

# Social and Environmental Safeguards: Lessons from Cambodia REDD+ Pilot Projects

## Introduction

According to the United Nations Framework Convention on Climate Change (UNFCCC 2013), REDD+ refers to policies and measures that aim at reducing emissions from deforestation and forest degradation (REDD+) and promoting the role of conservation, sustainable management of forests and enhancement of forest carbon stocks in developing countries. Since the initiative's inception in 2010, one of the most researched topics on REDD+ has been the potential impacts and benefits of its development and implementation for the environment and people (Angelsen 2010; Nguon and Kulakowski 2013; Peskett and Todd 2013). These potential risks and benefits are discussed with a view to providing adequate social and environmental safeguards. The UN-REDD Programme (2015) defines safeguards as processes or policies designed to avoid or mitigate potential risks of negative environmental and social impacts and to ensure that the social and environmental benefits of implementing REDD+ are realised.

Safeguards can be categorised into two groups. The first consists of decision texts adopted by the UNFCCC which include the Cancun Agreements, Durban Guidance, Warsaw Framework for REDD+ and the recent Paris Agreement. The second group includes those requirements developed outside of the UNFCCC process by proponents of voluntary carbon markets such as the Verified Carbon Standard (VCS) and the Climate, Community and Biodiversity Standard (CCBS) (Nguon and Chhun 2015).

Following the 2007 meeting of UNFCCC, the Royal Government of Cambodia decided to implement REDD+ pilot projects, with approval in 2008 of Oddar Meanchey Community Forestry, followed in 2009 by the Seima Protection Forest in Mondolkiri. Both projects have applied certain

sets of social and environmental safeguards towards meeting VCS and CCBS requirements. The objective of this paper is not to assess the application of UNFCCC safeguards in Cambodia, but rather to examine and compare the experiences of the two projects in applying VCS and CCBS requirements. To illuminate how these measures help to reduce different risks, this paper adopts a method developed by Roe et al. (2013), who divided REDD+ safeguards into three categories: social, environmental and procedural.

## Method

This study used qualitative comparative analysis. Information was gathered from key informant interviews, focus group discussions and archival research (e.g. government reports, newspapers, policy briefs and feasibility studies). Empirical data on the two pilot projects was collected on two occasions, from October to December 2013 and from January to July 2015. This fieldwork was supported by a grant from the Stockholm Environment Institute's Sustainable Mekong Research Network (SUMERNET) Phase 3.

In total, 50 semi-structured interviews were conducted with key informants representing government institutions, civil society organisations, development partners and local communities. Focus group discussions were conducted with 13 community forestry (CF) representatives in Oddar Meanchey and 20 representatives from indigenous communities in Mondolkiri. Data analyses were done with the aid of data analysis software, NVivo 10. A combination of functions was used to perform broad-brush coding and specific explorations of the coded data, which was organised under three themes: social, environmental and procedural (Roe et al. 2013).

## Definition of key terms

Some of the terms used in this paper are specific to REDD+ context;<sup>1</sup> they are defined by UNFCCC (2014) as follows:

<sup>1</sup> For a complete list of REDD+ terminologies, refer to UNFCCC 2014.

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- **Displacement:** drivers of deforestation and forest degradation are displaced from REDD+ project areas to other, non-project areas.
- **Leakage:** any increase in emissions of greenhouse gases outside the REDD+ project area as a result of project activities.
- **Permanence:** carbon is only temporarily stored and will be re-released later into the atmosphere.
- **Reversal:** lack of reliable guarantees that the original land use activities will not return after the project concludes.

### Safeguarding Oddar Meanchey Community Forestry

The Oddar Meanchey Community Forestry REDD+ pilot project is located in north-western Cambodia. It covers 13 CF sites with a total area of 64,318 hectares, and 58 villages with a total number of about 10,000 households. Since 2009, Pact Cambodia has served as an implementing partner in collaboration with the Forestry Administration, all 13 CF groups, Terra Global Capital, Children's Development Association, Monks Community Forestry and local authorities (Nguon 2014).

The project has secured tenure rights for the 13 CF sites with a 15-year agreement between the Forestry Administration and CF groups. This required intensive efforts to assemble stakeholders, provide training and coach communities through the processes and requirements for CF legalisation. In accordance with the CF Agreement, communities' rights for the subsistence use of timber and non-timber forest products (NTFP) are recognised. Villagers are also allowed to continue to use existing agricultural land inside CF boundaries as long as they do not expand the areas.

