”). Over 90 percent of those who participated in the FGDs agreed that more families in the village were now involved in fishing-related activity, and 85 percent agreed that more young people (between the ages of 15—18) were becoming interested in fishery-related work. In terms of the involvement of women, the salient conclusion endorsed by over 85 percent of the FGDs was that women had obtained formal recognition as fishers by joining the Community Fisheries, and that the resulting involvement in fishery-related activities has provided them with more of a voice in decision-making.

Key point from the FGD:

The significance of Community Fisheries as a people’s organization with the significant participation of men, women and young people is beyond doubt.

2. ASSESSING FISH-RELATED ACTIVITY

The basic success of the Community Fisheries as a community fishery institution needs to be assessed in terms of its fish-related performance. For example, when compared to the period before the existence of the Community Fisheries, do people spend more time fishing? Do they catch more fish/eat more fish/earn more money from fish, and/or invest more money in fishing? Positive answers to these would indicate that the Community Fisheries institution has been successful. In the FGDs conducted during local consultations, two strong assertions made by respondents bore witness to the success of Community Fisheries: First, over 85 percent stated that they now catch more fish. Second, as many as 78 percent of participants claimed that they now generate more cash income from fishing. The participants also stated that they eat more fish (76 percent); process and sell more fish (63 percent) and invest more money (65 percent) in fishing equipment.

However, respondents emphasized one other, very important, point during local consultations and this element puts the “fishery success” of the Community Fisheries in a different perspective. The overwhelming majority of participants (90 percent) say that in spite of the increase in fishing activity, it is agriculture which still remains their predominant livelihood occupation. This statement supports the earlier findings on occupational identity and occupational activity where members felt more comfortable with the notion of being “farmers”, with agriculture-related pursuits dominating their livelihoods.

Key point from the FGD:

If the prime objective of the 2000 Fishery Reform was to ensure that the rural communities of Cambodia obtain access to fish for food and their livelihoods, then this objective has been reasonably achieved. The “fishery success” must however be viewed within the context of the overwhelming and continued importance of agriculture for members of the Community Fisheries organizations.

3. INTEREST IN CONSERVATION AND RESOURCE MANAGEMENT

One of the Community Fisheries organizations’ most significant achievements has been their influence in making the membership aware of the need for conservation and sustainable management of the country’s natural resources— natural fisheries resources in particular. In Cambodia there is a proverb which says, “wherever there is water; there is fish.” Community Fisheries organizations have convinced the membership that if they take care of the water, then the fish will take care of them. During the focus group discussions around the country there was the almost unanimous feeling (98 percent) that, when compared to the situation prior to the establishment of the CFi (pre-2000), there is now greater concern and interest in conservation and the protection of natural resources. This has been reinforced by demonstrated actions which include efforts such as the protection of flooded forests, the creation of fish conservation zones, the protection of recession ponds in the dry season and deep pools in the rivers (90 percent). Equally important was the manner in which these concerns and actions were achieved: there was considerable agreement across the CFi in the country that it had been women who had taken a keen interest in — and led on — the creation of fish conservation zones and the protection of recession ponds in the dry season (56 percent).

Key point from FGD:

CFi have shown that people consider conservation to be the key to resource sustainability and were willing to take concrete action to achieve this. The role of women in promoting this achievement has been significant.

4. STOPPING ILLEGAL AND DESTRUCTIVE FISHING

Illegal and destructive fishing was, and continues to be, the bane of Cambodian fisheries. Despite the numerous government-sponsored campaigns, legal restrictions and severe punishments, illegal and destructive fishing continues to be a source of great worry. Two of the focus group discussions’ important, widely expressed conclusions were the following: first, that CFi organizations have taken all manner of measures to stop the curse of illegal fishing (96 percent); and second, that it was people’s greed and not people’s poverty which was the main cause of illegal fishing (86 percent). The incidence of small-scale fisheries using destructive gear has declined (67 percent) and offenders were largely people from areas outside the CFi domains (72 percent). The most important suggestions for tackling the issue in future were that the CFi Committee should have more roles, resources and facilities for apprehending offenders (98 percent), and that women should be involved in negotiating with, and educating, the offenders (90 percent).

Key point from FGD:

Illegal fishing carried out by individuals with backing from influential persons in society was one of the most important threats to fisheries in Cambodia. CFi Committees suggest that they should have a greater role and facilities to tackle this problem. Women play a crucial role in the moral economy of illegal fishing.

5. GOVERNMENT INVOLVEMENT

Community Fisheries in Cambodia would not have existed without the active role of the government in creating and promoting it in the first place. During the focus group discussions there was overwhelming agreement (90 percent) that Fisheries Administration officers played a key role in setting up CFi organizations. There was also the same positive feeling (90 percent) about the increased involvement of many different government agencies in the villages after the setting up of the CFi. Among these, the key role played by the Commune Councils was highlighted (90 percent). During the vast majority of the focus group discussions (96 percent) respondents also expressed their feeling that fishery officers should continue their fruitful interactions with the CFi, as in the past, particularly with regard to conservation activities and the apprehension of illegal fishers.

Key point from the FGD:

The roles of government officers from the Fisheries Administration and the elected members of the Commune Councils have been integral in helping to set up and sustain the functioning of CFi. These relationships should be fostered further in future.

6. EXTENDING COOPERATION

In over 70 percent of the FGDs it was stated that attempts have been made to start associations similar to the CFi for other livelihood activities in the village. This is one of the best indicators of the success of Community Fisheries as an institution: it suggests that the idea of village cooperation is spreading. The majority of the FGDs (96 percent) vouched that a decade of CFi activity has helped to unite the people of the village; it has given participants more confidence to relate to government institutions and staff and other external agencies (94 percent); and it has provided leadership skills to many members (75 percent). In many areas there has also been networking among neighbouring CFi organizations for the management of resources and the prevention of illegal fishing activities (80 percent). The role that female members of the CFi have played in facilitating cooperation and highlighting the benefits of collective action was mentioned during an overwhelming majority of FGDs (85 percent). Community Fisheries organizations are not only about catching fish; they have played a crucial role in contributing to the formation of social capital in Cambodian villages.

Key point from the FGD:

Community Fisheries organizations were a major source of building trust and fostering cooperation in the community. This CFi function may perhaps be even more important than catching fish!

SECTION TWO**1. CHILD LABOUR IN FISHERIES**

The Royal Government of Cambodia is committed to eliminating the worst forms of child labour in the country by 2016. In order to eliminate child labour it is first necessary to assess its prevalence. This was attempted during the CFi level consultations. The data gathered through the FGDs reveals without question that children below the age of 15 were working in fish-related activities. As many as 110 of the 120 FGDs confirmed that child labour exists in fishing in Cambodia and that the majority were boys. Where children are involved in fishing, the majority of FGDs (84 percent) stated that the children used legal fishing gear. Only a quarter of the FGDs (24 percent) were of the opinion that children worked for wages, whereas the majority of FGDs (76 percent) noted that they were working

only to help their parents. In half of FGDs, (50 percent) it was felt that the incidence of child labour had increased since the Fishery Reform. The overwhelming majority of FGDs (90 percent) were of the opinion that the children involved in fisheries were not being exploited. But in over half the FGDs conducted in the Marine region (17 out of 30) it was stated that children were involved in hazardous work at sea. Only a fifth (20 percent) of the FGDs were of the opinion that child labour was undesirable and should be stopped. The vast majority of FGDs (70 percent) were of the opinion that while children can work part time, they must also attend school.

Key points from the FGD:

Child labour in fishing was and is prevalent. It was mainly boys who were involved in fish-related activities. However, in the majority of cases — and particularly in the inland fishery — this was largely to help their parents and the children were not exploited. Therefore, while they work part time, it should also be possible for them to go to school.

2. THE ROLE OF WOMEN

Women of the community were singled out in several of the FGDs for the crucial role they have played in the CFi. To start with, it was only once they formally joined the CFi that their status as “fishers” was recognized. This in turn provided them with more of a voice in CFi decisions (85 percent). Thereafter, the role of women as a key factor in both conservation (55 percent) and in the negotiating and educating of illegal fishers (90 percent) was highlighted. Women have played a key role in taking up development activities such as savings groups, handicraft making and tourism groups (80 percent) and they have also played an important role in the dissemination of information about the benefits of cooperation (85 percent).

Key point from FGD:

The involvement of women in the CFi has given them a formal status and voice in decisions. They have undertaken action in the key areas of conservation, education, development and the dissemination of information, particularly with respect to the benefits of community cooperation.

3. CLIMATE CHANGE AND THE ENVIRONMENT

Unprecedented floods marked the beginning of the dry season in October/November 2011 and plans for the local-level consultations in some of the CFi organizations close to the Tonle Sap Lake were affected as a consequence. The vagaries of weather and climate and their impact on the environment are annual features in Cambodia. The overwhelming majority (95 percent) of FGDs made pointed reference to noticeable changes in weather and climate-related factors. Increased rain and flooding were the most noticeable changes cited. This adversely affected the rice crop, but it yielded conditions ripe for greater fish availability. In 2011 this resulted in higher fish catches and lower fish prices.

Key point from the FGD:

There have been significant and noticeable changes in weather patterns. Whether the impact of this is favourable or adverse depends on the resource activity in question: flooding impacts positively on fish production.

4. NON-GOVERNMENTAL ORGANIZATIONS

Government initiative and legislative reform kick-started CFi and provided the legal and regulatory framework for its operation. The financial and knowledge support to achieve this has been provided by international and intergovernmental banks and development agencies working in close collaboration with the government. Apart from this, development and charitable civil society organizations from around the world and within Cambodia have worked closely with CFi members to support them in setting up their organizations and make them fit for purpose.

For the participants in the FGDs at the local consultations, all assistance which did not originate directly from the Royal Government of Cambodia was considered as non-governmental support. Consequently FAO, the Mekong River Commission (MRC) and Oxfam were all deemed to be “non-governmental organizations”. In FGDs, as many as 30 different organizations were mentioned as having supported CFi activities thus far. Among these, the most frequently mentioned names were those of FAO, UNDP and Oxfam. The majority opinion during the FGDs (78 percent) was that NGO activities provided CFi with more valuable assistance than government agencies.

Numerous activities were conducted by the NGOs, but the three considered to be the most useful to CFi members were: (1) the provision of seed funds for savings groups; (2) assistance for CFi registration with the government; (3) various training courses, and training related to agriculture techniques in particular. Even after a decade, the majority of the FGDs reported that non-governmental organizations still continue to support them; as many as 15 NGOs that remain were mentioned specifically by name.

Apart from non-governmental organizations which essentially come from “outside of the village”, there was all-round support and near unanimity of opinion (92 percent) that village headmen, monks, teachers, nurses etc., from within the village had supported and encouraged CFi activities and work. Their involvement was deemed to make a qualitative difference, teaching people to love each other and learning to rely on mutual aid rather than external assistance.

Key point from the FGD:

Non-governmental assistance has been and continues to be important for CFi activities. NGOs provide important support to CFi which the government cannot. However, the role of respected and resourceful persons and organizations within the village also needs to be considered and recognized.

5. HUMAN CAPACITY BUILDING

Given the limited educational levels of CFi members, any effort which contributes to human capacity building is welcome. Since the commencement of the CFi there have been innumerable programmes, organized by international aid and development agencies and NGOs, aiming to provide different types of training and skills development initiatives to CFi members. In the FGDs held during the local consultations, participants suggested training to address three areas: (1) to improve participation in CFi activities; (2) skills development to improve livelihood opportunities; and (3) for specific organizational skills to manage the CFi. For the first category, two important requests included: practical, hands-on training to be able to assess the natural resource potential of the village, and seminars to provide better understanding of the legal and official requirements for conducting CFi activities. For the second category, the most frequently mentioned requirement was training on how best to raise animals and fish, how to improve food processing quality and how to find markets for village products. For the third category, the requirements included: leadership training, training in basic accounting and financial management, and training in basic methods for conflict resolution.

Key point from the FGD:

Development of human capacity is still one of the key elements required for the CFi to flourish. These efforts must contribute to increasing member participation in CFi affairs, to enhance their livelihoods skills, and to ensure effective and efficient CFi management.

6. DATA AND INFORMATION NEEDS

Institutional sustainability requires institutional memory. Data and information are core aspects of this. Good record-keeping has long been practiced in Cambodia. One of the requirements of the sub-Decree on Community Fisheries is that all CFi organizations provide the Fisheries Administration with several different types of data and information. When this topic was discussed during local consultations, the majority of the FGDs claimed to be collecting and keeping records of their membership, and keeping track of fishing assets. However, nearly half of the FGDs were sceptical

about their CFI's ability to make estimates of the quantity of fish caught by members. The more optimistic half, however, felt that it was not an impossible task if it needed to be done. They even suggested that this could be achieved by: interviewing members after they fished; by talking to merchants who visit the village; by making estimates from the statistics of gear types and average catches; and/or by providing a form to be completed regularly by all members.

Key point from the FGD:

Keeping records of data and information is important for institutional sustainability. Data to estimate the fish catch of members of the CFI can be generated, if this is required.

7. FREEDOM AND TENURE RIGHTS

It is the enhancement of people's entitlements and capabilities which will lead to the alleviation of poverty and will result in true and inclusive development. Initiatives like Community Fisheries, which have radically changed the pattern of access to natural resources, taking away from the rich and giving to the poor, are examples of interventions which can yield significant results.

Discussion in the FGDs about this crucial issue pointed to three important achievements. First, the most important feature of Community Fisheries was that it has given people freedom to relate to the natural resources (98 percent). Second, this freedom of access to resources has helped to reduce the level of poverty in the village (95 percent). Thirdly, the Community Fisheries was a good example of responsibility sharing (resource co-management) and there have been lessons learnt which can be shared with others (92 percent).

One of the key features of Community Fisheries as an institution is that it grants clear and unambiguous collective tenure rights to fishery resources for members in a clearly demarcated physical area. This right is contained in the area agreement, which is part of the registration documents between the CFI and the Fisheries Administration.

These tenure rights should become the basis for sustainable development. The discussion on the protection of these rights and the enhancement of the benefits which arise from them resulted in the following suggestions: (1) there should be physical facilities and budgets for the patrolling of the area to suppress illegal fishing; (2) demarcation of boundary posts was an important requirement in the process of establishing tenure rights; and (3) Patrolling Committees should be given uniforms and other equipment to facilitate their task.

In order to derive greater benefits from the resource, it was important to obtain more capital in the form of inexpensive credit for productive investment. The promotion of tourism in the Tonle Sap Region, in addition to finding more markets for fish, were two of the important suggestions made by CFI respondents.

Key point from the FGD:

Community Fisheries has given people freedom to access resources, and this has in turn resulted in a reduction in poverty as well as better resource conservation and management. The tenure rights of the CFI should be strengthened and the proper demarcation of boundaries and equipment for patrolling were vital to support this. The provision of more credit for investment as well as the expansion of service sector activities like tourism and fish marketing are important and will result in greater benefits from tenure rights.

8. RIGHTS OF MIGRANTS

According to the sub-Decree, any Cambodian citizen can fish within any CFI area provided he/she does it according to the law and with the permission of the CFI Committee. From a rights perspective, this provision in the sub-Decree reduces the exclusivity of access to the CFI area by its registered members. If such access by migrants is unregulated it can have a serious impact on the resources and

also adversely affect the livelihood prospects of the members. When this issue was discussed during the FGDs, it was significant to note that the vast majority of respondents (81 percent) agreed to the “rights of access of migrants”. However, they noted that this should not be without conditions. These included: (1) obtaining permission to fish from the CFi Committee; (2) the use of family-scale fishing gear only; and (3) even a suggestion that migrants should be charged a small fee for the right to fish ranging from KHR500 to KHR10 000 per season.

Key point from FGD:

Migrants should fish in CFi areas only after seeking permission and only using legal fishing gear. Paying a small fee to the CFi for the right to fish should also be considered.

9. THREATS TO SUSTAINABLE FISHING AND TO COMMUNITY FISHERIES ORGANIZATIONS

It is said that it takes decades to build an organization, but only a few years to destroy it. The overall assessment of the different aspects of the CFi points to the creation of a unique institutional arrangement. It was initially ‘handed down from the top’, but over the last decade it has shown the potential of laying the foundations of a ‘movement ‘from the ground up’ if it can be appropriately fostered by its members and well-wishers. During the FGDs the current threats faced by sustainable fisheries in Cambodia, as well as the threats facing the sustainability of Community Fisheries as an institution were discussed (see Tables 13 and 14).

Table 13 – What are the biggest threats to sustainable fisheries?

THREATS IN INLAND WATERS	Percentage (%)
Pollution from agriculture and industry flowing into the water	68
Illegal fishing by powerful people	51
The cutting down of flood forests by influential people	45
Land grabbing affecting the Tonle Sap	29
Illegally-constructed structures affecting water flow	24
Other reasons (electro-fishing, shallow fishing domains, poison in deep pools; toxic waste).	18
THREATS IN MARINE WATERS	
Fishing using destructive fishing nets (e.g. <i>muong hol</i>)	73
Trawling by larger boats	37
Illegal fishing by vessels from other countries	17
Pollution of coastal waters.	10

The threats to sustainable fisheries are now so well-known and often repeated: illegal and destructive fishing; the depletion of critical resources like flooded forests; illegal structures; and the pollution of bodies of water— lakes, rivers and the sea. It was CFi respondents’ perception that it was not the poor who caused the problems, but the rich and powerful.

Table 14 – Threats to the future of community fisheries organizations

THREAT	Percentage (%)
Lack of funds to assist members, leading to loss of interest	70
Members not feeling a sense of ownership of the organization	37
People derive no benefit from being a member	30
Too many procedures for obtaining Government recognition for CFi.	17

The threats to the Community Fisheries as an institution stem from the lack of adequate activities designed to hold the membership together. A large part of the first decade of existence overlapped with numerous “development projects”, conducted in collaboration with the government, which drew their support from international funding agencies. During this time there was also the formal registration, the first elections and congress of members, and the commencement of some economic and conservation activities. However, there is currently a lull in the tempo of activities due to a lack of funds and projects. In some of the CFi there are NGOs which continue to provide assistance, and a few large development projects begun more recently in the country do link up with CFi. The CFi Committees which were first elected continue unchanged today, because there is no guidance or funding available to conduct fresh elections. The links between the government (the provincial and district fisheries administration) and the CFi Committee are weak, except under the 15 RFLP Cambodia-supported coastal CFi. The current situation is creating a context where the CFi are seen as “empty shells” in the hands of the CFi Committees, with the ordinary members losing interest.

