

## **Process Framework on Involuntary Restrictions Safeguarding the Fisheries-Dependent Poor Stakeholders in the Stung Treng Ramsar Site**

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### **A. Project Background**

The project entitled *Stung Treng Ramsar Site in Cambodia – Integrating Fisheries Management and Wetlands Conservation* (Phase II) aims to strengthen a co-management approach to freshwater protected areas within the Stung Treng Ramsar site, reconciling the conservation of critical freshwater habitats and species within the Stung Treng Ramsar wetland complex and the sustainability of local livelihoods. The direct resource users living in the Stung Treng Ramsar site will be engaged in the collaborative government/civil society efforts for the conservation of ecosystems and natural resources they rely on, while special attention is paid to mitigate negative impacts on the livelihoods of the poor. In addition the communities, both those directly and indirectly involved in resource use in the area, will also engage in influencing local planning and policy processes affecting the resource management and uses of the Ramsar site.

Within the Stung Treng Ramsar site lie 4 communes and 21 villages, with a total population of approximately 14,000 residents. Significant numbers of seasonal fishers also come to the area following the annual fish migrations. The resources use patterns of local communities, not only fishing but cutting trees, collecting NTFP, and hunting wildlife, have previously been assessed and its complexity is well acknowledged by the local authorities and NGOs.

Over the last 10 years has seen a dramatic increase in fishing effort, combined with an increase in the use of more effective and destructive fishing gears and practices. This has placed severe pressure on some fish population and species as well as associated wetland biodiversity. The existing legal framework protects the rights of local communities living in and around wetland protected areas to continue accessing the natural resources for their sustenance, using small scale non-destructive practices which conform to other natural resource laws such as the Fisheries Law. Therefore, local community rules regarding the use and management of fisheries and other aquatic natural resources within the Ramsar site, including flooded forests, are to be consistent with the provisions of the Fisheries Law (2006) as in any other fishing grounds in Cambodia.

With the Community Fisheries Sub-Decree issued in 2007, the key legislation has been in place for some time to facilitate community-based initiatives through defining the role, responsibilities and relationships between villagers, NGOs and government agencies involved with the management of the wetlands resources, especially fisheries, and the balance between conservation of biodiversity in the Ramsar site and sustainable use of wetlands resources. It is also important that unnecessary restrictions on resource use by local communities are avoided, now that the Department of Environment, with funding support from WWF, will revitalize the Stung Treng Ramsar site management plan. Nearly all 21 villages in the Ramsar site each has a Community Fisheries (CFi) group established. The CFi member fishers who have been engaged in the project phase I will share their successful experiences and lessons with others and all will be involved in designing and making decision on their management effort within the Ramsar site.

The project implementation will rely on collective decisions and support for voluntary compliance by the local community members, coupled with active participations and law enforcement by the CFi leadership along with local authorities. It is not the intention of the project to impose involuntary restrictions on resource utilization and livelihood activities that are matter of day-to-day survival for the poorer members of the community. However, WorldFish acknowledges that in facilitating the local communities to make collective decisions on how to manage and conserve the natural resource base and the biodiversity assets, 100% consensus is unrealistic and some

disagreements/conflicts are inevitable. During Phase I, for example, local communities did not select the sites that were deemed inappropriate to establish a conservation area, as such conservation measure would severely compromise their livelihoods. Discussions were held not only with their peer groups (CFi members) but also with the identified “most vulnerable” community members individually to confirm their agreement and seek solutions. Rather than taking a more conventional protected area approach to conservation, WorldFish and its project partners will adopt a sustainable use approach, avoiding involuntary restrictions as much as possible.

