



# Assessment on Current Practice and Constraints for Community Forestry in Forest Law Enforcement, Governance and Trade (FLEGT) in Cambodia



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Collaboration and support by RECOFTC through CF-FLEGT project





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for Community Forestry in Forest Law Enforcement,  
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**RECOFTC-The Center for People and Forests  
Phnom Penh 2016**

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# List of Acronyms and abbreviations

CF	Community Forestry
CFDF	Community Forestry Development Funds
CF-FLEGT	Strengthening the Role of Community Forestry in Forest Law Enforcement, Governance and Trade
CFMC	Community Forestry Management Committee
CFMP	Community Forestry Management Plan
ELC	Economic Land Concessions
EU	European Union
FA	Forestry Administration
FAO	Food and Agriculture Organization of the United Nations
FLEGT	Forest Law Enforcement, Governance and Trade
IRD	Institute of Forest and Wildlife Research and Development
MAFF	Ministry of Agriculture, Forestry and Fisheries
NFP	National Forest Programme
NGO	Non-Governmental Organization
NTFP	Non-Timber Forest Products
RECOFTC	Regional Community Forestry Training Center for Asia and the Pacific (also known as The Center for People and Forests)
SFM	Sustainable Forest Management
UNDP-GEF	United Nation Development Programme – Global Environment Facility

# 1. Introduction

The National Forest Programme (NFP) issued by the Royal Government of Cambodia in 2010 includes the policy and long-term strategy (2010-2029) for sustainable forest resource management (SFM) in Cambodia. The NFP has six priority programs, of which two concerns how communities might contribute to and receive substantial benefits from their contributions to SFM. Programme 3 (Forest Law Enforcement and Governance) has the overall goal to contribute to the management, protection and development of forests in a transparent, fair and efficient manner. Programme 4 (Community Forestry Programme) aims to put 2 million hectares of forestland under community forestry (CF; covering approximately 1,000 CF sites) by 2029. According to the latest CF Statistics published by the Forestry Administration (FA) in September 2015, there are 499 CF sites covering 417,635 hectares of forestland engaging with 120,080 families. Nine provincial CF networks have been established in response to the increasing number of CF sites in order to strengthen the collaboration and coordination of CF implementation, to improve the roles of CF member involvement in policy development, and to protect the benefits of CF members from SFM.

Strengthening forest law enforcement, governance and trade is vital for ensuring sustainable forest use and management is delivered with transparency, and for enhancing the ownership of CF members in forest management. Local community engagement in CF development helps to improve the livelihoods of local communities through harvesting non-timber forest products (NTFPs) for commercialization purposes. To support the implementation of the NFP, the project “Strengthening the Role of Community Forestry in Forest Law Enforcement, Governance and Trade” (CF-FLEGT), which is implemented by RECOFTC – The Center for People and Forests in partnership with the Institute of Forest and Wildlife Research and Development (IRD) of the Forestry Administration (FA) with financial support from the European Union (EU) through the Food and Agriculture Organization of the United Nations (FAO) through the EU FAO FLEGT Programme, is supporting the pilot activities at four CF sites in Kampong Speu province which focus on bamboo harvesting and commercialization.

Under the project, the IRD has also conducted an assessment on the strengths and weaknesses of forest governance in forest law enforcement by communities and local FA to understand the risks and opportunities for CF members in enhancing livelihood through trading timber and NTFPs. The assessment on current practice and constraints for community forestry in forestry law enforcement, governance and trade was carried out in three provinces – Kampong Speu, Kampong Thom and Kratie – which cover three of the four FA Inspectorates in the country – South Tonle Sap FA Inspectorate, North Tonle Sap FA Inspectorate and Mekong FA Inspectorate, respectively.



## 2. Objectives of the assessment

The assessment aims to understand the community capacities for becoming involved in forest law enforcement, governance and trade in CF in accordance with the Royal Government of Cambodia's NFP. The assessment was undertaken to evaluate:

- the strengths and weaknesses of forest governance in forest law enforcement of communities, FA officials and local authorities; and
- the risks and opportunities for CF members in enhancing livelihoods through trading timber and NTFPs.

## 3. Project background

The CF-FLEGT project is being implemented by RECOFTC in partnership with FA-IRD with financial support from the EU FAO-FLEGT Programme. The project aims to strengthen the roles of CF in forest law enforcement, governance and trade in accordance with NFP. The project is being implemented from April 2015 to September 2016 with the following expected Outputs:

- Output 1:** Current practices, experiences and constraints for CF Forest Law Enforcement, Governance and Trade (FLEGT) are assessed
- Output 2:** Consolidation of CF FLEGT in Kampong Speu province
- Output 3:** An operational framework is developed for CF Guidelines updates based on CF FLEGT piloting and stakeholder consultation
- Output 4:** Monitoring, evaluation and visibility framework developed

This assessment contributes to the delivery of Output 1.

## 4. Methods of the assessment

### 4.1 Assessment tools and process

The assessment was conducted by assessment teams of 5 IRD members over a period of 5-6 days in each province. Data on target areas from secondary sources was also used. Figure 1 on the following page illustrates the process of overall data collection.

#### 4.1.1 Sample sites for assessment

The formula developed by Yamane in 1967 (Figure 1 below) was employed in this assessment to identify the number of CF sample sites in each province.

**Figure 1. Formula for calculating CF sample size**

$$n = \frac{N}{1 + Ne^2}$$

N: Number of CFs

e: Error 25%

n: Number of selected samples

**Table 1. Number of selected sample sites for consultation meetings with CFs in each target province.**

No	Province	Number of CF that have agreement	Number of Sample Sites
1	Kratie	27	$n = 27 / (1 + 27 * 0,25 * 0,25) = 10$ CFs (however, only 5 CFs were able to be covered due to accessibility and time constraints)
2	Kampong Speu	18	$n = 18 / (1 + 18 * 0,25 * 0,25) = 08$ CFs
3	Kampong Thom	67	$n = 67 / (1 + 67 * 0,25 * 0,25) = 12$ CFs

### 4.1.2 Desk review

Secondary data from CFs in Kampong Speu, Kampong Thom and Kratie provinces were compiled during the assessment period to supplement field data; these data include the Forestry Law (2002), the Sub-Decree on CF Management (No. 79, dated on 02 December 2003) the CF Guidelines (2006), the NFP 2010-2029, the Cambodia CF Statistics for 2015, and individual community forestry management plans (CFMPs) for the selected sites.

### 4.1.3 Field data collection

The field data were collected in November 2015 from group discussions and individual meetings at selected CF sites using the assessment formula (Table 1 above), community forestry management committee (CFMC) and CF members, commune authorities, NGO partners and CF networks.

## 4.2 Data analysis

All data from consultation meetings were entered into Annex 2 and were used to analyze the strengths and weaknesses of the roles of CFMC and CF members, commune authorities, local FA and relevant institutions in forest law enforcement, governance and trade.

## 4.3 Size and limitation of assessment

Due to financial constraints and time limitations (five to six days per province), the assessment focused only on CF sites with signed CF agreements and easily accessible in each province (see previous Table 1).