One of the purposes of this assessment was also to help bridge this gap by getting the members to participate in the assessment and to offer their views and suggestions.

Key point from FGD:

There are several serious threats to sustainable fisheries and to the Community Fisheries organizations which need to be addressed promptly.

10. ASSESSMENT OF COMMUNITY FISHERIES

The overall assessment of CFi has both positive and negative aspects put forward by the members (see Tables 15 and 16). Three very important positive assessments (over 60 percent agree) which have been echoed in other parts of this report are: (1) CFi have helped the poor to generate more income; (2) CFi have taught people the value of conservation; (3) CFi have helped people to work together. Another rather less important positive aspect has been that members have received other forms of government assistance through the CFi.

There was greater consensus on the prevailing negative aspects. CFi members felt that they did not derive sufficient major benefits from the CFi as an institution (presumably tangible things like credit, equipment etc.), but that it was rather the CFi Committee members alone who benefitted. This is a serious concern.

Table 15 – Overall assessment of the community fisheries as an institution

POSITIVE ASSESSMENT	PERCENTAGE
It has helped the poor in the community to generate more income from fishing	82
Through the CFi we have learnt the value of conservation	63
Through CFi the people in the village now work more closely together	60
CFi means we have access to other government assistance.	33
NEGATIVE ASSESSMENT	
There is no major benefit to us from CFi	95
Those who are members of the CFi Committee get the benefit.	70

Key point from FGD:

Community Fisheries have helped to alleviate poverty, taught CFi members the value of conservation and working together — but the major benefits have gone only to CFi Committee members.

11. PROSPECTS FOR THE FUTURE

Despite the concerns about threats and the current viability of the CFi organizations, the overall feeling among CFi members was one of optimism about the future — as many as 85 percent of the FGDs considered small-scale fishing activity (family fishing) as having a bright future in Cambodia. As many as 70 percent of the FGDs thought there were good opportunities for introducing aquaculture, providing training was provided on best practice and regular seed and feed supply could be assured.

The 90 FGDs in the Tonle Sap and Mekong region were asked whether CFi could take up the management of fishing lots released by the government. Opinion was divided on this matter. About 40 percent of the FGDs felt that they did not have the capacity or the means to take on such a task. Another 40 percent were confident that they could manage a fishing lot if it was near their CFi. But this was subject to the condition that they be provided with the necessary budgetary resources and have the full cooperation of the Fisheries Administration and the local authorities. The remaining 20 percent gave no definite answer.

What are the prospects for the future? What are the dreams of the members regarding activities which the CFi should take up? The members' dreams should also be viewed as the measures to be adopted in order to ensure that the CFi do not fail in future. The suggestions given in Table 16 are self-explanatory and link up well with the earlier discussions presented in this report.

Table 16 – **Activities we dream of which community fisheries should take up in future**

PROPOSED ACTIVITIES	PERCENTAGE (%)
Start savings groups and provide credit	70
Provide training in new livelihood skills	64
Get involved in the social and development activities of the village	60
Organize fish processing facilities	47
Take a greater role in fishery and other resource management.	38

However, there are also obstacles to realizing these dreams (see Table 17). In this list, one of the most important obstacles cited was the issue of the limited knowledge and capacity of the CFi leadership. If the CFi are to become the villages' "dream institution", then the quality of leadership must be improved: leaders must be honest; leaders must be knowledgeable; leaders must be enthusiastic.

Table 17 – **Obstacles to achieving our dream**

OBSTACLES	PERCENTAGE (%)
Lack of funds	42
The limited knowledge and leadership of the CFi Committees	35
Poor involvement of CFi members	27
Inadequate support from the relevant organizations	10
There are far too many people involved in fishing.	5

Key point from FGD:

A menu of diverse activities is needed to make the CFi the institution of our dreams. One of the biggest challenges is enhancing leadership capacity.

ANNEX D: NATIONAL CONSULTATION WORKSHOP ON COMBATING CHILD LABOUR IN FISHERIES SECTOR AND MAKING A BRIGHTER FUTURE FOR SMALL-SCALE FISHERIES THROUGH COMMUNITY FISHERIES IN CAMBODIA

The National Consultation Workshop on Combating Child Labour in the Fisheries Sector in Cambodia was held on 22–23 February 2012 at the Naga World Hotel, Phnom Penh, Cambodia. The workshop was attended by a cross-section of stakeholders in the Cambodian fisheries sector. The action plan for eliminating child labour in fisheries was endorsed by the participants during the closing session of the workshop.

The workshop was attended by 78 participants, 22 of whom were women. Participants were from: the Fisheries Administration (FiA) of the Royal Government of Cambodia, the Ministry of Labour and Vocational Training, the Ministry of Planning, the Ministry of Environment, District Authority, the US Embassy, representatives of Community Fisheries, NGOs, private sector representatives and the press. The agenda included keynote presentations, group work and plenary discussions.

The presentations covered a range of topics as detailed below:

What is Child Labour and Worst Forms of Child Labour?
by Mr Ok Sisovan, ILO representative

National Policy and Legal Framework: Government policy and strategies related to child labour in agriculture
by Mr Veng Heang, Director of Department of Child Labour, MoLVT

Legal framework relevant to child labour in fisheries in Cambodia
by Mr Ouk Chanthou, Deputy Director of Labor Inspection, MoLVT

Good practices on child labour in fishing activities
by Mr Kao Kosal, TBPCMB
by Mr Soy Sam On, Trade Union, and
by Ms Tep Speheap, Project Manager of CCPR

FAO-ILO Best Practice Guide on addressing child labour in fisheries and aquaculture
by Mr Thay Somony, National RFLP Coordinator, FAO.

Following each of the presentations there were questions from the audience and discussions were held in plenary.

After the presentations and plenary discussions, group discussions on four important topics were conducted. The main highlights from the four group discussions suggested, *inter alia*, the following action plan to deal with the issue of child labour in the fisheries sector in Cambodia:

Policy and plan: include issues pertaining to the prevention of child labour into fisheries policy, fisheries law, the FiA master plan, the FiA annual plan, and the gender strategy in the fisheries sector for 2013-2017.

Knowledge and awareness-raising: raise awareness and disseminate information about best practices to prevent and eliminate child labour at all levels specifically at the community level, through effective means such as proclamations, circulars and guidelines, as well as through appropriate media (leaflet, poster, TV, radio broadcasting, etc.).

Coordination, monitoring and evaluation mechanism: use the existing mechanisms coordinated by the FiA Gender Group to implement, monitor and evaluate the steps taken to prevent child labour in fisheries.

Integrated approach for poverty reduction: support appropriate livelihood activities of fisher folk and Community Fisheries through existing and new programmes for income generation and poverty reduction.

Based on the plenary presentation and the inputs from the group discussions a draft action plan (**National Plan for Action on Eliminating Child Labor in Fisheries Sector of Cambodia**) was prepared and presented to the participants by a committee (key participants from all four group discussions, FAO and ILO experts) at the end of this part of the workshop. The action plan was recommended for adoption by the participants.

ANNEX E: CLOSING SPEECH BY H.E. POY TRY, SECRETARY OF STATE OF MAFF**Unofficial translation**

National Consultation Workshop On

“Combating Child Labour in Fisheries Sector and Making a Brighter Future for Small-Scale Fisheries through Community Fisheries in Cambodia”

22-24 February 2012 Naga World Hotel, Phnom Penh

H.E Delegates, FAO, ILO, Leaders of all agencies, local authorities and development partners, Community Fisheries representatives and fishers present here at this workshop,

Today, let me extend a warm welcome to H.E delegates and to all of you who are taking part in this workshop on “Combating Child Labour in the Fisheries Sector and Making a Brighter Future for Small Fisheries through Community Fisheries (CFi) in Cambodia” from 22-24 February 2012, and especially congratulate you for the successful and fruitful workshop.

On behalf of the Ministry of Agriculture, Forestry and Fisheries and myself, I would like to extend my deepest thanks to FAO and ILO, who have cooperated with FiA to organize this important workshop for the purposes of presenting the results of the local participatory assessment on the CFi management. After more than a decade of Community Fisheries, the assessment highlights, through local, regional and national consultations, the actions and guidelines needed for a brighter future for the management and development of the CFi, while contributing to the development of the global guidelines for securing small-scale fisheries, currently being prepared by FAO. Moreover, addressing child labour issues in the fisheries sector in the first section of this national consultation workshop is a very good start, one which can be integrated into the actions for strengthening the management and development of Community Fisheries in Cambodia, and reflects the Cambodian government’s commitment to implementing them into national policy.

H.E Delegates and participants,

I must congratulate all the CFi for their good progress and results over the last decade. I am proud to say that across the whole of Southeast Asia only community fisheries in Cambodia have all their supporting legal documents from the government — including the guidelines for establishing community fisheries. The results from the local assessment, and especially the feedback from this national consultation workshop, show that most of CFi members have a good understanding of fisheries law, the value of fisheries conservation and protection, and the need to increase CFi committee members’ capacity.

However, we still face some problems which are obstacles for implementing CFi activities and plans, such as a lack of financial and human resources, materials for CFi operations and so on. The CFi are still dependent on external support, have not as yet taken full ownership of the resources and have poor levels of collaboration with local authorities.

Child labour issues in fisheries discussed at this National Consultation have shown that there are more child labour issues related to fishing activities — in addition to those prevalent in the agriculture sector — which are a high risk for children working in fisheries, particularly for those activities taking place at sea. The outcome of this Consultation is therefore very important and necessary to the taking of action for eliminating child labour in the fisheries sector and creating a brighter future for small

fisheries by strengthening Community Fisheries in Cambodia. There is a need for close collaboration between FiA, its development partners (ILO, FAO and others) and the Department of Child Labor of MoLVT in order to take action as soon as possible so as to rescue and eliminate child labour from hazardous work in fisheries. This is happening mostly in poor fishing families. We need to help them develop other alternative livelihood activities to increase their family income, so that this might help reduce the family's poverty, therefore giving their children the opportunities to go to school regularly. Their health will also be improved as a consequence, and the fishing villages will be more safe and secure.

H.E Delegates and participants,

For a better management of fisheries resources, we need to strengthen the Community Fisheries through building CFi ownership and CFi members' capacity, an implementation of CFi management plans, partnerships with development partners and donors, close collaboration with local authorities and all stakeholders, and particularly improve rural livelihoods so as to reduce CFi members' poverty, thus contributing to the achievement of government policy.

I would therefore like to fully endorse the action plan for combating child labour in the fisheries sector, as well as the guidelines for making a brighter future for small fisheries through Community Fisheries (CFi) in Cambodia.

I would urge donors and development partners to support and take action on plans as soon as possible, and not only leave this agreement on paper. This will ensure that the results of this Consultation will produce the tangible outputs and outcomes for sustainable fisheries resource management and uses, eliminating child labour in fishing activities in the coming years and contributing to the fulfilment of the ten-year strategic plan for the fisheries sector. This will in turn contribute to the achievement of the national plan and government policy for all sectors in the country.

H. E Delegates and participants,

Finally, on behalf of the MAFF management team and myself, I would like to extend my deepest thanks to FAO and ILO, the donors and MoLVT representatives, as well as all the other supporters and development partners, delegates and participants. I wish you all success in your good work!

Now, I would like to close the workshop. Thank you!

ANNEX F: REPORT ON THE IMPLEMENTATION OF FISHING LOT REFORMS AND FURTHER ACTIONS

Unofficial translation

KINGDOM OF CAMBODIA NATION RELIGION KING

Council of Ministers. No. 431 Sor Chor Nor. Kor Sor Phnom Penh, 23 April 2012

Deputy Prime Minister, Minister in Charge of the Council of Ministers to H.E. Minister of Agriculture, Forestry and Fisheries Subject:

Report on the Implementation of Fishing Lot Reforms and further actions.

References:

Letter no. 2514 Kor. Sor. Kor dated 09 April 2012 of the Ministry of Agriculture, Forestry and Fisheries;

Notification of Samdech Akeak Moha Sena Padei Techo, Prime Minister, dated 10 April 2012. Based on the above subject and references, the Council of Ministers would like to inform Your Excellencies that the Royal Government has seen and endorsed the actions to be taken by the Ministry of Agriculture, Forestry and Fisheries, reported and recommended, as follows:

1. Continue to disseminate the relevant technical and legal instruments, especially the seven recommendations to local fishers made by the Samdach Prime Minister, as stated on 08 March 2012;
2. Conduct a study to review and amend all the relevant legal instruments in order to support the in-depth fisheries policy reform;
3. Conduct training for all community fisheries in order to enable them to participate in implementing the policy reform and to avoid committing illegal fishing activities;
4. Set up permanent demarcation poles to mark fish conservation boundaries;
5. Cooperate with the Ministry of Water Resources and Meteorology in removing dams and reservoirs in fishing areas, where the Royal Government has decided to do so.

Your Excellency please take the necessary actions to implement the above ordinance successfully. For the Minister in Charge of Council of Ministers

Bun Uy

ANNEX G: REPORT OF THE MEETINGS IN TEN PROVINCES ON STRENGTHENING AND EXPANDING COMMUNITY FISHERIES TO MANAGE THE ABOLISHED FISHING LOT AND FISH CONSERVATION AREAS, AND THE SUPPRESSION OF ILLEGAL FISHING ACTIVITIES

Unofficial translation

KINGDOM OF CAMBODIA NATION RELIGION KING

Council of Ministers No. 443 Sor Chor Nor Phnom Penh, 24 April 2012

Deputy Prime Minister, Minister in Charge of Council of Ministers to H.E. Deputy Prime Minister, Chairman of the Council for Agriculture and Rural Development H.E. Minister of Agriculture, Forestry and Fisheries H.E. Minister of Water Resource and Meteorology H.E. Provincial Governors of Kampong Chhnang, Pursat, Battambang, Bantey Meanchey, Siem Reap, Kampong Thom, Kandal, Prey Veng, Kampong Cham and Takao.

Subject: Report of meetings in ten provinces on strengthening and expanding Community Fisheries to manage the abolished fishing lot and fish conservation areas and the suppression of illegal fishing activities.

References:

Letter no. 211 Kor. Kor. Chor dated 23 April 2012 of the Council for Agriculture and Rural Development;

Notification of Samdech Akeak Moha Sena Padei Techo, Prime Minister, dated 23 April 2012. Based on the above subject and references, the Council Ministers would like to inform Your Excellencies that the Royal Government has endorsed the report of meetings held in ten provinces on the strengthening and expanding of Community Fisheries, thereby enabling them to manage the abolished fishing lots and fish conservation areas, and to implement the suppression of illegal fishing activities, with the following recommendations:

1. Delegate roles and responsibilities to provincial, district and local authorities, and provincial prosecutors, to cooperate with the Fisheries Administration to suppress illegal fishing activities and to identify those supporting the perpetrators. To date only people who use illegal fishing gears have been arrested. The Fisheries Administration and relevant institutions must continue to educate people to stop using illegal fishing gears. In the event that any person refuses to cease illegal fishing activities, the Fisheries Administration, Authorities and the Court must take action in compliance with the Law on Fisheries.
2. Establish community fisheries to manage the fishing lots abolished by the Royal Government. In cases where the fishing lot area is very large, its management will still be under one community fishery, but subcommunity fisheries could be formed as necessary. The establishment of community fisheries throughout the country must be completed in May 2012.
3. Maintain two barrages in Leukdek and Prek Chrey communes, Koh Thom district, and Sandor commune, Lekdek district, Kandal province, in order to stop fish migration to the lower part of Vietnam River and thus allow community fisheries to practise family

fishing. The barrage must also be managed by community fisheries that have experience in barrage operation.

4. Provide training and capacity building for community fisheries throughout the country to ensure their capacity to manage the fishing lot and fishing lot conservation in a sustainable manner.
5. Continue to disseminate the seven recommendations made by the Samdach Prime Minister, as stated on 08 March 2012, and the Prakas No. 129 Pro.Kor. Kor.Sor.Kor, dated 27 March 2012 by the Ministry of Agriculture, Forestry and Fisheries on the Determination of Type of Family Fishing Gears Allowed for Use in Fishing in the Freshwater Fisheries Domain in the Kingdom of Cambodia.
6. Encourage the conservation of flooded and mangrove forests in community fishing areas.
7. Encourage and strengthen partnership networking at all levels in order to support community fisheries.
8. The Fisheries Administration and other authorities at all levels must regularly follow up and monitor the ongoing task of suppressing illegal fishing activities, and carry out the campaign called “Extinguishing fire and smoke” to eliminate illegal fishing activities, strengthening community fisheries to manage the fishing lot areas that the government abolished and transferred to them.

H.E. please take the necessary actions to implement the above ordinance successfully.

For the Minister in Charge of the Council of Ministers Bun Uy

PART 2: THE COMMUNITY FISHERIES OF CAMBODIA: DO THEY QUALIFY AS EXAMPLES OF MODERN COMMONS?

ACKNOWLEDGEMENTS

This scoping study, undertaken for the FAO Fisheries and Aquaculture Department in Rome, benefited from the unstinted support of the Fisheries Administration of the Royal Government of Cambodia at its highest levels. The Director-General Mr Eng Cheasan and the Deputy Director-General Ms Kaing Khim took special interest in the study.

Ms Khim accompanied me on my few field trips and I also had the rare opportunity of accompanying Mr Cheasan on one of his surprise inspections of the control of illegal fishing operations by the Fisheries Administration. I am grateful to both of them for the time they set aside for me and for the insights they provided about different aspects of the fisheries of Cambodia, as well as their perspectives on the opportunities and challenges faced by the Community Fisheries organizations.

Mr Pech Bunna, Deputy Director of the Community Fisheries Development Department readily provided me with information and data on the Community Fisheries; he also accompanied me into the field and proved immensely helpful when conducting the interviews.

Dr Nina Brandstrup the FAO/UN Representative in Cambodia provided all the assistance and support required; Dr Daniela Kalikoski and Dr Susana Siar from the FAO Fisheries and Aquaculture Department in Rome readily endorsed the idea of the study and arranged for the funding, and Ms Mary Cullinan of FIRO attended to all the administrative requirements. My sincerest thanks to all of them.