Any short-term negative impacts will be mitigated through an exemption to the access regulations given to those who are deemed most vulnerable to negative impact of restricted access to the conservation areas and targeted livelihood assistance. The project will coordinate with livelihood support initiatives by other NGOs to counter-balance the negative impacts on community members and also to provide incentives for active involvement of community members in resource conservation. In the medium-term promising new livelihood opportunities, such as collective marketing and value-added processing of fish, will also be explored and the necessary training will be provided through working with other projects, including livelihood support implemented by CRDT with financial support from WWF in the Ramsar site.

In the long run, the proposed fisheries regulations will begin to show some positive impact on fisheries productivity and thus compensate for the inconvenience caused by the adjustment in fisheries-related activities, as successfully demonstrated during Phase I.

#### *Potential Social Impact on Local Communities*

The project activities will entail seasonal restriction on fishing activities in selected priority conservation areas within the Ramsar site where fishing activities are currently unregulated. Such restriction will potentially cause reduction in fish catch and thus negative impact on fisheries-dependent livelihoods of some local communities in the short-term, if they do not have access to alternative fishing grounds or other livelihood opportunities during the time period/season when fishing activities is severely restricted in these areas.

The project will generally contribute to strengthening law enforcement by local authorities and CFis against all illegal and destructive harvesting practices in “fisheries domain” within the Ramsar site, including cutting flooded forests and unsustainable harvesting of aquatic animals, as stipulated in the Fisheries Law. The project will facilitate selected CFi groups in the Ramsar site to develop additional community rules over the management of priority conservation areas. For example, Activities 1.2 will confirm and demarcate the boundary of priority conservation areas that become “no-take or sustainable management zones” during the certain period in dry season where all or certain forms of fishing gears may be prohibited. Depending on who currently access these areas for fishing for the time period, these fishermen will be asked to comply with new set of access rules and/or find alternative sources of food and income for that time period. Without targeted mitigation/compensation measures, it would be difficult for many fishermen to respond to these changes.

#### **B. Participatory Implementation**

The project strategy will take a multi-scale approach to stakeholder engagement. Stakeholder consultation activities will be held both at provincial and local community levels at various stages of the project implementation. The project will also hold a series of reflection meetings for the local stakeholders themselves to evaluate both fisheries management activities and livelihood assistance activities. These meetings will provide opportunities for the project partners and local community members to share experience, complaints and grievances, document lessons, and influence the group decisions, and in turn improve the effectiveness of the project, at two levels as below.

Ramsar site level: a Ramsar village network representing 21 villages located in the Ramsar site will be strengthened with periodical network meetings held as venue to discuss options, shared issues and concerns, and seek resolutions for any collective problems that may arise. This will not only address potential impacts from this project but also consider potential impacts from new management plan of the whole Ramsar site under development by DoE, and also the commune development planning.

Community level: working groups consisting of several CFIs will be formed for each priority conservation area and subsequently numerous community-level meetings will be held to update on the project progress and discuss various options and strategies for fishing regulations as well as livelihoods compensation/incentives that are appropriate for the local situation.

The project will directly partner with the local CFI groups in the Ramsar site in implementing its activities. CFI member fishers represent the main resource user group and have the best chance at succeeding in the user-led resource conservation efforts within the Ramsar site, as they rely most on wetlands-based livelihoods and have a highest stake in resource conservation.

The project will facilitate their participation in project activities as well as voluntary compliance to fisheries regulations by local community members through a series of incentive schemes. Some local community members will be mobilized by the CFI groups as members of patrolling teams and communication officers on fishing regulations as already practiced by many existing CFI groups to implement their local by-laws or various donor-funded activities. Identification and protection of fisheries conservation areas is already included in many existing CFI management plans and is promoted nation-wide by FiA.

Nine communities have already actively participated in the implementation of the CEPF-supported Phase I—collective management for 3 areas in the Ramsar site—and the success of Phase I will provide a basis for improved management in the same areas in terms of social safeguard and also replication of the same approach in at least 2 new areas.