Figure 2. Data collection process

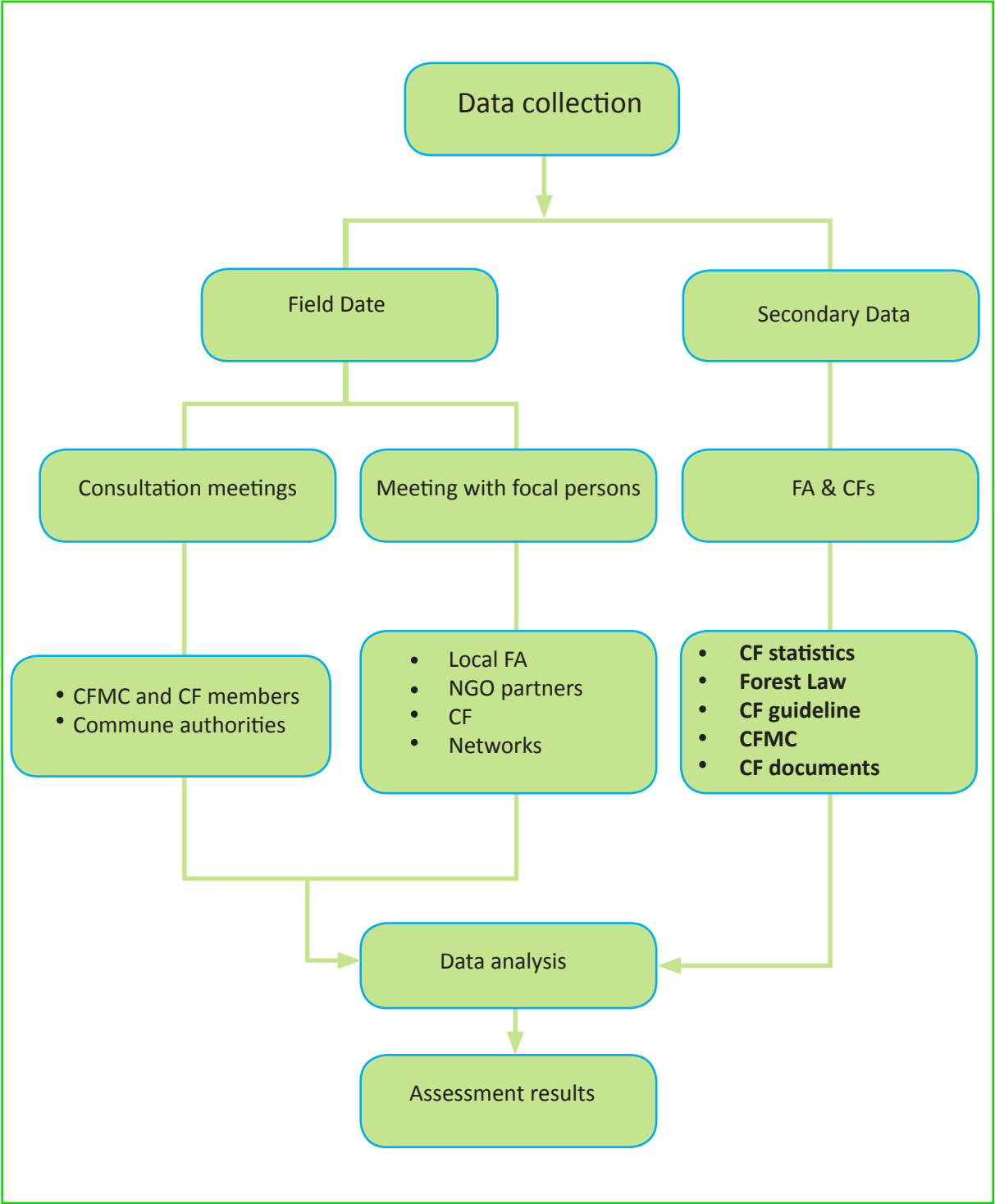
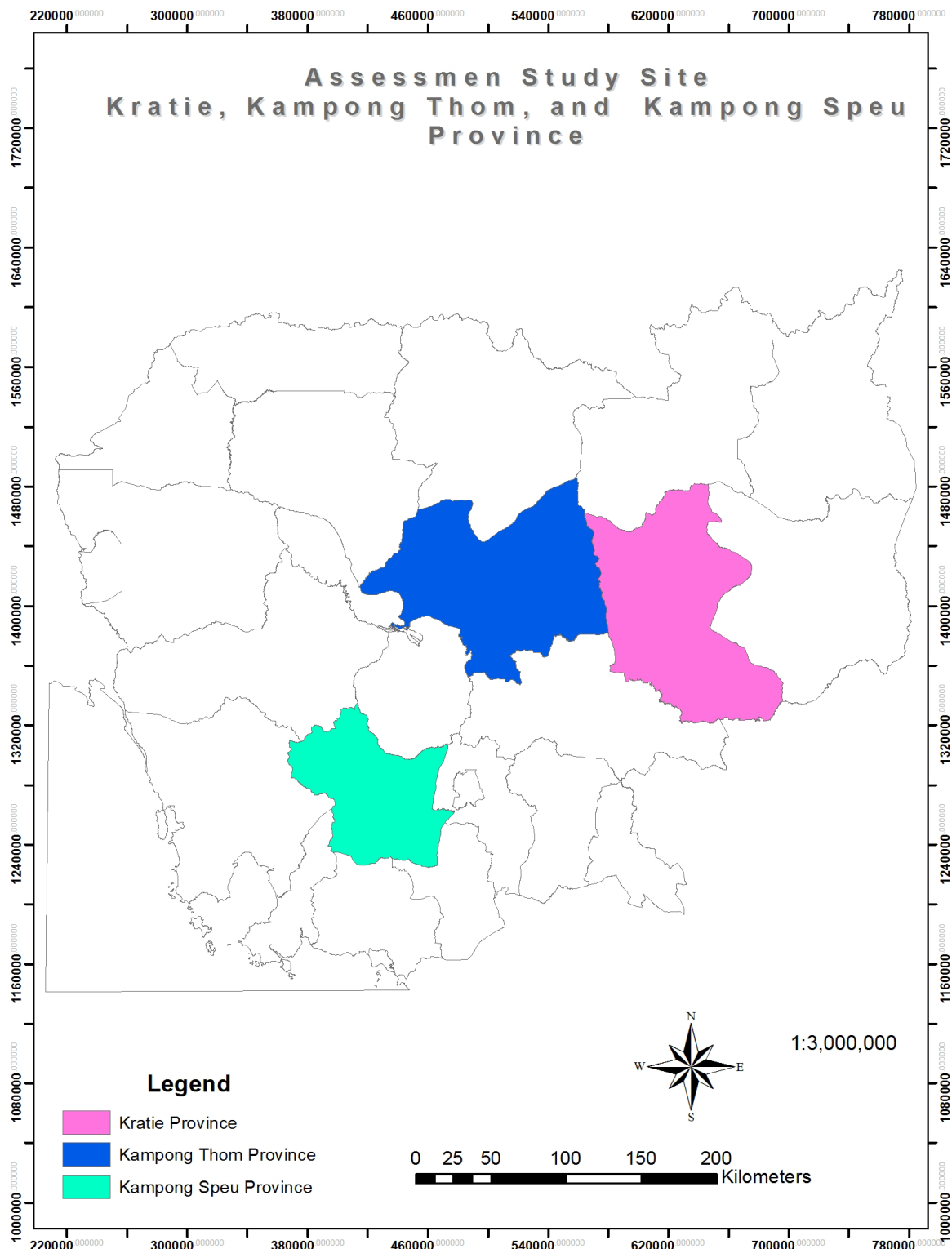




Figure 3. Locations of assessment study provinces









## 5. Findings

Findings are presented in sub-sections below for each stakeholder group (CFMC and CF members, local authorities, and FA officials) on the following three key topics:

- **Forest Governance:** this refers to the capacity to manage, protect and develop forests with transparency, accountability and effectiveness (i.e. to enhance transparency, accountability, and participation from relevant stakeholders and law enforcement). For the Cambodian CF context, the focus is on CF member attention in CF development activities, transparency in decision making, and accountability.
- **Forest Law Enforcement:** this refers to the participation of stakeholders in the implementation of the forest law. For the Cambodian CF context, the focus is on the effectiveness of stakeholders to support the rules, by-laws, and regulations of CF.
- **Forest trade:** this refers to the trading of timber and NTFPs. For the Cambodian CF context, the focus is on the procedures for CF members to acquire necessary permissions to transport NTFPs to local markets.

### 5.1 Roles of CF members

#### 5.1.1 Governance

##### *Participation*

Among the interviewed CFs, over 65% of CF members were involved in CF development processes because those communities placed great value and potential in CF to support community livelihoods on a daily basis. Moreover, communities also see CF as way to gain and protect formal tenure rights over forest lands they rely on, particularly as economic land concessions (ELC) expanded in Cambodia over the last decade. Communities also have strengthened their forest management capacity through various activities including CF extension, and many community members have become enthusiastically involved in CF activities and processes such as CF management structures development, potential CF area identification, by-laws and regulation development, forest patrols, and management plan development and implementation. The CFs in Kratie and Kampong Thom learned and shared with one another knowledge, experiences and challenges each community encountered through CF networks, which were recently established from commune to national levels.

In short, more community members have become involved in CF development. However, their decision making is still insufficient, especially female community members whose capacities are limited. The study identified a few reasons for this:

- women may still be shy to expressed to express their ideas in a group setting with men
- women still mainly depend on men for decision making
- women representation in many CFMCs remains proportionally low
- women's knowledge in the Forest Law and relevant regulations remains low (especially when compared with men)





To address these issues, a review of the CF by-laws may be needed to identify options to increase the number and meaningful participation of women in CFMCs. Capacity building is also needed for relevant line institutions and NGO partners to enhance their performance in supporting CF development activities, focusing on the following:

- Assessing the needs of women concerning the CF development context
- Assessing the needs of women given their roles and responsibilities in CF management
- Identifying strategies to strengthen women's capacities through trainings and learning on relevant forest laws and regulations, the roles of women in CF management, and the roles of women in forest management in the context of CF networks

### *Transparency*

Every CF development project has undergone consultations and is agreed by community members and stakeholders before implementation. FA and NGO representatives have also reviewed and monitored the CF development process, CF legalization, CFMP development and CF business/enterprise plan development. The meetings among CFMCs have been conducted regularly and annual CF congresses have also been held to reflect the results, to resolve any key issues and to develop activities for CF development.