Many consultation meetings were held to ensure that stakeholders were sufficiently informed and willing to participate in the project. The project proponents designed their consultation process based on the principle of free, prior and informed consent (FPIC). For instance, the project facilitated numerous workshops in some 50 villages and at district and provincial levels to raise communities' awareness about REDD+ and the project activities, and provided them with ample time and space to decide whether or not to join the project. Consequently, all 13 CF groups verbally agreed to participate in the project.

One notable aspect of the consultation process was that the project proponents informed the communities that they would receive significant payments from the project. This may have been one of the main reasons behind communities' decision to participate. Informing communities about significant REDD+ payments has leveraged expectations of monetary benefits. However, delay in REDD+ payments has created challenges in assuring CF members' continuous support for and participation in project activities.

The project applied measures to protect and monitor biodiversity and dry deciduous and evergreen forest ecosystems, with special attention to high conservation value areas important for rare wildlife species. The strategy entailed creating greater awareness among local communities of the value of biodiversity, as well as improving patrolling and habitat restoration skills to protect the forests against illegal logging, hunting and burning and, to prevent the degradation of critical habitats. However, this project does not have explicit measures to manage the risks of reversal and displacement. The project consequently faces imminent risk of reversal with some communities being intimidated by armed loggers. There is also a lack of clarity about who is responsible for protecting the forest in the leakage belt—the buffer zone surrounding the community forests.

Although the project has involved various groups of stakeholders, further work is needed to promote gender equality and enhance women's participation. Community representatives are predominantly men: among the 13 CF representatives, there was only one woman. This suggests that further investigation is needed to explore how gender equality has been adopted and respected in practice when making decisions on important aspects of the project.

Finally, the CF representatives reported that various complaints and grievances have been submitted to the project proponents. However, complainants have been dissatisfied with their limited abilities to resolve the challenges local people face. The representatives also disclosed that due to their own budgetary and knowledge constraints they did not pursue support from third parties to help them articulate their grievances. This finding highlights the need to further investigate this issue.

### **Safeguarding Seima Protection Forest**

The Seima Protection Forest REDD+ pilot project aims to engender public support for and participation in the protection of ecologically significant old-growth forest within a core area of 180,515 hectares in the eastern province of Mondolkiri. The area is renowned for an abundance of globally important species. According to the project document (FA and WCS 2011), within the project area are 20 villages, home to some 10,000 Bunong. As of May 2016, Seima REDD+ project has passed the validation phase required by VCS and CCBA and is currently being verified (CCBS 2016). To be able to sell carbon credits, voluntary REDD+ projects must pass both validation and verification. Although the crediting period continues for 60 years, it is estimated that the project will generate carbon dioxide (CO<sub>2</sub>) emission reductions of some 58 million tonnes over its first ten years (FA and WCS 2011).

The project document explicitly states that communities have usufructuary rights to timber and NTFP and are allowed to continue their subsistence farming practices on legally occupied land. The project has also secured their tenure rights on agricultural, fallow and residential lands. This process entailed mapping communal lands with communities and developing legal documents to request communal land titles from the government. This means there should be no involuntary relocation of legitimate occupants from either residential land or farmland. Even so, informants reported a concern that local landowners and residents may inadvertently be considered under the law as informal settlers or land grabbers. They therefore fear being arrested by the authorities on grounds of occupying state or community land illegally, removed from their lands without compensation, and possibly prosecuted or even imprisoned.

Despite recognition of local communities' right to manage their lands and preserve their traditional agricultural practices, shifting cultivation has been identified as a major deforestation and degradation threat that the project aims to eliminate. Informants reported that a huge influx of migrants has created confusion as to whether local (indigenous) people or outsiders (non-indigenous) are practicing shifting cultivation. Therefore, there is a need to empirically investigate the composition of local communities to ensure that project implementation does not infringe upon customary shifting cultivation activities.

This project also applied the principle of FPIC. Our field investigation revealed generally limited knowledge about the content of the CF Agreement among communities, including among individuals who had given their consent to REDD+ implementation through a thumbprint and/or a signature. For example, when asked about key elements of the agreement (e.g. consent provisions, duration, grievance mechanism should any party not uphold their responsibilities), the CF representatives could not provide the information. A simple explanation for this might be that they had forgotten about these important aspects or that the team did not ask the right questions. Even so, this finding points to a need for further work on the FPIC process before consent is sought and given.