Many members of Community Fisheries organizations in Cambodia freely gave their time to be interviewed for this study. The striving and commitment to making a success of their collective initiatives was evident throughout these discussions. I am grateful to them for sharing their thoughts frankly and openly. People often agree to speak to visitors in the hope that their aspirations will be communicated to the appropriate authorities and to the world at large, and that this will in turn foster change in their lives. I am aware that this is an onerous responsibility for an analyst, and it must be handled with care in my analysis and interpretations.

This study and its analysis is also based on my understanding and learning acquired from close contact and involvement with the Community Fisheries of Cambodia in 2005–6 and 2011–12, as well as my current investigations and observations. I am solely responsible for its interpretations, conclusions and recommendations, as well as any errors.

John Kurien

November 2015

EXECUTIVE SUMMARY

This scoping study was a preliminary effort to understand the contours of the ‘commons’ dimension of the Community Fishery organizations of Cambodia.

The Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (VGSSF) states in its Section 5.8:

States should adopt measures to facilitate equitable access to fishery resources for small-scale fishing communities, including, as appropriate, redistributive reform, taking into account the provisions of the Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security¹.

The Community Fisheries organizations of Cambodia are the result of such measures being put into practice — but a good 14 years before the above section in the VGSSF was adopted!

Against the background of the rapid disappearance of ‘commons’ as a form of rural tenure, the Cambodian initiative of creating ‘community commons’ is an action which swims against the tide of increasing global support for the privatization of natural resources.

Based on our understanding, while the commons are about certain resources and ways of governance, they are more appropriately seen as the intrinsic and intertwined combination of: (1) a resource, (2) a community utilizing it, and (3) a set of social rules and norms regarding its use, misuse and management.

FISH, FISHERIES, FISHERS AND FISHERY CONFLICT IN CAMBODIA

Cambodia is blessed with three major aquatic ecosystems. Of these, the inland aquatic system of the Tonle Sap region is considered to be one of the most productive ecosystems in the world, because of the flood-pulse phenomenon which provides a huge, pulsating and varied, land–water interface composed of deep silt deposits, fertile floodplains and flooded forests yielding high nutrient recycling and rich biodiversity.

Fisheries provide livelihoods in various forms — harvesting, processing, distribution and marketing — for at least a quarter of the country’s population of around 15.5 million today (2015). Fisheries accounts for between 10–12 percent of the country’s gross domestic product, and was valued at USD 1.2 billion in 2013.

Historically, the fisheries of Cambodia have been divided into three categories: large, medium and small-scale family fisheries. A set of general rules apply to all of these, and each category is subject to specific regulations concerning gear, fishing grounds, as well as the timing of fishing and related activities. Only small-scale fishing gear is permitted in Community Fisheries.

One of the difficult tasks of occupational classification in rural Cambodia, even today, is to give an individual or a household a single occupational label. Multiple occupations and livelihood diversification is the norm: farmers fish, and fishers farm.

The social reality of how rural people perceive and report their occupational identity therefore has important implications for the design and operation of rural organizations. Community Fisheries are no exception.

Prior to the establishment of Community Fisheries, there was a fair degree of conflict between fishing lot owners and users of family-scale fishing gear. This was particularly pronounced in the different productive areas of Tonle Sap.

¹ FAO, 2015

No account of Cambodian fisheries can be complete without a discussion of illegal fishing. We can classify illegal fishing into two distinct types: (1) illegal fishing undertaken by individuals driven by the compulsions of poverty; and (2) illegal and destructive fishing undertaken with the active connivance and support of powerful interest groups who use rural people as ‘fronts’ to achieve their profitable, antisocial objectives.

Until the formation of the Community Fisheries in 2000, the onus was entirely on the Department of Fisheries of that time to enforce the law against illegal fishing. Thereafter it came to be considered a shared responsibility between the administration and members of the Community Fisheries.

FORMATION OF COMMUNITY FISHERIES ORGANIZATIONS

The Community Fisheries organizations of Cambodia quite literally appeared ‘out of the blue’ in 2000. The current Community Fisheries organizations — called *sahakum nesat* in Khmer — were created ‘from the top down’ on the instructions of Cambodia’s current Prime Minister, Hun Sen, after he made his surprising announcement of ‘fisheries reforms’ in October 2000.

The objectives for the establishment of Community Fisheries were to:

- manage fisheries resources in a sustainable manner and ensure an equitable sharing of benefits from fisheries resources for local communities;
- increase local communities’ understanding and recognition of the benefits and importance of fisheries resources, through direct participation in the management, use and protection of fisheries resources;
- improve the standard of living of local communities in order to contribute to poverty reduction.

SETTING UP COMMUNITY FISHERIES ORGANIZATIONS

Historically Cambodia has been a legalistic society, bound by rules. Consequently, the setting up of institutions which are ‘sponsored’ by the government requires certain steps to be followed, often rather mechanically. The setting up of the Community Fisheries organizations was no exception.

There are certainly great merits in following established legal norms and rules; they help to ensure some degree of ‘standards and standardization’. On the other hand, this approach also results in organizations being created not because there is a real, tangible, need for them, but because others are doing it and one does not wish to be left out.

There are nine steps involved in setting up a Community Fisheries organization; it is envisaged as a jointly managed initiative giving a group of people, who form a democratic organization, the unambiguous right of access and management over a common pool of natural resources — particularly fish — in a defined area, for a limited period of time.

THE COMMUNITY FISHERIES STUDIED

According to the data from the Community Fisheries Development Department (CFDD) there were 507 CFi institutions in Cambodia in 2015. This attempt to understand whether the Community Fisheries organizations of Cambodia are an example of a ‘modern commons’ was undertaken in August 2015.

It was based on both structured interviews using a questionnaire and non-structured conversations with representatives of the Community Fisheries committees from just 13 Community Fisheries across the country. The sample of Community Fisheries was NOT selected on the basis of any planned,

purposive, stratified or scientific randomized manner. There is no claim to an a priori ‘representativeness’ of the sample.

Among the 13 Community Fisheries, only three were considered to be functioning well, with three considered to be functioning poorly; the remaining seven lay on the spectrum in between. As a brief scoping study, our primary objective was only to give a ‘broad-brush’ understanding of the contours of the institution, as a means of ascertaining whether the Community Fisheries organizations of Cambodia can be considered examples of ‘modern commons’. If, based on the insights of this study there is further interest in the issue, a more detailed and longer-term analysis may have to be undertaken.

COMMUNITY FISHERIES: A MODERN COMMONS?

The historic connotations of commons as merely a form of tenure dating back to ancient times, and the association of commons as a form of tenure which permits access to all, are both incorrect.

Based on our understanding, commons, while the commons are about certain resources and ways of governance, they are more appropriately seen as the intrinsic and intertwined combination of: (1) a resource, (2) a community utilizing it, and (3) a set of social rules and norms regarding its use, misuse and management..

We used the well-known and time-tested eight principles of Elinor Ostrom to assess whether Community Fisheries organizations can be considered as examples of ‘modern commons’.

Having completed the assessment, our overall conclusion is that in the majority of the Community Fisheries studied (10 out of 13) most of the Ostrom principles are present.

If we consider the three Community Fisheries that were designated as, ‘well-functioning by the CFDD officials, they exhibit positive indicators across all the principles, whereas the three ‘poorly functioning’ Community Fisheries are lacking in many of the indicators of the eight principles.

Prima facie, and given the data available, we may conclude that the Community Fisheries of Cambodia possess the basic framework and operating principles necessary to be considered good examples of an engineered ‘modern commons’.

However, as Peter Linebaugh, one of the important historians — and current proponents — of commons initiatives points out: There is no commons without commoning! (Linebaugh, 2010)

“Commoning” may be considered the participatory social attributes, activities and enthusiastic work/labour on the part of the commoners (the members) in making the commons really work. This is what differentiates a commons from other sorts of institutions.

In our sample of 13 Community Fisheries in Cambodia we find a notable degree of commoning only in the three well-functioning CFi; the remaining ten merely function as officially constituted organizations with their elected committees and members, the latter being involved to varying degrees in some forms of patrolling activities to protect their designated common areas from illegal fishing.

BENEFITS THROUGH COMMUNITY FISHERIES

Consolidated results from our interviews show that trust and leadership are ranked together as the most important social factors in the success of the Community Fisheries. That ‘freedom to access the resource’ is also ranked as the most important factor obtained from the formation of the community fisheries is also significant. However, given the precarious economic conditions of most members of the Community Fisheries, it is indeed this attribute which provides access to fish for consumption and translates to better nutrition for the family, modestly higher incomes, and most of all the assurance of freedom from hunger.

Among the significant social benefits — which flow from the economic benefits — is the high priority mention of benefits to children and women. Being able to send children to school regularly, improve their diets, and for women to be able to work and earn more.

Among the ecosystem benefits highlighted is the possibility of creating sanctuary zones which are the key to conservation in a flood-pulse ecosystem.

DOES THE IDEA OF A COMMONS SPREAD?

One of the important limiting factors of the Community Fisheries initiative is that while it has been legally organized as a ‘village-level fishery institution’, with its focus entirely on fisheries, its membership is constituted of persons from the village who are involved in multiple occupational pursuits not restricted to fisheries alone. This points to one of the significant weaknesses of the Community Fisheries: the mismatch between the organizational framework and the real-life, multiple, occupational pursuits of the members.

Despite over a decade of operation, there is limited evidence of the activities of the Community Fisheries of Cambodia being extended to other occupational realms for its members, such as agriculture, horticulture or livestock.

One important amendment to the sub-Decree on community fisheries will be to explicitly permit/encourage members to organize activities around any of their livelihood options apart from fisheries. It should also be possible for a Community Fisheries to collectively earn income from fishery activities and utilize such earnings for promoting its members’ other, non-fishery activities.

GOVERNANCE CHALLENGES

From our limited analysis it is evident that the majority of Community Fisheries have the potential to deepen their ‘commoning’ activities in fisheries extensively, by enabling more enthusiastic participation from the membership.

No organizational innovation can continue to function in a socio-economic or political vacuum if it is to achieve its stated objectives. For this important reason, there is a need for the Community Fisheries organizations to devise ways and means to achieve greater structural integration and organic embedding into the ‘real economy’ of the village and the commune, and not remain aloof from it.

There is a need for a greater flow of information, through interactions between Community Fisheries Committees and the various groups of members. Intra-Community Fisheries communications were an important key for effective operation and achieving beneficial results for the members.

In the well-functioning Community Fisheries the members consciously acted together to rejuvenate ecosystems which were in danger. They greatly expanded the scope of conservation of flooded rice fields, flooded forests and mangroves. These actions resulted in increased livelihood options and greater income-generating potential. The virtuous cycle of “collective conservation efforts —diverse livelihood options—greater individual incomes—enhanced collective benefits” has reinforced the faith of the membership in the commons.

All Community Fisheries are assured support from the Fisheries Administration at the provincial level. However, much of this support is only in the form of ‘good advice’ and ‘encouragement’. Two important needs for any Community Fisheries are human capacity development (including organizational and livelihood skills) and small amounts of corpus funds to kick-start initial investments and running costs of conservation and livelihood activities.

What is really needed is some core funding from development aid partners, channeled with government knowledge (Fisheries Administration), which can be routed through experienced NGOs

for providing capacity development initiatives and small multiple-matching grants. The Community Fisheries will in turn be held collectively accountable for the utilization of these funds.

Given the scale and extent of illegal fishing in Cambodia today, there is no doubt that operators promoted by greed to undertake illegal fishing are presently — and will continue to be in future — the biggest bane and challenge to the Community Fisheries commons all over Cambodia.

Coming to terms with this reality is a huge challenge for the whole political establishment of Cambodia, given that the illegitimate usurping of natural resources and illegal trade has deep-rooted historical causes prompted by the extraordinary socio-economic inequalities in the society as a whole.

All the governance challenges discussed above can be best tackled when there is minimum of cooperation within and between Community Fisheries organizations.

The presence of even a loosely knit coalition of Community Fisheries across every province would make the task of communication, official dealings, project planning and financing more effective and cost-efficient. However, it must be noted that the coming together of people's groups is not solely a case of coordinated technical/organizational action: it is always pregnant with political potential.

REPLICATING THE COMMONS

Is the experience of the Community Fisheries organizations specific to Cambodia and hence a special case? Can any organizational and institutional lessons be learned from Cambodia about creating modern 'community commons' that can be adopted in other aquatic-agriculture ecosystems in the countries of Asia?

To create and embed a 'lively commons' implies that the specifics of a context are always kept in mind. Historical, cultural, socio-economic and political issues are vital, but so too is the materiality of nature and the element of determinism which it places on the manner in which humans seek out their livelihoods.

There are, however, some significant lessons to be learned from the examples of commission and omission witnessed in the Community Fisheries initiative in Cambodia, which must be kept in mind if attempts at replication are made in other countries.

A robust legal framework is a great advantage when creating a 'modern commons'.

The flexibility to diversify activities must be incorporated in the objectives and charter of the organization.

Clear distinctions must be made between the rights attributable to collective initiatives/pursuits and individual rights. Both are vital for success in a commons.

Fostering democratic practices which are participatory and transparent should be the default option in a commons.

Size matters. This is true both of membership and the area under the commons' jurisdiction, particularly if it is a dynamic ecosystem such as a riverine floodplain or a coastal inshore fishery.

Gender parity is a good aspirational norm to achieve in a commons. When men and women work together, defining their collective and specific roles and the division of labour, big steps can be taken towards achieving gender parity.

Dispute resolution mechanisms should be incorporated into the constitutional mandate, operational rules and social practices of a commons.

CONCLUSIONS

The key conclusion from this scoping study is that the Community Fisheries organizations of Cambodia can indeed be considered as having the institutional framework (rules and norms) to be designated as an example of a ‘modern commons’.

However, a framework alone is not sufficient to give ‘life’ to an organization. A ‘lively commons’ is the result of the community of members taking full cognizance of their rights and responsibilities and participating fully in ‘commoning’ — the enthusiastic work/labour involved in making the commons truly effective. In this regard the Community Fisheries organizations of Cambodia have a long, arduous journey ahead of them.

RECOMMENDATIONS

1. FAO/UN should consider undertaking a more thorough study of the organizational potential of Community Fisheries initiatives in Cambodia. This should be one of the programme commitments of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (VGSSF). The results of the study could form the basis for capacity development of the various ‘interest groups’ involved in forming and sustaining the Community Fisheries initiatives.
2. The Technical Guidelines on Commons (TGC) commissioned by FAO/UN provide a good framework for more detailed investigations into issues surrounding the governance of tenure rights for commons. They should be applied to Community Fisheries in Cambodia.
3. Many Community Fisheries in Cambodia — particularly those near the Tonle Sap region and some coastal areas — provide good examples of areas where land, forest and fisheries tenure issues need to be negotiated conjointly. These could provide good ‘test cases’ for the implementation of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) in their totality. They also fit well with the FAO Strategic Objective of Reducing Rural Poverty.
4. FAO/UN should consider the possibility of holding a workshop to discuss the role and relevance of different facets of collective community tenure rights in more general terms, specifically in the context of communities with notable multioccupational pursuits in aquatic-agriculture contexts who are still beset with food insecurity and poverty.

INTRODUCTION

The Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT), and the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (VGSSF), are two of the recent normative standards agreed upon by the members of the Committee on World Food Security (CFS) and the Committee on Fisheries (COFI) of the Food and Agriculture Organization of the United Nations (FAO), respectively. Both sets of guidelines have encouraged the study and support of tenure systems that are marked by collective, community-based initiatives.

At the UserRights 2015 Conference held in Siem Reap, Cambodia in March 2015, the European Union representative described the current fishery rights system in Cambodia as “the most extensive and well-developed system of community fisheries in the world.”

What is less well-known globally is that fishery rights in Cambodia were originally based exclusively on ‘individual private rights’ and survived for over two centuries until this was radically altered in 2000 by political will into structured ‘collective common rights’. The riparian communities were given the user and management rights to the fishery within clearly defined areas of the dynamic land–water interface which marks Cambodia’s ecosystem.

Against the background of the rapid disappearance of the ‘commons’ as a form of rural tenure, this initiative of creating ‘community commons’ in Cambodia is an action which runs against the tide of increasing global support for the privatization of natural resources.

Based on our understanding, while the commons are about certain resources and ways of governance, they are more appropriately seen as the intrinsic and intertwined combination of: (1) a resource, (2) a community utilizing it, and (3) a set of social rules and norms regarding its use, misuse and management.

This study is a preliminary effort to understand the contours of the ‘commons’ dimension of the Community Fishery (CFi) organizations of Cambodia. It is a brief scoping study. As a consequence, the conclusions and recommendation arising from it must be viewed as being indicative only. The fieldwork was undertaken over only ten days in August 2015 with the active cooperation of the Community Fisheries organizations and top officials from Fisheries Administration.

The analysis presented below in ten sections can be notionally divided into three parts. The first part provides background to the fisheries and fishers of Cambodia, as well as a historical account of how the Community Fisheries came into existence, and the manner in which they are set up in organizational terms. The second part deals with the study of 13 Community Fisheries which were included in our scoping study. Their organizational features, and whether they meet the necessary criteria of a ‘modern commons’, are considered using Elinor Ostrom’s principles. The perceptions regarding the social, economic and ecosystem benefits accruing from them are examined. The third part is composed of two sections and deals with the governance challenges ahead for the Community Fisheries if they are to become well-functioning commons, and the measures which need to be considered if they are to be replicated elsewhere. The analysis ends with a brief set of tentative conclusions and recommendations.

1. FISH, FISHERIES, FISHERS AND FISHERY CONFLICT IN CAMBODIA

Cambodia is blessed with three major aquatic ecosystems. First, there is the surfeit of rivers and large streams, of which the mighty Mekong system is the biggest; second, numerous lakes, of which the Tonle Sap (The Great Lake) is the largest and uniquely dynamic; and finally the smaller but substantial coastal marine waters. The inland aquatic system is considered to be one of the most productive ecosystems in the world, because of the flood-pulse phenomenon which provides a huge, pulsating and varied, land–water interface composed of deep silt deposits, fertile floodplains and flooded forests yielding high nutrient recycling and high biodiversity. This ecosystem provides the basis for large fish refugia, nursery and breeding grounds. The Mekong river system is also marked by ‘deep pools’ that become refugia for aquatic life where they breed and feed and replenish fish stocks. The country’s ubiquitous aquatic terrain — referred to officially as the ‘fishing domain’ — has resulted in the Khmer saying, “wherever there is water there is fish.”