For CF sites which have CF development funds (CFDFs), CFMCs have assigned members to manage the fund and develop regular progress reports for them and CF members. However, they are still dependent on FA and NGOs which require on-going monitor from involved stakeholders to ensure the implementation is on the right track.

### 5.1.2 Forest law enforcement

CFMC and CF members paid high attention in preventing forest and wildlife offences within their areas after they received CF legal agreements from line FA offices. Patrol activities were included in management plans and have been conducted regularly. The patrol reports were sent to FA, local authorities and relevant institutions to keep them informed and to seek their interventions in cases where offences (illegal logging and land encroachment) took place.

Although local FA and CF members are actively involved in law enforcement, some issues still remain unresolved, such as land encroachment from outsiders, which is beyond capacity of local FA and local authorities to resolve. In many cases, community members do not have the ability to write complaints cases to send to court, have the financial means to go through court procedures, nor even have the mandate to deal with courts.<sup>1</sup> Hence communities can only really report the cases to the FA and local authorities.

To address these issues, the capacity of community members should be strengthened through capacity building which would enable them to proceed on offence cases to court themselves, with the relevant government line institutions and local authorities providing coordination where necessary.

#### *CF by-laws and regulation implementation*

CFMCs are not only involved in the development of CF by-laws and regulations, but they, with support from FA and NGO partners, also disseminate results to CF members and implement them with transparency. The assessment found that CF members have highly adhered to regulations but outsiders who are not CF members have not fully abided by these. CFMCs have also implemented by-laws effectively through meeting with FA, local authority and NGOs partners.

Even though FA and local authorities have in most cases strongly supported the implementation of CF by-laws and regulations, in some cases their interventions to help resolve the problems encountered by community members has not been timely and some issues remained unresolved, including: illegal logging in community forest area, titling conflict, and land use conflict. As stated in the Sub-Decree on Community Forestry Management (December 2003), the roles and duties of CFMCs and CF members are only to report and inform the nearest FA office immediately about any forestry offense occurring within a community forest area; they are not allowed to make any decisions. To ensure the effectiveness of CF management, the Royal Government of Cambodia should review the Article 21 in the Sub-Decree on the roles and duties of community forestry management committee and community forestry members which covers the authority of communities in managing issues within their community forest area.

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<sup>1</sup> One exception from this study is with CF Tub Mean in Kampong Speu province, where local FA and local authorities have transferred to the community the responsibility of bring complaints. However, this remains beyond their capacity.

### 5.1.3 Community forestry products trading

All target CF sites which were assessed do not currently provide sufficient timber and NTFPs for commercialization. Timber and NTFPs are being harvested for customary household use, with only small amounts left for sale for products such as poles, vines, fruits, herbal grass, mushrooms and honey. While CF business/enterprise planning, CF credit plans, and harvesting plans have been included in CFMPs, as most of CFs are degraded the CF business/enterprise plans have been developed as a reforestation investment plans which aim to restore the forest over next 10 to 15 years, at which time products can be harvested for profitable commercial use.

CFs in Kampong Speu province supported by the SFM (Sustainable Forest Management) project under funding from the United Nations Development Program Global Environment Facility (UNDP/GEF) have had their CF business/enterprise plans developed separately from CFMPs by focusing on small-scale CF businesses (comprising 3 to 7 families). Community members involved have been able to harvest small amount of NTFPs for sale, gaining an amount of income which can only support their families, and not further contribute financial support towards local CF institutions. Four CF sites in Kampong Speu province are implementing their bamboo business/enterprise plans where entrepreneurs buy the bamboo from CF members and sell it on to local business persons under facilitation from the Borseth FA Division. However, the legal procedures to support bamboo transportation from the CF remain unclear; this is an area which requires more attention and support from FA.

## 5.2. Roles of the local authorities

### 5.2.1 Governance

Local authorities (chief of village; commune councils and provincial governor) at all levels have actively supported CF development processes. Provincial governors have been actively involved in approval and establishment of CFs and supporting the establishment and development of provincial CF networks. Commune chiefs have adopted relevant documents including Deika (formal decisions issued by commune councilors and chief of commune) that provide for the formal recognition of CFMCs, CF regulations, and CFMC by-laws; they have also participated in and monitored CFMP implementation and the integration of CFMPs into commune investment plans and programmes. Village chiefs have supported CF development activities such as attending monthly meetings with CFMCs and monitoring CF budget expenditure.

Through interviews, it was observed that CF members dynamically engaged in implementing activities when there is project support, while involvement was observed to decrease when there is no more project support. The meetings between commune councils and CFMCs were conducted inadequately when projects phased out. This demonstrates that the mainstreaming of CF development in commune investment planning is still not well integrated, even though commune councils have mandated roles and responsibilities in CF management.



## 5.2.2 Forest law enforcement

Local authorities have been actively involved in promoting the Forestry Law (2002), Sub-Decree on CF Management (No. 79, dated on 02 December 2003) and Prakas on Guideline on Community Forestry (No. 219, dated on 21 July 2006), as well as in the development and implementation of CF regulations, patrols and CF conflict resolution. The local authorities have played vital roles in resolving issues at the local levels; such issues have included:

- community illegal logging
- land encroachment
- overlapping claims between community areas and private companies
- benefit sharing within communities

Local authorities, especially commune councils, have also cooperated with FA to help resolve land conflicts, particularly through coordinating between the parties in conflict. One example from the assessment is a conflict between CF Ou Soam Kg Thom with An Marady ELC, which was successfully resolved when both parties agreed to acknowledge CF boundaries in 2009.

According to Article 47 and 54 in the Forestry Law, the commune/Sangkat council, within their mandate, is not allowed to make decisions related to forestry which makes commune councils feel hesitant in CF development participation. The Royal Government of Cambodia should review these articles in order to giving full authorization to commune/Sangkat council in CF development.

## 5.2.3 Community forestry products trading

The majority of CFs in Cambodia are newly established and allocated degraded land.<sup>2</sup> CFMP development has not been fully completed in many CFs as well. All of these are key barriers for timber harvesting. Only small amounts of NTFPs currently have potential to be harvested in many CFs. NTFPs harvested are mainly for household use and very small amounts are leftover for trading. All levels of local authorities have coordinated FA to support NTFP transport to market and supported the promotion of sustainable NTFP harvesting techniques.

The SFM project in Kampong Speu supported CF business/enterprise plan development, with the commune council actively involved in business/enterprise plan development and approving CF enterprise establishment, CF business/enterprise plans, business plan regulations and benefit sharing mechanisms. The commune council here also tried its best to seek support from development partners and the private sector through considering and integrating (where possible) CF business plans and CFMPs in the Commune Development Plan and Commune Investment Plan processes.

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<sup>2</sup> For example, 20 of the 25 sites studied in this assessment were allocated degraded forest land for CF.



## 5.3. Roles of Forestry Administration

### 5.3.1 Governance

FA has been actively involved in the coordination and support of CF formalization and CFMC development. FA, in collaboration with NGO partners, provides trainings on CF development and CF procedures, CF demarcation, silviculture techniques, conflict management, CFMC development, CF inventory and CF institutional strengthening. FA has coordinated the collection of thumbprints from CF members to support the CF establishment, and the submission of applications to the Ministry of Agriculture, Forestry and Fisheries (MAFF) to issue Prakas for potential CF areas. FA monitors and is involved in supporting the development of CF structures, by-laws and CFMPs, development partner relations, and CFMP implementation. FA is a specialized department mandated with providing services and legal assistance for CF members to resolve the problems within CF.

Some key issues the study identified include:

- The process to approve requested potential CF areas with MAFF is complicated and overly time-consuming. Hence, the CF guidelines should be reviewed and revised to improve this process.
- CFMP development is unnecessarily technical in requirements for community to be carry out by themselves, making the process overly time-consuming. Though community members have been trained by FA on the CFMP development, they are still unable to develop it effectively on their own. Therefore, the FA needs to explore options to simplify and shorten the CFMP process.