The project seeks to maintain a variety of forest cover types and to increase wildlife populations of conservation importance. To that end, the project aims to reduce environmental threats such as habitat loss, hunting in all its forms, selective logging and NTFP overharvesting. According to the project document, the project intends to achieve this partly through agricultural intensification and partly through including all anthropogenic non-forest land use located within the project zone in a leakage management area. This leakage area includes all forestland converted to non-forest use or deforested as of 2010 within a 3 km radius of a settlement. The project conducted several leakage management activities such as ecotourism and NTFP management within forested parts of the project area and leakage belt. Yet interviewees suggested that illegal logging, mainly by outsiders, continues at an alarming rate within their villages. It is therefore critical that the project proponents investigate and respond to these concerns because failure to stop illegal logging may result in leakage and non-permanence and reversal risks.

The project proponents have constantly engaged multi-stakeholders, especially those at the project sites, in extensive consultation processes covering various REDD+ and non-REDD+ topics. Yet communities raised two issues during focus group discussions. First, they pointed out that further stakeholder consultations should focus on the activities or any restrictions that would come with the implementation of REDD+. For example, informants would like to know if their current shifting cultivation practices will eventually be

restricted. Second, they emphasised the importance of increasing women's participation in consultation processes.

The project proponents introduced a grievance mechanism that allows local people to submit complaints directly to the project implementation team for assessment and resolution. In addition, commune councillors in the project zone have a legal mandate to receive complaints from their constituents on issues of any kind and either direct them to the appropriate place or seek to resolve them directly, often by mediating between the affected parties. However, similarly to the communities in Oddar Meanchey, when asked about the issues they currently face regarding forest management in their villages, communities in Seima described at length how outsiders have been illegally logging their forests. Although they have submitted complaints to the authorities responsible for forestry, these illegal logging activities have not been, to quote an informant, "addressed satisfactorily". This issue has raised a lot of doubt among the communities about the effectiveness of REDD+ for ending deforestation caused by external actors. Unless this threat is properly dealt with, the project will be at risk of leakage, non-permanence and reversal.

### Conclusion

The UNFCCC (2013) mandates REDD+ participating countries including Cambodia to establish a national safeguard system to periodically provide a summary of information on how safeguards are addressed and respected throughout the implementation of REDD+. This assessment reveals several practical lessons that warrant incorporation into the design of the national safeguards information system currently being developed by the Cambodia REDD+ Taskforce Secretariat (2015).

First, it is important to ensure indigenous peoples and local communities' customary tenure rights to forests and existing farmland. Community forestry and land titling are practical ways to deal with these important issues as they are less demanding of time and resources. REDD+ implementers may need to look into shifting cultivation to examine whether it is actually detrimental to forest ecosystems. If so, alternatives to shifting cultivation will need to be identified and piloted.

Second, while FPIC is an important tool to ensure that participants are free to give their informed

consent before the implementation of project activities, it is imperative for FPIC implementers to guarantee that information is fully—not selectively—provided to communities before consent is requested. Opportunities that could result from REDD+ should not be overemphasised nor potential risks downplayed. As the Seima case study indicates, general levels of awareness about REDD+ and project activities seemed low. In both cases, villagers need further information about the scope of REDD+ activities, particularly the content of the agreements for which they have given their consent. This is to ensure that they fully understand the potential benefits and risks of REDD+. It is important to take into account the level of understanding and the social context of the stakeholders that are involved in the consultation process to ensure their full and effective participation.

Third, REDD+ project proponents must ensure that grievance mechanisms are respected by all parties involved so that issues arising from the implementation of the project or resulting from the activities of external actors are properly dealt with. Ineffective handling of grievances has cast doubt among communities in both pilot projects on the effectiveness of REDD+.

Fourth, the threats of reversal and natural forest conversion driven by external pressures including illegal logging done by actors within and outside the project areas still exist. This finding has two main implications. First, it suggests that the project proponents should re-evaluate the drivers of deforestation and forest degradation that they are trying to address. Second, for REDD+ to be successful, there is an immediate need to ensure that regulations and law are strictly enforced to stop illegal logging. This, among others, requires effective cooperation from other key sectors such as energy, agriculture and trade, as well as the creation of links with other land-based economic development activities.

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