Fish

Cambodia teems with fish. Apparently the Tonle Sap has almost 300 species, making it one of the richest lake ecosystems in the world. Total fish harvests increased between 2000 and 2013 from around 300 000 tonnes to over 700 000 tonnes, and over three-fourths were from inland waters. Fish is an integral part of the life of almost all Cambodian citizens. Fish, in such a wide variety of forms, is served for breakfast, lunch and dinner, and is the main source of protein for the population. Globally, Cambodians are the biggest consumers of inland fish.

Fisheries

Fisheries provide livelihoods in various forms — harvesting, processing, distribution and marketing — for at least a quarter of the country’s population of around 15.5 million today (2015). Fisheries accounts for between 10–12 percent of the country’s gross domestic product, and was valued at USD 1.2 billion in 2013.

Historically the fisheries of Cambodia have been divided into three categories: large, medium and small-scale (family) fisheries. A set of general rules apply to all of these, and each category is subject to specific regulations concerning gear, fishing grounds, as well as the timing of fishing and related activities, as specified in the relevant fishing laws and other regulations.

(a) Large-scale fisheries:

Large-scale fisheries are also referred to as industrial fisheries. It used to be practised in parts of the fishing domain for which exclusive access and exploitation rights are acquired. These areas were referred to as “fishing lots”. Fishing lots are large stake net enclosures covering substantial flooded forest and water areas in which fish are impounded and harvested at the appropriate season. The target fish are harvested live and so produce high-quality market products. This gear was introduced into Cambodia in 1863 by the French Protectorate. Fishing lots were acquired by individuals through public auction. The conditions of the lease were specified in a contract which stipulates the location and boundaries of the fishing lot, the timing and kind of fishery activities allowed, and additional conditions for the lessee. Typically, a fishing lot was leased for two years. After this the lease of the lot is put up for auction again.

By leasing the fishing lots the Department of Fisheries was de facto ceding control over the area of the lot. It allowed the lessee to set up his own militia and use force to control access; to detain people who unlawfully entered the lot; to confiscate and destroy unauthorized fishing gear; and to regulate all other fishing activities taking place inside the lot. The fishing season was officially open from 1 October until 31 May; during the closed season, no activities were allowed in the fishing lots. In 2000 there were 239 fishing lots in the country, 139 of which were situated inside the Tonle Sap ecosystem.

The two other large-scale fishing methods are called barrage fisheries and bag net fisheries, locally called *dai* fisheries. The *dai* system of bag nets operates on the Tonle Sap river during the multispecies migrations that take place during December, January and February each year. The catch from the bag nets is predominantly comprised of two small *cyprinid* species which are used for making fish paste.

Large-scale fisheries were historically a major source of government revenue. In the year 2000 the estimated revenue from the lease was estimated to be over USD 2 million. Considerable corruption and rent extraction also surrounded the auctioning process and its aftermath, with the involvement of the military and all levels of bureaucracy.

It is estimated that what is defined as a large-scale fishery today only accounts for about 4 to 5 percent of the inland fish harvested in Cambodia.

(b) Medium-scale fisheries

Medium-scale fishing is carried out in the open waters of the inland fisheries domain and also subject to yearly licensing by the Fisheries Administration. The license restricts the activities with regard to quantity and type of fishing gear, area and fishing period. A large variety of gear is used in the medium-scale fisheries. The specifications for each gear type are indicated in the fisheries law. The most important gear types used are large arrow-shaped traps with bamboo fences, gillnets, traps, encircling seines and long lines. Fishing is only allowed during the open season. Medium-scale gear is used primarily by those who take to fish harvesting as their main livelihood activity. Fish caught with medium-scale methods are generally not as high quality as fish caught from the fishing lots, as the fish are killed and injured during capture. Medium-scale fishing today accounts for about 9 to 10 percent of the inland fish harvest in Cambodia. This fishery accounts for the larger and more valuable varieties of fish harvested.

(c) Small-scale (family) fisheries

All fishing activities not included in the large and medium-scale categories are considered here. Small-scale fishing is also referred to as family fishing. No specific licenses are needed. Gears classified as small scale include: gill nets, cast nets, oblong traps, drum traps, slit traps, scooping baskets, folded cone traps, vertical vase traps and hooked longlines. They are allowed to operate throughout the year and in all fishing grounds — except in the fish sanctuaries declared by the Fisheries Administration and in the fishing lots, when and where they exist. Given the size of the gear permitted, fishing of this scale can only be undertaken for subsistence by individuals or households. The fish caught — which are fresh and belonging to the smaller varieties — is traded only when there is a surplus to family needs. The households which undertake small-scale fishing are most likely to be involved in agriculture and related activities as their main livelihood pursuit.

Only small-scale fishing gear is permitted in Community Fisheries (CFi). Today, small-scale fishing gear accounts for 85 percent of the inland fish harvested in Cambodia.

Fishers

One of the difficult tasks of occupational classification in rural Cambodia, even today, is to give an individual or a household a single occupational label. Multiple occupations and livelihood diversification are the norm. Farmers are fishers and fishers are farmers. Taking up petty trade and daily labour jobs is commonly practised by members of most households, even when their primary interests may lie in agriculture, livestock rearing or fishing. Much of this occupational diversity is also made possible because of the seasonal variations and the dynamic nature of the land–water ecosystem interface in the more populated areas.

As a result, it is inappropriate to ask the question: ‘are you a fisher?’ The right question would be: ‘Do you fish?’ But one must keep in mind that those who fish do not consider themselves to be fishers. They may prefer to be considered farmers.

The extent to which people wish to be identified as 'fishers' or 'farmers' is a matter which calls for attention. The basis on which such occupational identities are revealed should be considered. The strong Buddhist aversion to any activity which takes life (fishing is an example) may influence people's perceptions/responses concerning how they wish to reveal their occupational identities when faced with the choice of being labelled either a farmer or fisher. The association of a particular ethnicity (e.g. Vietnamese) with certain occupations (e.g. fishing) may also condition their choices. The Khmer Rouge's glorification of rice agriculture and peasant farmers, against all else, may also be another factor weighing on people's minds when asked to define their occupation.

The social reality of the way rural people perceive and report their occupational identity has important implications for the design and function of rural organizations. Community Fisheries are no exception.

Keeping these facts in mind, we can make some broad generalizations about the spatial distribution of those who fish in Cambodia. The population living close to the marine coastline, those in the floodplain areas of the Tonle Sap, and those along the banks of major rivers such as the Mekong, are likely to exhibit higher involvement in fishing.

Gear conflicts

Prior to the establishment of Community Fisheries, there was a fair degree of conflict between the fishing lot owners and users of family-scale fishing gear. The conflicts arose when lot owners prevented family fishing close to the lots. This was particularly acute in the different productive areas of Tonle Sap. The basis of the conflict could be attributed largely to the clash between the objectives of the few fishing lot owners who wished to maximize their fish catches and profits, and the numerous fishers from the surrounding areas who were fishing for food. Conflicts of this kind have led to considerable violence and social unrest over the centuries and sustainable solutions were hard to come by.

Illegal fishing conflicts

No account of Cambodian fisheries can be complete without a discussion of illegal fishing. Illegal fishing can refer to fishing using permitted gear in the wrong locations and/or during the wrong season. But it also includes 'destructive fishing' using explosives, electro-fishing, poisoning, fishing with unauthorized and oversized — but otherwise legal — gear, expansion of boundaries, use of brush parks, etc. The broad, highly productive and dispersed nature of the aquatic terrain means that the detrimental consequences of 'destructive fishing' are not easily assessed or apparent enough to create an awareness of the ill effects of such activity among law-abiding fishers. Illegal fishing is thus viewed as an 'inevitable' evil.

The continuance of illegal fishing practice with impunity is also because there are powerful interest groups who benefit from it. They are able to evade the existing weak law enforcement, often by bribing the officials and/or using strong-arm tactics. Illegal fishing of this kind may often benefit from political patronage as well.

We can therefore classify illegal fishing into two distinct types: (1) illegal fishing undertaken by individuals driven by the compulsions of poverty; and (2) illegal and destructive fishing undertaken with the active connivance and support of powerful interest groups who use rural people as 'fronts' to achieve their profitable, antisocial objectives.

The methods used to tackle illegal fishing cannot be reduced to destroying gears and arresting the offenders, for the simple reason that in the case of the second type the real offenders are never seen.

Until the formation of the Community Fisheries in 2000, the onus of enforcing the law against illegal fishing rested entirely on the Department of Fisheries of that time. Thereafter it was considered to be a shared responsibility with the members of the Community Fisheries and the administration — the former reporting cases, the latter implementing the law. In 2015 the battle against illegal fishing continues. The Fisheries Administration (FiA) has taken on the task of trying to uproot the second type

at the highest level, with the Director-General and Deputy Director-Generals supervising the raids on the Tonle Sap and river systems personally.

2. HOW COMMUNITY FISHERIES ORGANIZATIONS WERE FORMED

The Community Fisheries organizations of Cambodia quite literally appeared ‘out of the blue’ in 2000. They were not the result of any persistent demand for collective action by the communities, nor were they the result of some foreign development agency or international organization plan, conceived in collaboration with an enlightened bureaucracy. But some of the conflict and social unrest between fishing lot owners and small fishers did contribute to their creation.

However, it is true that in the mid-1990s there were initiatives by some international NGOs and FAO, with financial assistance from Belgium, to initiate natural-resource-based community activities among a few of the villages near the northern end of the Tonle Sap, in the Siem Reap Province. To the extent that these communities were involved in multiresource livelihoods from the dynamic flood pulse land–water ecosystem of the Tonle Sap, there is a degree of truth in the claim that there were some recent indigenous roots to the ‘idea of community-based natural-resource’ institutions in Cambodia.

A longer historical perspective reveals that there are at least two ‘local-level’ institutions which are alive in the collective memory of Cambodia’s rural communities. These were essentially ‘top-down’ efforts to create community (village) level collectivization for achieving agricultural production. They were the *sahakar* of the Khmer Rouge regime (1975–1979) and the *krom samaki* of the Vietnamese-backed People’s Republic of Kampuchea regime (1979–1989). Neither of these was specifically concerned with fish but rather with rice and livestock. A few of the older individuals we interviewed vividly remembered participating in these institutions.

The current Community Fisheries organizations — called *sahakum nesat* in Khmer — were also created ‘top-down’, on the instructions of Cambodia’s current Prime Minister Hun Sen, after he made his surprising ‘fisheries reforms’ announcement in October 2000. These processes are now referred to in Cambodia as the “First Fishery Reforms”. Basically this reform was the expropriation of the private property rights given to some individuals to operate ‘fishing lots’ and turning these rights of access and management over the fishery resources to the riparian communities instead.² It was certainly a radical gesture: one which yielded significant political returns for the Prime Minister’s party, an unexpected bonanza for the communities, and took the fisheries bureaucracy completely by surprise as they were not consulted about this move in advance.

The Department of Fisheries of that time was overhauled and a new office for Community Fisheries Development was instituted in January 2001. The thinking behind the new office was described on their website:

- The Community Fisheries Development Office was established with the aim of building the technical capacity of the Department of Fisheries (DoF) in the area of arranging and managing Community Fisheries countrywide.
- The reform of fisheries policy is an important historical event, which has never previously happened on this scale in the history of fisheries management in Cambodia. The government announced plans to abolish and reduce more than 56% of the total fishing lot areas nationwide, to enable local people to use and manage the fisheries resources in an effective, equitable and sustainable manner through active participation — especially those people depending on fisheries resources for their livelihood. This event was very significant to the Cambodian people, interested NGOs, international organizations and large donors around the world.

² This action taken by the Prime Minister in 2000 may be seen as fully in accordance with the section 5.8 of the VGSSF, adopted in 2014.

- The rationale for this wide-ranging reform was driven by many factors, such as conflict between small-scale and large-scale fishing and the observation that local fishermen with small fishing grounds were struggling to maintain their livelihoods. Furthermore, many countries around the world have been shifting their fisheries management strategy from a centralized approach to a participatory approach involving all local resource users.
- In response to these reforms, the DoF has been committed to building its capacity to improve the quality and effectiveness of fisheries management and promote the successful establishment of Community Fisheries nationwide, following identified goals and plans.
- The mission envisaged by the CFDO was for the establishment of strong, self-reliant Community Fisheries throughout Cambodia who have equitable access to—and manage in a sustainable manner—fishery resources in partnership with capable and service-oriented staff from the CFDO and provincial fishery offices, thereby improving local community livelihoods.

Following its creation in 2001, the CFDO enthusiastically set about the task of drafting the legal framework for placing the Community Fisheries into the elaborate, hierarchical legal system which characterizes Cambodian state governance. The first task was the drafting of a sub-decree on Community Fisheries and the officer appointed to head the CFDO in 2002 dedicated much of his time to this task.

A sub-decree (*anukret*) is essentially the elaboration of articles in the main law — in this case the Fisheries Law — relating to a particular topic. In essence, a sub-decree provides the rules and regulations. In the legal hierarchy, a sub-decree is two steps below a Law which is passed by the National Assembly. The Royal Decree issued by the King is above a sub-decree. By implication, a sub-decree is an instrument with considerable legal sanction and sociopolitical acceptance because it goes through many steps before it is finally signed by the Prime Minister.³

When it finally came into force in 2005, the sub-Decree on Community Fisheries gave firm direction and legal force to the initiative.⁴ Thanks to the assistance of the state, it gave recognition and legitimacy to communities, by providing them with a participatory and comprehensive framework for the management of the fisheries under their jurisdiction. It is significant to note that civil society groups and riparian village leaders were involved in several preliminary stages of the drafting of this sub-Decree.

The objectives for the establishment of Community Fisheries were to:

- manage fisheries resources in a sustainable manner and ensure the equitable sharing of benefits from fisheries resources for local communities;
- increase local communities' understanding and recognition of the benefits and importance of fisheries resources through direct participation in managing, using and protecting fisheries resources;
- improve the standard of living of local communities in order to contribute to poverty reduction.

³ A detailed account on the process of creating this sub-decree is provided by Levinson (2002).

⁴ See <http://www.slideshare.net/DarrenConquest/subdecreecfenglish-2005> for English translation of the Sub-Decree

3. SETTING UP COMMUNITY FISHERIES ORGANIZATIONS

Historically Cambodia has been a legalistic society, bound by rules. Consequently, the setting up of institutions which are ‘sponsored’ by the government requires certain steps to be followed, often rather mechanically. The setting up of the Community Fisheries organizations was no exception.

There are certainly great merits in following established legal norms and rules; they help to ensure some degree of ‘standards and standardization’. On the other hand, this approach also results in organizations being created not because there is a real, tangible, need for them, but because others are doing it and one does not wish to be left out.

There are nine steps involved in setting up a Community Fisheries organization. These are briefly illustrated in the diagram below:



Step 1: A group of individuals, from a village or a group of villages, get together and decide that they would like to form a community fisheries organization in their area, over which they will have exclusive access rights. The motivation for this may come from a local NGO, a person like a monk in the pagoda, a member of the commune council or an enterprising person in the village. The first task is therefore to form a group of ‘founders’ who can take the project of organizing the community fisheries forward. This group of founders makes a formal request to the provincial office of the Fisheries Administration, stating their intent to form a community fisheries organization in their area and attaches a rough, hand-drawn map of the proposed area.

Step 2: Once this letter of intent is recognized by the Fisheries Administration, the next step is to undertake a needs assessment, of the people and the proposed area, with those who intend to become members. The founders and officials of the Fisheries Administration take the lead. Based on this needs assessment the provincial Fisheries Administration must provide an approval or rejection letter in 30 days.

Step 3: Having assessed the needs and the genuine nature of the people involved, the founders and the representatives of the Fisheries Administration make efforts to disseminate to the members the rights

and responsibilities of forming a community fisheries institution. In this initiative it is vital to explain to the potential members the details of the sub-Decree on Community Fisheries Management and other official guidelines on CFi. Those who are in agreement with the rules and regulations then register themselves as members giving their personal details such as name, age, sex, location, social security identity number and cell phone number.

Step 4: The registration of membership then provides the basis for the democratic process of preparing the Community Fisheries by-laws and internal rules of operation, keeping in mind the area's specific needs and resources. The community fisheries also adopt its formal name at this stage. These by-laws follow the general format prescribed in Article 8 of the sub-Decree.

Step 5: Once the by-laws and internal rules are formulated and accepted, the procedure for calling the first congress of members is started. Notice of the date of the meeting and agenda are given. The most important agenda item is the election of the managing committee, for which nominations are requested. The meeting is finally conducted in the presence of Fisheries Administration officers who act as facilitators. They initiate the election process which is conducted in an open and fair manner with all members present. Members from the group of founders may be considered potential candidates for the managing committee. The number of members is prescribed as an odd number between 9 and 15 and women are encouraged to run for election. The election is conducted with a Fisheries Administration official as the returning officer. There may be only a simple show of hands or a closed ballot. The person obtaining the highest number of votes is declared the Chief and the one with the second highest votes the Vice-Chief. The functions, rights and duties of the Committee are given in Chapter 4 of the sub-Decree. The elected panel is then accredited by the Fisheries Administration. The Community Fisheries is thus fully formed with a committee and a congress of members.

Step 6: Following the election of the committee, the next important task is delineating the physical boundary of the community fisheries area. This may cover flooded forest and water areas. If there are neighbouring community fisheries which are already formed, then boundary delineation requires the presence of members of those community fisheries. The fixing of boundaries also requires the presence of officials from the Fisheries Administration, the Commune Council and officials of the Tonle Sap Lake Authority among others. The boundaries can be decided using a combination of actual physical ground verification and the use of orthophoto maps. Wherever it is possible and necessary, boundary markers are erected. Some community fisheries may also erect their name boards at appropriate locations. A detailed map is produced according to the 1:50 000 scale mentioned in the sub-Decree.

Step 7: All the official documents produced in the above steps are then put together in a file which is called the Community Fisheries Area Agreement. The Community Fisheries Area Agreement shall be signed by the Chief of the Community Fisheries and by the head of the Provincial Fisheries Administration.

Step 8: This file is submitted to the Fisheries Administration at the provincial level. It is then routed to the Fisheries Administration in Phnom Penh for their approval and remarks, then recommended to the Ministry of Agriculture, Forest and Fisheries (MAFF) for formal registration.