### 5.3.2 Forest law enforcement

FA has been involved in promoting relevant laws, regulations, the CF Sub-Decree (2003), and the Guidelines on CF Development (2006) to CF members and relevant stakeholders. FA has coordinated and supported CF by-law and regulation development which serve as the legal bases for community members to understand their roles, duties and involvement in CF development. FA has actively coordinated and become involved in CF law enforcement, prevention of illegal logging and wildlife poaching as well as collecting information and evidences of offences and land conflict with ELC. Moreover, in Kampong Thom and Kratie provinces, FA has supported the development of CF networks from commune to provincial and national levels aiming to provide opportunities for CF representative to raise relevant issues with other stakeholders.

However, FA has some capacity gaps in effectively implementing their roles. They have not regularly monitored CFMCs on meeting minute records, offence reports, patrol reports, and flagrant offences records. Currently, communities are unable to proceed in taking cases to the court, as relevant line institutions do this work for them instead.

### 5.3.3 Community forestry products trading

Local FA have collaborated closely with CF development partners to develop business/enterprise plans and small scale NTFP business groups (e.g. mushroom groups, potato groups, vegetable groups, red ant groups and CF credit groups). In Kampong Speu, the Baseth FA Division has supported four CF sites in implementing business/enterprise plans which are in the process of harvesting bamboo for trading. Business has gone smoothly so far, but there is currently no legal support in bamboo transportation to local middlemen; this requires further support.







## 6. Conclusion and recommendations

### 6.1 Conclusion

The assessment demonstrated that the roles of relevant stakeholders are very important in forest law enforcement, governance and trade in CF development. Community members, local authorities and FA staff have been involved and comprehensively supported CF formalization processes, including coordination, to allow community to have full rights to manage and use forests under current legal frameworks. CF sites which have agreements in place have attracted more participation from community members, gaining more responsibilities for forest protection and management, and earning good collaboration especially from local FA staff. In addition, local authorities always offer intervention support in cases where offences occur on CF land. Furthermore, after obtaining CF agreements, the majority of CFs have received financial and technical support from NGO partners and FA for training CF members to develop CFMPs and business plans which provide CFMC and CF members with the requisite capacities to manage their CF with sustainability. The establishment of monitoring mechanisms through CF networks (from community to provincial and national levels) has demonstrated effectiveness in sharing experiences and has proven to be a highly effective mechanism helping to resolve conflicts.

Currently, communities can only collect NTFPs for household use and small-scale sale. Some business/enterprise plans have been developed and are being implemented in degraded forests but these primarily focus only on NTFP collection for household use. Some CFs have potential for timber harvesting, but community members are incapable to harvest these for business scale though there is harvesting plan, which is integrated in CFMP, in place. Providing the community access to commercial timber production through CF remains very challenging. While the CF communities are encouraged to harvest commercial timber as a source of livelihood, several constraints were encountered, including:

- The CF formalization and management planning processes are long and tedious. (see above)
- The absence of a technical guideline on how to appropriately harvest timber for the community forestry context that will guide the FA at the national and cantonment levels. In the absence of such a guideline, the timber harvesting code practice of forest concession companies is encouraged to use by FA. The overly complicated and technical procedures designed for big corporations are not suitable for communities and hence dampen the interest of the community to participate. In addition to the technical complexity, the commercial timber harvesting is capital-intensive and the community feels that they simply cannot compete trading with timber coming from illegal sources.

Participation from stakeholders has remarkably improved but remain in forest management and protection stages. CF is still very much dependent on outside financial and technical support from development partners, as community members have not yet been able to extract benefits from CF for self-sustainability. The knowledge and capacity of CFMC and CF members remains limited in law enforcement and governance, requiring technical support from FA, NGOs and stakeholders. As determined from analysis of the current legal guidelines, the roles of local community and local authorities are limited to decision making for CF development. The relevant line institutions are not able to provide the full support needed in some cases; and their interventions are sometimes not timely and show little effectiveness in resolving conflict over overlapping land use.



## 6.2 Recommendations

Key stakeholders play vital roles in supporting community-based forest and wildlife management. In order to ensure their contributions are taken effectively and are responsive to the assessment's finding, the assessment team offers following recommendations:

### 6.2.1 Governance

1. The provision of trainings on report writing, meeting minutes writing, financial management is a high priority need for CFMCs, to enable them to fully implement CFMPs.
2. A review of the CF by-laws may be needed to identify options to increase the number and meaningful participation of women in CFMCs. Capacity building is also needed for relevant line institutions and NGO partners to enhance their performance in supporting CF development activities, focusing on assessing the needs of women concerning the CF development context, assessing the needs of women given their roles and responsibilities in CF management, and identifying strategies to strengthen women's capacities through trainings and learning on relevant forest laws and regulations, the roles of women in CF management, and the roles of women in forest management in the context of CF networks.
3. Economically viable models for the utilization of community forests should be considered and supported in order to enable villagers to formally benefit from community. For example, proposals to community forestry members have proposed to plant short term crops/trees such as cashew or acacia in reforestation blocks of their community forests to generate income and invest in forest management. CF groups should also be supported in their engagement with the private sector, in particular in the commercialization of community forest products. Community forestry should be scaled up to ensure significant socio-economic benefits and making relevant regulation to be more enabling for benefits to flow to community greater and faster.
4. Commune councils have been more active and have taken greater responsibilities in supporting CF development when commune councilors also serve roles in CFMCs. This is because they have the capacity to coordinate with FACs, local authority and challenge issues more effective. Therefore the role of commune councilor involvement in CFMCs should be considered for incorporation in any revision of the CF Prakas so that they are better able to fully use their roles to contribute CF development.

### 6.2.2 Forest law enforcement

5. As noted above, the Sub-Decree on Community Forestry Management (December 2013) only allows CFMCs and CF members to report and inform the nearest FA office immediately about any forestry offense occurring within a community forest area; they are not allowed to make any decisions. To ensure the effectiveness of CF management, the Royal Government of Cambodia should review the Article 21 in the Sub-Decree on the roles and duties of community forestry management committee and community forestry members which covers the authority of communities in managing issues within their community forest area.

6. The capacity of community members should be strengthened through capacity building which would enable them to proceed on offence cases to court themselves, with the relevant government line institutions and local authorities providing coordination where necessary.
7. Patrol has proven to be the most effective mechanism to protect forests against illegal activities in the community. The patrol activities are the responsibilities of community members as stated in the CF regulation. The community members, in addition, show commitment to participating in patrol team. However, the patrol activities conducted use budget from CF member contributions which is not compulsory and sustainable. Currently most of community forestry activity implementation including patrol is mainly depended on the support of development partners' project. For long term sustainability, the government should consider allocating national budget to commune investment plan for particularly community forestry development.

### 6.2.3 Community forestry trade

8. As noted above, the absence of a technical guideline on how to appropriately harvest timber for the community forestry context that will guide the FA at the national and cantonment levels remains a constraint in enabling commercial timber production for CF. In the absence of such a guideline, the timber harvesting code practice of forest concession companies is encouraged to use by FA. The overly complicated and technical procedures designed for big corporations are not suitable for communities and hence dampen the interest of the community to participate. In addition to the technical complexity, the commercial timber harvesting is capital-intensive and the community feels that they simply cannot compete trading with timber coming from illegal sources. Guidance on legal and technical procedures to harvest timber for commercial purpose and the timber harvest should be conducted whenever the resources available and communities ready without the current five-year moratorium.
9. CFMPs and business plans play vital role for sustainable forest management and have been developed with financial support from various projects. FAC who is the main responsible agent to provide technical guidance to support CFMCs members to implementing these plans lack of resources. Hence, the government should allocate national budget for FAC to support the development and implementation of these plans.

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# Annex



## Annex 1: Assessment timeframe

Assessment Plan on Current Practice and Constraints for Community Forestry in Forestry Law Enforcement, Governance and Trade in Kampong Speu, Kratie and Kampong Thom provinces of Cambodia.