Livelihood assistance to be provided by the WWF/CRDT project and others will be introduced through existing CFI institutional structures and serve as an incentive scheme for the active participants to the project to carry out specific tasks within CFI and also serve as in-community advocates for the CFI activities and encouraging compliance by other community members. Many existing CFIs in Cambodia already implement similar livelihood activities and trainings through support from FiA and NGOs.

### C. Criteria for eligibility of affected persons

All community members who currently access prospective fish conservation zones will be affected by the project to various degrees. During Phase I, WorldFish encouraged the local communities to make two specific decisions to avoid severe negative livelihood impact on the local community members. One was to select the sites that would be less damaging to local livelihoods if set up as a conservation area. Another was to identify households within their community who are deemed most vulnerable to the negative impact, and need safeguarded. The selected households would receive an exemption to the access regulations to the conservation areas and targeted livelihood assistance.

Discussions were held with village representative to conduct wealth ranking of the village households, and poor and poorest categories were identified based on asset and social criteria that is appropriate for each village context. The households that should be exempted from some of the access rules were then selected through discussions among their peer groups (CFI members) but also with the identified “most vulnerable” community members individually to confirm their agreement. Those selected households included those with a widow as household head, with

many children, living near the fish conservation zones and have no access to alternative fishing ground (e.g. does not own a boat) nor any other livelihood options.

This qualitative, consultative method has proven effective and acceptable to the local communities during the Phase I, and thus will be replicated during Phase II.

#### D. Measures to assist the affected persons

The project will explicitly address these negative impacts on local livelihoods as a main component of the community-level activities in Component 1. These activities include:

*1.2 Conduct a series of consultations with selected communities to identify and agree on at least 2 additional sites for replication of the current successful management, and discuss and agree on management regime and arrangements.* Community themselves will make decision on the sites to be selected, and on how management regime will be designed to minimize impacts and to maximize benefit to them. On instance where certain households are disproportionally affected, they will be approached individually to discuss and find solutions acceptable to them.

*1.4 Coordinate with NGOs actives in delivering livelihood support in the area and use this as incentives for community engagement in fisheries conservation.* This will involve identification of appropriate livelihoods incentives for the CFi members who involve actively in management intervention while priority is given to supporting the poorer households affected by the new access regime, through consultation with local stakeholders, and make recommendation for implementing targeted livelihoods support to those most vulnerable.

Through Activities 1.2 and 1.4 stakeholders will discuss and decide on access regime for each conservation area and suggest and agree on the provisions of exemption in favor of those who are particularly vulnerable to negative impact from restriction on fisheries. The exemption for those vulnerable individuals and households include allowing minimum access to the conservation zone for subsistence, preferential access to other fishing grounds, or provision of subsidies to enhancing other components of the existing livelihood portfolio, such as livestock and fish farming. Appropriate livelihood interventions will be identified and recommendations on priority options will be provided to the CRDT project and to the other projects.

The WorldFish project will not directly provide livelihood assistance services to the communities; however, the project will provide recommendations to other ongoing and upcoming projects, including its own program, AAS, in the Ramsar sites with the shared objective of balancing conservation and local livelihoods, and are designed to provide the necessary livelihood assistance and to complement this project.

#### E. Conflict resolution and complaint mechanism

The project intends to use the stakeholder consultation venues described in Section B above to resolve any conflicts that may arise from the project implementation as much as possible, however, if the matter is beyond the capability of direct project partners, an intervention of respected local leaders such as village chiefs and Commune Council members will be sought. These key local authorities will be engaged from the start of the project and their overall support to the project will be sought through regular updates. This approach has proven effective during Phase I.

#### F. Implementation Arrangements

WorldFish is responsible for the overall implementation of the project and ensure that the Process Framework is followed. WorldFish will closely collaborate with relevant government authorities,

including DoE and Fisheries Cantonment office in Stung Treng, and also NGOs working in the Ramsar site and the region, including WWF, CRDT, CEPA, Mlop Baitong as well as WorldFish/AAS.