Step 9: Once the Community Fisheries is officially registered, they are expected to make a participatory management plan for the utilization of the resources in their area. This is to be approved by the CFi general congress and submitted to the Fisheries Administration and Commune Council.

From the above nine steps it is evident that the CFi is essentially envisaged as a shared management institution, giving a group of persons who form a democratic organization the unambiguous right of access and management to the common-pool natural resources — particularly fish — in a defined area for a limited period of time.

4. ABOUT THE COMMUNITY FISHERIES STUDIED

According to the data from the Community Fisheries Development Department (CFDD)⁵ there were 507 CFi institutions in Cambodia in 2015. Collectively they account for a combined area of 852 460 ha of land and water interface yielding a unique mix of capture and culture fish, cultivated rice and flooded forest products dispersed over 383 districts located within 19 of the 25 Provinces of Cambodia. The Community Fisheries membership of 188 050 is spread over 1 073 villages, located within the jurisdiction of the 433 Commune Councils that form the lowest tier of development administration in the country.

The attempt to understand whether the Community Fisheries organizations of Cambodia are an example of a ‘modern commons’ was undertaken in August 2015. It was based on both structured interviews using a questionnaire and non-structured conversations with representatives of the CFi Committees from just 13 CFi across the country.⁶

This sample of Community Fisheries was NOT selected on the basis of any planned, purposive, stratified or scientific random manner. There is no claim to an a priori ‘representativeness’ of the sample. However, given the common structure and operational modes of CFi across the country — which results in a fair degree of standardization — the major variation in activities between them is distinguished by two factors: (1) the nature of the ecosystem, and (2) the nature of the collective initiative and interests of the members. The 13 CFi which form the basis of this study are also from the three different ecosystems identified in the Cambodian fishery. Having completed the interviews, we also realized that there was a significant variation in the levels of leadership, collective interest and group actions between the 13 CFi that formed the basis of this analysis. *Post facto* therefore, we might say that the selected CFi adequately represent the ecological and social variations present among them.

On completion of the interviews we asked two key CFDD officials to use their intimate knowledge of the history of each of these CFi to assess and arrange the 13 according to their overall performance.

The key criteria they used to evaluate this grouping were: (1) a vibrant CFi Committee; (2) active member participation in activities such as conservation, use of resources for livelihood alternatives, mobilization of savings and funds; (3) the involvement of women; and (4) good feedback about the CFi from the provincial Fishery Officers concerned.

Among the 13 CFi, only three were considered to be functioning well and three were considered to be functioning poorly, with the remaining seven lying on the spectrum in-between.

Based on the above assessment, Table 1) presents some of the organizational data on the 13 CFi’s, ranked from 1 to 13.

The geographical locations of the CFi included in the study are shown in Map 1.

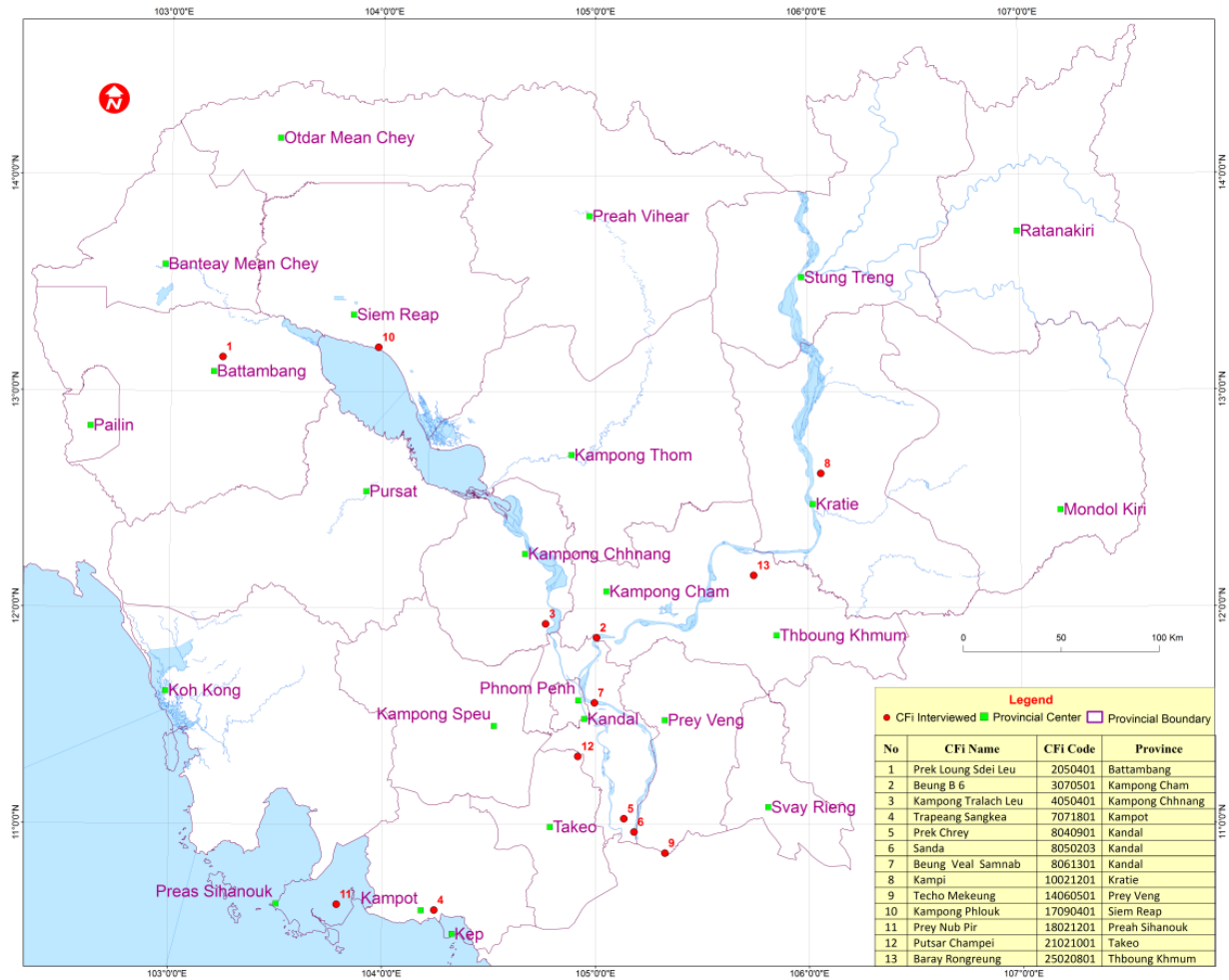
⁵ The official nomenclature changed from Community Fisheries Development Office (CFDO) when the Department of Fisheries (DoF) became the Fisheries Administration (FiA).

⁶ The consultant has been involved with the CFi for over a decade at various stages of their development and this prior knowledge and understanding was also applied in this study.

Table 1 – Some organizational data relating to the 13 CFi interviewed during the study

Ranking	Name of the Community Fisheries and Province	Members	Female	CFi Area (ha)	Villages covered	Flooded Forest (ha)	Conserved Area (ha)	Established Date	MAFF Recognition Date	Agreement Status Steps	CFi Committee*
1	Kg. Tralach Leu , Kg. Chhnang (3#)	235	100	727	1			2003	2008	9of9	9 F2
2	Kg. Phlok , Siem Reap (10)	835	260	11 911	3	159	3	2001	2008	9of9	11 F5
3	Trapang Sangkei , Kampot (4)	734	363	337	3			2009	2011	8of9	9 F2
4	Kam Pi , Kratie (8)	108	26	115	1			1997	2010	9of9	11 F0
5	Put Sor-Champey Fed. , Takeo (12)	1 124	508	1688	16			2006	2010	9of9	16 F3
6	Baray Rong Roeng , Tbong Khom (13)	1 095	598	2499	3		1	2004	2010	8of9	11 F1
7	Prek Loung Sdeileu , Battambang (1)	245	114	781	2		1	2003	2008	9of9	7 F3
8	B6 , Kampong Cham (2)	1 342	155	9 787	35			2004	**	2of9	11 F1
9	Prey Nub2 , Preah Sihanouk (11)	1 658	823	4 605	4		200	2004	**	6of8	13 F3
10	Techo Mekeung , Prey Veng (9)	1 821	544	4 316	7		50	2012	**	2of9	11 F0
11	Chroy Snor , Kandal (6)	307	78	2 000	1			2012	**	1of9	9 F1
12	Beung Veal Sannab , Kandal (7)	968	272	978	12		2	2003	**	4of9	11 F0
13	Prey Chrey , Kandal (5)	307	72	2 267	5		600	Un Reg	**	1of9	11 F1

Figure 1
Map of community fisheries for commons study 2015



As a brief scoping study, our primary objective was only to give a broad understanding of the contours of the contours of the institution, as a means of ascertaining whether the Community Fisheries organizations of Cambodia can be considered examples of ‘modern commons. If, based on the insights of this study there is further interest in the issue, a more detailed and longer-term analysis

5. COMMUNITY FISHERIES: A MODERN COMMONS?

Do the Community Fisheries have the essential characteristics and attributes to be considered an institution that is utilizing and governing a commons?

To arrive at an answer to this question we first need to have an understanding of what constitutes a ‘commons’.

The first point in this regard is to do away with the prevalent connotation of a ‘commons’ as being some archaic form of tenure prevalent in Europe in medieval times and pertaining to the agriculture and livestock activities of poor peasants, one which was usurped by feudal lords and enclosed to create forms of private property.

The other, more recent, academic association with the ‘commons’ is a much-quoted article written by Garrett Hardin in 1968, entitled “The Tragedy of the Commons”, wherein a ‘commons’ is considered as a form of tenure where access to the resource is ‘open to all’ and thus inevitably leads to its depletion/destruction.

The historic notion of a commons as being merely a form of tenure from ancient times, and that of a form of tenure which permits access to all, are both incorrect.

What then do we mean/understand when referring to a ‘commons’ today?

Is it about the nature of particular things or resources — e.g. fishes in the sea, forests, public parks, urban residential complexes, telecommunications, outer space, Antarctica and so forth?

Is it about the way the human governance of some of these resources is organized — e.g. by a like-minded group of producers, a neighbourhood community, a virtual community, a grouping of interested nations?

The Commons and Ostrom

In our understanding the commons, while they are connected to certain resources and ways of governance, are more appropriately seen as the intrinsic and intertwined combination of (1) a resource, (2) a community utilizing it, and (3) a set of social rules and norms regarding its use, misuse and management.

There has been a whole series of investigations and a large body of analysis on different types of commons which function very successfully in different places around the world to this day. The concept of the ‘commons’ is also making headway into new realms like software development, academic publications, music and other areas.

The one name which stands out when we refer to a modern-day commons is that of the late Dr Elinor Ostrom, the only female Nobel Laureate in Economics, who spent a lifetime showing that when it comes to managing natural resources there are other tenure options between state ownership and management on the one hand and market-oriented, privatized ownership on the other. It was her mission to valorize examples where groups of people and cogent communities around the world had organized themselves to manage common resources sustainably, effectively and efficiently.

From thousands of examples, Ostrom developed several organizing principles which lie at the heart of successful commons.

We used Elinor Ostrom’s well-known and time-tested eight principles to ascertain whether the Community Fisheries organizations can be considered examples of the ‘modern commons’. The principles are given in Box 1 below:

BOX 1: OSTROM’S EIGHT PRINCIPLES FOUND IN WELL-FUNCTIONING COMMONS

1. Clearly defined group boundaries.
2. Rules governing the use of common goods match local needs and conditions.
3. Those affected by the rules can participate in modifying the rules.
4. Rule-making rights of community members are respected by outside authorities.
5. A system is available, developed and carried out by community members, for monitoring members’ behaviour.
6. Graduated sanctions are used for rule violators.
7. Accessible, low-cost means for dispute resolution available.
8. Responsibility for governing the common resource in nested tiers is built up from the lowest level to the entire interconnected system.

(Adapted from: Ostrom, 1990)

Community Fisheries as Commons

During our investigations we ascertained the existence of these eight principles in the 13 CFis interviewed during our scoping study.

Results are provided in Table 2. The CFi are arranged from 1 to 13 in accordance with the ranking provided in Table 1.

Table 2 – Ascertaining Ostrom's eight principles in the thirteen community fisheries of Cambodia

OSTROM'S EIGHT PRINCIPLES	COMMUNITY FISHERIES OF CAMBODIA (See names below the Table)												
	1	2	3	4	5	6	7	8	9	10	11	12	13
	Well-Functioning												
1 BOUNDARIES													
Are boundaries demarcated?	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES (?)
Have you put up markers?	YES	YES	YES	YES	YES	YES	YES	NO	NO	NO	NO	YES	NO
Do you have an official map?	YES	YES	YES	YES	YES	YES	YES	YES	NO	NO	YES	NO	NO
Are members aware of boundary? %	90	70	100	100	70	70	40	60	80	50	70	50	20
2 RULES-MAKING FOR LOCAL USE													
Has CFiC made any new rules?	YES	YES	YES	NO	YES	YES	YES	YES	YES	YES	NO	NO	NO
Do rules match local needs and conditions?	YES	YES	YES	**	YES	YES	YES	YES	YES	YES	**	**	**
3 PARTICIPATION IN RULE-MAKING													
Who was involved in rule-making?	CFiC+	CFiC+	CFiC+	**	All	CFiC+	CFiC+	CFiC+	All	CFiC+	**	**	**
Do members follow the rules?	Most	All	All	**	Most	Some	Some	Some	Most	Most	**	**	**
4 RESPECT FOR RULE-MAKING													
Do outsiders respect the rules?	Most	Most	Most	Most	Few	Few	Few	Few	Most	Most	**	**	**

List of Community Fisheries:

(1) Kg. Tralach Leu, Kg. Chhnang (2) Kg. Phlok, Siem Reap (3) Trapang Sangkei, Kampot (4) Kam Pi, Kratie (5) Put Sor-Champey Federation, Takeo (6) Baray Rong Roeung, Tbong Khom (7) Prek Loung Sdeileu, Battambang (8) B6, Kampong Cham (9) Prey Nub2, Preah Sihanouk (10) Techo Mekeung, Prey Veng (11) Chroy Snor, Kandal (12) Beung Veal Samnab, Kandal (13) Prey Chrey, Kandal

OSTROM'S EIGHT PRINCIPLES		COMMUNITY FISHERIES OF CAMBODIA (See names below the Table)												
		1	2	3	4	5	6	7	8	9	10	11	12	13
		Well-Functioning												
5	MONITORING MEMBER BEHAVIOUR													
	Is there a system for monitoring?	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	??	??	YES
	Who is involved in this?	CFiC+	CFiC+	CFiC+	All	CFiC+	CFiC+	CFiC+	CFiC+	CFiC+	CFiC+	??	??	CFiC+
6	SANCTIONS FOR RULE-BREAKING													
	Are there sanctions?	Graded	Graded	Graded	Graded	Graded	Graded	Graded	Graded	Graded	Graded	Graded	??	??
	Is implementation effective?	YES	YES	YES	YES	??	YES	YES	YES	??	??	NO	NO	NO
7	SYSTEMS OF CONFLICT RESOLUTION													
	Are conflicts common?	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
	Conflicts settled quickly, effectively?	YES	YES	YES	YES	NO	YES	??	??	YES	YES	NO	NO	NO
8	NESTED SYSTEM OF COORDINATION													
	Is there coordination at higher level?	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES
	Is there a federation at higher level?	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO
	Is greater coordination needed?	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES	YES

List of Community Fisheries:

- (1) Kg. Tralach Leu, Kg. Chhnang (2) Kg. Phlok, Siem Reap (3) Trapang Sangkei, Kampot (4) Kam Pi, Kratie (5) Put Sor-Champey Federation, Takeo (6) Baray Rong Roeung, Thong Khom (7) Prek Loung Sdeileu, Battambang (8) B6, Kampong Cham (9) Prey Nub2, Preah Sihanouk (10) Techo Mekeung, Prey Veng (11) Chroy Snor, Kandal (12) Beung Veal Samnab, Kandal (13) Prey Chrey, Kandal

(a) Boundaries

On the issue of clear demarcation of boundaries we note that all 13 CFi have attended to this task; eight of them have put up markers and nine have official maps. Variations emerge with regard to the extent of awareness among the members about the boundaries. Only two CFi claimed that all members were aware of the boundaries. It is interesting to note that these are the two CFi with the smallest area (115 and 337 ha) in our sample.

(b) Rule-making

Nine of the CFi claim that they have devised new rules and all of them state that the rules match local needs and conditions. This rule-making is often premised on local, customary practices which are socially negotiated and may not be formalized in any written form.

(c) Participation in rule-making

In the current context, rules are usually made primarily by the Community Fisheries Committee (CFC), sometimes with the participation of a few active members. For example, rules on dealing with illegal fishing would be made with the participation of members of the patrolling groups. Among the nine CFi who have devised new rules, only two say that all their members were involved in the process. In seven of them it was the CFi Committee and a few members (indicated as CFC+ in Table 2).

Making rules is the easier task; getting members to follow them is more difficult. In four of the nine CFi it was claimed that “most” of the members followed the new rules. In three it was said that “some” follow the rules. Only two of the well-functioning CFi make the claim that “all” members follow the new rules made.

(d) Respect for rule-making

The extent to which outsiders (non-members) respect the rules is a good measure of the respect and standing which a CFi has in broader society. Six of the nine CFi which made rules claimed that most outsiders respected these rules. Presumably this relates to rules which affect the outsiders too, such as boundaries and issues relating to illegal fishing. In four of the CFi they state that only a “few” outsiders respect these rules.

(e) Monitoring behaviour

In eleven of the CFi there is a system for monitoring member behaviour. Much of this relates to the issue of illegal fishing. It is the CFi Committee, along with members of the patrolling groups, who are involved in MCS activities. In one CFi, the smallest in terms of membership (108) and area (115 ha) all members were involved in MCS activities.

(f) Sanctions for rule -breaking

In all except the three poorly functioning CFi there are well established, graded sanctions for rule-breaking. Again, these are rules which relate primarily to illegal fishing.

Initially a person who is apprehended for illegal fishing is given advice about the ill effects of what he/she is doing and requested not to continue such activities. A second offence attracts a fine and possibly the confiscation/destruction of the gear used. The third offence is reported with details to the provincial Fisheries Administration and the local law enforcement authorities who will pursue their own course of action. The fourth offence entails arrest by the police or military with the advice of the Fisheries Administration. Some fisheries officers also have been conferred the power to issue warrants for arrest.