No.	Date	CF/ Institution	Commune	District	Province	Responsible Persons
1	08/11/2015	Sre Roneam	Khsoaem	Snoul	Kratie	Mr. Eng Polo Ms. Suy Sotheara Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin
2	09/11/2015	Antongvien	Kantout	Chet Borey	Kratie	Mr. Eng Polo Ms. Suy Sotheara
3	09/11/2015	Kantout	Kantout	Chet Borey	Kratie	Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin
4	10/11/2015	Pha Klæe	Roluos Meanchey	Sambor	Kratie	Mr. Eng Polo Ms. Suy Sotheara Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin
5	11/11/2015	Roluos	Roluos Meanchey	Sambor	Kratie	Mr. Eng Polo Ms. Suy Sotheara Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin
6	14/11/2015	Roleak Kang Cheung	Tasal	Oral	Kampong Speu	Mr. Eng Polo Ms. Suy Sotheara Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin
7	15/11/2015	Torbmean	Torbean	Thporng	Kampong Speu	Mr. Eng Polo Ms. Suy Sotheara Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin
8	16/11/2015	Chrous Dambong	Chorm Sangke	Phnom Srouch	Kampong Speu	Mr. Eng Polo Ms. Suy Sotheara
9	16/11/2015	Chrosh Svay	Ou	Phnom Sruoch	Kampong Speu	Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin
10	17/11/2015	Chrosh Pong Ror	Ou	Phnom Sruoch	Kampong Speu	Mr. Eng Polo
11	17/11/2015	Chong Ou Toch	Srong	Kong Pisey	Kampong Speu	Ms. Suy Sotheara a Mr. Sem Rida
12	17/11/2015	Phnom Srong	Srong	Kong Pisey	Kampong Speu	Ms. Seum Chhorvy Ms. Norn Navin
13	18/11/2015	Svay Rompea	Svay Rompea	Basedth	Kampong Speu	Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin
14	18/11/2015	BaSeth FA Division officials		Basedth	Kampong Speu	Mr. Eng Polo Ms. Suy Sotheara

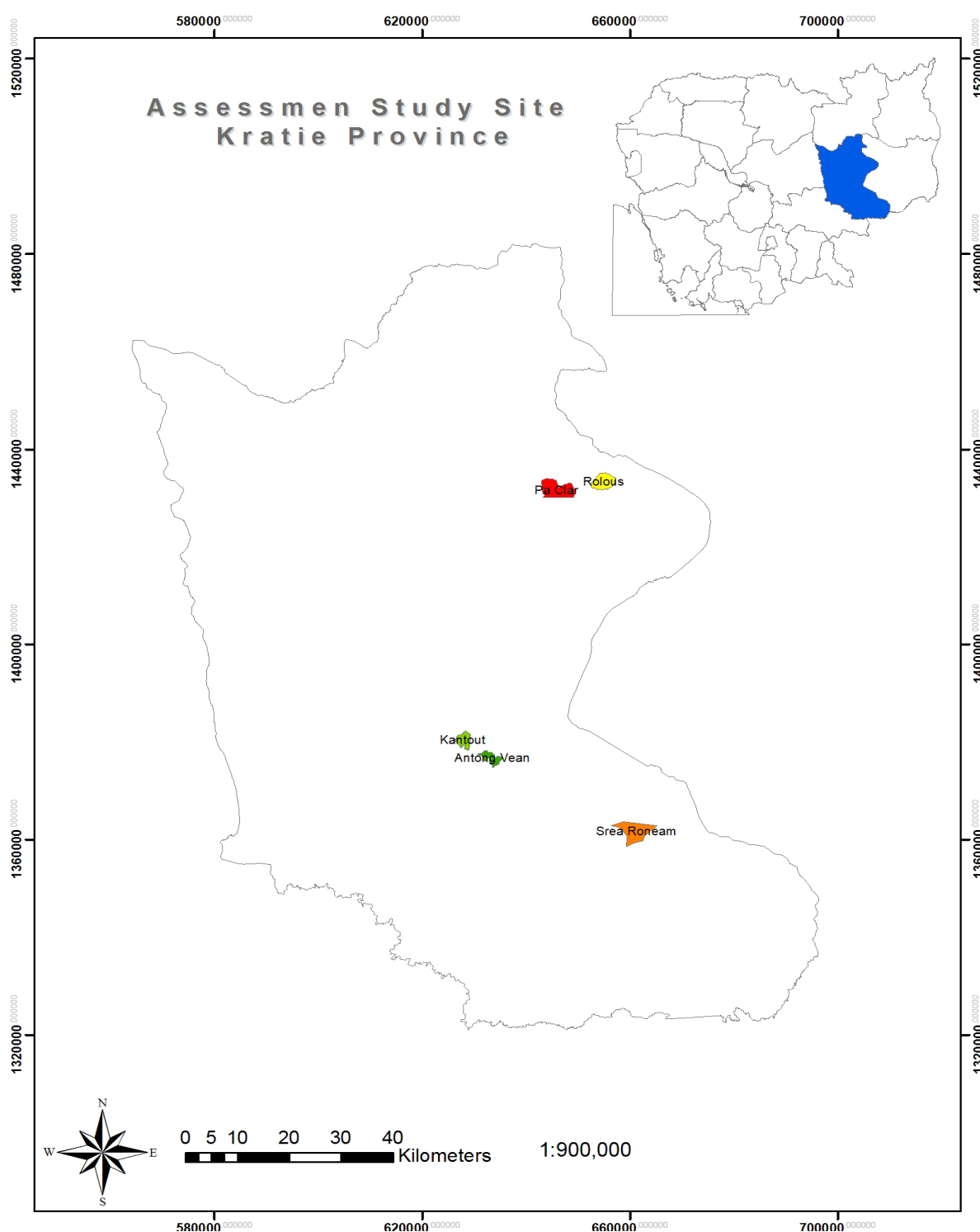
No.	Date	CF/ Institution	Commune	District	Province	Responsible Persons
15	23/11/2015	kbal O' Kranhak	Meanrith	Sandan	Kampong Thom	Mr. Eng Polo Ms. Suy Sotheara Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin
16	24/11/2015	Ou Kranhoung	Meanrith	Sandan	Kampong Thom	Mr. Eng Polo Ms. Suy Sotheara
17	24/11/2015	Sochet	Sochet	Sandan	Kampong Thom	Mr. Sem Rida, Ms. Seum Chhorvy Ms. Norn Navin
18	25/11/2015	Prey Hum	Domrey Slab	Kampong Svay	Kampong Thom	Mr. Eng Polo Ms. Suy Sotheara
19	25/11/2015	Trapeang ROUNG	Chey	Kampong Svay	Kampong Thom	Mr. Eng Polo Ms. Suy Sotheara
20	25/11/2015	Ou Soam	Sala Visay	Prasat Balangk	Kampong Thom	Mr. Eng Polo Ms. Suy Sotheara
21	25/11/2015	Kanseng Veal	Sala Visay	Prasat Balangk	Kampong Thom	Mr. Sem Rida, Ms. Seum Chhorvy Ms. Norn Navin
22	26/11/2015	Sala Chdau	Sala Visai	Prasat Balangk	Kampong Thom	Mr. Eng Polo Ms. Suy Sotheara
23	26/11/2015	Ou Chamsrey Trodkong Pong	Sreung	Prasat Sambor	Kampong Thom	Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin
24	27/11/2015	Ou Kambot	Kaul	Prasat Sambor	Kampong Thom	Mr. Eng Polo Ms. Suy Sotheara Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin
25	28/11/2015	Prey Kbalbey	Tipor	Santouk	Kampong Thom	Mr. Eng Polo Ms. Suy Sotheara
26	28/11/2015	Trapeang Sandan	Tipor	Santuok	Kampong Thom	Mr. Sem Rida Ms. Seum Chhorvy Ms. Norn Navin



## Annex 2: Assessment result in Kratie province

Kratie province consists of 96 CF sites, of which 27 have obtained legal agreement (six CFs have developed CFMCs and has been principally agreed by FA). As anticipated, the assessment team selected 10 CF sites but based on the actual situation and road access (some CF sites can only be reached by water over river), the assessment team decided to pick five CF sites for study: CF Sre Roneam, CF Antungvien, CF Kantout, CF Pha Klæ and CF Roluos. The team, in addition, met with stakeholders such as local FA and CF networks.

Figure 4. Map of community forestry sites in Kratie province



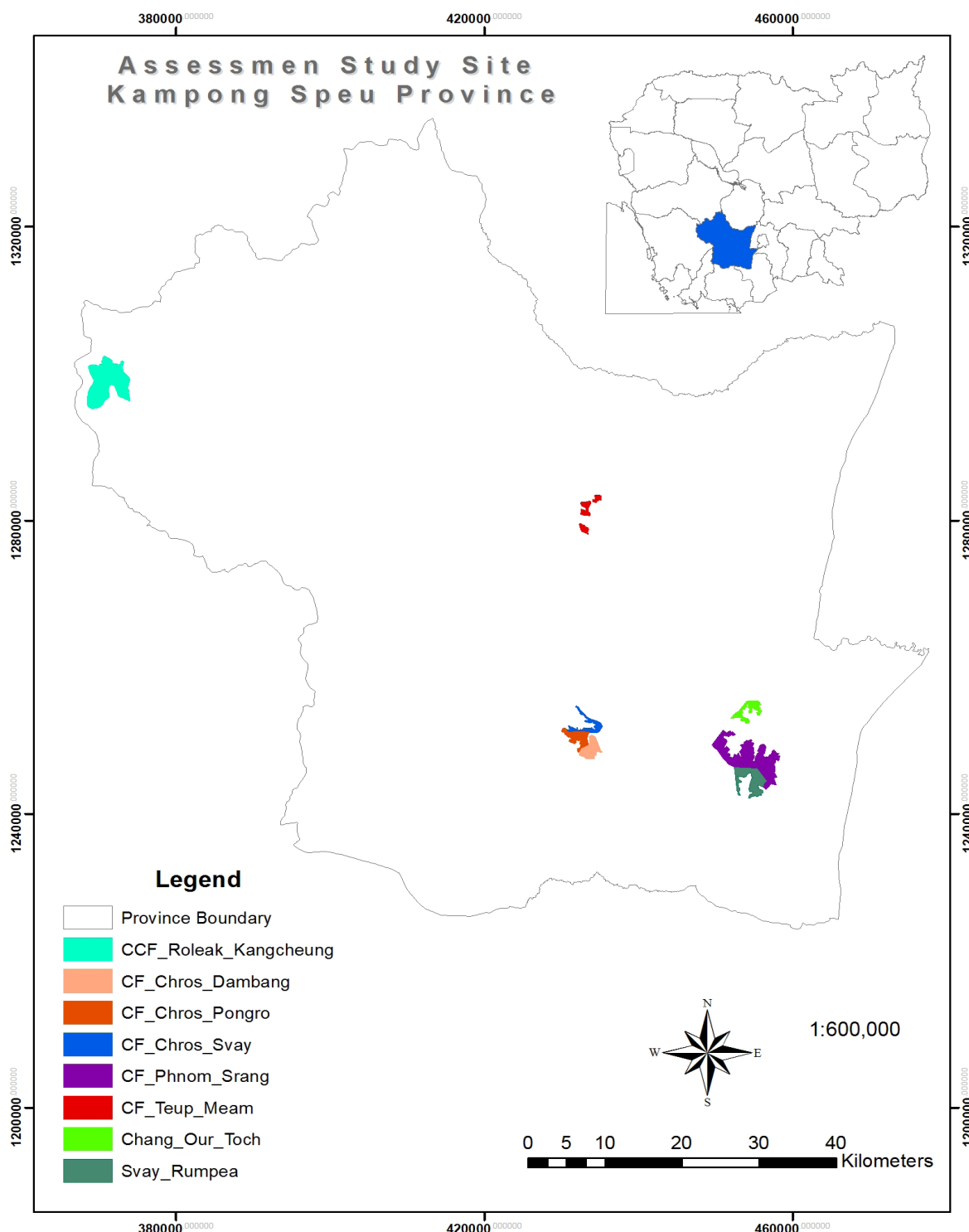
**Table 2. Summary of the outcomes of meetings with CFMC, CF members and local authorities**

Components	Activities	Strength	Weakness
Governance	Participation	<ul style="list-style-type: none"> <li>Members support and involve (65%) in CF establishment process</li> <li>CF members involve in CF extension on CF law, regulation and CF procedure</li> <li>CF members involve CF by-laws and regulation development</li> <li>CF members involve in patrol</li> <li>CF members involve in CF establishment process following NFP</li> <li>Organize CF extension</li> </ul>	<ul style="list-style-type: none"> <li>More offences occur within areas and outside CF, but the raid is conducted insufficiently</li> <li>Community thinks CF work is the CFMC responsibilities and CF has not provided tangible benefits yet</li> <li>Non-CF members (migration)</li> </ul>
	By-law and Regulation	<ul style="list-style-type: none"> <li>Follow the by-laws and regulation</li> </ul>	<ul style="list-style-type: none"> <li>Majority of CF members involve in CF development (but they just imitate each other)</li> <li>Some CF members think that only CFMC should be responsible for CF development</li> </ul>
	Transparency	<ul style="list-style-type: none"> <li>Decision making in CF based on majority's voice</li> <li>Equitable benefit sharing</li> <li>Monitor and evaluate on income and expenditure through monthly meeting</li> <li>CF network from local to national levels to strengthen and show transparency on CF management to local authority and stakeholders</li> </ul>	<ul style="list-style-type: none"> <li>No mechanism to monitor CF trade transparency because CF has no sufficient resource for trading</li> <li>Meeting on transparency is conducted not regularly</li> </ul>
	Responsiveness	<ul style="list-style-type: none"> <li>Report to commune council for intervention in case offence happens</li> <li>Report flagrant offence cases to FA triage to document based on CF law</li> </ul>	<p>Sometimes the response is not timely because:</p> <ul style="list-style-type: none"> <li>Commune council and local FA are busy</li> <li>More forest offences, but less FA officials</li> <li>Relationship between CFMC and local FA is limited (documenting process)</li> </ul>
Strengthening Law Enforcement	Prevention and Suppression	<ul style="list-style-type: none"> <li>Setting up patrol teams</li> <li>Participation from local people increases after CF attains agreement</li> <li>Patrol activities</li> <li>CF members who go to collect NTFP or tend cattle in CF area always report offence cases they witness on time</li> </ul>	<ul style="list-style-type: none"> <li>Abuse law for personal interests</li> <li>Rely on NGO for financial support which is fluctuated</li> <li>Members are reluctant to contribute fee for patrol activities because they do not trust</li> <li>Irregular patrol</li> </ul>
	Monitoring and Reporting	<ul style="list-style-type: none"> <li>Report to commune council on regular basic about implementing activities</li> <li>Record keeping</li> </ul>	<ul style="list-style-type: none"> <li>Reporting irregularly</li> </ul>
Trade	CF Resources and Market	<ul style="list-style-type: none"> <li>Small trees and NTFPs</li> </ul>	CFs have not provided opportunities for livelihoods yet
	Legal Support	<ul style="list-style-type: none"> <li>Sub-Decree on CF Management (No. 79, dated on 02 December 2003)</li> <li>MAFF's Prakas on Guideline on Community Forestry (21 July 2006)</li> </ul>	<ul style="list-style-type: none"> <li>Limited knowledge on laws</li> <li>Limited knowledge</li> </ul>

## Annex 3: Assessment result in Kampong Speu province

Kampong Speu province consists of 25 CF sites, of which 17 have attained official agreements and are in the process of developing CFMP. Eight CFMPs were principally agreed by FA. To collect information on the roles of CF in forest law enforcement, governance and trade in Cambodia, the assessment team selected eight CF sites to be assessed; CF Tang Bopong, CF Torbmean, CF Chrous Dambang, CF Chrous Svay, CF Chrous Pong Ro, CF Chong Eu Toch, CF Phnom Srong and CF Svay Rompea. The team also consulted with relevant stakeholders including local FA and local authorities.