Of the ten that claimed to have graded sanctions only eight state that implementation is effective. This only implies that action is being taken according to the established procedures and norms. In most cases this does not imply that the problem gets solved — particularly with regard to illegal fishing.

(g) Systems of conflict resolution

That conflict is common and perhaps endemic in this dynamic land–water ecosystem is acknowledged by all 13 CFi. The fact that illegal activity is so pervasive makes the potential for conflicts a permanent feature of the system. However conflicts are not restricted to issues of illegal fishing alone.

Since members are dealing with several other resources in the CFi area (e.g. the flooded rice growing area, the flooded forests) differential and competing claims over the various common-pool resources is inevitable. Conflicts also arise among members on a variety of organizational issues. The presence of conflict in a commons is therefore not a matter of surprise.

We also note that seven of the CFi state that conflicts were settled quickly and effectively. Speed is of the essence in conflict resolution, as are negotiations, mediation and efforts to arrive at consensus without having a ‘victor’ and the ‘vanquished’.

Many of the CFi reported that when the CFi Committee dealt with conflict among members they called a meeting in a common area (the office or the pagoda) and held a debate in the presence of local village leaders; they made efforts to counsel the parties concerned, examining the consequences of the conflict but also going to its roots. Illegal fishing by members because of their poverty or sudden household needs is a case in point.

(h) Nested system of coordination

The management of the resources within the CFi is clearly not only a local issue which can be restricted to within the boundary of a CFi. Where CFi exist in close proximity, the actions/inactions of one clearly affect the other, much as there may be a time-lag before externalities become evident. Cooperation and coordination are evidently required to minimize this.

It is interesting to note that there was perfect agreement on this issue of coordination among all 13 CFi in our study.

Currently, coordination at a level above that of the CFi, is done by the provincial Fisheries Administration. However, this is largely on a one-to-one basis between a particular CFi and the Administration. There is little inter-CFi coordination, even though the sub-Decree on Community Fisheries allows it. All 13 CFi in the study agreed that greater coordination is needed between them.

Not by principles alone

Having completed the assessment, an overall conclusion would be that, in the majority of the CFi (1 to 10), most of the Ostrom principles are present.

If we consider the three CFi that were designated as ‘functioning well’ -by CFDD officials, they exhibit positive indicators of all the principles, whereas the three ‘poorly functioning’ CFi are lacking in many indicators of the eight principles.

Prima facie, given the data available we may conclude that the Community Fisheries of Cambodia possess the basic framework and operating principles to be considered good examples of a created ‘modern commons’⁷.

However, as Peter Linebaugh, one of the important historians and current proponents of commons initiatives points out: “There is no commons without commoning!”

⁷ The term ‘commons’ regularly being associated with a historical form of property rights which existed in traditional rural societies, we deliberately employ the adjective ‘modern’ to highlight that ‘commons’ are not a property right arrangement from the past and continue to be relevant even today, in both rural and urban contexts.

Commoning may be considered the participatory social attribute, activities, and enthusiastic work/labour on the part of the commoners (the members) in making the commons really work. This is what differentiates a commons for other sorts of institutions.

In our sample of 13 CFI in Cambodia we find a fair degree of commoning only in the three well-functioning CFI. In the case of the remaining ten, the CFI are merely functioning as officially constituted organizations with their elected committees — and the members, to varying degrees — being involved in some sorts of patrolling activities to protect their designated common areas from illegal fishing. Details can be found in Annex 1.

Consequently, an organization which may have all (or most of) the principles applicable to a ‘commons institution’ need not necessarily be functioning as a ‘lively commons’. It can remain as an ‘empty shell commons’.

For those CFI which are largely ‘empty shell commons’ to become ‘lively commons’ requires a greater stimulation of the self-organization process among the membership. In many CFI, the Committee, and the members in their turn, keep waiting for the Fisheries Administration, an NGO or other Development Partners to assist them. There is not much initiative on the part of the Committee to galvanise the membership to take forward any meaningful, collective and beneficial actions using the natural resources which are available to them in their designated areas. In most cases the members are satisfied with the individual freedom they have obtained to fish freely all year round.

Providing the legal framework and governmental support which give a community the right to create a commons is therefore not adequate to make it “lively”. The commoners involved must also engage in the enthusiastic defence of those rights and translate them into actionable agenda points for conserving the natural resources, and utilizing them to enhance their livelihood options. Such priorities require astute, energetic and accountable leadership, creating trust among the commoners, forging voluntary collective action to defend the commons, and devising creative strategies to maximize and fairly distribute the material blessings from the commons.

Many of the 500 plus CFI in Cambodia have risen to become sterling examples of well managed commons. We have encountered three in our sample. However, these remain the exception rather than the rule.

6. FACTORS ACCOUNTING FOR SUCCESSFUL COMMUNITY FISHERIES

Success may be infectious, but achieving it in the first place is the challenge. Organizations do not grow on trees alone: they have to be envisioned, created, and nurtured. It is a process involving hearts, minds and bodies.

Sometimes, as explained above with regard to Community Fisheries, the design and empty shell are already defined; the real task the members face is to give life to the entity.

Consolidated results from our interviews (see Table 3) show that trust and leadership are ranked together as the most important social factors accounting for the success of the CFI. Given the larger political and historical background to the formation of the CFI in Cambodia it may be appropriate to ask which social factor is more important: trust or leadership?

Table 3 – What is needed for success?

Factors in the success of Community Fisheries	Rank
Mutual trust among members	1
Willingness to work voluntarily for the good of society	2
Honest and efficient leadership	1
Participation of the women in the village	3
Good advice from traditional village leaders	4
Other factors	5

The heinous history of the Pol Pot regime and the manner in which the urban and rural communities of Cambodia were uprooted from their ‘original locations’ and treated with disdain between 1975–78 created a huge ‘trust deficit’ between people everywhere in the post-Pol Pot period, after 1978. As one CFi member who was interviewed remarked, “we could not trust the person in the next house; he was originally from a different village, and who knew whether he would become the next Pol Pot!”

While this may be an extreme statement it highlights the lack of trust between neighbours in many of the villages in Cambodia as a consequence of recent history.

In this specific historical context, the fact that the Community Fisheries initiative was organized ‘from above’ helped to provide the organizational basis for collective action. However, trust can only be created when people work together for a common purpose. Those who volunteered to take leadership roles were viewed by others with some degree of circumspection and caution. Some of the leaders were able to get the members to cooperate and work together, and hence generate the trust needed to succeed in achieving the objectives set out by the collective of members. Giving leadership and generating trust became inextricably intertwined. For a sustainable future of the community fisheries initiative both of these social attributes are equally important.

That ‘freedom to access the resource’ is also ranked as the most important factor obtained from the formation of the community fisheries (see Table 4) is also significant.

In one sense this can be seen as the result of moving the common-pool resources from individual rights (where freedom to access the resource is restricted to a few people) to community rights (where freedom of access is extended to a much larger group). Put another way, creation of the CFi was a move from ‘commodifying the commons to communalizing the commons’.

7. BENEFITS THROUGH COMMUNITY FISHERIES

Fishing in a CFi is conducted on an individual basis using only ‘family-scale gear’. These are composed of small gillnets and traps, which because of their size limitations yields only subsistence-level harvests. The result is that no individual can harvest quantities of fish large enough to account for a major source of income: the fish harvested is therefore primarily for household consumption and any ‘surplus’ above family needs is bartered or traded locally.

However, given the precarious economic conditions of most members of the Community Fisheries, it is indeed the ‘freedom to access the resource’ which provides access to fish for consumption and translates into better nutrition for the family, modestly higher incomes and most of all the assurance of freedom from hunger.

Apart from the harvesting of fish, which was envisaged as the main objective of the CFi, their activity has resulted in other benefits which we have attempted to ascertain in the case of the 13 CFi interviewed. These are indicated in **Table 4**.

Table 4 – **Benefits through community fisheries**

Consolidated results from interviews of 13 community fisheries leaders of Cambodia regarding various benefits		
1	Important economic benefits	Rank
	Freedom to access the resource	1
	Fish for consumption	2
	Cash income from fish	3
	Access to land for planting rice	4
	Flood forest products	5
	Other	6
2	Significant social benefits	Percent
	Many leaders identified	31
	Children go to school regularly	100
	Women have more work and earning	92
	Health concerns better addressed	38
	Diet improved — especially that of children	92
	Migration from village is reduced	77
	Cooperation between families increases	77
	Other benefits	50
3	Ecosystem benefits	Percent
	Conservation through fish refugia	38
	Creation of sanctuary zones	69
	Conservation of flooded forest	46
	Conservation of mangroves	31
	Other benefits	24
4	New organizational benefits	Percent
	Any new organizations created as direct result of good functioning of CFi — YES/NO	100 say NO

Among the significant social benefits — which flow from the economic benefits — is the high-priority mention of benefits to children and women. The opportunity to send children to school regularly and improve their diets, as well as for women to be able to work and earn more, are highlighted as major benefits. Furthermore, the latter has proved to be a very important motivation for the success of many of the CFi: women are now involved with the disposal of the family's 'surplus' fish catch and earn small amounts of cash which they utilize for family-related needs. In many CFi the key initiatives for the conservation of flooded forests and fish refugia during the dry seasons have been taken by the women. They have also, in numerous cases, initiated self-help groups and small savings and credit schemes.

Among the ecosystem benefits, the possibility of creating sanctuary zones which are the key to conservation in a flood-pulse ecosystem is highlighted.

8. DOES THE IDEA OF A COMMONS SPREAD?

Do lessons of collective action in the fishery commons naturally extend to other livelihood activities the members are involved in? What are the facilitating and hindering factors?

One of the important limiting factors of the CFi initiative is that while it has been legally organized as a ‘village-level fishery institution’, its membership is constituted of persons from the village who are involved in multiple occupational pursuits and not fisheries alone. This points to one of the significant weaknesses of the CFi: the mismatch between the organizational framework and the real-life multiple occupational pursuits of the members.

Hence, of the total membership of the CFi in Cambodia which, according to data from the Community Fisheries Development Department (CFDD), is recorded as 188 050, only a small proportion of the members adopt fishing as their primary livelihood activity. These proportions vary from province to province, but with a handful of exceptions, they rarely exceed 30 percent of the membership of any CFi in Cambodia.

Despite over a decade of operation, there is limited evidence of the activities of the CFi of Cambodia being extended to other occupational realms for its members, such as agriculture, horticulture or livestock.

The unanimous opinion from all 13 CFi interviewed was that no new organizations have been created in other livelihood activities in which the members are involved (see Table 4).

When undertaking the study our thinking was that proof of the CFi’s success would lie in whether members of a CFi, perceiving the benefits of their fishery pursuits, would decide to organize similar initiatives for their other livelihood activities.

The Community Forestry (CF) initiative was instituted in the realm of forestry before the CFi came into existence, but we have not been able to ascertain whether there were members of CFi who were also members of CF. There are also state-sponsored cooperatives in agriculture, and we could gather no information on CFi members who were involved in such initiatives. However, the fact remains that neither of these initiatives (CF and cooperatives) has the sort of enthusiastic backing from the government and civil society sectors in Cambodia which the CFi has enjoyed.

In the three well-functioning CFi, we observe that the Community Fisheries Committee (CFiC) have taken initiatives to expand CFi activities into realms beyond fisheries — supply of agriculture inputs, homestead gardens, ecotourism etc. However, these may be considered as in the economic interest of small sub-groups within the membership and not a real spreading of the idea of ‘commoning’ among the membership.

One important amendment to the sub-Decree on community fisheries would be to explicitly permit/encourage members to organize activities around any of their livelihood activities outside of fisheries. It should also be possible for a CFi to earn income collectively from fishery activities and utilize such earnings to promote other non-fishery activities by its members.

9. GOVERNANCE CHALLENGES FOR THE COMMONS OF COMMUNITY FISHERIES

From our limited analysis above it is evident that the majority of CFi have the potential to deepen their ‘commoning’ activities extensively in fisheries, by enabling more enthusiastic participation from the membership. Evidently this calls for leadership initiatives, more access to funds and a greater embedding into the real economy of the village.

Embedding Community Fisheries into the economy

Community Fisheries is seen by most observers as an organizational innovation in the realm of fisheries which was instituted into Cambodian rural society by a simultaneity of propitious circumstances: it was not the result of any conscious plan at any level; it was not a popular demand from the communities; it was an artificial structure imposed at the local level.

While there is some truth in these perceptions, no organizational innovation can continue to function in a socio-economic or political vacuum if it is to achieve its stated objectives. For this important reason, there is a need for the Community Fisheries organizations to devise ways and means of achieving greater structural integration and organic embedding into the ‘real economy’ of the village and the commune, and not remain aloof from it.

Starting with fish, before gradually spreading out into other aspects of its jurisdiction’s ecosystem, the collective of CFi members must gradually make use of the freedom of access which it has obtained for a ‘community commons’ in order to foster both a sense of belonging and a responsible stewardship of the flora and fauna, bearing in mind that that is the heritage which they need to pass on to the future generations.

In this process of interaction with resources and the ecosystems, the members develop new relationships with each other and learn to overcome the barriers of old identities of ethnicity, social status, sex, religion and so forth. This amalgamation of new relationships forms the bedrock which catalyzes a new respectability and standing for the CFi. To a considerable extent, the three well-functioning CFi in our study have made remarkable progress on this front and are on the road to embedding their organizations into their societal corpus. In their historic and traditional rural setting they have laid the foundations towards creating ‘modern commons’.

However, it is important to note that this process of organic embedding must be undertaken without compromising on the principles upon which the Community Fisheries were envisaged: *inter alia*, democratic and transparent operation and governance, commitment to fair access to the common natural resources for all members, gender equity, promotion and protection of small-scale activity — all of which are vital elements in a ‘modern commons’.

Fostering internal communications

Whenever there is a discussion about communications to and from the CFi, it tends to relate primarily to the information flow from official sources (such as the Fisheries Administration) to the CFi Committee and back: that’s where the information and the talking usually stop.

The sub-Decree on Community Fisheries does not prescribe any specific form or periodicity for internal communications between CFiC members or the whole membership. However, if there are matters which require discussion, debate and decisions, the CFiC has the authority to initiate forms of communications (meetings, notices at prominent places in the village etc.) to suit the context’s specific needs.

In the well-functioning CFi from our sample, one important highlight was the greater flow of information through interactions between the CFiC and various groups of members. Intra-CFi communications were an important key for effective operation and the achievement of beneficial results for the members.

Membership size is one important factor which may explain information asymmetry within the membership (see Table 1). Among the 13 CFi, the total membership ranges from 108 to 1 821, with an average of 829 and a median figure of 835. The number of female members ranges from 26 to 823 with an average of 301 and a median figure of 260. Though we may assume that smaller-sized CFi have greater scope for organizing internal communications this may not necessarily be true.

We see that the well-functioning CFi have memberships of 235, 734 and 835 respectively — below the mean and equal to the median — and that many of the others have smaller memberships, including two of the poorly functioning CFi.

Numbers alone may not therefore be the criterion which determines the quality of internal communications. The efforts made by the CFiC to proactively engage with members and make organizational arrangements for these same — such as, for example, dividing the CFi into smaller spatial clusters and appointing ‘group leaders’ for each cluster — may be of greater importance than the size of membership *per se*.

At the start of the CFi initiative in 2000 much of the communications depended on word of mouth and the use of noticeboards. Today, the ubiquitous cell phone ensures that there is no excuse for lack of information flow. And yet, it is interesting to note that the Chief of the most successful CFi in Cambodia (No 1 on our list of 13) does not carry a cell-phone!

Here again we need to emphasize the role of ‘commoning’ in fostering quality internal communications. It needs to be reiterated that building trust between members is only possible when concrete collective action (e.g. undertaking conservation work) ensures physical participation and a greater exchange of credible information among them. These are the essential steps to create transparency regarding the operation of the CFi.

Protecting and conserving the ecosystem

Despite the phenomenal productivity of the whole Tonle Sap, Mekong River and coastal ecosystems, there are crucial areas within it which need to be protected and conserved to ensure sustainability. The Fisheries Reforms of 2000 and 2012 have significantly shifted the onus of protecting and conserving Cambodia’s aquatic–agriculture ecosystem from the unitary state to a network of community initiatives (CFi) initially created in a top-down fashion. The organization of the CFi has parcelled the land–water interfaces into smaller realms of governance which in turn implies a far greater role for coordinated, decentralized collective action to ensure ecosystem conservation and protection.

This calls for deliberate steps to be taken towards collaborative and participatory governance, which can only come into being when there is a sense of “belonging” based on an expanded understanding of “ownership” and “responsibility” towards the resource(s) and the ecosystem which the members of the CFi share.

In the three well-functioning CFi we note that good leadership, combined with the conviction that the ecosystem and the resources in the CFi area can be a good source of livelihood, have made for greater “commoning” among members. This has fostered active, co-creative relationships and practices that have kept the members mindful of their rightful access to an abundance of shared resources, and exercised their responsibility in protecting and conserving them (see Annex 1).

In all three of these CFi the members have consciously acted together to rejuvenate ecosystems which were in danger. They greatly expanded the realms of conservation of flooded rice fields, flooded forests and mangroves. These actions have resulted in increased livelihood options and greater income generating potentials. The virtuous cycle of “collective conservation efforts—diverse livelihood options—greater individual incomes—enhanced collective benefits” has reinforced the faith of the membership in the blessing of the commons.

Getting most of the CFi in Cambodia to reach this level of collective action, responsibility and results is a major co-management challenge which the CFi organizations, the CFDD and the FiA face at all levels.

Mobilizing the appropriate external support

All CFi are assured support from the Fisheries Administration at the provincial level. In some provinces this support translates into very committed interaction between the officials and the CFi in

their respective jurisdictions. The same can also be said of the guidance provided to the CFi by officials of Commune Councils in some districts.

However, much of this support is in the form of good advice, encouragement and assistance to the CFiC if they require ‘connections’ to the higher echelons of government to further any of their programmes of action.

Two of the important needs any CFi has are human capacity development (including organizational and livelihood skills) and small amounts of corpus funds to kick-start initial investments and the running costs of conservation and livelihood activities. Unfortunately, such assistance has not been forthcoming from governmental sources thus far, for reasons which remain unclear; these needs can only be addressed by NGOs and other official development aid partners.

Currently there is a surfeit of NGOs large and small –operating in Cambodia, and many of them have ‘adopted’ CFi organizations into their main stream of activities. However, one of the issues we came across in the field was an NGO tendency to create their own ‘zones of influence within the CFi’ by relating to a select few members rather than to the CFi as a legal entity. This prioritizing of action is what suits the NGO but is less related to the aggregated concerns of the CFi membership. In some cases, parallel structures called ‘community-based organizations’ or CBOs are being created within the CFi. These CBOs cannot be part of the CFi as it would contravene the sub-Decree. As a result, they function as informal entities formed by groups of members within a CFi.

In most cases the CFi are unable to influence/change this modus operandi which the NGOs have adopted; they merely accept their participation because it results in some minimal funding and a modicum of activities for some members.

What is really needed is some core funding from development aid partners, channelled with government knowledge (Fisheries Administration), which can be routed through experienced NGOs in order to provide capacity development initiatives and small multiple-matching grants (i.e. for every KHR collected through the CFi’s efforts a grant of “X” times the value is provided by the partner). The NGOs should ensure that funds and capacity development be provided for appropriately and transparently selected CFi following a collective needs assessment of all the CFi in a particular area (commune or district). The CFi in turn will be held collectively accountable for the utilization of these same.

NGOs would do well to recognize the CFi as part of a larger initiative that is intended to change the locus of power within the fisheries sector, and not just as isolated individual entities within a village. NGOs need to view CFi as a network of mandated ‘people’s organizations’ which are co-managing a commons with the support of the government and civil society. Empowering the ‘collective element’ in the CFi organizations should be the main goal of external support — and not to create duplicate and alternative (power) structures within them.

Managing extensive areas and illegal fishing

As can be seen from Table 1, the area of the CFi varies widely. The smallest in our list has only 115 ha (just over 1 km²) and the largest is 11 911 ha (just over 119 km²). The average is 3231 ha (32 km²) and the median 2267 ha (22 km²).

As indicated above, to formalise the area under their common domain, every CFi must enter into a Community Fisheries Area Agreement (AA) with the MAFF before it can be formally registered. The AA lays out the physical boundaries of a CFi clearly.

After the first Fisheries Reform in 2000, the boundaries of a CFi included in the AA were arrived at by the members, FiA representatives and Commune Councils deliberating together and sometimes with the members of the neighbouring CFiC. These areas were usually former open access fishing areas

used by the village(s) and in some exceptional cases also included the area of the neighbouring abolished fishing lot.

In the case of those CFi formed after the Second Fisheries Reform of March 2012, the CFi areas demarcated in the AA were invariably the size of the fishing lots abolished at that time and lying adjacent to the CFi.⁸

The significant variations observed in the area held by CFi are the result of these differences.

However, once an agreement is reached, the areas are also mapped. This mapping is a combination of participatory mapping supported with the use of orthophoto mapping technology — particularly when the area involved is large and also if the territory is aquatic most of the year.

The extent of the physical area and nature of the different ecosystems (water, flooded forest, mangroves, flood plain etc.) in a CFi are one of the most crucial aspects which determine members' livelihood opportunities. It also defines the governance challenges faced by the committee. The bigger the area the more difficult it is to monitor. Placing boundary markers is not adequate to prevent illegal incursions by non-member outsiders. It is also difficult to keep a lookout for activities by members who may use illegal and destructive fishing gear — the gear defined as such in the Fisheries Law.

All CFi in Cambodia have patrolling groups formed by members. These groups partake in the governance responsibility of monitoring, control and surveillance (MCS) activities. This is a major commitment to collective action by members to ensure that the ecosystems and resources within their CFi territory are utilized to yield the maximum benefits to members and society at large.

Patrolling costs are proportionate to the area which needs to be covered. Greater investment in physical assets like boats, torch lights, safety equipment, watchtowers and recurring costs for petrol to run the motors is required, as well as minimal food requirements for the members who spend long hours of vigil during the nights.

In some of the CFi, female members are actively involved in patrolling. They act more as a 'moral brigade' who try to take a more proactive and long-term view on the issue of illegal fishing by trying to discuss the causative drivers of the behaviour of those persons involved.

"We try to appeal to their hearts and understand what compels them to do this — poverty or greed?" one of them said.

The consultant having directly observed the scale and extent of illegal fishing in Cambodia today, there is no doubt that operators who undertake illegal fishing driven by greed are presently — and will continue to be in the future — the biggest bane and challenge to the Community Fisheries commons all over Cambodia.

These operators work with impunity because of their close connections with powerful interest groups in the Cambodian economy, which include local Fisheries Administration officials, the military and politicians at all levels.

Coming to terms with this reality is a huge challenge for the whole of the Cambodian political establishment, given that the illegitimate usurping of natural resources and illegal trade has deep historical roots prompted by the extraordinary socio-economic inequalities in the society as a whole.

In this context, the sense of equality of access to resources and the fair sharing of the benefits from them, which are at the heart of the CFi institutional innovation, can be likened to "low islands in a sea of huge turbulence". Will they be able to survive the onslaught?

⁸ Personal communications with Ms Kaing Khim DDG FiA

Nested system of coordination

In our analysis of the presence of Ostrom's principles in the CFi (see Table 2), all 13 of the CFi had the same responses with regard to the principle of a 'nested system of coordination'. They all agreed that there is coordination at the higher level (referring to the link to the Fisheries Administration), that there is no federation of CFi at the higher level, and that there was a need for greater coordination between the CFi.

All the governance challenges discussed above are tackled most effectively when there is a minimum of both intra-CFi and inter-CFi cooperation.

Consider the issue of illegal fishing. Each CFi has its own patrolling group; this is useful up to a point, and effective in addressing the menace at a local level, but mainly with regard to illegal fishing driven by poverty. However, given that the major illegal operators are a powerful lobby, only concerted and coordinated action by all CFi in one area, with the physical and legal support of the Fisheries Administration, can hope to match their power.

The same can be said regarding the protection and conservation of the ecosystem. Piecemeal initiatives certainly produce quick results, but a dynamic ecosystem requires studied, strategic and consolidated efforts to provide a coordinated and cost-effective result in conservation. For example, if CFi of the northern riparian provinces of the Tonle Sap pool their knowledge and efforts, the benefits of federated collective action will be visible in the lake's ecosystem.

Even a loosely knit coalition of CFi across every province would make the task of communications, official dealings, project planning and financing more effective and cost-efficient.

However, the coming together of people's groups is not solely a case of coordinated technical/organizational action: it is always pregnant with political potential. Not every government is open to taking such risks. Arriving at the right compromise is desirable for both the CFi — to strengthen their position and consolidate the care of their commons — and for the Royal Government of Cambodia, to achieve their objectives of enhancing food security and achieving poverty alleviation for a significant section of its population.

10. REPLICATING THE COMMONS

Is the experience of the Community Fisheries organizations specific to Cambodia and hence a special case? Can any organizational and institutional lessons be learned from Cambodia about creating modern 'community commons' that can be adopted in the aquatic-agriculture ecosystems of other countries in Asia?

Questions like these are always raised during discussions concerning the history and the current situation of community fisheries in Cambodia.

Undoubtedly, every context into which an organizational arrangement is introduced is bound by the mass of historical, cultural, socio-economic and political specificities which cannot be replicated elsewhere. And yet there are general lessons which have a wider application.

Replicating an organization is often considered an easy task. This is particularly the case if we are concerned only with the replication of the outer legal structure of an organization — its empty shell — so to speak.

But to create and embed a 'lively commons' implies that the specificities of a particular context are always kept in mind. Historical, cultural, socio-economic and political issues are vital, but so too is the materiality of nature and the certain element of determinism which it places on the manner in which humans seek out their livelihoods.

Cambodia's Community Fisheries initiative has already attracted attention in Myanmar, where a flood-pulse ecosystem is pervasive and the tenure systems in inland fisheries had granted private rights to individuals through a state-sponsored auctioning system. With the greater democratization of Myanmar's society, demands from the riparian communities for freer and greater access to the aquatic terrain became more vocal. The NGO called Network Action Group (NAG), with the assistance of the International Collective in Support of Fishworkers (ICSF) created a link to the CFDD of Cambodia's Fisheries Administration. These initial steps have now flourished into a significant two-way exchange of fishers, parliamentarians, NGO activists and fishery officials between the two countries, with the objective of learning and exchanging ideas on how a 'community commons in fisheries' can be initiated in Myanmar.

Such multistakeholder exchanges help to garner multilevel, multifaceted perspectives on the legal, technical, organizational, sociopolitical and popular aspects of the 'commons'. This helps to discern the differences between the 'shell' and the 'lively substance'.

There are however some significant lessons to be learned from the acts of commission and omission by the Community Fisheries initiative in Cambodia, which must be kept in mind if attempts at replication are to be made in other countries.

A robust legal framework is a great merit when creating a 'modern commons'. Initially this can take the form of a basic scaffolding, which provides scope for a 'plurality' of design details intended to suit specific situations. However, the basic framework must link to fundamental rights such as equity of access and opportunity, non-discrimination on the basis of religious, sexual, ethnic etc. identities, freedom of expression and dissent, and a commitment to basic social, economic and political human rights.

The flexibility to diversify activities must be incorporated into the objectives and charter of the organization. While the organization may focus on one natural resource (e.g. fish) the scope for a creative expansion of member activities into other livelihood realms should be envisaged and incorporated into the rules from the very outset. This will help to ensure that the commoners are able to move into new livelihood activities and yet be part of the commons without 'legal' impediments.

A clear distinction of rights between collective initiatives/pursuits and individual rights must be made: both are vital for success in a commons. For example, asset formation which essentially benefits all members (e.g. office buildings, common landing centres, storage facilities; ecotourism facilities etc.) should be in the collective domain. But livelihood (fishing) assets should be in the individual domain. When individual members function in their capacity as officials of a managing committee, patrolling brigade etc. they should do so in a voluntary spirit. There should be a rotation of collective activities of this kind among members. However, if individuals are assigned to specific tasks which take away time from their livelihood pursuits then they may be appropriately compensated.

Fostering democratic practices which are participatory and transparent should be the default option in a commons. This can be a major challenge when the society as a whole tends to be hierarchical and based on patron—client networks. However, if the mechanics of participation are built into the organizational architecture (e.g. in the rules and regulations of the entity), it will be a lot easier to gradually establish open, democratic practices which may initially seem to go against the grain.

Size matters. This is true both of the membership and the area under the jurisdiction of a commons — particularly if it is a dynamic ecosystem such as a riverine floodplain or a coastal inshore fishery. There is no magic number to be prescribed. But if membership numbers and the area become too large — making meaningful person-to-person contact at least once a year impossible — then a commons can quickly degenerate into an 'open access domain' where it is free for all to take.

Gender parity is a good aspirational norm to achieve in a commons. When men and women work together, defining their collective and specific roles as well as the division of labour, we take big steps

towards achieving gender parity. In the case of participation in governance structures, while equal representation may be difficult to attain, it is appropriate to have a bar on either sex having more than two-thirds of representation on official committees.

Dispute resolution mechanisms should be incorporated into the constitutional mandate, the operational rules and social practices of a commons. Disagreements and conflicts should be contained, resolved and channelled in constructive directions — preferably at the local level. Graded sanctions and efforts to arrive at consensus should be the focus of the governance apparatus.

11. CONCLUSIONS AND FURTHER RECOMMENDATIONS

As mentioned in the Introduction, this was a brief scoping study intended as a preliminary effort to understand the contours of the ‘commons’ dimension of the Community Fishery (CFi) organizations of Cambodia. Consequently we will only attempt to posit some tentative and indicative conclusions and offer a few recommendations.

The Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (VGSSF) states in Section 5.8:

States should adopt measures to facilitate equitable access to fishery resources for small-scale fishing communities, including, as appropriate, redistributive reform, taking into account the provisions of the Voluntary Guidelines on Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (FAO, 2015).

The Community Fisheries organizations of Cambodia are indeed the result of such measures — a good 14 years before the above section in the VGSSF was adopted!

Conclusions

The key conclusion from this scoping study is that the Community Fisheries organizations of Cambodia can indeed be considered as having the institutional framework required to be designated as an example of a ‘modern commons’.

However, a framework alone is not adequate to give ‘life’ to an organization. A ‘lively commons’ is the result of the community of members taking full cognizance of their rights and responsibilities and participating fully in ‘commoning’ — the enthusiastic work/labour involved in making the commons truly effective. In this regard the Community Fisheries organizations of Cambodia have a long, arduous journey ahead of them.

The Community Fisheries initiative in Cambodia also demonstrates that just as it is possible for a state to ‘usurp’ a commons from the people it is equally possible for the state to create ‘top-down’ commons for the people. Again however, as the Community Fisheries initiative in Cambodia has shown, enabling the commons to be by and for the people is the herculean task. The real energies of ‘commoning’ lie in the interstices of this transition, which reveal how, when and why commons initiatives succeed or fail.

As a village organization the Community Fisheries has revealed its potential to play a role in improving the economic and social conditions of its members. This is contingent upon active facilitation by good leaders who can galvanise at least a section of the members to take collective action initiatives in a spirit of voluntarism. Greater flexibility of action — if necessary by making amendments to the sub-Decree on Community Fisheries — may be warranted to realize the full potential of the Community Fisheries organization.

Community Fisheries that have received appropriate and timely capacity development and financial assistance from development partners and civil society organizations (CSOs) have displayed a penchant for achieving greater ‘commoning’ and self-reliance in the long-run. There is a need for

greater cooperation and coordination between state, development partners and civil society to ensure the greater effectiveness of development assistance, which will in turn lead to a genuine empowerment of the people.

Illegal fishing is the biggest bane for the Community Fisheries' commons. Without a clear political commitment at the highest level, the struggles of individual Community Fisheries to safeguard their commons from 'outside threats' will all be in vain.

More generally, it is also reasonable to conclude from this scoping study that there are adequate indicators to show that: (1) commons are vital for rural people in terms of food security, livelihood and well-being; (2) commons can support multiple livelihood options; (3) commons are viable if they are governed collectively and effectively; and (4) secure tenure rights to commons provide the incentives and collective motivation for the sustainable use of natural resources.

One important insight from this scoping study is the singular and special role of the state in undertaking redistributive reform in order to create the commons, giving it legal legitimacy; and supporting the process of empowering the people to govern it. This commitment must remain and be strengthened further.

Recommendations

1. FAO should consider undertaking a more thorough study of the organizational potentials of the Community Fisheries initiatives in Cambodia. This should be one of the programme commitments of the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (VGSSF). It may be judicious to involve competent persons with relevant rural organization experience in countries such as Myanmar, Bangladesh and Brazil, which have similar ecosystem conditions. The focus of such a study may be on the transition period from an 'empty-shell commons' into a 'lively commons': why some Community Fisheries make the transition and others do not. The results of such a study could form a strong and meaningful basis for the capacity development of the various 'interest groups' involved in forming and sustaining the CFI.

2. FAO has commissioned the Institute for Advanced Sustainability Studies (IASS), Potsdam, Germany to develop the Technical Guidelines on Commons (TGC). The TGC are a specification of the legitimacy of collective rights spelt out in the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT) and the Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication (VGSSF). The TGC provide a good reference framework for more detailed investigations into issues surrounding the governance of tenure rights to commons. The TGC give numerous strategy guidelines which can be used as markers for undertaking more detailed analysis of the Community Fisheries of Cambodia.

3. Many of the Community Fisheries of Cambodia, particularly those near the Tonle Sap and some coastal areas, provide good examples of contexts where tenure issues relating to land, forest and fisheries need to be negotiated conjointly, in the same community, over a limited area, in order to yield the best results for food security and the eradication of poverty. These provide good 'test cases' for the implementation of the totality of the Voluntary Guidelines on the Responsible Governance of Tenure of Land, Fisheries and Forests in the Context of National Food Security (VGGT). They also fit well with the FAO Strategic Objective of Reducing Rural Poverty, which aims at empowering the rural poor to gain access to resources and services through strengthened rural institutions and organizations, as well as improving opportunities for decent farm and non-farm employment, and access to social protection systems.

4. FAO should consider the possibility of holding a workshop to discuss the role and relevance of different facets of collective community tenure rights in more general terms, particularly in the context of communities with notable multioccupational pursuits in aquatic—agriculture contexts that are still beset with food insecurity and poverty. In the Asian context alone, several tens of millions in rural areas are consigned to this fate.

ANNEX 1: NOTES ON THE THIRTEEN COMMUNITY FISHERIES INTERVIEWED FOR THE COMMONS STUDY

1. CFi Kampong Tralanch Leu, Kampong Chhnang province

This CFi was established in 2003 after the first Fisheries Reform of 2000. It has 405 members, 101 of whom are women. The CFi institutional capacity was built through financial and technical support from the Fisheries Administration—Asian Development Bank Tonle Sap Environment Management Project (FiA—ADB—TSEM) between 2004 and 2008. The CFiC is on their third term, having been re-elected in 2012, and is comprised nine members, two of whom are women. Their CFi area comprises 727 ha, which is just outside the prime flooding zone of the Tonle Sap. This community has valued the ‘freedom to fish’ which it obtained by the formation of the CFi enormously.

Observing that their fishing area was very productive, as a result of the flooded rice fields and forests, they took early steps to control fishing levels and created — and studiously protected — sanctuary zones during the dry season in order to ensure that fish eggs and fingerlings were preserved while awaiting the rains and the flooding pulse. Fish harvests increased noticeably as a result. Collectively they have also invested a lot of time in expanding their sanctuary zones with the financial and technical assistance of development partners and NGOs, as well as the keen participation of the village’s youth.

The CFiC, supported by a core group of members—particularly women — took the lead in curbing illegal and destructive fishing by members and non-members. Women patrollers proved effective as they appealed to the offender’s emotions and visited their family to discuss the issue with the women of the household, in order to comprehend the motivation behind the need for illegal fishing. Initially they have formed ten patrolling teams who work on a rotation basis and monitor the whole fishing area. They created the slogan, ‘every fisher is also a patroller’, so that there would be a moral responsibility for each member not to yield to temptation. They devised the strategy of allowing non-members to fish provided they seek permission and also pay a small fee. The result has been that illegal fishing has decreased considerably and is largely a thing of the past. The fee collected (as per CFi by-laws) from outsiders is about USD 1 000 per year, which goes towards the CFi’s administrative expense fund. All CFi members also pay a very small monthly subscription fee (KHR 1 000 = USD 0.20) and this has been collected without default.