Figure 5. Map of community forestry sites in Kampong Speu province





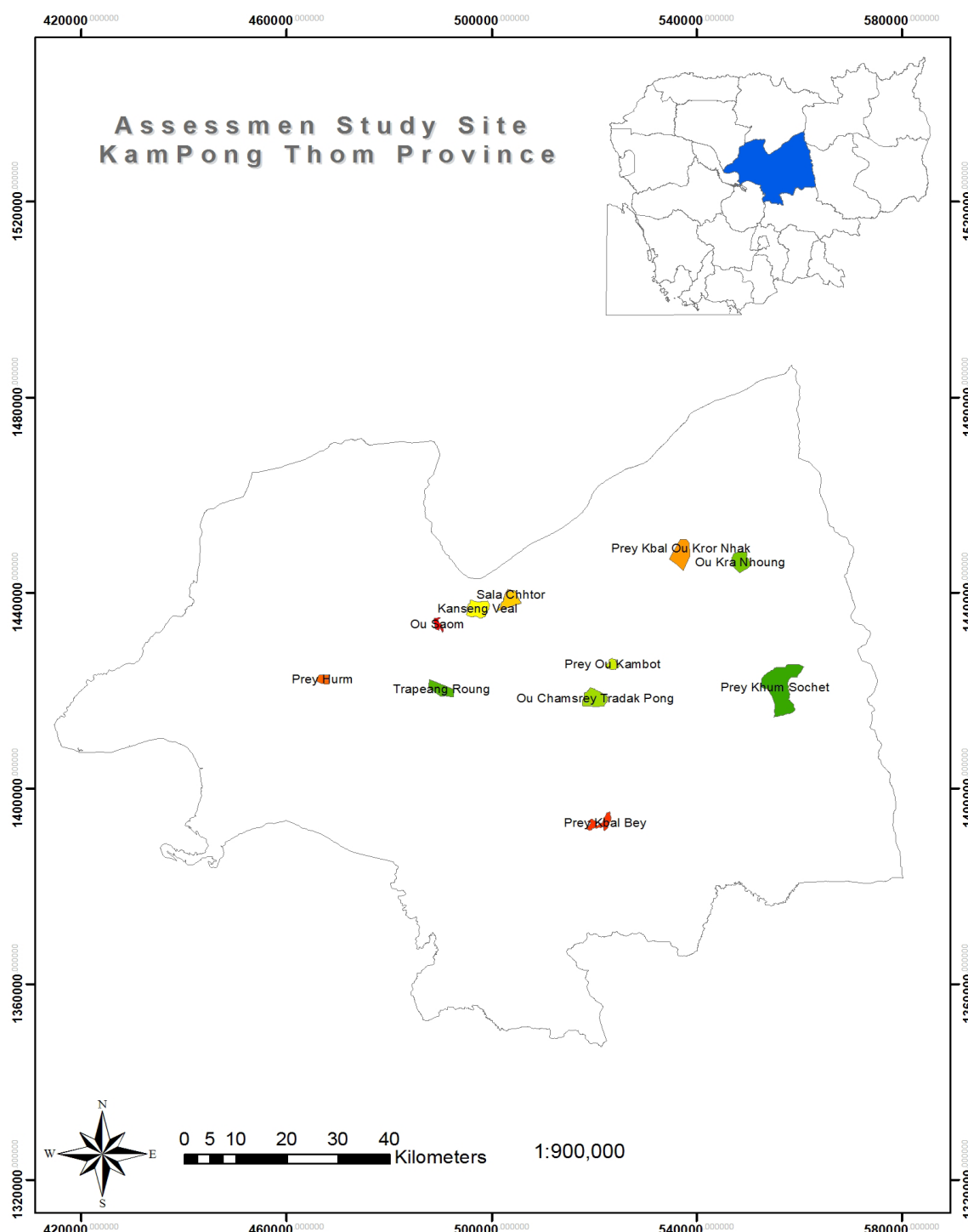
**Table 3. Summary of the outcomes of meetings with CFMC, CF members and local authorities**

Components	Activities	Strength	Weakness
Governance	Participation	<ul style="list-style-type: none"> <li>Members support and involve</li> <li>Financial support from NGOs</li> <li>Forest patrol</li> <li>CF establishment meeting</li> <li>CF extension</li> <li>Conflict resolution</li> </ul>	<ul style="list-style-type: none"> <li>Knowledge of CF members on CF is limited</li> <li>Drought threaten people livelihoods</li> <li>Only CFMC participate since there is no incentive</li> <li>Community has not received other tangible benefits beside NTFPs</li> <li>Loss documents when local FA officials move to work at other place</li> </ul>
	By-law and Regulation	<ul style="list-style-type: none"> <li>Follow CF by-law and regulation</li> <li>All activities are implemented follow CF by-law and regulation</li> </ul>	<ul style="list-style-type: none"> <li>Some CF members are not aware of their roles so they think that only CFMC are responsible for CF development.</li> </ul>
	Transparency	<ul style="list-style-type: none"> <li>Majority of CF members make decision on CF development</li> <li>Fair benefit sharing</li> <li>Monitor and evaluate the incomes and expenditure</li> <li>There are national and local CF network and to strengthen administrative and financial work</li> </ul>	<ul style="list-style-type: none"> <li>Limitation of idea expression (Limited knowledge)</li> </ul>
	Responsiveness	<ul style="list-style-type: none"> <li>When forest offences happen, the community always seek intervention from commune council and local FA</li> </ul>	<ul style="list-style-type: none"> <li>Sometimes the response is not timely because:</li> <li>Commune council and local FA are busy</li> <li>More forest offences, but less FA officials</li> <li>The relationship between CFMC and local FA is limited (no financial support)</li> </ul>
Strengthening Law Enforcement	Prevention and Suppression	<ul style="list-style-type: none"> <li>Participation from local people increases after CF attains agreement</li> <li>CFMP</li> <li>Patrol activities</li> <li>CF members who go to collect NTFP or tend cattle in CF area always report offence cases they witness on time</li> <li>Report to commune council for intervention and punishment to offenders (challenging with offenders to make agreement to stop committing offences)</li> </ul>	<ul style="list-style-type: none"> <li>Depending on financial support from NGOs which is not regular</li> <li>Limited knowledge on the roles and rights (CFMC and CF members)</li> </ul>
	Monitoring and Reporting	<ul style="list-style-type: none"> <li>Report to commune council regularly about monthly activities</li> <li>Report offence cases to FA triage to take further process to court</li> <li>Record keeping system</li> </ul>	<ul style="list-style-type: none"> <li>The report is not regularly developed</li> <li>The documents are kept in different places</li> </ul>
Trade	CF Resources and Market	<ul style="list-style-type: none"> <li>Small trees and NTFPs</li> <li>Bamboo harvesting groups</li> <li>Bamboo marketing</li> <li>Inform to local FA when harvesting</li> </ul>	<ul style="list-style-type: none"> <li>Harvesting technique</li> <li>Harvesting report</li> <li>Bamboo business contract</li> <li>Limited knowledge on legal procedure (harvesting and transportation)</li> </ul>
	Legal Support	<ul style="list-style-type: none"> <li>Forest Law, article: 24, 26, 40, 41, 42, 43, 44, 53 and 58 (31 August 2002)</li> <li>MAFF's Sub-Decree on Community Forestry Management (21 July 2006)</li> </ul>	<ul style="list-style-type: none"> <li>Limited knowledge on law</li> <li>Limited knowledge</li> </ul>

## Annex 4: Assessment result in Kampong Thom province

Kampong Thom province consists of 82 CF sites, of which 66 of them have attained official agreement. Only 12 CF sites reached CFMP development stage and principally agreed from FA. The assessment team selected 12 CF sites to be assessed: CF Kbal Ou Kranhak, CF Ou Kranhoung, CF Khum Sochet, CF Prey Hum, CF Trapeang Rong, CF Ou Soam, CF Kanseng Veal, CF Sala Chdor, CF Ou Cham Srey Tradok Pong, CF Ou Kambot, CF Prey Kbalbey and CF Trapeang Sandan. The team also discussed with stakeholders including local FA, Mlup Baitong organization, Action for Development organization and the provincial CF network.

Figure 6. Map of community forestry sites in Kampong Thom province



**Table 4. Summary of the outcomes of meetings with CFMC, CF members and local authorities**

Components	Activities	Strength	Weakness
Governance	Participation	<ul style="list-style-type: none"> <li>Majority of CF members involve and support</li> <li>Financial support from NGO</li> <li>Patrol activities</li> <li>CF establishment meetings</li> <li>CF extension</li> <li>CF establishment is a mechanism to prevent private company invasion</li> <li>CFMC has specific roles and solidarity for common interests</li> <li>Show to the public of raiding results and the amount of money from fining</li> </ul>	<ul style="list-style-type: none"> <li>The responsibilities of CFMC are limited since they think there is no tangible benefit from CF</li> <li>Anarchic forest clearance (Sala Chdor)</li> <li>They strongly involve but less decision making</li> </ul>
	By-law and Regulation	<ul style="list-style-type: none"> <li>Follow the CF by-law and regulation</li> <li>Based on CF regulation for implanting activities</li> </ul>	Some CF members think only CFMC should be responsible for CF development
	Transparency	<ul style="list-style-type: none"> <li>CF development decision making based on majority of CF members</li> <li>Equitable benefit sharing</li> <li>Monitoring and evaluating on income and expenditure</li> <li>CF networks were established from local to national levels to help strengthen administrative and financial work</li> </ul>	
	Responsiveness	<ul style="list-style-type: none"> <li>Timely response from commune council for offence intervention</li> <li>Timely response from FA</li> <li>Good relationship with relevant NGOs</li> </ul>	<p>Sometimes the response is not timely because:</p> <ul style="list-style-type: none"> <li>Commune council/local FA are busy</li> <li>More forest offense, but less FA officials</li> <li>The CF members lose trust on FA staff when they do not response to cases community reported to</li> <li>Loss documents when Local FA is moved to other place</li> </ul>
Strengthening Law Enforcement	Prevention and Suppression	<ul style="list-style-type: none"> <li>Set up patrol teams and develop patrol plan</li> <li>CF extension</li> <li>CF members who go to collect NTFP or tend cattle in CF area always report offence cases they witness on time</li> <li>Share boundary with private company</li> <li>Report to commune council regularly about month activities</li> <li>Report to commune council for intervention on offences</li> <li>Report to FA about flagrant offence case to take action based on forest law</li> </ul>	<ul style="list-style-type: none"> <li>Based on NGOs for financial support which is irregularly</li> <li>Mean of communication, walkie-talkie</li> <li>CF is a new concept for them</li> <li>High forest demand</li> </ul>
	Monitoring and Reporting	<ul style="list-style-type: none"> <li>Report to commune council regularly about monthly activities</li> <li>Report to FA Triage about offence cases to take action to court</li> <li>Record keeping system</li> </ul>	<ul style="list-style-type: none"> <li>The report is not regularly developed</li> <li>The documents are kept in different places</li> </ul>
Trade	CF Resources and Market	<ul style="list-style-type: none"> <li>Small trees and NTFPs</li> <li>Honey collection group</li> <li>Rattan collection group</li> <li>Pole collection group</li> </ul>	<ul style="list-style-type: none"> <li>Limited budget to buy for stock</li> <li>Harvesting document recording</li> <li>Harvesting labour price is not specific (with market price)</li> </ul>
	Legal Support	<ul style="list-style-type: none"> <li>Forest Law, article: 24, 26, 40, 41, 42, 43, 44, 53 and 58 (31 August 2002)</li> <li>Sub-Decree on CF management (No. 79 dated on 02 December 2003)</li> <li>MAFF's Guideline on Community Forestry (21 July 2006)</li> </ul>	<ul style="list-style-type: none"> <li>Limited knowledge on law</li> <li>Limited knowledge</li> </ul>



## Annex 5: Questionnaire

### 1. CF governance

#### *Participation*

- Have you involved in CF formalization? What step/what activities?
- Have you involved in CFMP development? What step/what activities?
- Have you ever attended the CF meeting? How many times?
- What topics brought to be discussed in the meetings? Did participants have opportunities to raise issues or make any request in the meeting?
- Have you involved in CF development decision making? What was about?
- Have you ever caused conflict in CF? What was the conflict about? Has it been solved? How was it solved?
- Have you ever reported the forest offences to stakeholders? Whom you reported to? How you reported? Whom you reported through?
- What did the stakeholders respond about offence cases after you reported to them?
- Do you think the intervention is acceptable? Why?
- What information related to forests you have received from stakeholders?

#### *By-laws and regulation*

- Does your CF have by-laws and regulation?
- Have you involved in by-laws and regulation development?
- Have the CF members followed the by-laws and regulation?
- Has punishment been applied to those who have not followed the by-laws?
- What has FA involved in the CF by-law and regulation implementation?
- What do local authorities and stakeholders contribute to CF by-law and regulation implementation?

#### *Transparency*

- Does CFMC organize meeting regularly?
- What topic/issues brought to be discussed and decided in the meetings?
- Have the meeting results been distributed to CF members or stakeholders?
- What kinds of reports the CF has?
- What institutions the reports have been sent to?
- Where are the CF related documents kept? Who takes care of them?
- What kinds of documents CF has?
- Who are authorized to see those documents?
- How documents and information are distributed? What are means of distribution?

### ***Responsiveness***

- Whom should the CF members report to when they witness the offences?
- How do they report?
- What action taken by CFMC after they are reported to about forest offences?
- What does CFMC do when they received forest offence information from CF members?
- How local authorities, local FA and stakeholder intervene after they receive forest offence information from CF members?
- What do you think of the reporting mechanism?

## **2. Strengthen law enforcement**

### ***Prevention and suppression***

- What actions taken by community to prevent and raid forest offences in CF?
- Have by-law and regulation been implemented effectively in preventing and raiding forest offences in CF? Why?
- What should government agencies and involved NGOs support to community in developing plan for prevention and raiding of forest offences in CF?
- How do community and local FA implement forest law and CF regulation (CF members and non-CF members)?

### ***Monitoring and reporting***

- What kinds of documents the community has?
- Has the community had monitoring system on activities?
- What kinds of cases the community has documented? For what purpose?

## **3. Constraints and opportunities for CF members to enhance their community livelihood through trading**

### ***CF resources and market***

- What kinds of resources the community has?
- How are timber and NTFPs used?
- What should be done to sustain the timber and NTFPs in CF?
- What kinds of timber and NTFPs have been traded in market? How is it processed?

### ***Legal support***

- What is the process of harvesting timber and NTFPs?
- What is the process of timber and NTFPs transportation and storage after harvesting?
- Which parts in the forest Law and CF regulation support forest trade?

## Annex 6: Guide used for Assessment

*“Assessment on Best Practice and Constraints in Roles of CF in Law Enforcement in Kampong Speu, Kampong Thom and Kratie provinces”*

Objectives	Assessment Components	Information	Sources of Information	Methods of Information Collection
<b>Specific Objective 1</b>	<b>1.1. CF Governance</b>			
Identify strength and weakness of CF governance and law enforcement by CF and local FA	Participation	<ul style="list-style-type: none"> <li>CF and CFMP formalization</li> <li>CF development decision making</li> <li>Conflict resolution</li> <li>Information sharing from CF to stakeholders (illegal logging, land encroachment in CF)</li> <li>CF development</li> </ul>	<ul style="list-style-type: none"> <li>CFMC</li> <li>CF members</li> <li>Commune council</li> <li>District council</li> <li>Local FA</li> <li>CF network</li> </ul>	<ul style="list-style-type: none"> <li>Desk reviews</li> <li>Interviews</li> <li>Focus group discussion</li> <li>Key information interview</li> <li>Dissemination workshop on Assessment findings</li> </ul>
	Roles, by-laws and regulation	<ul style="list-style-type: none"> <li>By-law and regulation implementation</li> <li>The understanding from CFMC and CF members on CF by-laws and regulation</li> <li>Roles of government agency in CF by-law and regulation implementation</li> <li>Punishment</li> </ul>		
	Transparency	<ul style="list-style-type: none"> <li>Regular meeting of CFMC and CF members</li> <li>CF annual meeting</li> <li>CF report system</li> <li>Record keeping and information sharing</li> </ul>		
	Responsiveness	<ul style="list-style-type: none"> <li>CF extension mechanism on illegal logging</li> <li>CFMC responds to CF member's request</li> <li>Intervention and support from local authority and local FA in response to CFMC and CF member's request</li> </ul>		

Objectives	Assessment Components	Information	Sources of Information	Methods of Information Collection
Specific Objective 1	<b>1.2. Strengthen Law Enforcement</b>			
	Protection and suppression	<ul style="list-style-type: none"> <li>Stakeholders are aware of CF by-law and regulation</li> <li>Collaboration between government agencies and NGOs to support developing forest protection activities and raid plans</li> <li>Capacity of community and involved authority in conflict management</li> <li>Intervention of FA and stakeholders in developing forest protection activities and raid plan</li> <li>Strengthen CF governance</li> <li>Community understands forest law</li> <li>Roles of stakeholders in developing forest protection activities and raid plan especially CFMC, CF members and government agencies</li> <li>Community ownership to CF</li> <li>Intervention from government and stakeholders in local level and line government agencies in support CF by-law and regulation</li> </ul>		
	Monitoring and reporting	<ul style="list-style-type: none"> <li>Record system and report writing in community</li> <li>Record system in local authority level and local FA</li> <li>Reporting (case) system and up-to-date report</li> </ul>		



Objectives	Assessment Components	Information	Sources of Information	Methods of Information Collection
Specific Objective 2	1			
	CF resources and market	<ul style="list-style-type: none"> <li>Available forest resources (inventory) including NTFPs in CF</li> <li>Identify the sustainable use of NTFPs in CF</li> <li>Market structure (value-chain) and forest product demands including NTFPs from CF</li> <li>Income generation of CF members from timber and NTFPs</li> <li>Rights of CF members to use and to market timber and NTFPs</li> <li>Timber and NTFPs use conflict resolution</li> </ul>	<ul style="list-style-type: none"> <li>CFMC</li> <li>CF members</li> <li>CFMP</li> <li>Commune council</li> <li>District council</li> <li>Local FA</li> <li>CF network</li> <li>Private sector</li> </ul>	<ul style="list-style-type: none"> <li>Desk review</li> <li>Individual interview</li> <li>Focused group discussion</li> <li>Key information interview</li> <li>Dissemination workshop on assessment findings</li> </ul>
	Support from legal institutions	<ul style="list-style-type: none"> <li>Formal and informal commercial registration mechanism for NTFPs</li> <li>Tax on timber and NTFPs</li> <li>Constraints in trading timber and NTFPs including indirect expenditure</li> </ul>		









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