Female members took the initiative to start a village savings group in 2006 which now has as many as 118 members (80 women; 23 young men and 15 young women) and an accumulated savings fund of around USD 50 000. By providing credit to the members from this fund the group earns about USD 1 000 per month. The members have used the corpus to co-finance useful village activities with support from NGOs.

They built a storage hall in which they are able to stock fertilizer, other agriculture inputs and rice, bought at wholesale prices for use by members, who also get a price rebate on purchases. This CFi has its own office and large meeting space built with donations from well-wishers.

The collective income-generating activities are utilized for village social activities (such as repairing the village school) and for social security measures for the members. They have over the years provided maternity benefits to 20 women at USD 100 per year, hospitalization benefits of USD 40 per year, old-age benefits to ten elders at USD 50 per year and study material support to members’ children at USD 15 per year.

The CFi has instituted proper governance procedures. They hold regular meetings of the CFiC and also have regular meetings with the Commune Council and the Province FiA. The CFi patrolling teams also assist the Province FiA to help control and monitor illegal fishing in other CFi areas.

This CFi also attributes its success to the full use they made of funds from earlier projects by development partners to enhance the leadership skills and capabilities of the CFiC members. These

links with partners from outside have created the ground for the CFiC to meet and discuss issues with the membership and to adopt a transparent and accountable approach, which has helped to build trust in the community for collective action.

Fishing is still not the main source of income for the majority of members. But a well-functioning CFi and the opportunities to work together have had demonstrable effects on the agriculture activities of the members. With earning from fisheries and agriculture put together, members have enhanced their nutrition, their incomes and the living standards of their whole families over the last decade.

This is considered to be one of the best managed CFi in Cambodia.

2. CFi Kampong Phluk, Siem Reap province

This CFi was first established in 1999, before the first Fisheries Reform of 2000, as part of an FAO Community Forestry Project for the protection and management of the flooded forests on the banks of the Tonle Sap.

After the Reforms it was registered as a proper CFi and was the ‘show piece’ of the FiA—ADB—TSEM Project between 2004 and 2008. This CFi covers a large area of 11 911 ha, spread across three villages. It has 835 members, 260 of whom are women. The well-functioning CFiC consisting of 11 members, includes 5 women— the largest such representation among the CFi in the country.

The CFi has established a fish sanctuary zone of 8 ha, has two flood forest zones of 159 ha and has replanted flooded forests in an area of 6.5 ha. All the conservation zones are properly demarcated with markers. They have recently installed 200 tree trunks in the conservation zones to act as fish aggregation devices. The conservation efforts have yielded good results, with a fast revival of the degraded flooded forests, which has greatly enhanced the fishery’s productivity and increased the income generation potentials of ecotourism.

Given the long history and close cooperation between the Province FiA, the commune council and many development partners, the CFi has been able to effectively stop illegal fishing across its large territory. The numerous patrolling teams undertake 20—30 patrolling trips in a month. Half the patrolling costs are met by CFi funds; the other half comes from contributions made by NGOs like the International Union for the Conservation of Nature (IUCN) and the Fisheries Action Coalition Team (FACT).

Given the proximity to Siem Reap town, the CFi is in the right area to attract adventure tourists. The houses constructed on 8-metre-high stilts are a strange and unique sight, and the members have made good use of the income-generating possibilities as a result. They constructed a floating restaurant with funds from UNDP and assistance from a VSO volunteer who worked for the TSEM Project. Many women are involved in taking tourists out on adventure boat trips into the flooded forests to observe the fish and bird life, as well as the other numerous flora and fauna of this unique ecosystem.

The CFi recently prepared a map showing the high-risk and disaster-prone realms in their area. They have also set-up an information board and a fund contribution box to receive gifts from visitors and tourists.

The women have also organized a floating vegetable garden, and 32 families promoted livelihood alternatives through farm- and livestock-raising activities. To fund these activities they have started two savings groups with a total membership of 120 (including 87 women).

The CFiC hold regular monthly meetings to address the problems they face and solve the conflicts they encounter, which do not only relate to illegal fishing. They liaise very closely with the Province FiA and the Commune Council authorities. The CFi Chief is now also the Commune Council Chief. This dual role is not without its problems. As a result it is the Deputy Chief who deals with day-to-day matters in the CFi.

Another problem for both the committee and the community as a whole has been the belligerent behaviour displayed by the Sou Ching Company, insofar as it has monopolized local tourism and none of the profits have gone back into the community. Fortunately, Prime Minister Hun Sen terminated the contract in August 2015 and the company has left Kampong Phluk.

This CFi is one of the most studied and ‘high profile’ CFi in Cambodia.

3. CFi Trapang Sangkei, Kampot province

This coastal CFi was established in 2009 after the first Fisheries Reform. The CFi area stretches over 337 ha spread over three villages in one commune. It was registered by MAFF in 2011. It has 734 members, 363 of whom are women, and a CFiC of 9 members with 2 women. A lot of the members belong to the Cham Muslim community. The CFi has received support from DFID and DANIDA.

Of the members, over 70 percent are fully dependent on marine fishing and the rest are involved in various kinds of non-fishing occupations. The fishers use small-scale gillnets, hooks and traps, and small boats, and operate only in coastal waters. The women are involved in gathering blood cockle and other shellfish.

The members of this CFi have shown a very high degree of commitment, trust and willingness to cooperate for their collective livelihood interest. They have been able to bring about significant changes to the coastal ecosystem under their control with the technical support and coordination of the Province FiA.

Being an important tourist destination, they have also been able to enlist the support of tourists and local people in conservation activities such as the protection and replanting of mangroves. This has in turn benefited the fishery greatly. The CFiC has taken the initiative to foster ecotourism activities which include homestay possibilities, which bring in considerable income for the CFi. They have between 3 000—5 000 domestic and foreign tourists visiting the area; half of these earnings are then used to fund patrolling activities and ecosystem rejuvenation.

Their success is attributed to the strong CFiC which works in a transparent and accountable manner. This has fostered great trust among the members and resulted in a very high participation in conservation activities, which members see as crucial to ensuring sustainable livelihoods for all. This is one CFi where there is no reported illegal fishing by members and very little by outsiders.

This CFi is one of the best-functioning in the country’s coastal ecosystem and with the predominant membership of a minority community.

4. CFi Kam Pi, Kratie province

This CFi was established in 1997, just prior to the first fishery reforms, with facilitating support from OXFAM and technical support from the Kratie FiA Cantonment. They have a demarcated area of 115 ha located entirely within the boundaries of one village — also named Kam Pi — and located in the Commune of Sambok. The CFi area is composed of fishing grounds in the Mekong river, its tributary Sekong and the swamps. They also have an Irrawaddy dolphin conservation zone and a fish conservation zone within their area. The CFi was formally registered by the MAFF in 2010. The CFi has 108 members, 26 of whom are women. The CFiC has 11 members but no women are represented.

The dolphin conservation zone has developed into an important ecotourism destination and has become an important source of revenue for the CFi. Apart from the possibilities of earning from fishing, the ecotourism activities provide individual livelihood options for the members as tourist guides, the potential to rent space for tourists, sell local handicrafts, gifts and so forth.

The small number of members and the broad income-earning opportunities have resulted in good cooperation among the members who are keen to ensure conservation efforts are successful. The CFiC

also functions well and receives good cooperation from the Commune Council and the local FiA Cantonment. The CFi has received support from DFID and DANIDA. All members have taken responsibility for undertaking MCS functions.

The major challenges faced by the CFi come from non-members and other interest groups who are keen to get a share of the income benefits from the dolphin conservation.

5. CFi Put Sor-Champey Federation, Takeo province

This is a federation of two CFi (Put Sor and Champei) which were registered in 2006 with MAFF. The Federation has 16 villages which are located in 2 communes, with a registered membership of 1 124 members, 508 of whom are women. The fishing area of the Federation covers 1 688 ha and has two fish sanctuary zones of which one is an ecotourism spot. The CFiC consists of 16 members, 3 of whom are women.

Following their establishment, the CFiC has been very active and had the capacity to write their own project proposals which they had submitted to the UNDP Small-Grants Programme. They received the funds and implemented the project by themselves. The Federation has also received financial support from the Mekong River Commission (MRC) and the International Research Development Council (IRDC). The CFiC has also helped develop the capacity of other CFi to write their own projects for submission to agencies like UNDP.

The CFi focuses on conservation activities such as the replanting of flooded forests which have been degraded. This has been carried out with the technical support from the Province FiA and also from the Commune Councils. This has yielded good results by enhancing fish harvests from the CFi area.

The biggest challenge remains the illegal fishing activities of outsiders who, noticing the enhanced fish yields in the area, want to make a quick profit from the conservation efforts of the CFi members.

6. CFi Baray Rong Roeung, Tbong Khmom province

This CFi was established in 2004 after the first Fisheries Reform and registered at MAFF in 2010. It has an area of 2 499 ha covering three villages in one commune. The CFi has a fish conservation area which is 1 ha. It has 1 095 members, 598 of whom are women. The CFiC consists of 11 members with only 1 woman.

This CFi was established with the support of the FiA. Since then, however, they have not been able to attract much NGO funding. Consequently they have not been able to start any income generation or capacity development activities for the members and the CFiC.

The CFi has not been able to establish regular patrolling activities and this has resulted in considerable illegal fishing activity, which the CFiC has not been able to control.

Having such a large area, a conservation zone, and large membership this CFi is struggling to make any headway.

7. CFi Preaek Luong Sdei Leu, Battambang province

The CFi was registered in 2003 after the First Fisheries Reform. It has an area of 781 ha and covers two villages; it has a fish conservation zone of 0.60 ha. There are 245 members (194 households), 111 of whom are women. The CFiC consists of 7 members, 3 of whom are women. This CFi is currently supported by the NGO Village Support Group and has been part of the TSEM Project in the past.

Since this CFi area was part of the core area of the Khmer Rouge regime, its members have been through considerable hardship — both during the KR times and also after that, when the Vietnamese invaded the area and drove out the KR. Many of the members are not ‘the area’s ‘original settlers’ but came to the villages from other places. They have also borne witness to the different village

organizations started by the different regimes: *sahakor*; *krom samaki*, and now the *sahakum nesat* (CFi).

The CFi's main activities are predominantly focused on conservation activities. The youth of the community are actively involved in regular patrolling activities and illegal fishing among the members has gradually decreased, though some outsiders still continue with impunity.

8. CFi B-6, Kampong Cham province

This CFi was established in 2004 after the first Fisheries Reforms. The CFi has a very large area of 9 787 ha of floodplain and is spread over 35 villages across 5 communes in 1 district. There are 1 342 members, only 155 of whom are women. The CFiC consists of 11 members, 1 of whom is a woman. The large area is too vast to patrol and the CFiC is weak and ill-equipped, with very limited capacity. The CFi members are willing to take up the challenge, but they have no support from any NGOs or development partners.

Despite having been established over ten years ago the CFi is still not registered with MAFF.

9. CFi Prey Nub II, Preah Sihanouk province

This CFi is in the coastal area and was established in 2004 after the first Fisheries Reform. It has an area of 4 085 ha, which includes about 600 ha of mangroves and 10 ha of seaweed. However, the CFi area is under dispute and has not been mapped. For this reason they have not received the MAFF registration. The CFi has 1 658 members (601 households) 823 of whom are women. The CFiC consists of 13 members, 3 of whom are women.

Among the members, 80 percent are full-time fishers and the remainder depend on non-fishing activities. Their small-scale fishing gear includes gillnets, hooks and traps. Women collect blood cockle by hand. The fishing boats are small and the operations are restricted to the inshore waters.

The CFi has undertaken good coastal water conservation activities with limited support from development partners such as DFID and DANIDA. They have set up a crab breeding bank and also a mollusc and seaweed protected area. The mangrove conservation area has embarked on an interesting fundraising venture where young married couples plant mangrove seedlings to celebrate their wedding and pay the CFi for the upkeep. The mangrove planting activity has thus attracted a lot of attention from local tourists who visit the coastal area.

The women have started a mushroom-growing venture. The crab and blood-cockle culture activity is also slowly proving to be viable as a livelihood option for the members.

The CFi has numerous patrolling groups who take their activities seriously. However, the paucity of funds is a major factor given the huge area to be covered. The problem of illegal fishing is therefore still a major challenge.

10. CFi Techo Mekeung , Prey Veng province

This CFi was established in 2012 after the second Fisheries Reform and has an area of 4 316 ha. This includes a fish sanctuary zone of 50 ha. The CFi has 1 821 members, 544 of whom are women. This CFi is situated near the border with Vietnam and they are allowed to use the large-scale fishing barrage collectively. There are 11 CFiC members, but no women are represented.

Being located on a sensitive border zone means there is regular patrolling by members, particularly in the fish sanctuary zone. The CFiC has also been active in addressing the transboundary issues with the Vietnamese fisher groups and local authorities, following an incident in which Vietnamese fishers came to fish and also brought their ducks and cattle, which did considerable damage to the fish conservation zone.

The transborder coordination and negotiation efforts were supported by Mekong River Commission Fisheries Programme from 2012-14. The CFiC has been participating in bilateral, monthly commune meetings, six-monthly district meetings and annual provincial meetings with the respective authorities, and the issue of the cross-border co-management of fisheries has currently been effectively addressed and both sides have cooperated to solve the outstanding problems. Nevertheless, the issue of illegal fishing has not been completely resolved.

This CFi provides social protection to members and non-members in the villages in the event of illness. The CFi has also assisted in building a children's nursery, a primary school and a bridge. It has also extended the fish sanctuary zone as part of its regular conservation activities.

11. CFi Chroy Snor CFi, Kandal province

This CFi was established in 2012 after the second Fisheries Reform. The CFi covers an area of more than 2 000 ha. It has 307 members, 78 of whom are women. The CFi consists of 11 members, with 1 woman. The CFiC was elected in 2015 for a second time. The CFi is not yet registered with MAFF.

This CFi has received permission to operate a large-scale fishing barrage on a rivulet within the CFi area during the October—January fishing season. However, the condition is that the harvesting and the income from the fish sold will be channelled collectively to all the members of the CFi. As a result, the CFiC was able to mobilise the capital investment of USD 27 000 required for the barrage from the members, with each one contributing an equal share. This initiative, to the credit of the CFiC, was undertaken in a transparent and accountable manner.

The big challenge is the large number of outsiders who come to fish illegally near the fish sanctuary zone inside CFi areas. The CFiC and the patrolling groups find it very hard to stop so many people. The CFi requires much stronger support from the FiA to tackle this issue. The CFi does not have support from NGOs or development partners. Despite some good initiatives the CFi is on the whole functioning poorly.

12. CFi Beoung Veal Samnab, Kandal province

This CFi was established in 2003 after the first Fisheries Reform. It has an area of 978 ha. It has 968 members, 272 of whom are women. The CFiC consists of 11 members and there are no women represented. The CFi is not yet registered with MAFF.

The CFi has a very large floodplain area within its jurisdiction which is under water in the wet season and very quickly drained and covered in dry rice during the dry season. The CFi is very close to the capital Phnom Penh: this makes the land more valuable and hence open to greater possibility for conflicting claims. During the fishing season there is also uncontrollable illegal fishing due to the area's greater population pressure. The CFi alone is not able to stop these activities without active support from the FiA and the Commune Council.

The CFiC is willing to take steps to protect and manage their area and its resources, but without financial and technical support it is a difficult task for them to undertake.

13. CFi Prey Chrey, Kandal province

This CFi was established in 2012 after the second Fisheries Reform. The CFi area is 2267 ha. It has 307 members, 72 of whom are women. The CFiC has 11 members with 1 woman. The CFi is not yet registered with MAFF.

This CFi has not received any funding or technical support from any development partners. The capacity of the CFiC is weak. There is no possibility for patrolling groups to function and so there is uncontrolled illegal fishing. As things stand the CFi is virtually an 'empty shell' organization.

REFERENCES

- Bergman, J. & Vieweg, S.** 2012. *Nile perch export and welfare around Lake Victoria. Has the boom in exports been positive for welfare?* University of Gothenburg, Sweden. 31 pp. (MSc thesis).
- Cox, M., Arnold, G. & Tomás, S V.** 2010. A review of design principles for community-based natural resource management. *Ecology and Society*, 15(4): 38.
- FAO.** 2016. *FAO yearbook. Fishery and Aquaculture Statistics. 2014/FAO annuaire. Statistiques des pêches et de l'aquaculture. 2014/FAO anuario. Estadísticas de pesca y acuicultura. 2014.* Rome/Roma, Italy/Italie/Italia.
- FAO.** 2015. *Voluntary Guidelines for Securing Sustainable Small-Scale Fisheries in the Context of Food Security and Poverty Eradication.* Rome, Italy.
- FiA.** 2013: Participatory Assessment of Community Fisheries, Phnom Penh (internal document)
- FiA.** 2014: Cambodian Fisheries at a Glance, Phnom Penh (internal document)
- Kurien, J, So, N. & Mao, S.O.** 2006a. *Cambodia's Aquarian Reforms: The Emerging Challenges for Policy and Research.* Inland Fisheries Research and Development Institute (IFReDI). Phnom Penh.
- Kurien, J., Baran, E. & So, N.** 2006b. *Factors that Drive Cambodia's Inland Fish Catch: What Role can Community Fisheries Play?* IFReDI. Phnom Penh.
- Kurien, J. & Khim, K.** 2012. A Community Future. *Samudra Report*, 63: 11—19.
- Levinson, J.** 2002. *An examination of the Community Fisheries Sub-Decree in Cambodia: changes and developments during the drafting process.* . STREAM. Bangkok.
- Linebaugh, P.** 2009. *The Magna Carta Manifesto: Liberties and Commons for All.* University of California Press. Los Angeles, USA.
- Linebaugh, P.** 2010. *Some Principles of the Commons.* Counterpunch, January 8-10, 2010, available at <http://www.counterpunch.org/2010/01/08/>
- Ostrom, E.** 1990: *Governing the Commons: The Evolution of Institutions for Collective Action.* Cambridge University Press, Cambridge, UK.

ISBN 978-92-5-109746-5 ISSN 2070-6065



9 7 8 9 2 5 1 0 9 7 4 6 5

17206/1/05.17